

18th March, 1922

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

SECOND SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1922



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CONTENTS.

PAGE

TUESDAY, 28TH FEBRUARY, 1922 2617-2652

- Questions and Answers.
- Unstarred Questions and Answers.
- Votable and Non-votable Heads of Expenditure.
- The Code of Civil Procedure (Amendment) Bill.
- The Land Acquisition (Amendment) Bill.
- The Code of Criminal Procedure (Amendment) Bill.
- The Code of Criminal Procedure (Amendment) Bill.
- The Hindu Coparcener's Liability Bill.
- The Married Women's Property (Amendment) Bill.
- The Indian Penal Code (Amendment) Bill.

WEDNESDAY, 1ST MARCH, 1922 2653-2688

- Budget for 1922-23.
- Message from the Council of State.
- The Delhi University Bill.
- The Indian Finance Bill.
- The Police (Incitement to Disaffection) Bill.
- The Press Law Repeal and Amendment Bill.
- Messages from the Council of State.

THURSDAY, 2ND MARCH, 1922 2689-2739

- Governor General's Assent to Bill.
- Statement of Business.
- Governor General's Assent to Amended Standing Orders.
- Resolution re: Establishment of Railway Industries.
- Resolution re: Relief for Distressed Parts of Malabar.
- Resolution re: Privy Council in India.
- Reading of Newspapers in the Chamber.

MONDAY, 6TH MARCH, 1922 2741-2812

- Oath.
- Questions and Answers.
- Unstarred Questions and Answers.
- Message from H. E. the Governor General.
- Time-limit for Speeches in Budget Debate.
- General Discussion on the Budget.

TUESDAY, 7TH MARCH, 1922 2813-2899

- Unstarred Questions and Answers.
- General Discussion on the Budget—*contd.*
- Vol. II—Pt. III.

WEDNESDAY, 8TH MARCH, 1922

2991-2914

Statements laid on the Table.
Governor General's Assent to Bills.
The Indian Ports (Amendment) Bill.
The Indian Official Secrets Bill.
The Cotton Transport Bill.
The Hindu Ceremonial Emoluments Bill.

THURSDAY, 9TH MARCH, 1922

2915-2966

Communication from Mr. Speaker.
Business for the week ending March 13th.
Resolution *re*: Release of Ali Brothers.
Resolution *re*: Committee of Inquiry on the causes of the Moplah Outbreak.
Resolution *re*: Committee on Railway Risk Notes.
Resolution *re*: Re-institution of the Ports of Chittagong and Calcutta for the Hedjaz Pilgrim Traffic.

SATURDAY, 11TH MARCH, 1922

2967-2998

Statement laid on the Table.
Questions and Answers.
Unstarred Question and Answer.
The Resignation of Mr. Montagu.
Election of Committee on Public Accounts.
Election of Standing Finance Committee.
Demands for Supplementary Grants.

TUESDAY, 14TH MARCH, 1922

2999-3077

Statement laid on the Table.
Questions and Answers.
Unstarred Questions and Answers.
Motion for Adjournment.
The Budget—List of Demands—*contd.*

WEDNESDAY, 15TH MARCH, 1922

3079-3144

Oath.
The Hindu Ceremonial Emoluments Bill.
The Budget—List of Demands—*contd.*

THURSDAY, 16TH MARCH, 1922

3145-3219

Questions and Answers.
Unstarred Questions and Answers.
Message of Farewell to H. R. H. the Prince of Wales.
Statement of Business.
The Budget—List of Demands—*contd.*

FRIDAY, 17TH MARCH, 1922

. 3221-3312

Question and Answer.
Unstarred Question and Answer.
Bill passed by the Council of State.
The Budget—List of Demands—*contd*

SATURDAY, 18TH MARCH, 1922 3313-3339

Questions and Answers.
Unstarred Questions and Answers.
Financial Adjustment between the Home Government and the Government of India.
Uninterrupted sitting of the Assembly.
Message from H. R. H. the Prince of Wales.
The Budget—List of Demands—*concl'd*.
Resolution *re*: Re-appropriation between Demands in the matter of Reduction.

MONDAY, 20TH MARCH, 1922 3391-3472

Questions and Answers.
Unstarred Questions and Answers.
Library of the Indian Legislature.
Motion for Adjournment.
The Budget—The Indian Finance Bill.

TUESDAY, 21ST MARCH, 1922 3473-3553

The Budget—The Indian Finance Bill—*contd*.

WEDNESDAY, 22ND MARCH, 1922 3555-3618

Statements laid on the Table.
Bill passed by the Council of State.
Precedence for Finance Bill.
Motion for Adjournment.
The Budget—The Indian Finance Bill—*concl'd*.

THURSDAY, 23RD MARCH, 1922 3619-3677

Questions and Answers.
References to Proceedings in another place.
Unstarred Questions and Answers.
Statement of Business.
Resolution *re*: Election by Indian Legislature of Representatives of India to Imperial and International Conferences.
Resolution *re*: Measures for increasing Cotton Cultivation in India
Resolution *re*: abolition of Posts of Divisional Commissioners.
Resolution *re*: Measures for providing cheap and speedy justice in India.
Resolution *re*: Appointment of Council Secretaries.

SATURDAY, 25TH MARCH, 1922

PAGE
3679-3722

Message from the Council of State.
Election of Public Accounts Committee.
Election of Standing Finance Committee.
The Indian Merchant Shipping Bill.
The Indian Ports (Amendment) Bill.
The Cotton Transport Bill.
The Press Law Repeal and Amendment Bill.
The Indian Official Secrets Bill.
The Criminal Tribes (Amendment) Bill.
Resolution *re*: India's participation in the British India Exhibition.
The Hindu Coparcener's Liability Bill.
Resolution *re*: Message of Regret at the Resignation of Mr. Montagu.

MONDAY, 27TH MARCH, 1922 3723-3769

Statements laid on the Table.
Questions and Answers.
Unstarred Questions and Answers.
Election for the Public Accounts and the Standing Finance Committees.
The Ranchi Mental Hospital Bill.
The Criminal Tribes (Amendment) Bill.
The Cantonments (House Accommodation) Amendment Bill.
Resolution *re*: Adoption of Railway Finance Committee's Proposals.

TUESDAY, 28TH MARCH, 1922 3771-3850

Questions and Answers.
Present Position as regards Burma Reforms.
Unstarred Questions and Answers.
Motion for Adjournment.
Governor General's Assent to the Indian Finance Bill.
The Hindu Ceremonial Emoluments Bill.
The Indian Penal Code (Amendment) Bill.
The Charitable and Religious Trusts (Amendment) Bill.
Message from the Council of State.
Resolution *re*: Appointment of Council Secretaries.
Motion for Adjournment.
Prorogation of the Session.

APPENDICES 1-25

Vernacular Speeches and Translations.

INDEX 1-131

LEGISLATIVE ASSEMBLY.

Saturday, 18th March, 1922.

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

QUESTIONS AND ANSWERS.

RESOLUTION RE STORES PURCHASED.

285. * Sir Vithaldas D. Thackersey : Will Government be pleased to say what steps they have taken in regard to the Resolution moved by me and passed at a meeting of the Legislative Assembly held on the 23rd September, 1921, at Simla *re* the Stores Purchase?

Mr. A. C. Chatterjee : I lay on the table a copy of the correspondence which has passed between the Government of India and the High Commissioner for India, London, on the subject of the purchase of stores in England, in pursuance of the Resolution moved by the Honourable Member and accepted in the Legislative Assembly in the last Simla Session.

No. S.-360, dated Delhi, the 22nd December 1921.

From—J. C. B. DRAKE, Esq., O.B.E., I.C.S., Officiating Secretary to the Government of India, Department of Industries,

To—The Secretary to the High Commissioner for India, General Department, 42, Grosvenor Gardens, London, S. W. 1.

Subject :—Purchase of stores for India through the High Commissioner.

I am directed to acknowledge the receipt of your letter No. H. C., dated the 9th August 1921, with which you forwarded a minute by the High Commissioner on the subject of the purchase of stores in England for Indian Railways, a copy of Sir William Meyer's evidence before the Indian Railway Committee and a note on the procedure of the Stores Department. These documents were laid on the table in the Council of State and the Legislative Assembly in reply to questions, and have been the subject not only of considerable comment in the public press, but of debates in both Houses. I am directed to forward copies of these debates for the information of the High Commissioner. It will be seen that the Government of India accepted in the Legislative Assembly a Resolution that :

'This Assembly recommends to the Governor General in Council that the High Commissioner for India in London should be instructed by the Government of India to buy ordinarily the stores required for India in the cheapest market consistently with quality and delivery, and every case where this rule has not been followed, should be communicated to the Government of India with full reasons for the information of the Legislative Assembly.'

A somewhat similar Resolution was accepted in the Council of State subject to certain reservations which were mentioned by the Honourable Member in charge of the Industries Department in the course of his speech. In view of these debates, the Government of India have again studied carefully the documents forwarded with your letter under reply.

2. I am first to refer to the question of calling for tenders. The procedure in this matter is explained in paragraphs 3—5 of the note on the Stores Department prepared by Sir George Collier. Tenders are obtained either by :

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

In accordance with the recommendations of the Committee of the House of Commons quoted in paragraph 3 of the note, it is left to the discretion of the Department to decide which of these three courses should be adopted, and the Government of India have no desire to interfere with that discretion. They assume that private purchase is resorted to only in rare and exceptional cases, and they observe that the ordinary practice is to call for competitive tenders, except in the case of :

- (a) Patents and specialities ;
- (b) Comparatively small supplies ; and
- (c) Highly finished work, such as surgical and scientific instruments.

The Government of India accept this practice as correct, and have only two remarks to make. In the first place, they desire that the register of firms eligible for 'limited tender' should be periodically overhauled, and should be so framed as to include the names of foreign firms of known reliability, which can be trusted to execute contracts satisfactorily. In the second place, they have considered whether 'open tenders' should not be advertised in the important newspapers and technical journals of continental countries and America, as well as in those of the United Kingdom except where considerations of time render this course impossible. They observe that the High Commissioner is definitely of opinion that foreign manufacturers are so closely in touch with business openings in the United Kingdom that it is unnecessary to bring requirements specially to their notice, and the Government of India are willing to be guided by Sir William Meyer in this matter. The question, however, is one of some importance, and I am to ask that it should be periodically examined in the light of statistics of tenders received annually from foreign manufacturers, and with reference to the principles that where time permits, tenders should ordinarily be called for openly and generally and that the widest possible publicity should be given to such calls.

3. I am next to refer to the policy which has been laid down in regard to the acceptance of tenders. The Government of India fully realise that the cheapest tender is not always the most satisfactory, and that it is not infrequently economical to accept a higher tender on account of greater reliability, earlier delivery, smaller cost of inspection or other similar reasons. The principle which has been prescribed for the permanent guidance of the Department by Sir William Meyer is that the lowest 'satisfactory' tender should be accepted. This principle is obviously correct, and indeed differs in no way from that advocated by Sir Vithaldas Thackersey, the Honourable Mr. L. Samaldas and the Honourable Mr. Sethna in the Legislative Assembly and the Council of State. Where a British and a foreign tender are equally satisfactory and equally cheap, the Government of India cordially agree that preference should be given to the former.

4. So far, there is no difference between Sir William Meyer and his critics in the Assembly and the Council of State. Criticism has turned mainly on the fact that admittedly the policy which has been prescribed as the correct policy for the Department to follow permanently has temporarily been abandoned in the present abnormal circumstances. In particular, objection has been taken to Sir William Meyer's statement that, purely as a temporary measure and so long as the present abnormal conditions last, he is 'willing to accept a satisfactory British tender in preference to a foreign tender when the gap between the two is not excessive' and that, 'as a starting point he has laid down that the gap should not exceed 10 per cent.' Moreover, exception has been taken to Sir William Meyer's practice of communicating foreign tenders confidentially to British manufacturers, in order to give the latter an opportunity of submitting a revised tender.

5. As regards the former point, the Government of India recognise that some misconception prevails in India. They are aware that Sir William Meyer has not laid down a hard and fast rule that a 10 per cent. preference may legitimately be allowed in favour of British tenders over foreign tenders. On the contrary, they understand that every case in which it is proposed to set aside a lower foreign tender in favour of a British tender is submitted for the High Commissioner's personal decision, and that each such case is decided on its merits.

At the same time, the principle of preferential treatment for British firms in special cases has been admitted, and the lowest satisfactory tender is not always accepted. And, since the Government of India are most anxious that the operations of the Stores Department should be conducted purely on business principles, and should be free from any suspicion that British industries are being subsidized, even as a temporary measure, at the expense of the Indian tax-payer, they have thought it necessary to examine the whole basis of the temporary deviations from the accepted policy of the Stores Department to which reference has been made above.

6. There is no room for doubt that, at present, in cases where tenders are called for in the open market, there is ordinarily a very wide margin of difference between the lowest British tender and tenders from countries such as Belgium and Germany. In a recent case which has been brought to the notice of the Government of India, the margin of difference between the five successful Belgian tenders and the lowest British tenders varied from 43 to 21 per cent. The high cost of production in England no doubt accounts largely for the high British tenders, and the increase in the cost of production is believed to be due mainly to the increase in wages. In this matter, however, as the High Commissioner will realise, the Government of India can do nothing to help. Much as they regret the unemployment in England, they are quite clear that they cannot allow orders to be placed in England at preferential rates merely to enable wages to be maintained at an uneconomic level. Such action on their part would be unfair to the Indian tax-payer, and moreover it would do nothing to solve the problem of the British manufacturer. For that problem there is only one solution, and that is for employers and employees to come to such adjustments as will enable the British manufacturers again to compete in the world's markets.

7. A more serious difficulty is that of foreign exchanges, since this factor, over which British manufacturers have no control, is mainly responsible for the margin between the British and foreign tenders. In the case of the five tenders already referred to, the successful Belgian tenders, with one exception, would have been well above the lowest British tenders had Belgian exchange been normal. The difficulty is even more pronounced in the case of Germany, and the point is one which cannot be ignored in deciding what policy should be followed.

8. As regards Belgium, however, the Government of India have decided that the exchange difficulty constitutes no bar to the immediate enforcement of the permanent policy of the Stores Department. The capacity of Belgian manufacturers is strictly limited, and this being so, the Government of India see no reason why full advantage should not be taken of favourable tender from this country. The case of Germany is more difficult, but the Government of India consider that lower tenders received from Germany should be accepted if reliance can be placed on delivery up to time, up to sample and at the price agreed upon, and if they are otherwise satisfactory.

9. The conclusion, therefore, that the Government have arrived at is that all temporary expedients designed to meet an abnormal and transitory state of affairs should now be abandoned, and that the Stores Department, in placing contracts for stores and materials required for Government Departments in India, should revert to the ordinary business principle of accepting the lowest satisfactory tender. They desire, also, that the practice of disclosing foreign tenders to English manufacturers should be discontinued as being inconsistent with accepted business principles. The Government of India have no desire at all to fetter the discretion of the High Commissioner in deciding between tenders on the principle laid down, and, in making such decision, he will of course take fully into account such considerations as quality, reliability, ease of inspection, time of delivery and the like. In regard to locomotives, wagons and similar railway material, the High Commissioner in placing orders will, of course, bear in mind the importance of strict adherence to British standard specifications and Indian standard drawings. Deviations from the standard drawings, especially in respect of renewable parts, may cause great inconvenience in India. The Government of India consider, however, that no preference should be given to British firms merely because they are British, except in the case referred to at the end of paragraph 3 of this letter, and they are of opinion that departure from the principle of accepting the lowest satisfactory tender can be justified only in cases where the placing of an order with a foreign firm, though temporarily securing a cheaper article, might have the result of depriving the High Commissioner in future of a source of supply on which he might have to rely for completing further orders.

10. They desire further with reference to the latter portion of the Resolution in the Legislative Assembly, which recommends that, whenever an article has not been purchased in the cheapest market consistently with quality and delivery, the High Commissioner should communicate the full reasons to the Government of India for the information of the

Assembly that a half-yearly statement for the periods ending the 30th June and the 31st December, respectively, indicating the cases in which the lowest tender has not been accepted, should be submitted in future, and that steps may be taken for the preparation and submission of these statements beginning with the statement for the period ending the 31st December 1921.

11. Finally, I am to explain that the Resolution, as moved in the Legislative Assembly, originally contained a clause recommending that the High Commissioner, when placing large orders, should insist on the contracting parties, if required by him to do so, granting facilities for the admission of Indian students as apprentices in their works, so as to afford them opportunities to acquire practical knowledge of manufacturing process. This portion of the Resolution was subsequently withdrawn by Sir V. Thackersey, pending the receipt of the report of the Indian Students Committee. The Government of India, however, undertook to communicate the suggestion to the High Commissioner, and I am to ask that it may be considered and that the Government of India may be furnished with the views of the High Commissioner on the subject.

No. 521-H. C., dated 25th January 1922.

From—J. W. BHOBE, Esq., C.B.E., I.C.S., Secretary to the High Commissioner for India, London,

To—The Secretary to the Government of India, Department of Industries, Delhi.

I am directed by the High Commissioner for India to acknowledge the receipt of your letter No. S-360 of the 22nd December 1921, communicating the instructions of the Government of India on the subject of the purchase of stores in England. The High Commissioner and his Store Department will loyally carry out the general instructions given: the High Commissioner has in fact, since he was apprised of the Resolutions of the Indian Legislature bearing on this subject and their acceptance by the Government of India, put a stop to the special temporary practice of allowing some preference to British manufacturers, including the communication to those of competing foreign tenders, which the Government of India have now formally decided to do away with.

2. With reference to the question of calling for tenders the Government of India allude to a note by Sir George Collier in which the procedure is detailed, and have inferred that the course of inviting a tender from a single firm only ('single tender' or 'private purchase'), instead of having recourse to advertisement or the invitation of competitive tenders from a number of firms, is resorted to only in rare and exceptional cases. This inference is not quite correct, since numerically such cases are not infrequent, owing to the fact that many items in indents for stores are either for quite trifling quantities, or specify particular kinds or manufactures of goods, for which it would be manifestly unbusinesslike or futile to invite competition. The High Commissioner desires, however, to assure the Government of India that the practice in question is one the possible abuse of which receives vigilant attention, and that it is restricted to cases in which it is clearly dictated by ordinary business considerations.

3. With regard to the desire of the Government of India that the register of firms eligible for limited tenders should be periodically overhauled, and that it should be so framed as to include the names of foreign firms of known reliability, I am to explain that this register is constantly being extended, and is at present being completely overhauled with a view to bringing it as far as possible up to date. In this process the inclusion of suitable foreign firms will receive particular attention in conformity with the instructions received. As it has seemed to the High Commissioner that some misconception exists as to the scope of the register (conduced to possibly by the use of the words 'limited tenders' in Sir George Collier's note) he desires to mention that the register of approved contractors is a very comprehensive document. It fills two large volumes and contains the names of several thousands of firms classified under some 500 headings. Nor in practice have invitations to tender been confined rigidly to those upon the list, since either upon the advice of the Consulting Engineers or other information, other firms, both British and Continental, are frequently invited.

4. As to the question of advertising requirements, I am to say that this course has been considerably extended during recent months and steps have been taken to ensure that when

orders of any magnitude are contemplated the desirability of advertising shall be specifically considered in each case. In this connection, the instructions of the Government of India that the question of advertising in foreign newspapers, etc., should be periodically examined will be borne in mind. It may be remarked, however, that experience, so far, goes to show the correctness of the belief indicated in the enclosure to my letter of the 9th August 1921, that notifications in the leading British papers are watched by foreign firms. It may be mentioned also that in occasional cases advertisement of requirements is avoided because of the risk of such publicity producing an unfavourable effect upon the market concerned. For instance, in purchasing a very large quantity of coal recently with reference to a special order from the Railway Board, it seemed best to restrict enquiries to a moderate number of firms and to enquire for a smaller quantity than was actually required, the full quantity being subsequently negotiated for with the most suitable tenderer. Such cases are exceptional and are dealt with on their merits on commercial considerations.

5. The High Commissioner is, if he may say so, in full accord with the remarks in paragraph 9 of your letter under reply in regard to the considerations over and above mere price quotations which must be taken into account in deciding what is a 'satisfactory' tender, and he notes that the Government of India permit departure from the principle of accepting the lowest satisfactory tender in cases where the placing of an order with a foreign firm, though temporarily securing a cheaper article, might have the result of depriving the High Commissioner in future of a source of supply on which he might have to rely for completing further orders. But action in this direction will necessarily be very exceptional.

6. The Government of India desire to be furnished with the views of the High Commissioner in regard to a suggestion that, when placing large orders, he should insist on the contracting parties, if so desired, granting facilities to Indian students. The High Commissioner would explain in this connection that some months ago, on his own initiative, he gave instructions that when the two lowest tenders are fairly close together, and where the lowest is that of a firm which has declined to admit Indian students, preference should be given to the other. The High Commissioner does not consider that it would be advisable to go beyond this, as otherwise the Indian taxpayer would be burdened unduly. It may be mentioned that the same principle has been adopted by the High Commissioner in deciding between two tenders, one from a firm which is upon the 'King's Roll', i.e., has agreed to employ a certain proportion of disabled ex-soldiers, and the other not. In practice the question rarely arises and care is taken that no amount of any significance is sacrificed.

7. Half-yearly statements will be submitted as desired, shewing for the periods ending 30th June and 31st December, respectively, all cases in which tenders other than the lowest have been accepted. These statements will be drawn up in two parts, one dealing with cases in which a lower foreign tender has been set aside wholly or partially in favour of a British offer, the other with cases in which such discrimination is made as between British firms. The first of these statements, for the half-year ending 31st December 1921, is now under preparation and will shortly be submitted. The High Commissioner understands that the statements are to exhibit all cases in which the lowest tender is rejected in favour of a higher one on such grounds as less expeditious delivery, uncertainty as to the reliability of the tenderer, lack of facility for inspection or shipment, inferior though still acceptable quality of goods offered, and similar considerations; but need not include cases in which the reasons for declining lower tenders are such as would, in any event, necessitate their rejection: for instance, cases in which the lower tenders were rejected because the goods offered were not of the necessary standard, or because unacceptable conditions attached to the offer. To the latter class (the numbers of which are likely to increase according as invitations to tender are more widely advertised) may be added tenders which have been received after the due date. It may be remarked that such tenders are on occasion accepted, but it is obviously necessary to exercise special care to prevent the practice of considering late tenders leading to abuse.

ACTION AGAINST INSTIGATORS TO STRIKES ON RAILWAYS.

286. *Sardar Bomanji A. Dalal : (a) Will Government be pleased to state whether there is any provision of law under which persons other than railway servants who preach strikes on railways can be punished ?

(b) If the answer is in the affirmative, will Government be pleased to state what action has been taken against the Swami who openly exhorted the strikers on the East Indian Railway to continue the strike?

Colonel W. D. Waghorn: (a) Advocacy of a strike is not in itself a criminal offence.

(b) This is a matter for the consideration of the Local Government concerned.

RECOGNITION OF ASSOCIATION OF GOVERNMENT EMPLOYEES.

287. *Rai T. P. Mukherjee Bahadur: To which associations of Government employees have Draft Rules for recognition of the same by the Government been circulated?

Has this been done to the Indian Telegraph Association?

Has the Government of India received copy of Draft Rules framed by the All-India (including Burma) Postal Union passed in the Lahore Conference in its second session for the benefit of the Postal and Railway Mail Service Workers' Union?

Colonel Sir Sydney Crookshank: The rules, which have been approved by the Government of India, have been issued to Local Governments and Administrations who have been informed that copies may be communicated to any Association or proposed Association of Government employees. The Government of India have no information as to which Association have received copies under these instructions.

In the Post and Telegraph Department the rules have been circulated through Postmasters General to all Associations and Unions including the Indian Telegraph Association.

The draft rules framed by the All-India (including Burma) Postal Union passed at the Lahore Conference have not been received by Government, but a copy of them has been noticed in the issue of '*Labour*' dated November 1921.

Mr. Mahmood Schamnad Sahib Bahadur: Is there anything in the draft rules restricting long transfers of telegraph officers in the general scale?

Colonel Sir Sydney Crookshank: I do not quite follow the question put by the Honourable Member and I do not quite see what application it has, but if he will give me notice, I shall do my best to reply to him.

HOURS OF BUSINESS IN POST OFFICES.

288. *Rai T. P. Mukherjee Bahadur: Is it a fact that in spite of the Director General's circular on revised hours of business, work in the Burdwan Head Post Office begins from sunrise to sunset? In how many head offices has work ceased to commence from very early in the morning?

Will the Government be pleased to fix the hours of business at a stretch in respect of Registration, Parcel and all other business to avoid split work?

Colonel Sir Sydney Crookshank: The hours of business now at the Burdwan head office are as follows :

- | | |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------|
| (1) References and inquiries . . . | } From 7 to 18 hours. |
| (2) Certificates of postings . . . | |
| (3) Sale of postage stamps . . . | |
| (4) Issue of telegraphic money orders . . . | |
| (5) Registration, insurance and booking of parcels and value-payable articles. | } From 7 to 17 hours daily and on Saturdays from 7 to 15 hours. |
| (6) Money order, Savings Bank and British Postal order transactions. | |
| (7) Telegrams received for despatch . . . | } From 7 to 20 hours. |
| (8) First despatch of mails . . . | |
| (9) Last despatch of mails . . . | } At 7 hours. |
| (10) First delivery . . . | |
| | } At 19 hours. |
| | |
| | } At 7 hours in Summer and at 7-30 hours in Winter. |
| | |
| (11) Last delivery . . . | } At 16-30 hours. |
| | |

2. Government regret that the information is not available and they do not consider that it is of sufficient public interest to justify the labour of collecting it for the whole of India.

3. It is not possible to avoid 'split duties' altogether nor are they always inconvenient to the staff. Orders have already been issued by the Director General of Posts and Telegraphs to abolish them where possible and desirable.

HIGHER APPOINTMENTS IN THE POSTAL SERVICE IN INDIA.

289. * Rai T. P. Mukherjee Bahadur: (a) Has the attention of the Government been drawn to the following observations of Colonel Wedgwood (Labour Member of Parliament) made in the course of his speech delivered on the 25th March last at the Postal Club, Calcutta, *viz.*, that he was struck with surprise at the gigantic disparity between the pays of men in subordinate ranks and in the higher posts?

(b) What is the number of higher appointments in the British Postal Administration compared with that of the Postal service in India? What is the total salary given to the former as against the latter?

(c) Was not there one administrative officer for the Railway Mail Service in India some time ago?

(d) Why are the present sorting circles placed under Deputy Postmasters General of sorting circles and not under the Local Postmasters General?

Colonel Sir Sydney Crookshank: (a) Government have seen the observations in question.

(b) A list of the higher appointments in the British Postal Administration will be found at pages 264-267 of Whitaker's Almanac for 1922. The higher appointments in the Indian Post Office and the pay of such appointments are detailed in the List of Officers of the Posts and Telegraphs corrected up to the 25th November, 1921.

(c) Yes.

(d) The sorting and transit of mails all over India is work of a technical nature and requires a special staff to deal with it. The work has to be distributed according to the main lines of railway communication, which are not co-terminous with the postal circles under the control of the Postmasters-General. The latter officers already have their hands full with other work

and it would not be possible for them to undertake the Railway Mail Service work as well.

UNSTARRED QUESTIONS AND ANSWERS.

QUANTITIES OF FOREIGN SUGAR AND MOLASSES IMPORTED INTO INDIA.

306. Mr. Muhammad Yamin Khan : Will the Government be pleased to state separately quantities of Foreign Sugar and Molasses imported in India from 1st April, 1921 to 31st January, 1922 ?

The Honourable Mr. C. A. Innes : The information is contained in the Accounts relating to the Sea-borne Trade and Navigation of British India for January, 1922, published by the Department of Statistics, to which I would invite the attention of the Honourable Member.

RATE OF EXCHANGE FOR CUSTOMS PURPOSES.

307. Mr. Muhammad Yamin Khan : Will the Government be pleased to state at what rate the exchange is calculated for customs purposes while calculating the duty payable by the importers ?

The Honourable Mr. C. A. Innes : Calculations of exchange for customs purposes are made at the rate current at the time of importation.

FINANCIAL ADJUSTMENT BETWEEN THE HOME GOVERNMENT AND THE GOVERNMENT OF INDIA.

Mr. T. V. Seshagiri Ayyar (Madras : Nominated Non-Official) : Sir, may I with your permission ask the Honourable the Finance Member whether he is in a position to explain the nature of the benefit which India has derived by what is described by Reuter as a windfall to this Government in consequence of an adjustment between this Government and the Government at home ?

The Honourable Sir Malcolm Hailey (Finance Member) : Sir, the particulars which Mr. Seshagiri Ayyar asks for relate to Reuter's telegram of March 10th. In that telegram it was stated that Lieutenant-Colonel the Honourable G. F. Stanley in moving supplementary estimates of £4,900,000 representing terminal charges arising from the War, explained that £2,800,000 represented disbursements, etc., which had been under discussion for some considerable time between India and Great Britain. The terms in which the Reuter's telegram was reproduced in one particular newspaper suggested that India had received an unexpected credit and this may possibly have given rise to the impression that our deficit of the current financial year would be relieved to this extent. We have, however, been informed by the Secretary of State that the £2,800,000 was made up of various sums actually paid in advance by the War Office to the India Office prior to the 1st April, 1921, which had not been previously provided for in the Army estimates. The items therefore represent merely domestic book-keeping of the War Office. The principal item is one of £1,950,000 and generally speaking the whole transaction represents the grant of a formal appropriation to the War Office to cover items of recoverable war expenditure which, as the House is aware, is recouped to the Government of India by actual cash payments made in advance.

UNINTERRUPTED SITTING FOR THE DAY.

Dr. H. S. Gour (Nagpur Division : Non-Muhammadian) : May I suggest, Sir, that, in view of the fact that the guillotine is put automatically at 5 o'clock, Members of the Government might accommodate us by cutting their lunch and sit continuously from 11 to 5 and thus give us more time for this Budget discussion ?

Rao Bahadur C. S. Subrahmanayam (Madras ceded districts and Chittoor : Non-Muhammadian Rural) : I suggest half an hour for lunch, not a continuous sitting ; it is impossible to go on without a lunch interval.

Mr. President : The adjournment for tiffin is entirely a matter of the convenience of the Assembly, and in this case, I must say, primarily, of the convenience of Government. I am prepared to meet the general convenience of Members ; but my discretion will be largely influenced by what the Finance Member and other Members of the Government have to say.

Sir Montagu Webb (Bombay : European) : Might I suggest, Sir, that we wait until the hour for adjournment for lunch arrives and see how far we have progressed with the work before us ?

Dr. H. S. Gour : And how far the necessity for lunch arises ?

The Honourable Sir Malcolm Hailey (Finance Member) : If I may, I should like to support the suggestion of Sir Montagu Webb, with the addition that we shall on our side be prepared to fall in with the wishes of the House at the time.

MESSAGE FROM HIS ROYAL HIGHNESS THE PRINCE OF WALES.

Mr. President : I have received the following Message :

' Prince of Wales' Camp, Karachi, 17th March, 1922.

I am deeply touched by the Message from the Legislative Assembly contained in your telegram dated 16th March. It has cheered and heartened me in my sad task of taking leave to-day. May God prosper the work of the Assembly for the welfare of India.

(Sd.) EDWARD, PRINCE.'

THE BUDGET—LIST OF DEMANDS.

CIVIL WORKS—INCLUDING EXPENDITURE IN ENGLAND—*concl'd.*

Mr. President : The debate will now be resumed on the question :

' That a sum not exceeding Rs. 1,60,10,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Civil Works—including Expenditure in England'.

A motion has been moved :

' That the demand under head 'Civil Works—including Expenditure in England' be reduced by Rs. 8,01,750.'

Colonel Sir Sydney Crookshank (P. W. D. Secretary): When the House adjourned at a late hour last night I was about to reply to . . .

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban, : Perhaps, Sir, it will do if, for economy of time, I do not press for an answer to all my points. (Laughter.)

Colonel Sir Sydney Crookshank : Sir, I was proceeding to inform the House that I was going to reply to the avalanche of criticisms which were hurled at the head 'Civil Works' by my respected friend, Mr. Rangachariar. I shall reduce my replies as much as possible. Before I get to work on those criticisms, I would desire to reply to the question put to me, or perhaps rather more to the Finance Department, in the matter of lapses in P. W. D. grants at the close of the financial year.

In this respect I should like to correct my Honourable friend when he said that the P. W. D., have very little work to do during the rains. It is true that the building works are put off then to a certain extent during that season of the year but that is the time when all the road work is done, and consequently there is a fairly uniform flow of work throughout the year. Now, as far as the P. W. D. is concerned, we would welcome the abolition of the lapses at the end of March each year. Under the capital head it is a comparatively simple matter. I understand, for example, that in the new Railway loan of Rs. 150 crores the capital account will be kept open. In the case of the capital account for New Delhi Works, what we do there is to provide for a minus reserve of a large sum which will be found under that Demand and this has, practically speaking, the same effect. Under the revenue head of course it is a very different matter and the Finance Department would find themselves in difficulties if they did not know how the various heads of account would be affected, the Public Works Department being only one of the many Departments which are concerned. Possibly, some such arrangement as we have under New Delhi by which we establish a minus reserve would to a certain extent meet the situation.

And now, Sir, to revert to my Honourable friend, Mr. Rangachariar's criticisms. He started off by making a remark that last year's revised estimates amounted to Rs. 147 lakhs whereas this year's revised estimates amount to Rs. 162 lakhs. The actual figures are 159 for last year and 162 for this year, so that the difference is really only 3 lakhs in excess which is insignificant and it is really nothing like enough to provide for the required expenditure on account of the heavy depreciation on buildings and the rapid deterioration of roads.

At page 117 of the Demands against the entry English Stores he remarked on the difference between the figures of Rs. 99,000 and Rs. 3,32,000 for 1921-22 and 1922-23, respectively. But if a reference is made to page 119, it will be seen that it is really a matter of adjustment against an item of Rs. 3 lakhs entered in the eighteenth and twentieth columns, which is practically an addition to the Public Works Department reserve. So that the comparison is between Rs. 99,000 and Rs. 32,000 only.

The next item was that of furniture on page 120 under Viceregal Estates. That is the ordinary repairs grant for the whole of the expenditure on the upkeep of furniture for the Viceregal Estate in Simla, Mashobra, Dehra Dun, Belvedere and Delhi. It is an increase of Rs. 21,000 over last year which has been sanctioned by the Secretary of State on account of the very much higher

cost of keeping the furniture in repair now-a-days to what it was when the grant of Rs. 42,000 was originally fixed.

Rao Bahadur T. Rangachariar: May I know what was the amount spent during the visit of His Royal Highness for renewing the furniture?

Colonel Sir Sydney Crookshank: There were special grants under the Royal visit account.

Rao Bahadur T. Rangachariar: They should have improved the furniture then.

Colonel Sir Sydney Crookshank: The furniture required specially for the Royal visit was provided for from the Royal visit funds.

Rao Bahadur T. Rangachariar: All that furniture will now be available for His Excellency's rooms, I suppose?

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): Mr. Rangachariar says that that furniture could be utilised for Viceregal Lodge.

Colonel Sir Sydney Crookshank: Any benefits there may be will be adjusted against this item here during the course of next year by credit to the Royal visit account which is kept separate.

Then, Sir, Mr. Rangachariar referred to 'Minor Works' on the same page. You will find there that right through this Demand 'Civil Works', these same items appear and they are lump sums in each case for all the minor works under Rs. 10,000 apiece. They are not specified in detail, because it does not appear to be necessary to do so.

Attention was then drawn to the item of allowances, honoraria, etc., at page 121 and on various pages throughout the Demand. The word 'Honoraria' does not necessarily mean that honoraria are going to be given broadcast to Public Works Department officers. No such good fortune. It is only a term and the heading provides for all the local and duty allowances, grain compensation allowances, travelling and scarcity allowances which are given in various localities for different reasons sanctioned by the Government of India.

The Imperial Division at Dehra Dun is a division which was specially created for the construction of the Forest Research Institute at Dehra Dun and the Royal Indian Military college which has recently been opened by His Royal Highness the Prince of Wales. The revenue establishment referred to under this head consists of Patwaris and menials who do the assessment and collection of revenue on the Research Institute Estate until such time as the buildings are erected, and I may add they are collecting for us a very good profit in the meanwhile. The credit for new Capital is merely an adjustment on account of the percentage charges on a joint establishment. I have no remarks to make under head 'Baluchistan' other than that these are works in progress and that it would be most uneconomical to shut them down in their present state as they will deteriorate rapidly and compensation would have to be paid.

The next item to which Mr. Rangachariar referred was, I think, about the contribution to the Madras Government on account of direction charges under Coorg. This is paid to the Madras Government for supervision overhead charges and for the higher technical advice which is given to the Chief Commissioner as and when required. As I pointed out yesterday, we hope in

[Sir Sidney Crookshank.]

due time to transfer the whole execution and supervision of the Public Works Department works in Coorg to the Government of Madras.

Then my Honourable friend referred to the allowance paid to the Superintending Engineer under head 'Rajputana' on page 125. It is merely a secretariat allowance to the Superintending Engineer which is given under the provisions of Public Works Department Code, paragraph 10.

Mr. Rangachariar then made a very pathetic, and very rightly so, reference to the lack of a lift from the Government clerks' quarters at Dhar in Simla up to the Ridge. I may inform him that the Public Works Department have already put this into practical shape and form by getting out a project which amounts to Rs. 88,500 for a particular railway which would have been constructed this year had it not been one of the numerous items of New Works amounting to Rs. 133 lakhs which have been cut out of the Budget.

Reference was also made to the cost of the Raisina Bus service, and rightly too. The item referred to here is Rs. 1,09,000 at page 121. This is certainly a very high figure, but it is the best we could do in the circumstances, and it would not be possible, as I informed Sir Deva Prasad Sarvadhikary not very long ago, to make a tramway, because not only would the cost be very great but the roads have not yet been properly aligned. If we were to give travelling allowance instead of providing Bus transport, not only would these allowances amount to a very large sum of money, but they would also be very unsatisfactory because there are probably not enough tongas and such like vehicles to go round and consequently there would be great competition. I fancy that there would be a great deal of complaint both by the clerks themselves and by their offices when the clerks did not turn up to office in time.

One other item which I think I should refer to is the Public Works Department reserve on page 132. There are two items of Rs. 5 lakhs and Rs. 2 lakhs, respectively. The 5 lakhs should in reality be 8 lakhs as I have pointed at the commencement of my address, this being the usual amount. This is the reserve which we keep in hand for meeting immediate and unforeseen demands made during the course of the year and also for meeting the less expenditure payments which come forward from the previous year. All payments from this reserve are made with the sanction of the Finance Department and I think in most cases also of the Standing Finance Committee. The special reserve is kept in hand till the month of October to meet demands on account of damage by rain during the monsoon and the late and urgent demands coming in towards the close of the year.

I forgot to refer to the medical establishment which I think will be found under the head 'Central India'. This is a charge for a special medical establishment which is entertained on a large work in progress in an out of the way locality. It is necessary to provide for the treatment of accidents and sickness on the spot of the workmen which the Public Works Department and the contractors have engaged and the Public Works Department have to pay the charges. Sir, in conclusion, I will point out that all the credits to the Madras, Bombay and other Governments are for the establishment percentage charges on account of work done by them. We have no establishment with which to carry out the works ourselves. We therefore hand them over to these Governments with their permission, and they carry out our works.

and repairs and charge us the ordinary percentage charges current for the year. These for example would be for as follows: Military Works 24½ per cent.; Bengal, United Provinces and the Punjab 21, 19 and 18 respectively; Burma, Bombay, Bihar and Orissa, Central Provinces, Assam and Madras 23 per cent.; North-West Frontier Province 16½ per cent. and Delhi 8½ per cent.

Sir, in this matter of Civil Works, the Public Works Department is placed in the unfortunate predicament of being between the devil and the deep sea. A large estimate was prepared for the work of the following year. In this case it amounted to no less than 341·69 lakhs. But in order to help the Finance Department in the extremely difficult situation in which they were placed, all Departments combined to reduce their demands on Civil Works to the utmost and the estimates for the year 1922-23 amounting to Rs. 162 lakhs are the bed-rock estimates which we can work to next year with any degree of satisfaction. They do not, even as they are, provide for the very heavy deterioration of the roads and the depreciation on the buildings which has been going on now for a number of years and which must be arrested and made good unless we are prepared to meet very much heavier charges in the future.

Mr. Darcy Lindsay (Bengal: European): Sir, my Honourable friend, Sir Sydney Crookshank, has not dealt with the point I have raised as to early intimation being given to this Department that the grant applied for has been either sanctioned or reduced or refused.

Dr. H. S. Gour: He has not also replied to the point which I raised last night and of which I again reminded him this morning about the expenditure of Rs. 51 lakhs on the North-West Frontier Province under the head 'Civil Works'.

Colonel Sir Sydney Crookshank: Sir, dealing with the point raised by my Honourable friend, Dr. Gour, I would draw his attention to the fact that these are all works in progress. There are no new works whatever under this demand. The necessity for these works cannot be fully explained in the Public Works Department, which of course merely carries out the work for other Departments, but I would emphasize here that any attempt to cut down this grant will mean compensation to contractors which would probably land us in far greater expenditure in the long run.

Mr. N. M. Samarth (Bombay: Nominated Non-Official): I quite see, Sir, that no curtailment of expenditure is possible in regard to works which are in progress. But I really do not know why in this year of financial stringency, Government are undertaking new works. I invite attention to page 124 where there is an item of Rs. 1,15,000 for the extension of the Test House at Alipore, and on page 130 Rs. 1,00,000 is put down for new works, *viz.*, building for the School of Mines and Geology at Dhanbad. Surely, these new works and new buildings can await until our finances are in a prosperous condition. I do not object to any repairs being done or to any works in progress being taken in hand. Without interfering with the items for repairs, namely, Rs. 64,50,000 and without interfering with the items for works in progress, I submit that these new works need not be taken in hand and so much money may be saved. At the same time, it will be found that there is an item of Rs. 1,02,000 for suspense account on page 117 and

[Mr. N. M. Samarth.]

a Reserve of Rs. 7,00,000, which is explained on page 132 as Reserve with the Government of India, Public Works Department, for unforeseen expenditure. Surely this House is not going to know in what way that item is placed before us as unforeseen expenditure, that is to say, unforeseen even by the Government or by the Department that has brought this estimate. I submit, therefore, that there is room for much more reduction than Rs. 8,01,750 which is the reduction proposed under this head, and consequently, I strongly support this reduction.

The Honourable Mr. B. N. Sarma (Revenue and Agriculture Member) : Sir, the Honourable Sir Sydney Crookshank had already explained to the House that the Local Administrations and the various Departments of the Government of India have sent up estimates amounting to no less than Rs. 340 lakhs, which were scrutinised in our Department, cut down ruthlessly, sent up to the Finance Department, and still further pruned there, and the net result is what appears against the head under consideration. The Honourable Mr. Rangachariar with his usual dialectic skill, acquired from considerable experience at the Bar, has tried to captivate the imagination of the House and has impressed upon them that somehow it is possible to effect a retrenchment of Rs. 8 lakhs in this estimate without any further danger to the Public Works buildings and roads in the various administrations under the control of the Government of India. I shall first of all deal with the question of new works to which Mr. Samarth alluded. The Rs. 1,15,000 that is provided in Bengal seems to me to be a more important item than any other for this reason that if you wish to Indianise your purchases, if you wish to have proper tests applied, you must provide the means therefor, and I think this important work has not been undertaken too early at all.

It has been postponed far too long. Of course, my Honourable friend, Mr. Innes, will further speak to it, with what great difficulty he has been able to secure the admission of this entry under the head of 'Civil Works'. With regard to the other sum of Rs. 1 lakh, I am surprised that Mr. Samarth should say that all new works should be stopped. I think he could not have heard Mr. Chatterjee when he spoke yesterday and I think it would be a deplorable blunder if we cut down this amount. The pity of it is that more money could not be found for this School of Mines, because unless you construct a building for the school of mines you cannot teach boys. You cannot utilise the officer who is already there and the great progress in mining enterprise to which we are looking forward will be delayed still further by at least one year if you are to cut down that expenditure.

Mr. N. M. Samarth : Before buildings are built, let students be sent abroad for training and education in that subject.

The Honourable Mr. B. N. Sarma : That is a policy against which the House set its face. Then we come to the question of repairs. Mr. Samarth has no objection and I am glad he has seen that it is impossible to make any curtailment there. It is true that against the 51 lakhs of last year we have made a provision of 64 lakhs this year. But what is the reason for it? Honourable Members will notice, if they have read the literature of the previous years that during the war every item has been starved. Expenditure which was being reasonably incurred, and perhaps unreasonably incurred

according to some, in the repairs of roads, was starved because money was not forthcoming. The cost of labour, and the price of materials have gone up by more than 50 per cent. So a crore and 20 lakhs which might have sufficed before the war would not suffice now and a crore and 80 lakhs would be required now to do exactly the same kind of work.

Mr. S. C. Shahani (Sind Jagirdars and Zamindars : Landholders) : It is going down now.

The Honourable Mr. B. N. Sarma : Both the cost of labour and the price of materials are now on the whole at least 50 per cent. more than what they were before the war. I wish it were less. Then, the point is that in 1920-21, the Government of India found themselves compelled owing to previous curtailments to provide a sum of not less than a crore and 99 lakhs, but unfortunately last year was a bad year and we had to cut it down. What are the complaints received by us from the various departments and administrations ? I will read one from Baluchistan :

‘The climatic conditions of Baluchistan—intensely dry heat and little rain—are unfavourable to the upkeep of all roads in an unusual degree. It is impossible to maintain as in Egypt roads built up out of soft soil. Even hard metal becomes friable and disintegrates in a short time unless the road surface is occasionally watered and rolled, but the curtailment of repair grants has caused this essential measure of preservation to be abandoned during recent years. The general result is a very rapid deterioration of many miles of this most valuable Government property. Once deterioration of the road surface has passed beyond a certain limit, as in this case, it is no longer a question of repair. The whole road has then to be dug up, soled and metalled. The cost of these operations is now calculated to amount to not less than Rs. 5 lakhs for the portions which have become too bad for normal repairs.’

Here is another specimen from the Chief Commissioner of Delhi.

‘This is necessary to provide for the renewal of the surfaces of a number of roads which for want of funds have not been properly repaired for the last 4 years with the result that the soling coats are in many places becoming exposed.’

The same story may be repeated with reference to several others also. Therefore Honourable Members will find that it is impossible to curtail the grant under repairs either. The rest are mere items of adjustment with regard to what we have to contribute to the various provincial Governments and others which do work on behalf of the Government of India for which we have to pay establishment charges. For instance, the Government of India owns property in Bombay, Bengal, and so on and has to repair the works or add to them. Then the Public Works Department there undertakes the work and we have to contribute the cost thereof. Those are items which cannot be curtailed at all. It depends upon the amount of work we turn out in any particular year and the total cost of labour and material which Honourable Members will remember has gone up to a certain extent. Then objection has been taken on the ground that there are other items to which we can look for some relief. One of them is the suspense account of a lakh and two thousand to which reference has been made. Honourable Members will find from the explanation given in last year's memorandum that this is nothing but the contribution which would have to be paid by the administration for work undertaken on their behalf. Therefore it is a mere question of adjustment. It is a mere question of entry and I do not think therefore anything can be saved under that item either. Then further reference has been made to honoraria, etc., and naturally the House thought that the Government were very extravagant in paying such high amounts to these officers, but I may point

[Mr. B. N. Sarma.]

out, as has already been done by Sir Sydney, that a very large portion of this item includes travelling allowance. No less a sum than Rs. 40,000 and odd out of Rs. 50,000 [shown under the head of allowances, honoraria, etc., is travelling allowances in Rajputana. So Honourable Members will find, if they scrutinise item by item, that a large portion of this item is for travelling allowance to a certain extent, grain compensation allowance which nobody would grudge for a single minute and so on. The honoraria that are paid are very very small. I would impress on Members again that it is sometimes felt by the Government of India to be a most desirable and economical arrangement to induce their officers to undertake slightly extra work where otherwise they would have to appoint another officer to do the same work, if the work is not legitimately part of the functions which are assigned to a Superintending Engineer, to an Executive Engineer or an Assistant Engineer. Some extra work has to be undertaken and it is found convenient, and we thereby save lots of money, to ask an officer to undertake this extra work by paying him a very very small sum.

Rao Bahadur T. Rangachariar : It is a very vicious principle.

The Honourable Mr. B. N. Sarma : The officer does this extra work without prejudice to his work or his efficiency. The officers above him will exact the usual amount of work which he has to discharge in the pursuance of his normal duties and certainly if he goes wrong he will be taken to task. I do not think, therefore, that anything can be saved under that head either. I submit, therefore, that Honourable Members may look for retrenchment in other directions but not here. Here we have cut expenditure down as far as we could. Any further reduction would result in a deterioration of roads leading to greater expenditure hereafter or stopping some works, which would not merely impair efficiency, that is a separate matter altogether, but would render impossible the evolution of schemes of educational advancement without the antecedent and ancillary expenditure being undertaken, in the shape of buildings and so on, and, if you starve that, you would

Rao Bahadur T. Rangachariar : What about the item, the unforeseen item, of 7 lakhs?

The Honourable Mr. B. N. Sarma : I may tell Honourable Members that we have cut it down as far as we could. They will find that the normal expenditure, as shown assigned, is about Rs. 25 lakhs; Rs. 21,47,700 for instance last year.

Rao Bahadur T. Rangachariar : May I ask was there an estimate for this unforeseen expenditure?

The Honourable Mr. B. N. Sarma : I do not see how there could be an estimate for unforeseen expenditure. There is a sudden flood—there is a flood which suddenly carries everything away; you don't foresee the flood; for instance telegraph officers in Rawalpindi last year complained that it was impossible for them to secure accommodation and that they would all have to leave unless some provision is made for building there; and items of that description occur,—and I think that the sum provided for here is only Rs. 2 lakhs.

(A Voice : 'No, no, 7 lakhs.')

The Honourable Mr. B. N. Sarma : Seven lakhs for the whole. That is, for unforeseen expenditure as well as for items kept in reserve.

(*Voices : 'No, no.'*)

Mr. N. M. Samarth : For unforeseen expenditure the whole lot.

The Honourable Mr. B. N. Sarma : I beg your pardon, it is not 'unforeseen' merely. Part of it is included in it, part of it is kept in reserve for items under which there may be an excess.

An Honourable Member : It is not merely a question of excess.

The Honourable Mr. B. N. Sarma : You have to keep some reserve. Well, a lump sum grant. It used to be 10 lakhs and it was reduced to 7 lakhs. Previously it used to be Rs. 25 lakhs, now it is reduced, and so even there you may be sure that the Finance Department has not been particularly favourable to us. I may point out again that if the Government of India had not been driven to such cruel straits, the Honourable Member's point with regard to the convenience to be provided for Dhar would have been provided. We did all we could, but our difficulties can be imagined when even that extremely necessary item had to be omitted. But I may assure the Honourable Member that this representation will not go unheeded, and I have every reason to hope that the Government of India will somehow be able to undertake this work during the next year, and that this is an item which they must undertake at the earliest possible date. I can give that assurance.

Mr. Manmohandas Ramji (Indian Merchants' Chamber and Bureau : Indian Commerce) : Why is the amount provided for under the head 'New building' not charged to capital account; why to revenue account—this Rs. 3,40,000?

Sir Deva Prasad Sarvadhikary (Calcutta : Non-Muhammadan Urban) : Why charge to revenue the new buildings, the new works?

Mr. President : Order, order.

The Honourable Mr. B. N. Sarma : As to these educational institutions, I should like to point out that the cost has been provided for hitherto out of revenue, and we should be introducing a new principle and departing altogether from established practice if we debited this to the capital account, and I think it would be rather an unfortunate position.

Mr. N. M. Samarth : Why do you penalise the present generation for the benefit of future generations, by debiting this to the revenue account? Why do you penalise the present generation for works from which future generations will benefit?

The Honourable Mr. B. N. Sarma : I do not think that the buildings you are going to provide with this one lakh or two lakhs would last more than a generation, and therefore the present generation I think may properly bear the cost. (Laughter.)

Mr. President : The question is :

'That the demand under head 'Civil Works—including Expenditure in England' be reduced by Rs. 8,01,750.'

12 NOON.

The Assembly then divided as follows :

AYES—56.

Abdul Majid, Shaikh.
 Agarwala, Lala G. L.
 Agnihotri, Mr. K. B. L.
 Ahmed, Mr. K.
 Aiyer, Sir P. S. Sivaswamy.
 Asjad-ul-lah, Maulvi Miyan.
 Ayyangar, Mr. M. G. M.
 Ayyar, Mr. T. V. Seshagiri.
 Bagde, Mr. K. G.
 Bajpai, Mr. S. P.
 Barodawala, Mr. S. K.
 Barua, Mr. D. C.
 Bhargava, Pandit J. L.
 Bishambhar Nath, Mr.
 Chaudhuri, Mr. J.
 Cotelingam, Mr. J. P.
 Das, Babu B. S.
 Gajjan Singh, Sardar Bahadur.
 Ginwala, Mr. P. P.
 Girdhardas, Mr. N.
 Gour, Dr. H. S.
 Gulab Singh, Sardar.
 Hussanally, Mr. W. M.
 Iswar Saran, Munshi.
 Jamnadas Dwarakadas, Mr.
 Jatkar, Mr. B. H. R.
 Joshi, Mr. N. M.
 Lakshmi Narayan Lal, Mr.

Latthe, Mr. A. B.
 Mahadeo Prasad, Munshi.
 Manmohandas Ramji, Mr.
 Man Singh, Bhai.
 Misra, Mr. B. N.
 Misra, Mr. P. L.
 Mudaliar, Mr. S.
 Mukherjee, Mr. J. N.
 Nag, Mr. G. C.
 Nand Lal, Dr.
 Nayar, Mr. K. M.
 Neogy, Mr. K. C.
 Pyari Lal, Mr.
 Rangachariar, Mr. T.
 Reddi, Mr. M. K.
 Samarth, Mr. N. M.
 Sarfaraz Hussain Khan, Mr.
 Schamnad, Mr. Mahmood.
 Shahab-ud-Din, Chaudhri.
 Shahani, Mr. S. C.
 Singh, Babu B. P.
 Sinha, Babu Adit Prasad.
 Sinha, Babu Ambika Prasad.
 Sinha, Beohar Raghurir.
 Srinivasa Rao, Mr. P. V.
 Subrahmanayam, Mr. C. S.
 Subzposh, Mr. S. M. Z. A.
 Thackersey, Sir Vithaldas D.

NOES—33.

Abdul Quadir, Maulvi.
 Abdul Rahim Khan, Mr.
 Aiyar, Mr. A. V. V.
 Amjad Ali, Maulvi.
 Bijlikhan, Sardar G.
 Bradley-Birt, Mr. F. B.
 Bray, Mr. Denys.
 Bryant, Mr. J. F.
 Chatterjee, Mr. A. C.
 Clarke, Mr. G. R.
 Crookshank, Sir Sydney.
 Dalal, Sardar B. A.
 Dentith, Mr. A. W.
 Faridoonji, Mr. R.
 Fell, Sir Godfrey.
 Habibullah, Mr. Muhammad.
 Hailey, the Honourable Sir Malcolm.
 Hullah, Mr. J.
 Innes, the Honourable Mr. C. A.

Kabiraji, Mr. J. K. N.
 Kamat, Mr. B. S.
 Lindsay, Mr. Darcy.
 Mitter, Mr. K. N.
 Muhammad Hussain, Mr. T.
 Mukherjee, Mr. T. P.
 Percival, Mr. P. E.
 Rao, Mr. C. Krishnaswami
 Renouf, Mr. W. C.
 Rhodes, Mr. C. W.
 Sapru, the Honourable Dr. T. B.
 Sarvadhikary, Sir Deva Prasad.
 Sharp, Mr. H.
 Spence, Mr. R. A.
 Vincent, the Honourable Sir William.
 Waghorn, Colonel W. D.
 Way, Mr. T. A. H.
 Webb, Sir M. dePomeroy.
 Zahiruddin Ahmed, Mr.

The motion was adopted.

Mr. President: The question is :

‘ That a reduced sum not exceeding Rs 1,52,08,250 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Civil Works—including Expenditure in England.’

The motion was adopted.

CIVIL WORKS—CIVIL.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 44,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Civil Works—Civil ’.’

Rao Bahadur T. Rangachariar: Sir, I move :

‘ That the demand under head ‘ Civil Works—Civil ’ be reduced by Rs. 2,200.’

Colonel Sir Sydney Crookshank: Sir, I might perhaps explain to the House that these are very small items on account of expenditure for the upkeep of the Residencies in Mysore and Gwalior, and for the maintenance of boundary pillars in Seistan, establishment charges in Sikhim and Bhutan and similar minor charges. I hope that, seeing they are so small, the Democratic Party will not impose this five per cent. reduction and will pass this grant as it stands.

Mr. President: The question is that, that reduction be made.

The motion was adopted.

Mr. President: The question is :

‘ That a reduced sum not exceeding Rs. 41,800 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Civil Works—Civil ’.’

The motion was adopted.

SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 20,73,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Superannuation Allowances and Pensions ’.’

The motion was adopted.

STATIONERY AND PRINTING—INCLUDING EXPENDITURE IN ENGLAND.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 67,34,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Stationery and Printing—including Expenditure in England ’.’

Mr. W. M. Hussanally (Sind : Muhammadan Rural) : Sir, may I inquire if this item also includes expenditure on behalf of the Military Department, and, if so, why it is not shown under the Military Budget ?

Mr. N. M. Joshi (Nominated : Labour Interests) : Sir, I beg to move :

Foreign Department
Press.

‘ That the demand under the sub-head ‘ Foreign Department Press ’ be omitted.’

Sir, the Government of India have got very good and big presses for the whole of the administration. I do not know why the Foreign and Political

[Mr. N. M. Joshi.]

Department should have a printing press of its own. It may be said that the work of the Foreign and Political Department is of a confidential character, but that does not prove that there should be a separate press altogether. In the Central Presses themselves they can have a small branch and call it a Confidential Branch and that branch will be as useful as a separate printing press. A separate printing press means separate staff for supervision. I therefore feel that this expenditure need not be incurred and this item can be omitted without any inconvenience to the Foreign and Political Department. It seems that the Foreign and Political Department, being connected with the States and Foreign Departments, should have some dignity of its own and I feel that an independent press is only intended to show that dignity. There is no other use of that press and the item can be very well omitted.

Mr. A. C. Chatterjee (Industries Secretary): Sir, Mr. Joshi, as a Member of the Standing Finance Committee, is aware that an officer is now engaged in making a special inquiry into the possibilities of economy in the printing departments of the Government of India and the organisation of the different presses, and this is one of the items of inquiry that he is conducting. The question of the Foreign and Political Department Press had been considered in another connection by the Standing Finance Committee and on that occasion we had said that the matter was already under examination.

Mr. N. M. Joshi: In anticipation of the results of that inquiry, you may drop the item altogether.

Mr. President: The question is :

‘That the demand under head ‘Stationery and Printing—including Expenditure in England’ be reduced by Rs. 41,740 in respect of the Foreign Department Press.’

The Assembly then divided as follows :

AYES—57.

Abdul Majid, Shaikh.
Abdul Quadir, Maulvi.
Agarwala, Lala G. L.
Aguihotri, Mr. K. B. L.
Ahmed, Mr. K.
Aiyer, Sir P. S. Sivaswamy.
Asjad-ul-lah, Maulvi Miyan.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bagde, Mr. K. G.
Bajpai, Mr. S. P.
Barodawala, Mr. S. K.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Bishambhar Nath, Mr.
Chaudhuri, Mr. J.
Cotelingam, Mr. J. P.
Dalal, Sardar B. A.
Das, Babu B. S.
Ginwala, Mr. P. P.
Girdhardas, Mr. N.
Gour, Dr. H. S.
Gulab Singh, Sardar.
Hussanally, Mr. W. M.
Iswar Saran, Munshi.
Jannadas Dwarkadas, Mr.
Jatkar, Mr. B. H. R.
Jejeebhoy, Sir Jamsetjee.
Joshi, Mr. N. M.

Kamat, Mr. B. S.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Mahadeo Prasad, Munshi.
Manmohandas Ramji, Mr.
Man Singh, Bhai.
Misra, Mr. B. N.
Misra, Mr. P. L.
Mudaliar, Mr. S.
Mukherjee, Mr. J. N.
Nag, Mr. G. C.
Nand Lal, Dr.
Nayar, Mr. K. M.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Samarth, Mr. N. M.
Sarfaraz Hussain Khan, Mr.
Sarvadhikary, Sir Deva Prasad.
Schamnad, Mr. Mahmood.
Shahani, Mr. S. H.
Singh, Babu B. P.
Sinha, Babu Ambica Prasad.
Sinha, Beohar Raghubir.
Srinivasa Rao, Mr. P. V.
Subrahmanayam, Mr. C. S.
Subzposh, Mr. S. M. Z. A.

NOES—33

Abdul Rahim Khan, Mr.
 Aiyer, Mr. A. V. V.
 Amjad Ali, Maulvi.
 Bijlikhan, Sardar G.
 Bradley-Birt, Mr. F. B.
 Bray, Mr. Denys.
 Bryant, Mr. J. F.
 Chatterjee, Mr. A. C.
 Clarke, Mr. G. R.
 Crookshank, Sir Sydney.
 Dentith, Mr. A. W.
 Faridoonji, Mr. R.
 Fell, Sir Godfrey.
 Habibullah, Mr. Muhammad.
 Hailey, the Honourable Sir Malcolm.
 Hullah, Mr. J.
 Innes, the Honourable Mr. C. A.

Kabraji, Mr. J. K. N.
 Keith, Mr. W. J.
 Lindsay, Mr. Darcy.
 Mitter, Mr. K. N.
 Muhammad Hussain, Mr. T.
 Mukherjee, Mr. T. P.
 Rao, Mr. C. Krishnaswami.
 Renouf, Mr. W. C.
 Rhodes, Mr. C. W.
 Sapru, the Honourable Dr. T. B.
 Shahab-ud-Din, Chaudhri.
 Sharp, Mr. H.
 Vincent, the Honourable Sir William.
 Waghorn, Colonel W. D.
 Way, Mr. T. A. H.
 Zahiruddin Ahmed, Mr.

The motion was adopted.

Mr. S. C. Shahani: I beg to move :

General Reduction.

‘That the demand under head ‘Stationery and Printing’ be reduced by Rs. 3,37,300.’

I notice that last year the Government were able to reduce their expenditure under this head by sixteen lakhs by effecting economy on account of a fall in prices, as stated in a footnote here. I trust that the Government will be able to reduce their expenditure further by Rs. 3,37,300. I would in this connection suggest that it would probably pay Government to manufacture their own paper. A Government factory for manufacturing paper for their own use would occasion a pioneer industry, would furnish a training ground for the people of India, and would not run counter to established interests.

Mr. N. M. Joshi: I think that a reduction of this grant by the amount suggested will not inconvenience the Government of India at all. The Government of India have been in the habit of getting things printed without any really necessary reason. As a member of the Standing Finance Committee I have seen several letters printed, which, in my humble opinion, were not necessary to be printed. There are ten Members of the Standing Finance Committee, and I take it that the Department wanted five more copies. I have some experience of printing work, and can say that it does not pay to print 15 or 20 copies. I still find Government Departments printing letters and memoranda when they want even 15 or even less number of copies. Sir, I ought to have said that when I spoke of the Foreign and Political Department Press that all memoranda that came before us from the Foreign and Political Department were printed

Mr. President: The question of the Foreign and Political Department Press does not now exist, as far as we are concerned.

Mr. N. M. Joshi: My object in saying that was that, whenever you have a printing press ready to hand, you don't mind incurring expenditure. Moreover, I learn that all records in the Government of India are printed. They think that the records of the Government of India must be in printed form, and whenever their cases are finished, the records are sent for printing, in order that they should be kept in proper order. (*A Voice from the Government Benches:* ‘No, no.’) My information may be incorrect, and I am willing to be enlightened. I feel, therefore, that especially in the matter of

[Mr. N. M. Joshi.]

printing, the Government of India can economise a good deal, and will not feel any inconvenience by the reduction of this demand.

Mr. R. A. Spence (Bombay : European): I should like to congratulate the Government of India on having been able to do more than they had to do in this Department last year. We cut them, on the motion of Sir Frank Carter, ten lakhs, and they have been able to reduce expenditure under this head by 50 per cent. more. I think this is a good omen, that despite the cuts of the Democratic Party, amounting only to the modest sum of 5 per cent., Government have shown us that they are going to retrench in every possible way, and have greatly exceeded the 5 per cent. which the Democratic Party want. Therefore, in view of the fact that Government retrenched last year a little bit more than we wanted them to do, and as they have promised to retrench further, we can leave it to them without the Democratic axe coming into play.

I notice that under Stationery Stores, Purchase of Paper, there is a sum of Rs. 53 lakhs. Last September in Simla the Honourable Mr. Chatterjee informed me that 90 per cent. of the paper required for the Government of India was manufactured in India. I should like to know that that is still the case and that every step is being taken to develop the paper industry in this country.

Sir Deva Prasad Sarvadhikary: I want to raise a general question in this connection. I believe the present practice is to allow Rs. 18 or thereabouts per head to officers for stationery. That is not a small sum. Even if that sum is necessary I think that by suitable decentralization and co-ordination much greater economy can be effected. If in regard to large items like paper this cannot be conveniently done, there may be a contract and indent system on some accepted basis; with regard to smaller items of stationery certainly decentralization can easily be effected. With regard to big matters of central stores also the question has been raised and must be raised again. If stationery is based on the supposition of a capitation grant of Rs. 18, I suggest that by suitable co-ordination and decentralization, and a due regard for saving of smaller items of stationery which total up much a great deal more economy could be effected.

Mr. W. M. Hussanally: I am afraid Mr. Spence was not very correctly informed. I doubt if Government have been able to cut expenses in this Department; but if we look at the note at the bottom of page 135, it says that 'the Governments of Bombay and Madras will run their own stationery stores' and probably the reduction shown here is due to the fact of economies in Madras. (*A Voice*: 'No; you are all wrong'.) Of course, I speak subject to correction, but that is my impression. We know that the Government of India came for a supplementary grant under this head last Simla Session, and they have since balanced their accounts. If that is so, then I do not think that the Government of India have been able to reduce any expenditure under this head.

I put a question a little while ago as to whether, so far as printing is concerned, the printing for the Military Department is not done by the Civil Departments, and if so, whether any part of the expenditure is debited to the Military Department. I got no answer to that question, and therefore think that I am correct in saying that much of the printing that is done is for the Military

Department, and all the cost of printing for that department should be debited in the Military Budget. In fact I am afraid the expenditure of the Military Department is being put down in this way by debiting a lot of expenditure that really ought to go to the Military Department to the Civil Department. This ought not to be done. May I ask that for the next year all expenditure which is incurred on behalf of the Military Department should be debited to that Department, though it be non-votable. Then we will be in a position to know what really is the expenditure on that department; because, as it is, I think that expenditure on that Department is purposely kept down by debiting to Civil Departments.

Mr. Darcy Lindsay: I join with Mr. Spence in congratulating the Government of India on the reduction that they have been able to effect both in printing and stationery.

There is no doubt however that there are many minor items in which they can still effect considerable saving. It is these minor items, Sir, that count. As the saying goes—many a mickle makes a muckle. I place before you, Sir, what appears to my mind a wasteful expenditure in paper. I have here three sheets of paper which came to me about the 15th of the month, one from Mr. Gupta, for the Secretary of the Legislative Assembly, and another sent by Mr Pereira, the Registrar. Both of these could have been printed on the one piece of paper. Lots of these notices are printed on a large sheet of paper, whereas a small sheet would suffice. I am perfectly well aware that the reply given to me would be that this size is convenient for our files. But, Sir, we, the Members of the Assembly, do not keep files and we do not want these large sheets of paper. I would suggest that the Superintendent of Stationery or the Master Printer be offered a bonus or percentage on the reduction that he could effect in the coming year both in the manner of printing and the stationery used in that printing. I am perfectly satisfied that, if this question were closely gone into, room for considerable saving would be found. My friend, the Honourable Mr. Joshi, referred to a point that I wished to raise and that is the printing of six copies of letters and communications received by departments to go to swell those interminable files that you see unhappy Members of Government taking home every evening. I do not know why these should be printed. In our offices—commercial offices—we frequently have to duplicate and triplicate and sometimes we may want even six copies of one document. We pass the matter on to our typists and by the use of a certain quality of thin paper we can get as many as six copies at one time. Surely, Sir, these would suffice for purposes of the files and save a considerable amount in printing. I have been told, Sir, that at times work is put upon the printing establishment merely because they have no work to do. Government maintains these printing presses and occasionally when they are out of work, work must be found for them. It was only the other day, Sir, that I received a circular notice from the Secretary of this Legislative Assembly announcing that the Public Works Department had revised the measurement of my room and I was therefore going to be charged an extra rent of one rupee a month. I wonder, Sir, whether it was the Master Printer who having no work at the time said—‘For goodness sake, give me something to print!’ If the head of the department will only make a close supervision into these various matters, I am quite satisfied that the saving may run into lakhs of rupees.

Mr. J. N. Mukherjee (Calcutta Suburbs : Non-Muhammadan Urban) : Sir, I wish to add a word to what has fallen from my Honourable friend, Mr. Lindsay. With regard to the quality of the paper which is used for most trivial or temporary purposes, papers which are meant simply to be looked at and are probably thrown away the next moment I may say, that it may not be of a superior sort, such paper might be had at a cost considerably less than what we pay now. Similarly, with regard to envelopes one might effect a considerable retrenchment. I notice that big-sized envelopes and of very good paper are sent out, even on trivial occasions, to Members. If notice was taken of these little things by the officers concerned, I am sure some retrenchment might be effected in this connection also.

Mr. A. C. Chatterjee : Sir, it is an irony of fate that the super-axe of the Democratic Party falls equally on Departments which have honestly attempted and are attempting to effect economies as on Departments where no such economy has been possible. (Hear, hear.) As the Honourable Mr. Spence, to whom my gratitude is due, has pointed out, we have already in the proposed budget figures indicated a considerable reduction on the actuals of 1920-21 as well as on the revised Estimates of the current year. As Honourable Members will find from page 135, we have asked for a grant of only 67 lakhs of rupees, whereas the actuals for 1920-21 were 98 lakhs of rupees and for the current year 83 lakhs of rupees. Sir, a determined effort has been made to effect economies in this Department. We admit that economies were possible; and, as Honourable Members of the Standing Finance Committee are aware, an officer, with their permission, is now going into the question in a very detailed manner. Anticipating the economies that he will probably be able to introduce, we have already suggested a reduction in the grant. We have now come to the stage where it will be difficult to make any further reduction in the ensuing year. But we are not without hopes that in future, that is to say in the year 1923-24, we may be able to effect further reductions. Sir, the estimate is mainly composed of the cost of buying paper. Here we are more or less in the hands of the trade. We have to purchase paper according to the quotations available either in India or in England. Last year we were faced with a very immense increase in the price of paper. This year in the contracts which are just now being entered into, we hope to be able to secure a very considerable reduction in the price of paper. This is all really dependent on the world market. It is entirely beyond our own control. I have no doubt Honourable Members will bear that fact in mind when they discuss the question of expenditure under this head. I may just mention for the information of the House that in 1919-20, the consumption of paper was 10,600 tons, in 1920-21, we succeeded in reducing it to 9,500 tons, in the current year we estimate a consumption of 8,800 tons and in the ensuing year we have budgeted for a consumption of 7,500 tons. This is really a reduction of 1 in 3. I think Honourable Members will recognise that an attempt has been made to economise. In this connection, I wish to pay a tribute to the excellent work that has already been done by the officer who is especially going into this question at the present moment and from whose work we anticipate further economies. It will therefore be seen, Sir, that it is really very difficult to effect any further economies during the ensuing year. I should like to mention one or two points in detail. We have asked for a grant of Rs. 67,00,000. This is allowing for a recovery of nearly Rs. 42,00,000 from the provinces. There is just a possibility that

the provinces may not pay the whole of this amount. All the same we have to provide the paper. We have to keep it in stock. They have told us that they would take so much and it would be impossible to tell them later on that we have not got the paper. It is possible that the amount of recovery may be actually less. In view of this fact, it is really impossible to effect any further savings.

I should like to draw the attention of the House to the fact that in the current year the gross expenditure in India and England is Rs. 1,54,00,000. In the budget year we have estimated for a gross expenditure of Rs. 1,27,00,000. This is really a reduction of Rs. 27,00,000 already. Is it reasonable on the part of the Democratic Party to expect a further reduction?

I should like now to answer a few questions which have been put to me. The Honourable Mr. Shahani has suggested that the Government should start a paper factory of its own. I, personally, Sir, would be no party to any such proposal. It will not be a pioneer industry. There are already paper factories in the country, and I think the House will agree with me that it will be a most risky enterprise on the part of Government to start a paper factory of its own, when, at the present moment, it can take advantage of a fall in prices which may occur outside India, independent of conditions in India. I am perfectly certain that, if we start a factory of our own, our cost will be very much heavier than it is now. I do believe, Sir, in pioneer factories, where you want to establish a new industry, but I do not believe in Government factories competing with private factories. (*A Voice*: 'There are only two'.) No, there are more than two.

Then, also, as I said, Sir, we at present take advantage of the reduction in cost effected by a reduction in the price of paper in the world market. We shall naturally lose that advantage if we have a factory of our own.

Mr. Joshi and Mr. Darcy Lindsay referred to the printing of letters and memoranda, etc., which, according to them, is the ordinary practice of the different departments of the Government of India. I think, Sir, it is based on a misconception of the facts. As a matter of fact probably the letter which Mr. Lindsay received has also to be addressed to about 200 other Members of the Legislature, and in that case there is probably an economy in printing rather than in sending out typed copies.

Mr. Darcy Lindsay: It has nothing to do with circular letters; I referred to printing in connection with files.

Mr. A. C. Chatterjee: I think Mr. Lindsay referred to a letter in which he was asked to pay one rupee a month more for the rent of his quarters. As regards files, it is another misrepresentation to say that every Government file is printed from the beginning to the end. Mr. Joshi said that. (*A Voice*: 'When was it stopped? It was the practice'.) It is not the practice. It is only the most important files that it has been so far the practice to print, and it is only a small proportion of files that is printed; and even into that question we are already looking. Mr. Spence has asked for a repetition of the assurance that I gave to him in Simla as to the proportion of paper that is purchased in India. I am very glad to be able to give him that assurance but as I said, that depends entirely on whether the Indian paper mills can supply paper to us at reasonable rates, compared with the rates at which we can obtain paper from outside. (*Hear, hear.*) So far, they have been able to do so, and we, on our part, have been delighted to place our orders with

[Mr. A. C. Chatterjee.]

them. Sir Deva Prasad Sarvadhikary suggested that there is a grant of Rs. 18 per head for stationery. I am afraid, Sir, I have not got the figure. We generally allow stationery to various consuming departments according to the actual quantity that they require. This quantity is decided by the superior officers of the Department. I do not think, Sir, that in the Government of India there is any prescribed amount per head, but even into this question we are now looking as I have already said, and it is very probable that, in addition to the economies which I have already indicated that we have effected, we shall be able to effect further economies. (Hear, hear.) But, as I said, Sir, we have anticipated these economies in the estimate for the next year.

Mr. Wali Mahomed Hussanally said that, possibly, the reductions that we have been able to suggest in the budget figure are due to the fact that Bombay and Madras will supply their own stationery in future. That is not so, Sir, as he will find from the lower figures on page 135, an estimate of 42 lakhs nearly is made on account of the recoveries from provincial Governments during the current year. The revised estimate is Rs. 71 lakhs, so that really we have left out Bombay and Madras in our estimate of recoveries for the next year.

He also said that in the Simla Session we asked for a supplementary grant for paper. He is slightly inaccurate. We did get a supplementary grant for paper in the grant that was given by the Assembly a few days ago, and the causes were fully explained in the memorandum.

He also asked whether the printing of the Army Department and of the Army is done in the Government presses. That is so, Sir. It has been the regular practice not to show separately the debit on account of each different department. It will indeed be extremely difficult to do so, because we have one whole establishment in the press, and it would be extremely difficult, as I have said, to apportion the overhead charges as well as the actual cost of printing and paper.

Dr. H. S. Gour: What portion of your cost is for printing for the Military?

Mr. President: Order, order. If Honourable Members wish to ask questions they must rise in their places. It is unfair to an Honourable Member who is speaking to subject him to constant interruption.

Dr. H. S. Gour (rising): What portion of the printing charge by the Civil Department are on account of the Military Department?

Mr. A. C. Chatterjee: I have already said, Sir, that it is extremely difficult to apportion the cost. As a matter of fact, during the current year, we have made an endeavour to fix grants for different departments for printing, but I must confess that it is not a good arrangement, because we find it extremely difficult to apportion the overhead charges and also to decide beforehand what matter should be printed by different departments. But, as I said, Sir, we are going into this question. We hope to exercise more direct control over the printing that is sent into the press by the different departments and probably, if Dr. Gour will repeat this question to me next year, I shall be in a better position to answer him.

Mr. W. M. Hussanally: And yet the cost of printing for Posts and Telegraphs has been separately assessed.

Mr. A. C. Chatterjee: As Mr. Hussanally will find, the Posts and Telegraphs are treated as a commercial department and their cost is mostly on forms and not on ordinary departmental printing. That is separately assessed and we recover somewhere between 28 and 30 lakhs from the Posts and Telegraphs Department for the work that we do for them.

Mr. Lindsay and Mr. Mukherjee have referred to economy in small items. I quite agree, Sir, that a great deal of economy is possible in small items, and I think Honourable Members must have already noticed considerable economies effected during the last few months in this respect.

I do not know whether they now receive their letters in envelopes which are fastened by means of a label. We have already effected considerable economy in envelopes, in stationery of different kinds, such as demi-official note paper and so on, and we hope to effect still further reforms and economies. But, as I said, all this has been allowed for in the reduced basis of paper consumption on which we have budgeted, and I really would appeal to Honourable Members to give us credit for what we have done and not to cut the Budget down any further, because, as I have said, we have made an honest attempt and I think that ought to be recognised.

Mr. Darcy Lindsay: May I ask the Honourable Member if issuing papers to the Assembly in envelopes of this size (holding up a large envelope) is really an indication of retrenchment?

Mr. A. C. Chatterjee: I think Mr. Lindsay must have made many speeches yesterday and probably the typed copies of those speeches must have taken a considerable amount of space; and if very flimsy envelopes are sent probably the article would never reach the Honourable Member at all. In any case, the House has already effected a reduction of Rs. 43,000 on account of the Foreign and Political Department Press, and I hope that that will be taken into account. I, therefore, trust that this reduction will not be made.

Mr. Jamnadas Dwarkadas (Bombay City : Non-Muhammadan Urban) : Sir, my Honourable friend, Mr. Chatterjee, would like the House to give him credit for having effected economy. I should be the first man to give him credit if I was convinced of the fact that economy had really been effected; but what I find is this, Sir, that the reduced expenditure is due largely to the fall in the price of paper.

The Honourable Mr. C. A. Innes (Commerce and Industries Member) : No. There has been a reduction of 3,000 tons of paper in two years.

Mr. Jamnadas Dwarkadas: I admit that the consumption of paper has been reduced in quantity, but the fall in the price of paper has been to the extent of 100 per cent. at least.

The Honourable Mr. C. A. Innes : No, no.

Mr. Jamnadas Dwarkadas : If you look into the figures, the reduction is mainly due to the fall in the price of paper. I do not see where the question of substantial economy comes in any other item, and although in paper we are saving 23 lakhs of rupees, the total deduction on the revised estimate for 1921-22 is nothing more than 16 lakhs. I venture to think, Sir, that there is a good deal of room for reduction, and that this demand for reduction is perfectly justified.

Mr. N. M. Samarth : Sir, I have only a few remarks to make. I am prepared to give full credit to the Department for its energetic and strenuous efforts in trying to reduce the consumption of paper and stationery. Well, I take it that they are in right earnest about it, but I do not know whether effective supervision is exercised over the number of forms which are being printed. Only the other day, a friend of mine went to the Chandni Chowk to buy some fruit, and he got that fruit in a paper bag which was made out of a Government form. I do not know how many such forms are sold in the bazaar or whether they are simply distributed to sweetmeat sellers and other shopkeepers for the purpose of making up into bags. Anyway, there seems to be some lack of supervision, and although I am prepared to give the Department credit for what they have done, I trust that by retrenching to the extent we ask for we shall be in a position to give them still greater credit next year.

Mr. President : The question is :

‘ That the demand under head ‘ Stationery and Printing ’ be reduced by Rs. 3,37,300.’

The motion was adopted.

Mr. President : The question is :

‘ That a reduced sum not exceeding Rs. 63,54,960 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923’, in respect of ‘ Stationery and Printing—including Expenditure in England.’

The motion was adopted.

MISCELLANEOUS.

Mr. President : The question is :

‘ That a sum not exceeding Rs. 12,96,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Miscellaneous ’.’

Mr. J. Hullah (Revenue and Agriculture Secretary) : Sir, I have to move a demand for an additional grant of Rs. 60,000 in order to provide for the cost of an Indian Deputation to the Dominions of Australia, New Zealand and Canada. I will not take long, Sir, but shall I move it now or after the main Demand has been voted on ?

Mr. President : If the Honourable Member likes he can move it later, or . . .

Mr. J. Hullah : I will move it later, Sir.

Mr. P. L. Misra (Central Provinces Hindi Divisions: Non-Muham-madan) : Sir, I beg to move :

‘ That the provision of Rs. 1,00,000 for ‘ International Labour Conference ’ under the International Labour Con- sub-head ‘ Special Commissioners of Inquiry ’ be omitted.’
ference.

In moving this motion I want to know whether it has been settled to hold a Conference, and if so, whether any date has been fixed for the holding of such Conference. If no date has been fixed, then will Government wait for a supplementary Demand ? I want also to know, Sir, what the Government means by ‘ Salaries and other charges ’. If I have this information, I will withdraw my motion.

Mr. A. C. Chatterjee: Sir, the annual meetings of the International Labour Conference are held under the Treaty of Versailles. Under Article 389 of that Treaty the Conference has to be held at least once in every year. We realise that this imposes a considerable strain on countries like India situated at a considerable distance from Geneva, the seat of the League of Nations, where according to the Treaty these meetings have to be held; and we have made representations to the best of our power in order that the Treaty might be altered and the meetings might be held at less frequent intervals. But the machinery for the revision of the Treaty is extremely complex and we do not anticipate that any revision will be effected for a little time yet. Under these circumstances, we have to make budget provision every year.

With regard to the other question about salaries, if any officer of Government has to be sent, he naturally has to be paid some salary during the period of his deputation. The delegates who represent labour and capital only receive their actual expenses and those also the Government has to pay in accordance with the terms of the Treaty. The expenses are kept down as low as possible, but they cannot be absolutely omitted.

Mr. N. M. Joshi: I want to know why this item was not placed before the Standing Finance Committee.

Mr. A. C. Chatterjee: I do not think, Sir, that there is any idea—though I am not quite sure—of placing before the Standing Finance Committee items which we must incur in accordance with Treaty obligations.

The Honourable Sir Malcolm Hailey: I think I can explain, Sir, that this was not a new item and therefore it was not placed before the Standing Finance Committee. It is a repetition of last year's item. We understood this was an annual obligation.

Mr. P. L. Misra: I beg leave to withdraw my motion.

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

Mr. President: Before I put the next motion for reduction, it has been suggested to me as a compromise that we should adjourn for half an hour at about 1-15.

Rao Bahadur T. Rangachariar: We may finish this item, Sir. This motion which stands in my name:

Miscellaneous.

'That the demand under head 'Miscellaneous' be reduced by Rs. 1,96,100'

is the usual five per cent. reduction. I move this with the greatest confidence, because I have great faith in the Honourable the Finance Member. As Honourable Members will see we allowed him Rs. 5 lakhs Reserve in 1920-21; he was so careful as to spend only Rs. 62,000 out of it; and last year although we gave him Rs. 5 lakhs he spent only Rs. 10,000; so that the provision of Rs. 5 lakhs is no doubt excessive. Not that I have any objection to trust the Honourable Finance Member with even Rs. 10 lakhs, but as we have not got it, it is better to reduce it by Rs. 2 lakhs. My modest figure of Rs. 1,96,000 will not therefore hurt him at all, and I move it.

Mr. R. A. Spence: Sir, may I ask for information as to what the 'Fixal' Commission at page 146 is? They have not fixed all; and they have not

[Mr. R. A. Spence.]

fixed anything at the present moment. But, Sir, there is under Miscellaneous and Unforeseen Charges a sum of Rs. 5 lakhs reserve at the disposal of the Finance Department. Now, Sir, we have just learnt the care that the Finance Department take to see that no unforeseen expenditure occurs and they have even suggested to us to-day a supplementary grant on account of the Honourable Mr. Sastri's journey; and I think, Sir, that in view of the small amounts which the Finance Department have spent in Unforeseen Expenditure under this head in previous years they might accede to the Democratic axe and allow this 5 per cent.

Mr. N. M. Samarth: And the National Party's demand.

The Honourable Sir Malcolm Hailey (Finance Member): The reason why it appears that we have not fully utilised the provision of Rs. 5 lakhs given us as reserve is that the expenditure now appears under other heads. In the course of the year we obtained several supplementary grants and the expenditure incurred against the Rs. 5 lakhs was passed off against these grants. Now, the form in which this reduction was taken is a general reduction of five per cent. I wish to point out to the Assembly that this head does not refer to any particular Department or any particular sphere of work. It so happens that in the ordinary course of circumstances I should be responsible for placing it before this House; but it really concerns a collection of different items which are merely brought together under the head 'Miscellaneous' for purposes of convenience. It is hardly, therefore, susceptible of treatment as one of the Demands which can be reduced as a whole. Mr. Rangachariar suggested that our Reserve should be reduced by Rs. 2 lakhs. I take it at least that that is the meaning of the proposal which he has put forward. It may embarrass us; but, so long as we can come up to the Assembly for a supplementary grant in September next if unforeseen expenditure has to be incurred in the interval, I should have no objection. I should have strong objection, however, if it was proposed that, instead of doing that, we should make an all-round reduction here, because, as the House will see, many of these items are not susceptible of reduction at all.

Rao Bahadur T. Rangachariar: I have no objection at all.

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

Mr. N. M. Samarth: May I move as a motion that a reduction be made, in the item 'Miscellaneous and Unforeseen Charges,' of Rs. 2 lakhs? I need not spend any more time after what the Honourable the Finance Member has said about the Reserve at the disposal of the Finance Department; and my motion is that a sum of Rs. 2 lakhs be reduced from the sum of Rs. 5 lakhs entered under the head 'Reserve' at the disposal of the Finance Department.

The Honourable Sir Malcolm Hailey: For purpose of the vote, it must be reduced from the total grant . . .

Rao Bahadur T. Rangachariar: So long as it is understood that that sum must be reduced, it does not matter how: perhaps the Retrenchment Committee might be able to recommend retrenchments in other directions also and there should be nothing whatever to prevent them from doing so. This is only a suggestion.

The Honourable Sir Malcolm Hailey : I think the demand must under the rules be voted as a whole and I merely suggest that it should be voted as Rs. 10,96,000. I would suggest, before this is put to the vote, that there is the matter which has been brought up by Mr. Hullah, namely, the necessity for making provision for the deputation of the Right Honourable Mr. Sastri. It properly comes under this Demand, just as any other deputations, for instance that to Fiji.

Mr. President : I had better take the motion for increase now.

Mr. J. Hullah : I move, Sir, a demand for an additional grant of Rs. 60,000 in order to provide for the cost of an Indian deputation to the dominions of Australia, New Zealand and Canada. The necessity for this demand arose too late for it to be placed before the Standing Finance Committee or to be placed in the Volume of Demands. I shall not take long to explain why the Government of India have thought it necessary to put it forward.

With one exception the support that was given to the 'Equality of Status' Resolution moved by Mr. Sastri at the Imperial Conference was all that we could desire. Events have occurred which make us apprehend that, in one Crown Colony, there is or may be some reluctance to give effect to the principle of that Resolution, but the self-Governing Dominions have shown no disposition whatever to recede from the position which their representatives then took. But memories are short; enthusiasm has a way of growing cold and theories are slow to be put into practice. At the same time, there have occurred incidents in India which may be seized upon by the enemies of Indian aspirations,—may be distorted and misinterpreted to our disadvantage. Our object in sending Mr. Sastri to these Dominions is intended from our point of view to quicken up the process of giving effect to the Resolution of the Conference and to obtain for Indians the franchise which they do not at present possess, and I think that we could send no better envoy—if I may use that expression—than Mr. Sastri (Hear, hear), whose personal qualities and whose efforts have made a most favourable impression wherever he has been. (Hear, hear.)

I do not know if I am right in calling him an envoy. He will not go as a petitioner; he will not go to ask for permission to place our views before the peoples of the Dominions. He goes as the result of invitations; invitations which, I venture to say, are most graceful and courteous; invitations which, I think, it would be ungracious on our part to decline. (Hear, hear.) These invitations are not merely a compliment to Mr. Sastri; they are an expression of goodwill towards the people of India as a whole. (Hear, hear.) The hand of fellowship is extended to us: let us grasp it in the spirit in which we believe it has been offered. (Applause.)

Mr. President : The question is :

'That an additional sum of Rs. 60,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, under the head 'Miscellaneous'.'

The motion was adopted.

Mr. N. M. Samarth : Sir, I now propose that the total sum under 'Miscellaneous' be reduced by Rs. 2,00,000.

Mr. President : The question is :

‘That the Demand under head ‘Miscellaneous’ be reduced by Rs. 2,00,000.’

The motion was adopted.

The Honourable Sir Malcolm Hailey : May I point that the correct effect of the various operations which have just taken place will be that the total Demand will first be increased by Rs. 60,000 and then reduced by Rs. 2,00,000? As a net result the House might be asked to pass Rs. 11,56,000.

Mr. President : The question is :

‘That a reduced sum not exceeding Rs. 11,56,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘Miscellaneous’.

The motion was adopted.

The Assembly then adjourned for Lunch till a Quarter to Two of the Clock.

The Assembly re-assembled after Lunch at Fifteen Minutes to Two of the Clock. Mr. Deputy President was in the Chair.

ADJUSTMENTS WITH PROVINCIAL GOVERNMENTS.

Mr. Deputy President : The question is :

‘That a sum not exceeding Rs. 63,29,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘Adjustments with Provincial Governments’.

The motion was adopted.

THE NORTH-WEST FRONTIER PROVINCE.

Mr. Deputy President : The question is :

‘That a sum not exceeding Rs. 1,16,40,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘the North-West Frontier Province’.

Rai G. C. Nag Bahadur (Surma Valley *cum* Shillong : Non-Muhammadan) : Sir, there are two motions in my name. I would confine myself to a few remarks. I want to elicit information with regard to certain points which I am going to raise.

Mr. Deputy President : I would ask the Honourable Member to confine himself to his motion No. 274 first.

Rai G. C. Nag Bahadur : All right, Sir. The motion standing in my name runs as follows :

‘That the provision of Rs. 46,000 under sub-head ‘2.—Taxes on Income’ be reduced by Rs. 25,100 provided for the appointment of a 2nd Income-tax Officer. Officer, his travelling allowance and his establishment.’

Honourable Members will observe that this is a new item of expenditure provided in the Budget of the ensuing year. If you will turn to page 173 you will find that the receipts from this source of revenue for the current year are estimated at Rs. 6 lakhs and the cost of collection is Rs. 21,000 or 3·5 per

cent. The estimated receipts for the ensuing year are worse by Rs. 26,000, but the proposed cost of collection is more by Rs. 25,000. In other words, while the income will decrease by 4·2 per cent., the cost of collection will increase by 120 per cent. I need not waste many words to try to prove the extravagance of this Demand. The other day I pointed out that the average cost of collection for all India is only 2·1 per cent. The demand of the North-West Frontier Province is more than three times as much. The Honourable the Finance Member was pleased to tell the House in reply to my contention that the variation in the cost of collection was due to different provinces having different conditions. I would point out with all deference to his opinion that if he will kindly compare the conditions of Assam with those of the North-West Frontier Province, he will find that there exists no ground whatever for allowing the latter province to spend so much on its collection of Income-tax. I will place all the relevant facts before the Honourable House for comparison. The area of the North-West Frontier Province is 13,000 square miles, that of Assam is 78,000 square miles. The North-West Frontier Province is partly a hilly country so also is Assam. In fact, the hills there cover two-thirds of its entire area. The population of the North-West Frontier Province is 2 millions, that of Assam is 7 millions. The receipts of the North-West Frontier Province from its income-tax are about 6 lakhs, that of Assam are 10 lakhs. The proposed cost of collection in the North-West Frontier Province is about 7 per cent., that of Assam is less than 1 per cent. It would thus appear that there exists nothing whatever in the conditions of the former Province to justify its spending so much on its income-tax collection. The income of the Province from all sources is no more than Rs. 83 lakhs, but its expenditure is 301 lakhs, which means that its civil administration is financed to the extent of 2 crores and 18 lakhs by the rest of India. Assam is faced with a deficit of Rs. 12 lakhs this year and applied to the Central Government for relief, but it is refused. But like a spoilt child the Province of the North-West Frontier asked for 140 lakhs in 1920-21, 152 lakhs in 1921-22, and asks for 218 lakhs over its receipts in the ensuing year, and the Government of India sees nothing unreasonable in such a demand. The reasons are not far to seek. The other Provinces of India being thrown entirely upon their own resources and try to live within their means, but the North-West Frontier Province being a charge on the Central Government thinks that it can spend just as it likes and like the proverbial Oliver Twist is asking for more and more every year.

I hope that my friend, Khan Bahadur Abdur Rahim Khan, who stands up in season and out of season to support the increasing military burdens of India will likewise come forward to-day to justify the excessive expenditure of his province on its civil administration.

The Honourable Sir Malcolm Hailey : I will give the facts at once to the House and in doing so I shall not attempt to cover the wide field that has been traversed by my Honourable friend, for this has nothing to do at all with the demands by the North-West Frontier Province Administration for an increased Budget allotment or for a larger sum in order to meet general administrative expenditure. It is not the case here that we are allowing, as the Honourable Member said, the North-West Frontier Province to spend more than it ought to or that we are yielding to its belief that it can get what money it likes because it draws funds from the Central Government. The fact is that this proposal was put forward not by the North-West Frontier

[Sir Malcolm Hailey.]

Province but by our own Income-tax Department. The Honourable Member no doubt failed to notice that there has been a gradual increase in the receipts from income-tax in the North-West Frontier Province, that is to say, in 1920-21, it was Rs. 5,26,000 and we budget in the coming year for Rs. 5,86,000. There will be some small falling off in the coming as compared to the current year merely because a certain number of arrears were collected in the current year. About two years ago we put on an officer of the standing of Extra Assistant Commissioner to supervise income-tax work in the North-West Frontier Province and the result was an increase of about Rs. 1,41,720 in the assessment. The cost of the staff was Rs. 23,000. Therefore from my point of view at all events it was a very good investment. We now propose to employ a second officer of the same class in the belief that if we do so the assessment will go up again. We are not proposing to put on any superior officer because we think that one of the superior officers who are being appointed in the Punjab can do perfectly well the work of supervision also in the North-West Frontier Province. I put it to the House, therefore, that it is no yielding on our part to the demands of an extravagant administration for a further increase in the money available for its general purposes. It is a proposal put forward by our own expert department to add another officer in order to bring in, if possible, more revenue.

Rai G. C. Nag Bahadur : I beg to withdraw my motion.

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

Rai G. C. Nag Bahadur : I have got another motion, Sir.

Mr. Deputy President : Order, order.

Dr. H. S. Gour : I move, Sir :

Hill Journey allowance. 'That the demand for Rs. 7,000 for Hill Journey allowance be reduced by Rs. 4,000.'

My motion covers a wider ground and I propose very briefly to take the House through the history of the North-West Frontier Province. (*Voices : 'Finish soon.'*) A very few minutes will suffice if I am not interrupted by Honourable Members. As the Honourable Members are aware this province was formed in 1901 and Lord Curzon in his despatch to the Secretary of State stated that the reasons for separating this North-West Frontier Province from the Punjab were first that it would have a more effective direct control, secondly, that it would cost only 3 lakhs of rupees per annum in addition to the ordinary charges then apportionable to the North-West Frontier Province.

Mr. Deputy President : May I draw the attention of the Honourable Member to the fact that the motion he moves is with regard to the hill journey allowance ?

Dr. H. S. Gour : Yes, the hill charge allowance of the Chief Commissioner and the Revenue Commissioner. Thirdly, it was thought that it would lead to increased efficiency. Now, Sir, before the partition, the cost apportionable to the North-West Frontier Province was Rs. 64,15,417.

Mr. Denys Bray (Foreign Secretary) : May I rise to a point of order? Sir, I understand that Dr. Gour is presently to move a much more comprehensive motion. It seems to me very awkward for us to discuss the history of the North-West Frontier Province from as far back as 1901 on a motion to reduce the hill journey allowance, which stands at Rs. 7,000 by 4,000. I suggest to the Honourable Mover that it will be much more convenient if he would defer his more general remarks to the general motion he is proposing to make.

Dr. H. S. Gour : I am very much obliged to the Honourable Mr. Bray for giving me advice, but I intend to follow the course that I have chalked out for myself and eventually he will agree with me that it is the right course to follow.

Now, Sir, Lord Curzon pointed out that the additional cost would be only 3,55,507. In other words, 67,55,507 that was the cost of administering the North-West Frontier Province. Let me give you the actuals.

	Revenue.	Expenditure.
1902-03	33,13,807	51,84,705
1910-11	46,57,275	99,30,435
1911-12	45,14,480	1,02,33,925
1912-13	51,16,183	1,18,99,390
1920-21	58,59,008	1,79,49,450
1921-22	62,89,070	2,14,66,000
1922-23	83,33,00	3,31,00,000
	(estimated).	(estimated).

I add the civil works expenditure of 31 lakhs which is on a different page. The expenditure, therefore, has gone up by leaps and bounds and commencing at 64,00,000 in 1902-03 it is now 3½ crores. That is, the expenditure has gone up by more than 5 times. So much for the cost. Now look at the efficiency. The North-West Frontier Province was formed with a view to ensure security of life and person to the people living in that province.

Now I will give you these facts from the official reports.

Raids and other border offences :

In 1916-17	218
1917-18	206
1918-19	189
1920	111

Losses sustained in cash and property :

	Rs.
1916-17	41,325
1917-18	36,442
1918-19	27,420
1920-21	30,209

Animals stolen :

1916-17	6,581
1917-18	5,251
1918-19	3,104

[Dr. H. S. Gour.]

People killed or injured :

1916-17	.	.	.	.	.	177
1917-18	.	.	.	.	.	117
1918-19	.	.	.	.	.	61
1920	.	.	.	.	.	298 killed, 392 wounded and 463 kidnapped.

Now as regards offences :

In 1903	.	.	.	.	.	.	kidnapping, murder 172.
1911	.	.	.	.	.	.	260
1912	.	.	.	.	.	.	328
1920	.	.	.	.	.	.	545

Kidnapping :

1903	.	.	.	.	.	.	23
1911	.	.	.	.	.	.	52
1912	.	.	.	.	.	.	54
1922	.	.	.	.	.	.	121

Robbery

Mr. Deputy President: Order, order. I have been hearing the Honourable Member with great patience, but I cannot understand what connection these figures, that he is giving, have. Have they anything to do with the hill journey allowance about which he has moved a motion ?

Dr. H. S. Gour: The most intimate connection,—that if these people did not go to the hills and did the work in the plains, there would be no crime. (Laughter.)

To resume :

Robbery :

1903	.	.	.	.	.	47
1911	.	.	.	.	.	65
1912	.	.	.	.	.	71
1920	.	.	.	.	.	194

Dacoity with murder :

1911	.	.	.	17
1912	.	.	.	6
1920	.	.	.	82

Dacoity, other cases :

1903	.	.	.	.	41
1911	.	.	.	.	85
1912	.	.	.	.	86
1920	.	.	.	.	489

These are truly staggering figures. Now so far as economy is concerned, I have proved to the satisfaction of the House that there is an increasing deficit

consequent on the enhancement of civil expenditure from 64 lakhs to 3 crores and 31 lakhs. There has been a steady increase in crime,—border crime, kidnapping, robbery and all the other offences.

Mr. R. A. Spence : Due to the Chief Commissioner going to the hills?

Dr. H. S. Gour : Due to the inefficiency of the administration, because I submit that this province was formed a separate unit for the purpose of increasing its efficiency and curbing the lawlessness which was then prevailing in the country. I, therefore, submit that, on the short ground that the Central Government has just justified the separate expenditure on the North-West Frontier Province of this truly large sum of Rs. 3 crores and 31 lakhs, and further, on the ground that it has not been conducive to improvement as regards peace and efficiency, the hill journey allowances of the Honourable the Chief Commissioner, of the Commissioner, and of the Revenue Commissioner should be cut down. If this is done, I hope that the Retrenchment Committee will then go into the whole question and see that these five settled districts are once more restored to the province of the Punjab, from which they were dismembered.

Mr. Denys Bray : Sir, I hardly know in what spirit to treat the motion that Dr. Gour has placed before the House. I am no dialectician. I am a plain business man, that wants to get on with business. I ask the House, is this a business proposition that he has placed before us? Are we really to go back to 1901 to consider whether we should reduce the demand for hill-journey allowance? What am I to do? This morning Dr. Gour told me out of courtesy that he proposed to move one motion only on the subject; he also told me he was going into the whole question. How can I get up to speak on the general question and remain in order on this motion? What am I to do?

Mr. Deputy President : You need not do the same and you may be short.

Rao Bahadur T. Rangachariar : May I point out that there is a general Party motion on which my Honourable friend, Dr. Nand Lal, is going to speak,—about the general administration?

Mr. N. M. Samarth : May I point out that because Dr. Gour has been in this matter a mountain in labour producing a rat, there is no reason why another man should follow his example.

Mr. Denys Bray : I am still at a loss what course I should adopt. Does the Honourable Member really ask the House to believe that this great increase of crime that he has referred to is due to the fact that certain officers of the North-West Frontier Province go up to the hills? Does he ask me to believe, does he ask this House to believe, that, supposing the Frontier Province were re-amalgamated with the Punjab and I understand that this is what he is aiming at,—the Governor of the Punjab would cease to go to the hills? If another motion is coming before the House on this question, despite the fact that I was told by a prominent Member of the Democratic Party that one motion only would be moved (*A Voice :* 'Who said that'), then I shall confine myself to saying this. The motion, put forward in the terms that we have listened to, is a motion that ought to be thrown out incontinently. (Hear, hear.)

The motion was negatived.

Mr. Jamnadas Dwarkadas: On a point of order, Sir. On the printed list that is supplied to us I do not find these motions that Dr. Gour has been asked to move.

Mr. Deputy President: I understand that the Honourable the President has admitted certain motions from Members, and this falls under that category. I will call upon Dr. Gour.

Dr. H. S. Gour: Sir, I am not moving the second motion on the typed list (That the demand of Rs. 6,200 for Hill Journey and other allowances be reduced by Rs. 3,200). But I wish to move the third, namely :

‘ That the provision of Rs. 33,000 for the creation of 5 permanent posts and 5 temporary Extra Assistant Com- posts of Extra Assistant Commissioners be omitted.’
missioners.

Mr. Jamnadas Dwarkadas: May I rise to a point of order ? I would like information on this point. There is a printed list of motions of which notice has been given on this Demand. Is it permissible, Sir, for any Member, by giving subsequent notice of motions for the reduction of certain items, to prevent other Members whose motions appear in the printed list from moving those motions ? This allows them to indulge in remarks, for instance, like those which Dr. Gour indulged in just now. I ask for a ruling, Sir, as to whether a Member can do this.

Mr. N. M. Samarth: Sir, it is absolutely unfair to Members like me not to be given any notice of these motions. We come here to give our deliberate judgment upon certain motions which are printed and to which we have devoted our attention. We bring what little information we have to bear upon the conclusions arrived at. It may be that the Democratic Party is in the know, and they have arranged these motions beforehand.

Rao Bahadur T. Rangachariar: The Democratic Party disowns this action of Dr. Gour most emphatically.

Dr. H. S. Gour: None is so blind as he who will not see. Notices were circulated to Members yesterday. (Cries of ‘ No. No. They were not.’) I move

Mr. P. P. Ginwala (Burma : Non European) : Sir, I rise to a point of order. I understand that all the motions received were divided into two classes, relevant and irrelevant. The relevant ones were printed and the irrelevant ones were typed. (Laughter.)

Mr. Deputy President (addressing Dr. Gour) : Are you moving your motion No. 3 on the separate list ?

Dr. H. S. Gour: No.

Rai G. C. Nag Bahadur: Sir, I move :

‘ That the provision of Rs. 14,50,000 under sub-head ‘ 22-E.—District Administration ’ be reduced by Rs. 36,000 provided for the creation of 5 permanent Extra Assistant Com- and 5 temporary Extra Assistant Commissioners.’
missioners.

The only point I have in view in moving this motion is to draw the attention of Honourable Members to the stamp of officers recruited for the Provincial Service in the North-West Frontier Province

(Cries of ‘ Louder, louder.’)

Mr. Denys Bray: I greatly regret that I have not yet heard a single word.

Rai G. C. Nag Bahadur: I want to draw the attention of Honourable Members to the reply given by the Honourable Mr. Denys Bray to Question No. 170 put by my friend, Mr. P. L. Misra. Mr. Denys Bray said:

‘Of the nine permanent Munsiffs, one is a B. A., one an F. A., six are Matriculates, and one has studied up to the Entrance Standard.’

Of the four officiating Munsiffs, one is a B. A., one a Matriculate, one a Matriculate who has read up to the F. A., and one has passed the Middle School Examination and read up to the Matriculation. Their permanent appointments are, respectively, Translator, Divisional Court, Dera Ismail Khan; Muharrir, Judicial Commissioner's Court: Naib Tahsildar; and Reader, Divisional Court, Peshawar.

These are the class of persons who are recruited for this Service. Now, it will appear that somehow men of a very inferior stamp are recruited for this important Service. I would point out that none but graduates of very superior academical qualifications are recruited for this Service in other provinces, and their initial pay is fixed at Rs. 300 per mensem. Now, if the North-West Frontier Province imports into this Service men of such inferior qualifications, I object to its paying such a high rate of salary, which is that fixed for a much better class of men in other provinces.

Mr. Denys Bray: I am sure the Honourable Member will bear with me if I say that throughout his speech I was a little hard of hearing. If I understood him aright, he is moving his motion No. 275. (*Rai G. C. Nag Bahadur:* ‘Yes’.) Well, that question was gone into very carefully by the Standing Finance Committee. It came originally before the Standing Finance Committee in the form of a proposal that 18 temporary posts, which had been in existence in the North-West Frontier Province for some time, should be continued for the next year. The Standing Finance Committee, in a very businesslike way, I thought, insisted that the whole question should be gone into and that the Standing Finance Committee should be presented with proposals to make permanent such of those existing temporary posts as have proved their necessity, and that the rest should be eliminated as far as possible. On the advice of the Standing Finance Committee, therefore, the whole question was gone into and, as a result, we received proposals from the Chief Commissioner, the gist of which was that five only of those 18 existing temporary posts should be made permanent, that five others should be kept on for the time being on a temporary basis, and the rest abolished. That is to say, these measures which are now before the House involve an immediate decrease of Rs. 27,000 a year, with a good prospect of a further decrease the year after.

If I understood aright the few words that I did catch of the Honourable Mover's speech, he asked why it is we recruit men in the North-West Frontier Province for the Provincial Service with inadequate qualifications. May I remind him that amongst the members of the Judicial Service there are six men who were recruited from the Bar.

Munshi Iswar Saran (Cities of the United Provinces: Non-Muhammadan Urban): Sir, there is one thing in common between me and my Honourable friend, Mr. Bray, and, it is that both of us are plain men of business. I do not lay any claim to dialectics or to any other objectionable

[Munshi Iswar Saran.]

thing. Sir, the appointment of these officers could very well have been justified on a ground which was once mentioned by my Honourable and distinguished friend, Sir Godfrey Fell. My Honourable friend, Mr. Bray, could very well have said that, even though these men were not graduates, even though some of these men had not gone beyond the Middle School Examination, they had that indefinable and undefined quality which in official parlance is called character. If you have character, it is not at all necessary that you should have any intellectual equipment. On that ground and on that ground alone these appointments could have been justified, and I deeply regret that my Honourable friend, Mr. Bray, on account of his Oxford culture could not put forward this argument, which would have at once extinguished my Honourable friend, Mr. Nag. (Hear, hear.) Sir, this Standing Finance Committee is becoming a pure and veritable engine of oppression. (Hear, hear.) Whenever in this Assembly we come forward with a suggestion, we are told 'How dare you object to it? Here is your Finance Committee; that Committee, with supreme power, financial as well as political, has gone into these matters and it has come to this conclusion. How dare you question it?' (*A Voice*: 'Shame.')

Sir, I might say with all respect to my friends of the Finance Committee that the Finance Committee is a creature of the Assembly (Hear, hear), and surely nothing that the Finance Committee does can deprive us of our right of looking into any question whenever we please. (*Mr. Samarth*: 'Nobody said so.')

There are some of us, Sir, who are anxious to interject remarks. The Honourable Member says 'nobody has said so'. Might I ask my friend then why is this irrelevant remark made every now and then, perhaps often when some matter that has been considered by the Finance Committee is brought forward by any non-official Member. (*A Voice*: 'Not irrelevant.')

My friend says 'not irrelevant.' Quite so. It was therefore that I drew attention to it because it was considered to be relevant, inasmuch as the Finance Committee had gone into the matter. Sir, I should like the Department responsible for the administration in the North-West Frontier Province to tell us what has been done in regard to the Resolution that was moved by my friend, Sir Sivaswamy Aiyer, in the Simla Session. It will be in the recollection of the House that a Resolution was moved by my friend advocating that the judicial administration of the North-West Frontier Province should be transferred to the Punjab, and that a Committee should be appointed to investigate. I will give the exact words:

'Whether the separation of the 5 administered districts of the North-West Frontier Province from the Punjab Province has fulfilled the expectations of the Government of India from the political, military or financial point of view or whether it has been attended without any substantial advantage to the internal administration and whether it is expedient to re-amalgamate the said districts with the Punjab province leaving under the direct control of the Government of India the political administration of the administered tracts of the British side of the Durand line.'

Sir, in replying to this Resolution, my Honourable friend . . .

Mr. Denys Bray: Sir, I am most reluctant to suggest that my Honourable friend, Mr. Iswar Saran, is speaking a little bit off the motion before the House, but may I, as the subject has been broached, just remind the Honourable Member if any reminding is really needed, of the reply that I gave on the 11th February. This was the reply:

'Government have consulted the Government of the Punjab and the Chief Commissioner on the question of improvements in the judicial system of the North-West Frontier Province'

and have also been examining the other questions referred to in the Resolution. Other proposals have, however, been before them at the same time, notably a proposal for the establishment of a Legislative Council for the administered districts of the Province. They have therefore decided to appoint a Committee including non-official Members of the Legislature to consider both sets of proposals. It is hoped that the constitution of the Committee and its terms of reference will be announced shortly.'

Mr. N. M. Joshi: May I ask whether all the issues raised in the Resolution have been specifically referred to that Committee?

Mr. Denys Bray: The Committee itself has not yet been appointed, and the terms of reference not yet passed.

Mr. N. M. Joshi: Does Government propose to refer to the Committee all the issues raised?

Mr. Denys Bray: Speaking on the spur of the moment, I feel that I can say in general, yes. But if the Honourable Member means all the points that were raised not merely in the Resolution but in the debate, then most certainly, not. But the question of the amalgamation with the Punjab will be before the Committee; the question of a partial amalgamation with the Punjab, if wholesale amalgamation is impracticable—the question—that is of the amalgamation of the judicial administration will be before the Committee.

Mr. Pyari Lal Misra: May I ask whether Mr. Sivaswami Ayyar's Resolution suggested the establishment of a Legislative Council for the North-West Frontier Province?

Mr. Denys Bray: It did not. In the answer which I gave on the 11th February, which I have just had the honour to repeat, it was stated very clearly that:

'Other proposals (that is to say proposals other than those contained in the Resolution) have, however, been before them (that is, the Government) at the same time, notably a proposal for the establishment of a Legislative Council for the administered districts of the province.'

Munshi Iswar Saran: Sir, I think I am entitled to go on. I was perfectly sure that, when my Honourable friend, Mr. Bray, interrupted, his interruption was most kindly meant. He has really helped me by his interruption and I am indebted to him. The House has heard the Resolution that was moved by my Honourable friend, Sir Sivaswamy Aiyer, and accepted by the House and on that occasion the representative of this Department observed:

'The Government propose in the first instance to make an inquiry into this matter themselves and if as a result of that inquiry it appears to them that further steps should be taken, they will be prepared to take those further steps. I am not prepared to indicate at the present moment what those further steps will be.'

The House will please bear in mind that this debate was on the 21st of September, 1921, and now on the 18th of March, 1922, we are still left in the region of speculation. I hope my Honourable friend will forgive this word. It is proposed to form a Committee. When that Committee will come into existence, my Honourable friend does not tell us. (*A Voice:* 'Shortly'.) 'Shortly' is a comparative word. What may be shortly from the point of view of Government may be very long from the point of view of the House.

[Munshi Iswar Saran.]

Then there is another matter. What are the terms of reference of that Committee? That is a very important matter. In answer to a question put by my friend, Mr. Joshi, Mr. Bray had to say: 'I am not in a position at the spur of the moment to inform the House as to the precise terms of reference.' Sir, even if this belated Committee comes into existence, does this Department expect that this House should have a full dress debate before it can induce the Government to precisely lay down the terms of reference? I submit, Sir, that it is hardly fair to the House. The Government of India in spite of its multifarious distractions should pay some consideration to the Resolutions that are passed by this House. (Hear, hear.) The Resolution was passed on the 21st of September, 1921, and up to the 18th of March, 1922, nothing practical has been done.

I submit, Sir, that this is extremely deplorable, more particularly in view of the facts that have been brought out by my Honourable friend, Dr. Gour. Losses are taking place, kidnapping is going on, men are being killed and wounded; and in spite of that the Government is only *thinking* about a Committee.

Sir, what I submit is this, that there is considerable risk and danger in delaying this matter any further. If they wish to give security to the people there, and if they wish to give any satisfaction to this House, I recommend that the Government of India should lose no time in forming this Committee, and in formulating the terms of reference, so that the Resolution moved by my Honourable friend, Sir Sivaswamy Aiyer, should be given effect to. If they do not do it, I am afraid the verdict of this House will be very much against them.

Sir Deva Prasad Sarvadhikary: Without further confusing the issues I think on this motion the House should express its strong sense of dissatisfaction at the way in which this particular service is being recruited. I think Mr. Iswar Saran was not at all off the mark in bringing home to the Assembly, in the way that he attempted, this nondescript service details about which have only to be mentioned to provoke disapproval. This in itself may partly account for the state of things that exists there, which could possibly have been remedied by letting the judicial affairs of this Province be administered by a better equipped neighbouring service as recommended by the Assembly. But that higher question has not much to do with the question of efficient recruitment of the Judicial Service which is so well paid. A Committee such as has just been mentioned by Mr. Bray may be helpful or it may not; but in the meantime the Assembly cannot possibly consent to continued and rank inefficiency and to the service being recruited in the way that has been disclosed by the answer given to Mr. Nag.

I heard a remark some minutes ago by my Honourable friend behind me, as to whether the recruitment of the North-West Frontier Province Judicial Service was to be from Madras. I suppose we have got to go to Madras for many things, but for efficient recruitment of this service we need not go at all as far. Have we not got a distinguished Pathan Member of the Bar here and have not the Calcutta and the Punjab University been long at work in this Province? It is an insult to the past as well as the existing educational system in the Punjab to say that we cannot get efficient men if we want them, and to appoint middle school men to the responsible and important posts of

administering justice as munsiffs or otherwise is to the least most unjustifiable having regard to the scale of pay. I think it is up to us to show our sense of disapproval and unsatisfaction at the way that the machinery for administering justice is provided in the North-West Frontier Province, and Mr. Bray does not touch that important and immediate issue before us.

Rai G. C. Nag Bahadur: I wish to withdraw my motion.

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

Dr. Nand Lal (West Punjab: Non-Muhammandan): The motion which stands in my name runs as follows:

‘That the demand under the head ‘North-West Frontier Province’’

Mr. Deputy President: Order, order. I am afraid the Honourable Member will have to take his turn with regard to that motion. I am calling upon him to move his motion No. 277.

Dr. Nand Lal: Since I am moving motion No. 285, in the interests of economy of time, I shall reserve my remarks to be made there in the course of the debate which I shall raise there. I, therefore, do not move this motion.

The motion that I have to move runs as follows:

‘That the demand under head ‘North-West Frontier Province’ be reduced by Rs. 12,90,950.’
General reduction.

Sir, some Honourable Members have got to make reference to the cases in which there is a great element of humour; but I am very sorry to say that here I have got to relate a sad tale in which all the factors taken together constitute nothing but a tragic account. Sir, you remember, last year, from the floor of this House it was narrated, and various reasons and grounds were advanced, in order to prove to the hilt, and I believe it was proved, that the administration of the North-West Frontier Province is defective. Then the same sad tale was told by Sir Sivaswamy Aiyer and supported by myself in Simla, and it was moved then that the North-West Frontier Province should be re-amalgamated with the Punjab, so far as the judicial aspect of that administration is concerned; and, in addition to that, various other proposals were made, and the Resolution in its entirety was passed by the very large majority of this Honourable House at Simla. As other Honourable Members of this House have already adverted to the details of that motion and various phases of the question now at issue, I shall not repeat them; but I respectfully submit that the Government of India has been sleeping over this very important affair. They may have a sufficient reason for this delay. Their intentions may be very, very good, and I am quite prepared to admit and recognise that their intentions must have been good; but they ought to see how the people will feel and in what light they take it; and here I am prepared to tell them that people are misconstruing their delay. (Hear, hear.) So far as the question of amalgamation of the judiciary with the Punjab High Court is concerned, it ought to have been allowed at once.

However the fact remains that the delay has been made, and I shall not thus dilate upon it more than I have already submitted as to that point. Now, Sir, when we look into these demands, we find that the amount demanded this year is more than that which was asked for last year. Are we here prepared to allow it? The money which was allotted last year was allotted with the greatest possible reluctance, and we understood then that the Government

[Dr. Nand Lal.]

of India would kindly see their way to look to the troubles of the people and hear the humble voice of that dumb Province, and try to show some sort of improvement in the judiciary especially, but nothing has been done. Is there any justification for the Government now to come and ask us to give them more? I submit the whole House will unanimously agree with me that there is no justification at all. Sir, raids after raids are committed, dacoities after dacoities are committed, murders after murders are committed and complaints after complaints are made, and the stock arguments, the usual answers which are advanced are these: 'The Government of India are doing their level best. They could not do more than what they have already done.' Our humble submission, as representatives of the people, is that the Government of India ought to appreciate and accept the humble suggestions which were made and, since they are not appreciated effectively, therefore the administration is going from bad to worse. Only some time back a girl of 4 years was kidnapped. Only some time back a woman was killed. A *Lashkar* comprising hundreds of people raided a place called Gumal in the Tahsil of Tank and fell upon the poor and harmless people. They looted them and took away their moveable properties. There were complaints and these complaints, I may very respectfully submit, have not been taken into adequate consideration. They have, in a way, been brushed aside and I should say that only a lip sympathy has been extended to the sufferers. The Government of India of course deserves credit, for that sympathy, no doubt. We have been pointing out to the Government of India and we did this on various occasions that the subordinate judiciary there is very inefficient. As questions relating to their poor education and poverty of their qualifications have already been discussed by other Honourable Members, I need not reiterate the same thing. It can be said practically an admitted fact. In 1901, as it can be inferred from the remarks of an officer of great eminence, the pick of the Punjab Commission and the Punjab Provincial Service was generally reserved for the North-West Frontier Administration so far as the judicial side of that administration was concerned.

(At this stage Mr. President took the Chair.)

What do we see now? Very inefficient judiciary. I am told in a case the judicial record was tampered with. People who are employed and are put in charge of the judicial administration, barring a few instances, are not able to do justice to that branch of administration. Cases, as we hear, were dismissed in default in the presence of Plaintiffs. Now, when a sub-judge or a munsiff dismisses a case when the Plaintiff is present there in the Court, what trust, may I ask, can be reposed in that Judicial Officer? Will he be considered worthy of holding that post? The only explanation which could be set forth would be that it is done in the ordinary way at the end of the year; *viz.*, by the end of December when there are a number of cases which were dragged on and could not be disposed of, the sub-judges and munsiffs will dismiss them in default, so that in the following year, that is in the first week of January, they may be restored and they may be considered as new cases. That is the only imaginary and unenviable explanation which could be advanced in the defence of that conduct of the subordinate judiciary. Now, I put this to the House. Will this House put up with this kind of explanation that a subordinate judge or a munsiff who conducts himself in this manner should be allowed to remain a member of this judiciary? I want the House to remember the fact that he has sometimes to decide

very important cases. I think the majority of the House, barring a few Official Members, will agree with me that this is certainly a deplorable condition of affairs. The irregularities are not confined to subordinate judges. They are not confined to munsiffs. In some cases, as we have heard, the judicial officers of high status have steered themselves very wrongly, though in different ways. It is no use criticising again and again. The fact remains and cannot be denied by the other side and consequently it is better that the full details of the defective side of the administration may not be disclosed. The Government of India cannot be requested too often. Now, Sir, the case relating to 'Gumal raid' is a case which will receive the sympathy of even a stone-hearted man. Apart from the defects in the administration, if we may look into the accounts, and the manner in which the money is spent, we shall feel forced to say that money is wasted. Now, take the item, which is meant for Militia. Do you know, Sir, what is called Militia? Militia is recruited from the Trans-border tribes and some of them are recruited from the Frontier tribes.

Mr. Denys Bray: The present Militia is recruited from men under British administration mainly.

Dr. Nand Lal: I am very thankful to the Honourable Mr. Denys Bray for this revelation to me. I am sorry the people of this country perhaps do not know this and perhaps the Government of India could not spare time to adequately advertise this fact. However, for the reasons given above and on the ground of retrenchment and also because I find that the money which is demanded is to be spent in a manner which does not deserve our approbation, I move this motion and I hope it will be accepted. That the character of the motion is very modest cannot be denied.

Sir P. S. Sivaswamy Aiyer (Tanjore *cum* Trichinopoly : Non-Muhamadan Rural) : Sir, I rise to support the motion which has been moved by my Honourable friend, Dr. Nand Lal, on somewhat different grounds. I do not wish to base it upon the ground that the Resolution of this House of last September has been treated with scant courtesy. But I wish to base it upon broader and higher grounds of principle. When the partition of the North-West Frontier Province was carried out, it was estimated that the cost of the administration under the new regime would exceed its cost under the Punjab regime by a sum of 3 lakhs odd. The actual expenditure over the revenue under the Punjab regime, in so far as these districts were concerned, was 30 lakhs odd. It was estimated that by reason of the partition arrangements, the new province would cost a sum of 3 lakhs in addition. Now, what we find is that the expenditure has gone on steadily increasing and by leaps and bounds. The expenditure now is not 67 lakhs, as it was then, but 3,00,97,000 odd. It has risen on both sides, voted and non-voted and, deducting the revenue received, it costs the Government of India a sum of 2,27,59,000. The province is in fact a mill-stone round the neck of the Government of India. It may be said that a new province will naturally require more expenditure. But it is now more than 21 years since the partition was carried into effect. The period of non-age, even according to the English law, has passed and the Frontier province has now developed into lusty manhood. I do not see any reason why this province, which was separated for reasons, of which we did not approve, should continue to cost the general exchequer such a large sum as 2,27,00,000. If it had continued to cost the same amount which it had been costing the Punjab Government,

[Sir Sivaswamy Aiyer.]

namely, Rs. 36 lakhs odd, even then there would have been a legitimate ground for complaint to the tax-payer.

But now it is not confined to that amount and it has grown by about six times. That, I say, is a legitimate ground of grievance to the taxpayer in India. Somehow or other, the Government of India has become accustomed to the habit of treating these provinces as prodigal sons entitled to special privileges. We complain of this special treatment bestowed upon their prodigal offspring. It may be that the Government of India has a special partiality for its youngest offspring, the North-West Frontier Province, but that is not a reason which can commend itself to the elder brothers in the family or which can continue to receive their pecuniary support.

Now, Sir, it may be said in defence of this expenditure. 'You complained last year in Simla of the inefficiency of the administration and the insecurity of life and property, of the fact that the police arrangements were rotten, and that the judicial arrangements were unsatisfactory, and yet, when we want to improve the administration, when we want to improve education, public health, the judicial administration, and so on, you come here and oppose our proposals for expenditure. Is there anything more unreasonable than that?' That is the sort of the reply that is likely to be given now. My answer to that is this. I am not now complaining of the expenditure in these directions. Whether the province remains part of the Punjab or whether it remains separate from the Punjab, there are certain directions in which expenditure must, I concede, undergo a normal growth, there are directions in which the province must be developed and these various heads of expenditure must continue to grow. But I see no reason at all why certain other heads of expenditure should grow, and the only explanation is that they are due to the fact of the creation of a separate province. Charges for general administration must to a considerable extent be attributable to the fact that a separate province has been created. In other directions you may say that the expenditure would have gone on as it has gone on, but the creation of a separate province necessarily involves the reduplication of the supervising administrative machinery and the reduplication of headquarters charges. Therefore, the general administration charges which have grown may much more logically and directly be attributed to the separation of the province. Then, again, it may be said that so long as it was under the Punjab the five administrative districts of the North-West Frontier Province did not cost anything to the Central exchequer. I am not aware that the Punjab Government administration, before the partition, was being run at a loss. I have referred to the Budget of the year 1901 and my recollection is that the Punjab Government, far from being run at a deficit or at a loss, was run with a surplus. That was the state of things under the Punjab Government; but the moment it came under the Government of India and they began to indulge in their course of lavish treatment of their pet child we find that the expenditure goes up by leaps and bounds.

Then, again, it may be said in defence of this expenditure that the North-west Frontier Province is a sort of buffer state, meant really for the protection of the other provinces of India and, therefore, it is a legitimate charge upon the other provinces of India and upon the general exchequer. But we know that this province did not cost a pie to the Central exchequer before the partition. It was part and parcel of the Punjab and the Punjab Government,

so far as I am aware, did not ask for any sort of contribution from the Central exchequer as this province now asks for Rs. 2,27,59,000. We had all these advantages of a buffer state even under the Punjab regime. The State was there, it was a buffer whether it formed part of the Punjab or whether it came directly under the administration of the Government of India. But, prior to the partition, it cost the Central exchequer nothing ; subsequent to the partition it costs us 2 crores odd of rupees.

Now, Sir, there are one or two principles of policy which I think may be safely laid down beyond the possibility of contradiction, and they are these. If any people who form part of a province wish to separate themselves from that province and form a separate administration, then it is only right and just that the new province should pay its own way. It may perhaps be in need in the first year or in the second year, but whichever section of the population of a province wishes to separate from a province and form a separate province, I would lay down without hesitation the principle that the new province should pay its own way and, if it cannot pull its own weight, then the demand for partition is unreasonable and, in the interests of the general taxpayer, should be resisted.

Then, Sir, another principle which I think may be laid down with reference to the special circumstances of the administration of India is this, that this policy of direct administration of a province by the Government of India is an expensive and extravagant policy and is one which ought to be discredited. Now, look at this province ; look at the other provinces. So far as expensiveness goes, so far as unproductiveness goes, the North-West Frontier Province perhaps compares with the Andamans and the Nicobars ; I do not know of any other province with which it can be compared. Now, you will find that all these small enclaves and administrations which the Government of India sets up under its own control are enormously expensive. I have some knowledge of the administration of Coorg. I am only referring to Coorg *en passant* as I know that Coorg is not a subject coming up under this Resolution. There were two views about Coorg, as to whether it should be annexed to Madras or not. I know there was one body of people who thought that it was very foolish of the Coorg planters and others to ask for annexation to Madras, the reason being that although they might derive certain political advantages if annexed to Madras, yet they could get a lot more money out of the Government of India for keeping their roads in excellent, first class condition and for other local purposes. 'f the Coorg Province had passed under Madras, whatever political advantages they might have enjoyed, they probably could not have squeezed so much money out of the administration of Madras as they could out of the Central Government. The same, I believe, must be the experience of all these other provinces, but whatever it might be possible to say in defence of these petty little enclaves, which are surrounded by Native States, and for which it is necessary to make some sort of provision, I see no justification for keeping separate a province which adjoins another big province, and the sooner it passes from the direct administration of the Government of India the better.

Now, Sir, it may be said that orators from Cape Comorin do not understand the intricacies of foreign politics, and it may be said that lawyers do not understand the arcana of the Foreign Department. I confess I was a lawyer, and I confess that I hail from the south of India ; but I do claim

[Sir P. S. Sivaswamy Aiyer.]

that we, the Members of the Assembly, have a right to criticise the policy of the Government of India with regard to the expenditure which is incurred upon the maintenance of provinces, and I claim that we have a right to examine the results of the policy of the Government of India in the light of such common sense and such information as we may possess.

If there is one truth which more than any other has been impressed upon me in the course of my studies on this question, it is the truth and the force of Sir Mackworth Young's statement that the complex machinery of British administration cannot be fitted into the framework of a small province. All the results by way of expenditure and by way of the inefficiency of the administration or otherwise are in my opinion directly attributable to the small size of the province. However, let that go. I am not now directly concerned with the question whether the partition ought to be maintained or undone. But what we are entitled to claim is that we, who represent the general taxpayers of India, shall not be called upon to shoulder the burdens of our youngest brother even after he has grown into manhood.

Now, Sir, let me refer to one or two directions where the axe may easily fall. Take, for instance, the General Administration. It has now risen to 19 lakhs. It was very much less originally. The general administration cost 15 lakhs odd in the year 1920-21. In the revised estimates of 1921-22, it cost 17 lakhs odd, and in the Budget for 1922-23 it costs 19 lakhs odd. Now a large part of general administration being due to this vicious policy of separation, and being, as I say, not unavoidable, and being incurred merely as a consequence of this policy, it is only fair and proper that those who claim the benefit of this luxury should pay for it and not the Government of India.

I will only refer to one other item. There is an item of Rs. 1,18,51,000 under Non-Votable. I am not going to discuss it. In the details I find that of this sum Rs. 60,45,000 are provided for 'Special Political Expenditure'. I do not know whether that term means the same thing as the expression 'confidential communications' which Lord Curzon used in one of his despatches. What those 61 lakhs are for is not clear. I do not know whether they are confidential communications in the sense of expenditure on the trans-frontier tribes—that was the sense in which Lord Curzon used the expression. Whatever it may be, and whether you lay the axe at the root of the political charges or of the general administration or on some other head, I am quite sure it would be quite possible, it ought to be possible, to cut off this sum of Rs. 12,90,000. As it is, the House would have been justified in taking up the attitude that it will not be responsible for this sum of Rs. 2,27,59,000 minus the sum of 30 lakhs odd which the province cost at the time of separation. But the Members of the House, I am sure, are not disposed to be vindictive, or to interfere or wish to interfere with the normal growth of expenditure in the various departments. I think that the Members of the House will be exercising great moderation in limiting the demand for reduction to Rs. 12,90,000, and I hope they will assent to this motion without the least compunction.

Dr. H. S. Gour : Sir, I move that the other speeches be now limited to five minutes, and, after four, to three minutes, except the first speech of the official Member in charge which should be limited to 10 minutes.

Mr. Abdur Rahim Khan (North-West Frontier Province : Nominated Non-Official) Sir, I have been listening with great pleasure and with mixed feelings to the speeches delivered by the Honourable Members. I do not question for a moment their good intention ; but I must say that they have been wrongly approached and the information which they have got is not true. My Honourable friends have been laying great stress on this point, that the amalgamation with the Punjab will put an end to the dacoities and will turn this perpetual unrest into an eternal rest

Dr. Nand Lal : On a point of order, Sir, our information is based on statistics.

Mr. Abdur Rahim Khan : I am coming to that, if you will kindly sit down, please. I would like to enlighten Honourable Members about the Frontier situation and I am going to answer them and prove to their satisfaction that the number of expeditions since the separation from the Punjab is less than before ; and I have got documents in my hand. When this province was not separated from the Punjab, during 50 years, we had 40 expeditions or there was an expedition once in every fifteen months ; and mind you, Sir, at that time the situation of the tribes was quite different ; there were hardly any people there who knew what was a Martini rifle. Now the situation is quite different. I have got documentary evidence in my hand that in the independent territory the total number of up-to-date European-made rifles is 1,40,498 ; and I will bring to the notice of the House that the strength of the fighting men up to 1st April, 1921, is 4,24,419. Sir, when these people have got these rifles and when there is universal unrest all over the world, what expectation these Honourable gentlemen have got that these people when they have got these rifles which they bought for their own benefit, how can they expect them to behave ? The only thing I can say is that the British arm should be strong ; that is the only thing with which you can crush them ; otherwise, as I said the other day—unfortunately His Excellency the Commander-in-Chief was not present then, but he is present now, I am glad to see, and I may mention the fact in His Excellency's presence—that if there is a chance of these tribesmen combining together, I do not know what will be the position of Government, how many troops we will require against them for defensive, not offensive purposes. What I mean is this, that great stress is laid on the defectiveness of the administration. If you consider the political situation and the military situation, we should be thankful to both of them. It is due first to the political officer, that they did their level best, that they did not give a chance to these tribesmen to rise all at one and the same time. About the military people, if I am not mistaken, the whole line from Chitral to Quetta is not less than 800 miles. We have not got sufficient troops to defend the whole line against all these frontier tribes ; but I can say this from personal knowledge, that this is the first time in the history of the English army on the frontier that they did not hesitate even to march at 2 o'clock in the cold morning in order to take up a position ; they fought like the best soldiers and I can say that Indian history will be proud of their deeds and adventures. Now, Sir, the difficulty is this, that the Honourable gentlemen mixed two things together. They do not see the military side of the province and the administrative side of the province. Unfortunately geographically we are situated so near the frontier and our situation is so awkward. If for instance you bring Madras in the place of these five settled districts, do you mean, Sir, that this place will

[Mr. Abdur Rahim Khan.]

not require the same amount of military expenditure? As Honourable Members are laying stress on this point, I shall be untrue to my community if I do not refute it. I am proud of my province and I say this much; there is defect in the judicial line; but I say this, that the defects should be removed; let us have all the privileges which are given to the Punjab or any other province in our own province. We do not want that judicially we should be amalgamated. There is another thing. If we are judicially amalgamated with the Punjab, do you think we will be in a position to serve two masters? At this occasion I am obliged to quote that well-known expression here. If I may be excused for using that expression:

‘One is enough to plague once’s life through.

It is the Devil to be saddled with two.’

We will be in a very awkward position, and I can say with authority, that if we are amalgamated with the Punjab, after two or three years or even five years this whole province will have to be amalgamated with the Punjab. When this province was separated, it was not with the idea of facilitating the judicial administration of the province. It was because the Government of the Punjab was the medium between the Government of India and the people which used to cause great delay in correspondence, in order, therefore, to avoid such long delays, this province was separated and the responsibility was taken away from the shoulders of the Lieutenant Governor of the Punjab.

I might tell you another thing, Sir. I am grateful to the Honourable Members of this House, for their sympathy, but they must realise that as true citizens of India they must look to the interests of the 95 per cent. of the people, not only 5 per cent. If these Honourable speakers are approached by 95 per cent. people, then they are perfectly justified and I will join hand with them, but if they are going to ignore the interest of 95 per cent., simply for the sake of 5 per cent. people, then I will be obliged to say that they are interest struck, pocket struck and hardly any of them conscience struck.

I shall just refer to the dacoity question. There are some defects in it. Now, what are these? I shall be the first to recommend that the Arms Act should be repealed in our province so that we may be in a position to defend ourselves. I must say this much that the officers in our province are doing their best to assist us. They are very kind to us. They have given us Government rifles, and in those villages where there are towers and rifles, people are in less danger of being attacked. My Honourable friend referred to the case of Gumal. I know the case very well. The condition was extremely bad, the people of the village were raided, the Superintendent of Police was there. He got wounded. The strength was not sufficient. Military help was sent after that. There were some grievances, no doubt. I was there myself as an arbitrator, and both the Hindus and Muhammadans of the place compromised the case. One frequently hears cases like these, that a man is kidnapped here and a woman is taken away there. So I say, if you do not realise the danger in future, I will say the position will be worse. You will have to maintain sufficient army there, and I spoke about it the other day. I am not one of those who would advocate the expansion of the army. I myself belong to the Bar. But I can say this much, coming as I do from the North-West Frontier Province and knowing the situation there, that the more you

strengthen the army, the more you will make the people safe. It is not a mere luxury. With due respect to the Chief Judge or High Court Judges I ask, if these gentlemen themselves would use Wized guns against those marauders and dacoits. Now the first thing essential is, the people should be provided with arms. Arms will command respect and your authority will be feared. With these few remarks, I strongly oppose this motion. I would request the Honourable gentlemen to take the trouble to go to the frontier in order that they may see the situation for themselves. I want the Honourable gentlemen here to go over there and mix with the people and then form their own opinion. I cannot describe the thing clearly before them for now it would be like describing a thing before a blind man. Those gentlemen who have been to Khyber, I am sure, will admit what sort of rifles the people make there. There are two things, you have to give them either bread or you have to give them bullet as was pointed out by my Honourable friend, Mr. Shahab-ud-Din.

There was one remark which was made by Sir Sivaswamy Aiyer here which cannot be allowed to go unnoticed. He observed that the money which is now given to the Frontier people is a sort of bribe. I must strongly protest against it. It is nothing else but wages for different duties and responsibilities they have to perform and carry out.

If anything is taking place there, the whole community is responsible for that. They are doing their service.

I will add one thing more: If that is bad policy, I think this policy is followed everywhere by the Government. If that is called hush money, then I say that Government gives those who always oppose them something in the shape of one thing or another in order to hush them. With these remarks, Sir, I take my seat.

Mr. Denys Bray: Sir, the last speaker has made my task easy. He has spoken out of knowledge and I am sure that the House listened to him and his local knowledge with great respect. I feel myself that I can hardly do better than preface my own remarks by a reference to the delay with which Government have been charged in giving effect to the Resolution of this House of September last. But may I remind the House, Sir, that Government at that time opposed the Resolution entirely? They opposed the Resolution in the form in which it was put entirely; and they opposed the Resolution in part also in spirit. But what were the conditions then? We were then engaged in the Kabul negotiations, the issue of which was uncertain up to the last moment. Does the House really think that Government would have been justified in acting on a Resolution which they believed to be dangerous on a frontier so inflammable and at a time so critical as that? Then when the negotiations were concluded, some breathing space was required to see what effect the result of those negotiations would have on the frontier and on the tribes. On the 11th of February Government announced its decision—a decision to recede somewhat from the position it had taken up, in order to meet the wishes of this Assembly. Yet we are charged here with gross delay, and scout courtesy to the House. There has been no lack of courtesy to the House. On the contrary. And if I am asked for the reason of the delay between the 11th of February and the 18th of March—a question put to me, I think, by Munshi Iswar Saran—I say but this. I thought it my duty to consult the protagonist of the debate of September last (who has also proved

[Mr. Denys Bray.]

himself to be the protagonist of the debate to-day), both as regards the terms of reference about which my friend, Munshi Iswar Saran, seems to be doubtful whether they are going to be at all adequate and also as regards the general programme. Was I so very wrong? Unfortunately, Sir Sivaswamy Aiyer was absent from this House for some weeks. But the very first day he appeared in this House I sought his counsel, and I have received it. But the delay is immaterial anyhow, for the Committee will surely have no opportunity whatsoever of getting to work before this Session is over. As soon as the Session is over, I hope that the Committee will be able to sit down at once to work. And if I may turn for a moment to the Democratic Party, let me say that it will greatly assist Government if they will suggest to me hereafter one name, or better two names, to enable Government to nominate one member of their Party to sit on the Committee. (Hear hear.)

Rao Bahadur T. Rangachariar : We will gladly do so.

Mr. Denys Bray : Sir, I regret I was unable to catch your eye earlier in the debate. And for this reason. I am most anxious as a plain business man for the success of this Committee. But I feel that words have been spoken here to-day which will prejudice our work—angry words about ‘rotten’ administration, ‘rotten’ Extra Assistant Commissioners and ‘rotten,’ I know not what words which will make the task before us the more difficult. I would very earnestly ask Honourable Members who come after me to eschew recriminations, and allow the Committee to enter upon its labours in that dispassionate frame of mind which alone can secure adequate results for their labours. More especially would I beg that we keep out of the discussion anything savouring of a Hindu-Muhammadan controversy in the form of fitting the rights of the 95 per cent. of Mussalmans against the rights of the 5 per cent. Hindus.

Sir Sivaswamy Aiyer claimed the right to criticise, and he exercised that right to the full with his usual vigour and skill. But no one surely has ever suggested that he or indeed any body else should not criticise the administration by all means. What administration in the world has ever escaped criticism? Rail at the frontier, rail at the very existence of the frontier if you think that by so doing you will be able to relieve your minds of some of the very natural resentment India feels at having a Frontier so vulnerable and therefore of necessity so expensive. But I protest again that, in this railing against the existence of a land frontier and in this criticism of the Administration, Members of this House should pay their tribute to those gallant men under Sir John Maffey who are waging on your behalf and on behalf of India a constant warfare against lawlessness and depredations from across the border, waging it in conditions often full of hardship and at no time devoid of risk unflinchingly and uncomplainingly. (Hear, hear.)

Many points that previous speakers have mentioned I shall have to pass over in obedience to my own appeal for dispassionate inquiry. Thus it will be for the Committee to weigh very carefully and quite dispassionately the pros and cons of the present judicial arrangement, of the proposed amalgamation with the High Court of the Punjab, and of other proposals on this score, if any, that may be put before them. They will have to weigh, for instance, the extra efficiency which presumably one might get from amalgamation with the

High Court against, let me say, the extra delay that would be entailed. For instance, the average duration in 1920 of first appeals in the Judicial Commissioner's Court was 35 days. In the Punjab High Court it was 1,329 days. The evils of prolonged litigation are obvious anywhere. On the North-West Frontier, where passions run high and recourse is had to arms on the slightest provocation, the evils of prolonged litigation are very grave indeed.

And now I will turn to the 'rotten' police. Let me take only the Frontier Constabulary portion of it, and in so doing, let me try to dispose also of the reference that has been made to the great increase of kidnapping. Now kidnapping. The holding of captives to ransom was first discovered by the frontier tribesman as a lucrative business somewhere about 1907. By 1919 in the general disturbance that came over the Frontier, kidnapping reached intolerable dimensions. Among the statistics that my Honourable friend, Dr. Gour, poured upon my bewildered ears earlier in the afternoon, the statistics of kidnapping for 1920 seemed to myself all too familiar. But Dr. Gour by quoting them under the year 1920 failed to convey the right impression to the House. For the year 1920, to which he referred, was really the year 1919-1920, the year, that is to say, after the Great War and year of the Afghan War, the effect of which on the whole Frontier it would be difficult to exaggerate. Now this Frontier Constabulary which is recruited in cis-frontier districts and officered by Police officers, patrol our borders protecting our villages against raids and indulging in counter offensives wherever possible, to bring home to the Frontier tribesmen that two can play the same game. The statistics I have before me, though not so exhaustive as Dr. Gour's are, I think very striking. Since last July to the middle of December, the Constabulary crossed the Frontier eight times, arrested and killed some 74 outlaws and compelled 50 more to surrender. They released 23 Hindus who had been kidnapped and 53 Muslims. Kidnapping, under this campaign of the Frontier Constabulary is *gradually*,—I am afraid I must accent the word, *gradually*—ceasing to be a paying concern. And the benefits of these campaigns of the Frontier Constabulary are being felt beyond the North-West Frontier into the Punjab districts of Attock and Mianwali. Much remains to be done, but what has been done is alive with great promise for the future. Let us acknowledge it. This sort of work means constant toil in heat and cold, great hardships, unremitting danger. Our losses, alas, have been serious since July! Mr. Andrew was killed in action. Messrs. Vickers, Du Heaume and Perrott were wounded, and 10 other ranks killed or wounded. These are serious losses in a force so small. But the work of the Frontier Constabulary, though it meets apparently with scant recognition at the hands of some Members here because they are imperfectly unaware of it, has met with great recognition from the people themselves. There was a public demonstration at Mr. Andrew's funeral. The Hindu and Muhammadan communities alike came forward and at the graveside presented the Deputy Commissioner with an address of sympathy and gratitude. It is this sympathy and gratitude of the people themselves that heartens our Frontier officers, and I ask the House to join with me when I say that I take off my hat to Mr. Handyside and the gallant men of the Frontier Constabulary. (Hear, hear.)

Now these budget demands, of course, are heavy. No one can seek to deny it. But I confess that I was somewhat bewildered by the very ingenious arguments of Sir Sivaswamy on this score, if indeed I followed

[Mr. Denys Bray.]

them aright. He seemed to be endeavouring to prove that in the old days the Punjab ran the North-West Frontier at a profit, and that we should now hand the Frontier back to the Punjab and let them run it for nothing. It is surprising that such a proposition should be made in this House. It reminds one of those many simple solutions that haven been put forward for solving the Frontier question by getting rid of the Frontier altogether. 'Back to the Indus,' say some. Well, I think we have killed that idea. If I understand political India aright, it will never permit it. Will political India betray the British districts? (*Sir Dera Prasad Sarvadhikary*: 'No.') 'Hand over Waziristan to Afghanistan', says Dr. Samarth. (*Mr. N. M. Samarth*: 'Plain Mister.') I beg his pardon, he is so learned, I thought he must be a Doctor. Mr. Samarth says, 'Hand over Waziristan to Afghanistan'. Here again I must speak with the utmost discretion, and cannot enlarge upon the wider implications. But let me make one point only. Does Mr. Samarth think that the Wazir and the Mahsud would cease their raiding? Can a leper change his skin, or the leopard his spots so suddenly? Every raid under those circumstances would be an international affair, and a provocative, not of a mere Frontier Expedition, but of War. Then there is the suggestion to hand over the Frontier, on a contract to some Indian Chief. And as the Sikh is a gallant man against the Pathan, let it be handed over by preference to a Sikh. Well, we have had no bid yet. (Laughter.) But even if we had, is political India going to find its Frontier solution in this way? Is the solution of India's problems to be on these lines? If you begin your solution on these lines, where is it going to end? Then we have suggestions from outside to cut down your Police and Constabulary and to cut down your Army and simply mass flights and flights of aeroplanes on the Frontier. I do not know what His Excellency the Commander-in-Chief will say to that. All I can say is that this suggestion which betrays a naive ignorance of the physical condition of the frontier hills and the habits of the Frontier tribes men, came not from Madras but from a country many thousands of miles further away from the Frontier. The further away from the Frontier you go, the more ingenious the ideas on the subjects (Laughter.) Then, the naivest suggestion of all, I think, is Sir Sivaswamy Aiyer's solution. Hand the Frontier over to the Punjab and forget all about it; the Punjab will pay your bill. Now, I myself am no believer in ingenious solutions. I take stand myself on humdrum commonplace common-sense. You have got this frontier problem and you will continue to have it, for even if the Punjab should take the administration off our hands, even then, we and not the Punjab will have to pay the bill. And then we are asked why we went to Waziristan.

Dr. H. S. Gour: Who asked that, Mr. Bray?

Rao Bahadur T. Rangachariar: That question was not asked now, but probably some time ago. We are pressed for time. The Honourable Member may reply to any criticism raised now.

Dr. H. S. Gour: I move that the question be now put.

Mr. President: I consider that an impertinent suggestion.

Dr. H. S. Gour: I thought Mr. Bray had finished.

Mr. Denys Bray : With due deference, Sir, in view of the objection of Mr. Rangachariar to any reference to Waziristan, I will very gladly resume my seat. Does the House wish me to go on or not? (Cries of 'Yes'.) Well, what I was about to say was that Dr. Nand Lal and Dr. Gour between them have to-day given the real reason why we have gone into Waziristan. The kidnapping, the murders, the raids of these Mahsuds and Wazirs were so intolerable that no self-respecting Government, no Government with any sense of sympathy for its fellow-subjects, could put up with such a state of affairs any longer. (Applause.) Now in the process of this campaign that was forced upon us, after heavy fighting, after very heavy losses, we penetrated into the heart of the Mahsud country. And what did we then find?

I have here statistics which I think will interest the House. I will take those of Dehra Ismail Khan only. From the 1st April, 1919, to 31st March, 1920, there were 198 raids, 127 British subjects were kidnapped, and something like 12 lakhs of property were looted. Then we found ourselves in the Mahsud country. In the same period in the next year the raids went down to 84, the British subjects kidnapped were 36, and the property looted was Rs. 88,000 and I rejoice to say that all those 36 kidnapped were recovered without ransom. (Hear, hear.) Even these statistics I admit—'admit'? 'deplore' is the right word—are bad. Much more remains to be done, but the drop in the statistic is full of promise. Indeed as far as we can see into the future of this Waziristan problem, there is real reason to believe that we are within sight of the solution that we seek. The Mahsuds and Wazirs are tired out. They appear to be ready to come to a full settlement and to co-operate with us.

It is not as if we were contemplating the same number of troops next year, or expenditure on the same scale. On the contrary, our object is to maintain some hold in the centre of the Mahsud country with the minimum number of troops, *plus* irregulars, and what we call Khassadars. It is herein that the explanation lies for this special political expenditure in Waziristan amounting to 60 lakhs. It is made up roughly of two things; first, irregulars and Khassadars, and, second, the building of roads, and in particular of a most important lateral communication road within British territory itself, a road we sadly require to give us a chance of cutting off raiders.

I would like to say one word about the Khassadars, chiefly because Sir Sivaswamy Aiyer seems to think that we are going to throw away our money on bribes. As a frontier officer, my experience is that old methods are likely to prove the best, and the Khassadar system is an adaptation of one of our very oldest frontier measures. It is based on the association of the tribes with us in the administration of their country, however loose it may be, and the insistence on tribal responsibility, on which my Honourable friend, Mr. Abdur Rahim, has enlarged. Than the Government of the frontier by the tribesmen themselves, there is no cheaper or more effective mode of frontier administration. What the tribesmen say in effect is: 'Employ us on the watch and ward and general administration of the country, and the responsibility for peace and quiet rests with us. Employ your own men only and you clearly remove the responsibility to your own shoulders.' We have tried this Khassadar or levy system in Baluchistan, and its success in Baluchistan is well-known. We have tried it again more recently in the Khyber and the results there have been striking. We are now beginning to try it in Waziristan and, in spite of the evil forebodings of some of us, the

[Mr. Denys Bray.]

Khassadars are making a good beginning. And I myself entertain great hope, even confidence, that, in the extension of the Khassadar system in Waziristan we shall, if only we are patient and steadfast, find a real solution of our difficulty. (Hear, hear.)

Rao Bahadur T. Rangachariar : May I ask, Sir, that the question be now put? Much as I am tempted to speak, I shall refrain from doing so.

The motion was adopted.

The Assembly then divided as follows :

AYES—49.

Abdul Majid, Shaikh.
Agarwala, Lala G. L.
Agnihotri, Mr. K. B. L.
Ahmed, Mr. K.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bagde, Mr. K. G.
Bajpai, Mr. S. P.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Bishambhar Nath, Mr.
Chaudhuri, Mr. J.
Das, Babu B. S.
Ginwala, Mr. P. P.
Girdhardas, Mr. N.
Gour, Dr. H. S.
Gulab Singh, Sardar.
Hussanally, Mr. W. M.
Iswar Saran, Munshi.
Jamnadas Dwarkadas, Mr.
Jatkar, Mr. B. H. R.
Joshi, Mr. N. M.
Kamat, Mr. B. S.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.

Mahadeo Prasad, Munshi.
Manmohandas Ramji, Mr.
Man Singh, Bhai.
Misra, Mr. B. N.
Misra, Mr. P. L.
Mudaliar, Mr. S.
Mukherjee, Mr. J. N.
Mukherjee, Mr. T. P.
Nag, Mr. G. C.
Nand Lal, Dr.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Samarth, Mr. N. M.
Sarvadhikary, Sir Deva Prasad.
Shahani, Mr. S. C.
Singh, Babu B. P.
Sinha, Babu Ambika Prasad.
Sinha, Beohar Raghubir.
Srinivasa Rao, Mr. P. V.
Subrahmanayam, Mr. C. S.
Subzposh, Mr. S. M. Z. A.
Thackersey, Sir Vithaldas D.

NOES—47.

Abdul Quadir, Maulvi.
Abdul Rahim Khan, Mr.
Aiyar, Mr. A. V. V.
Akram Hussain, Prince A. M. M.
Amjad Ali, Maulvi.
Asjad-ul-lah, Maulvi Miyan.
Barodawala, Mr. S. K.
Bijlikhan, Sardar G.
Bradley-Birt, Mr. F. B.
Bray, Mr. Denys.
Bryant, Mr. J. F.
Chatterjee, Mr. A. C.
Clarke, Mr. G. R.
Cotelingam, Mr. J. P.
Crookshank, Sir Sydney.
Dalal, Sardar B. A.
Dentith, Mr. A. W.
Faridoonji, Mr. R.
Fell, Sir Godfrey.
Gajjan Singh, Sardar Bahadur.
Habibullah, Mr. Muhammad.
Hailey, the Honourable Sir Malcolm.
Hullah, Mr. J.
Iramullah Khan, Raja M. M.

Innes, the Honourable Mr. C. A.
Jejeebhoy, Sir Jamsetjee.
Kabraji, Mr. J. K. N.
Keith, Mr. W. J.
Lindsay, Mr. Darcy.
Mitter, Mr. K. N.
Muhammad Hussain, Mr. T.
Percival, Mr. P. E.
Ramayya Pantulu, Mr. J.
Rao, Mr. C. Krishnaswami
Renouf, Mr. W. C.
Rhodes, Mr. C. W.
Sapru, the Honourable Dr. T. B.
Sarfaraz Hussain Khan, Mr.
Schamnad, Mr. Mahmood.
Shahab-ud-Din, Chaudhri.
Sharp, Mr. H.
Spence, Mr. R. A.
Vincent, the Honourable Sir William.
Waghorn, Colonel W. D.
Way, Mr. T. A. H.
Webb, Sir M. dePomeroy.
Zahiruddin Ahmed, Mr.

The motion was adopted.

Mr. President : The question is :

‘That a reduced sum not exceeding Rs. 1,03,49,050 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘the North-West Frontier Province’.

The motion was adopted.

BALUCHISTAN.

Mr. President : The question is :

‘That a sum not exceeding Rs. 26,81,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘Baluchistan’.

Rao Bahadur T. Rangachariar : Sir, I move :

General reduction. ‘That the demand under head ‘Baluchistan’ be reduced by Rs. 3,61,300.’

4 P.M. This is an ordinary motion and I commend it to the House

Mr. Denys Bray : Sir, the House need not be alarmed. I do not propose to inflict on them another speech. I will simply remind the House that Baluchistan is a great block of 134,638 square miles or one-thirtieth of the whole of India. By working out a simple arithmetical sum they will come to the conclusion that square mile for square mile it is the cheapest run Province in the whole of India. It is also the one part of our great North-West Frontier which is not constantly reminding us of its existence. I affirm that if you make this reduction, you will be jeopardising the efficiency of a most efficient and cheap administration and the security of the most peaceful part of our valuable North-West Frontier.

Mr. N. M. Samarth : Sir, I beg to oppose this motion. Whatever my own views may be about Waziristan, I do think that, so far as Baluchistan is concerned, General Sandeman, whose name is associated with it, must be remembered as the man who has made Baluchistan what it is to-day. I have no time to reply to Mr. Bray as to what he said on the previous occasion in regard to the foreign policy pursued by the Government of India. I will not take up any further time except to say that on behalf of myself and my Party I support the Government in this demand.

The Assembly then divided as follows :

AYES—39.

Abdul Majid, Shaikh.
Agarwala, Lala G. L.
Agnihotri, Mr. K. B. L.
Ahmed, Mr. K.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bagde, Mr. K. G.
Bajpai, Mr. S. P.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Chaudhuri, Mr. J.
Das, Babu B. S.
Ginwala, Mr. P. P.
Girdhardas, Mr. N.
Gour, Dr. H. S.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Jatkar, Mr. B. H. R.
Joshi, Mr. N. M.
Lakshmi Narayan Lal, Mr.

Latthe, Mr. A. B.
Mahadeo Prasad, Munshi.
Manmohandas Ramji, Mr.
Man Singh, Bhai.
Misra, Mr. P. L.
Misra, Mr. B. N.
Mudaliar, Mr. S.
Nag, Mr. G. C.
Nand Lal, Dr.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Schamnad, Mr. Mahmood.
Shahani, Mr. S. C.
Singh, Babu B. P.
Sinha, Babu Ambika Prasad.
Subzposh, Mr. S. M. Z. A.
Thackersey, Sir Vithaldas D.

NOES—51.

Abdul Quadir, Maulvi.
 Abdul Rahim Khan, Mr.
 Aiyar, Mr. A. V. V.
 Akram Hussain, Prince A. M. M.
 Amjad Ali, Maulvi.
 Asjad-ullah, Maulvi Miyan.
 Barodawala, Mr. S. K.
 Bijlikhan, Sardar G.
 Bradley-Birt, Mr. F. B.
 Bryant, Mr. J. F.
 Bray, Mr. Denys.
 Chatterjee, Mr. A. C.
 Clarke, Mr. G. R.
 Cotelingam, Mr. J. P.
 Crookshank, Sir Sydney.
 Dalal, Sardar B. A.
 Dentith, Mr. A. W.
 Faridoonji, Mr. R.
 Fell, Sir Godfrey.
 Habibullah, Mr. Muhammad.
 Hailey, the Honourable Sir Malcolm.
 Hullah, Mr. J.
 Hussainally, Mr. W. M.
 Ikramullah Khan, Raja M. M.
 Innes, the Honourable Mr. C. A.
 Jamnadas Dwarkadas, Mr.

Jejeebhoy, Sir Jamsetjee.
 Kabraji, Mr. J. K. N.
 Kamat, Mr. B. S.
 Keith, Mr. W. J.
 Lindsay, Mr. Darcy.
 Mitter, Mr. K. N.
 Muhammad Hussain, Mr. T.
 Mukherjee, Mr. J. N.
 Mukherjee, Mr. T. P.
 Percival, Mr. P. E.
 Ramayya Pantulu, Mr. J.
 Rao, Mr. C. Krishnaswami.
 Renouf, Mr. W. C.
 Samarth, Mr. N. M.
 Sapru, the Honourable Dr. T. B.
 Sarfaraz Hussain Khan, Mr.
 Sarvadhikary, Sir Deva Prasad.
 Shahab-ud-Din, Chaudhri.
 Sharp, Mr. H.
 Spence, Mr. R. A.
 Vincent, the Honourable Sir William.
 Waghorn, Colonel W. D.
 Way, Mr. T. A. H.
 Webb, Sir M. dePomeroy.
 Zahiruddin Ahmed, Mr.

The motion was negatived.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 26,81,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Baluchistan.’

The motion was adopted.

DELHI.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 30,41,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Delhi.’

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

General reduction.

‘ That the demand under head ‘ Delhi ’ be reduced by Rs. 1,68,950.’

I do not think many words are needed in support of this motion. I am not moving this with any encouragement derived from the fact that my Honourable friend, Mr. Jamnadas, has also got a similar motion to reduce this item by one lakh under this head. He had a similar motion under No. 47 on which I relied, but, having regard to the attitude of the National Party on that occasion, I do not place any reliance on their motions. I stand on my own legs and on the strength of my Party.

Mr. N. M. Samarth: Sir, there were many motions which stood previously in the names of certain Members of the Democratic Party, and which also stood in the names of certain Members of the National Party, but that is no indication of the attitude which this Party is going to take in regard to the present motion. (Hear, hear.) We stand on the motions that are brought before this House and on their own merits. (Hear, hear.) If we think that, after calculation of the figures, there is any possibility of reducing

the expenditure to the tune that is proposed, we vote for it. If we think that there is no such possibility, we do not vote for it. But if the attitude is that this 5 per cent. reduction should be made in every Department, whether it admits of it or no, then we say we oppose that attitude. (Hear, hear.) I will not say anything further on this motion.

Chaudhri Shahab-ud-Din (East Central Punjab : Muhammadan) : Sir, last year in this very Chamber I supported very strongly the demand for constructing and completing New Delhi

Mr. President : This is a demand under head ' Delhi, ' and not for the construction of New Delhi. There is a vote for that later on.

Chaudhri Shahab-ud-Din : I support this motion, Sir. While we should not go on reducing the expenditure regardless of consequences, if and when there is a possibility of reduction we must do it. We must not vote simply because we have made up our minds to vote for or against an item. I endorse the motion.

The Honourable Sir William Vincent (Home Member) : Sir, I shall not be tempted by the good fortune of Government on the last vote to oppose this reduction, though I really had some reasons to believe that the demand would be for a reduction of a smaller sum. I am, however, prepared to say that the Government prefer to reduce this demand by Rs. one lakh. (Hear, hear.)

Rao Bahadur T. Rangachariar : I accept it, Sir.

Dr. H. S. Gour : I hope, Sir, I may be permitted to add a few words. The acceptance is on the very express condition that no reduction be made in the Educational grant under sub-head 31

Mr. President : Order, order. The Honourable Member has moved for a general reduction on the whole demand. There is no question of any sub-head.

Dr. H. S. Gour : It is perfectly true, Sir. At the same time I am bound to ask the Honourable the Home Member whether any reduction could be

The Honourable Sir William Vincent : The Honourable Member may ask any question he likes, but he is not going to get an answer on this occasion. He has asked for a reduction, and he is going to get it. Under what particular heads it will be made is another matter.

Mr. Jamnadas Dwarkadas : I think I am called upon by the remarks that were made by my Honourable friend, Mr. Rangachariar, to say that I and the Party to which I have the honour to belong support the motion that he has moved. I may at once tell my Honourable friend, Mr. Rangachariar, that the Party to which I have the honour to belong will not vote blindly because the Democratic Party has decided upon a certain course. I can point out instance after instance of notice of motion for larger reductions being given by the leaders of the Democratic Party which they have not moved here, and which they have withdrawn. Dr. Gour's motion for 25 lakhs was withdrawn even in the last item. But, Sir, we vote as we think proper. (Hear, hear.) If the speeches here convince us that we ought not to press a reduction, we certainly allow ourselves to be convinced and vote accordingly. I have great pleasure in supporting this reduction.

Mr. President: The question is that that reduction be made.

Rao Bahadur T. Rangachariar: The Honourable the Home Member agreed to a reduction of 1 lakh of Rupees, and I accepted it.

Mr. President: The motion before the House is :

‘ That the demand under head ‘ Delhi ’ be reduced by Rs. 1,68,950.’

The motion was negatived.

Mr. Jamnadas Dwarkadas: I move, Sir :

‘ That the demand under head ‘ Delhi ’ be reduced by Rs. 1,00,000.’

I thought the Democratic Party had accepted the Honourable the Home Member’s suggestion.

Rao Bahadur T. Rangachariar: I am very glad, Sir, to part with the honour to my Honourable friend Mr. Jamnadas Dwarkadas.

Mr. President: The question is that that reduction be made.

The motion was adopted.

Mr. President: The question is :

‘ That a reduced sum not exceeding Rs. 2,41,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Delhi ’.’

The motion was adopted.

COORG.

Mr. President: The question is :

‘ That a sum not exceeding Rs. 12,62,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Coorg ’.’

Rao Bahadur T. Rangachariar: Sir, I move :

General reduction. ‘ That the demand under head ‘ Coorg ’ be reduced by Rs. 69,200.’

Sir, in view of what fell from the Honourable the Home Member yesterday, I am sure he will be able to effect greater reduction, if not transfer the whole of the province to Madras, and therefore I think this is a very modest proposal which will find acceptance with the Government.

The Honourable Sir William Vincent: Sir, I think I can assure the House that we shall be able to make a reduction of Rs. 60,000. Further than that I am not sure. We are, however, making inquiries and if we are able to go further we will do so. I hope that this will meet the Honourable Member’s wishes.

Rao Bahadur T. Rangachariar: If my Honourable friend wants the substitution of the figures ‘ Rs. 60,000 ’, then I will amend my motion by the substitution of ‘ Rs. 60,000 ’ with your permission, Sir.

Mr. President: The question is :

‘ That the demand under head ‘ Coorg ’ be reduced by Rs. 60,000.’

The motion was adopted.

Mr. Jamnadas Dwarkadas : Sir, I withdraw my motion* in favour of Mr. Rangachariar's motion, and I stand by him.

Mr. President : The question is :

'That a reduced sum not exceeding Rs. 12,02,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Coorg'.'

The motion was adopted.

AJMER MERWARA.

Mr. President : The question is :

'That a sum not exceeding Rs. 15,11,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Ajmer Merwara'.'

Mr. Jamnadas Dwarkadas : I beg to move :

General reduction. 'That the demand under head 'Ajmer Merwara' be reduced' by one lakh.'

It is very nearly 5 per cent. So I hope the Honourable the Home Member will accept this reduction.

Mr. Denys Bray : Sir, as I told the House the other day, we are making every effort to retrench Ajmer Merwara entirely by foisting it on to another province. So far we have not succeeded. Anyhow we do hope that we shall be able to reorganise the judicial arrangements and thereby effect some retrenchment.

The motion was adopted.

Rao Bahadur T. Rangachariar : I do not move my motion. I have got a larger reduction than I wanted.

Mr. President : The question is :

'That a reduced sum not exceeding Rs. 14,11,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Ajmer Merwara'.'

The motion was adopted.

ANDAMANS AND NICOBAR ISLANDS.

Mr. President : The question is :

'That a sum not exceeding Rs. 52,39,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Andamans and Nicobar Islands'.'

Mr. J. Hullah : I move :

'That the demand under sub-head '8.—Forest' be reduced by Rs. 5,25,000.'

This motion, I think, entitles me to ask for a seat among the followers of Mr. Rangachariar. It represents a reduction in the total Budget provision, not of 5 per cent. but of over 9 per cent. I am no mere 5 per cent. democrat. I am a super-democrat.

The provision that we have made for freight on timber is more than we now expect to need. I, therefore, make the motion and I hope that Mr. Rangachariar will abandon his own.

The motion was adopted.

* 'That the demand under head 'Coorg' be reduced by Rs. 50,000.'

Rao Bahadur T. Rangachariar: As my Honourable friend, Mr. Hullah, has given me more than double of what I wanted, I abandon my motion.

Mr. President: The question is :

'That a reduced sum not exceeding Rs. 47,14,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Andamans and Nicobar Islands'.'

The motion was adopted.

RAJPUTANA.

Mr. President: The question is :

'That a sum not exceeding Rs. 5,03,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Rajputana'.'

Mr. K. B. L. Agnihotri (Central Provinces Hindi Divisions : Non-Muhammadian) : Sir, I beg to move :

'That the demand under head 'Rajputana' be reduced by Rs. 65,400.'

I would not detain the House long in putting forward my grounds for this reduction. I will only say that this province is the smallest of all the provinces in British India and probably not bigger than a Tahsil of a British district. The revenue of this province is as much as that of Coorg and Ajmer Merwara and is about 10 lakhs while the expenditure in Rajputana as provided is about 6 lakhs more than that provided in Coorg or Ajmer. This province and the province of Ajmer Merwara have the same type of men inhabiting them. The nature, character and the condition of the country and the administration are almost the same in both. There is thus no apparent reason for the increase in expenditure in one province over the other. I will not attempt to take the House into the fuller details of the expenditure but shall simply confine myself to certain heads in which there is much scope for retrenchment. Take the Forest Department.

The contingencies amount to Rs. 3,000 out of a total amount of Rs. 3,800. No explanation has been offered as to why such a high amount for contingency has been provided. Similarly, Sir, take the case of administration of justice, there is not much litigation in this province. The diet and road money to witnesses comes only to about Rs. 250 ; this shows that there is not much litigation and criminal work and the department is not large at all, still the contingencies with allowances amount to about Rs. 13,000, which is more than half of the total amount demanded under this head. Similarly, take the case of Police. In the Budget for 1920-21, the actual expenditure for travelling and other items was only Rs. 7,410, while the revised estimate for 1921-22 was Rs. 6,800. (*A Voice* : 'No.') The revised estimate, I beg your pardon, was Rs. 13,150, and this year the amount provided is Rs. 14,990. The increase in the revised estimate over the budget figure was, I presume, due to the Mooghia operations. This year there is no such fear and I do not think that it is necessary to provide such a high amount even if there were any such possibility. I propose that this amount, Rs. 14,990, be reduced by about Rs. 8,000 and the total amount be reduced to Rs. 7,000. Similarly, just look to the amount provided for clothing for the Police. Rs. 4,700 were provided for it in the Budget of 1921-22 while this year Rs. 7,500 are provided. I do not find the necessity of providing such a large amount for clothing for police, this year—the year

of greatest financial stringency. Now under the head 'University' a sum of about Rs. 19,000 has been provided for the salaries of furlough Reserve Officers. I do not know who these dignitaries are and why have they been kept in this province alone. Further down I find that Rs. 1,320 have been set apart for salaries of two passed officers in the medical department for whom no posts are available. They could be posted in some other province. They should not have been trained at all when there was no likelihood of any vacancy for them in this province.

As shown by me, there is much scope for reduction under head 'Rajputana' and I therefore move that this demand be reduced by Rs. 65,400.

Mr. Denys Bray: I think I shall probably be serving the interest of the House best by not following the Honourable Member through his detailed examination of the various figures. We are trying to effect a reduction in Rajputana by doubling up some political agencies and medical arrangements. But such changes cannot be carried out on the spur of the moment or without very careful consideration of the various conflicting interests, but we do hope to effect a substantial reduction.

The motion was adopted.

Mr. President: The question is :

'That a reduced sum not exceeding Rs. 4,37,600 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Rajputana'.'

The motion was adopted.

CENTRAL INDIA.

Mr. President: The question is :

'That a sum not exceeding Rs. 5,73,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Central India'.'

Mr. S. C. Shahani: Sir, I beg to move :

'That the provision under head 'Central India' be reduced by Rs. 68,550. This is the General reduction. usual 5 per cent.'

Mr. Denys Bray: Sir, the remarks I have just made regarding Rajputana apply here also.

The motion was adopted.

Mr. President: The question is :

'That a reduced sum not exceeding Rs. 5,04,450 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Central India'.'

The motion was adopted.

HYDERABAD.

Mr. President: The question is :

'That a sum not exceeding Rs. 1,97,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Hyderabad'.'

Rao Bahadur T. Rangachariar : I beg to move :

General reduction. ' That the demand under head ' Hyderabad ' be reduced by Rs. 27,850."

This is the usual five per cent.

Mr. Denys Bray : This is a very small administration and it is exceedingly difficult to say the reduction can be effected. But the Government is prepared to effect retrenchment as far as possible.

The motion was negatived.

Mr. Jamnadas Dwarkadas : I beg to move :

' That the demand under head ' Hyderabad ' be reduced by Rs. 10,000.'

I think this is a much more reasonable demand and ought to be carried.

The Assembly then divided as follows :

AYES—55.

Abdul Majid, Shaikh.
Abdul Rahim Khan, Mr.
Agarwala, Lala G. L.
Agnihotri, Mr. K. B. L.
Ahmed, Mr. K.
Aiyer, Sir P. S. Sivaswamy.
Akram Hussain, Prince A. M. M.
Asjad-ul-lah, Maulvi Miyan.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bajpai, Mr. S. P.
Barodawala, Mr. S. K.
Bhargava, Pandit J. L.
Bijlikhan, Sardar G.
Bishambhar Nath, Mr.
Dalal, Sardar B. A.
Das, Babu B. S.
Ginwala, Mr. P. P.
Girdhardas, Mr. N.
Gour, Dr. H. S.
Gulab Singh, Sardar.
Hussanally, Mr. W. M.
Ikramullah Khan, Raja M. M.
Iswar Saran, Munshi.
Jamnadas Dwarkadas, Mr.
Jatkar, Mr. B. H. R.
Jejeebhoy, Sir Jamsetjee.
Joshi, Mr. N. M.

Kamat, Mr. B. S.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Mahadeo Prasad, Munshi.
Manmohandas Ramji, Mr.
Man Singh, Bhai.
Misra, Mr. P. L.
Mudaliar, Mr. S.
Mukherjee, Mr. J. N.
Nag, Mr. G. C.
Nand Lal, Dr.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Samarth, Mr. N. M.
Sarfaraz Hussain Khan, Mr.
Shahani, Mr. S. C.
Singh, Babu B. P.
Sinha, Babu Ambika Prasad.
Sinha, Beohar Raghurir.
Spence, Mr. R. A.
Srinivasa Rao, Mr. P. V.
Subrahmanayam, Mr. C. S.
Subzposh, Mr. S. M. Z. A.
Thackersey, Sir Vithaldas D.
Webb, Sir M. dePomeroy.

NOES—32.

Aiyar, Mr. A. V. V.
Bradley-Birt, Mr. F. B.
Bray, Mr. Denys.
Bryant, Mr. J. F.
Chatterjee, Mr. A. C.
Clarke, Mr. G. R.
Crookshank, Sir Sydney.
Dentith, Mr. A. W.
Faridoonji, Mr. R.
Fell, Sir Godfrey.
Gajjan Singh, Sardar Bahadur.
Habibullah, Mr. Muhammad.
Hailey, the Honourable Sir Malcolm.
Hullah, Mr. J.
Innes, the Honourable Mr. C. A.
Kabraji, Mr. J. K. N.

Keith, Mr. W. J.
Lindsay, Mr. Darcy.
Misra, Mr. B. N.
Mitter, Mr. K. N.
Muhammad Hussain, Mr. T.
Percival, Mr. P. E.
Rao, Mr. C. Krishnaswami.
Renouf, Mr. W. C.
Rhodes, Mr. C. W.
Sapru, the Honourable Dr. T. B.
Sarvadhikary, Sir Deva Prasad.
Shahab-ud-Din, Chaudhri.
Sharp, Mr. H.
Vincent, the Honourable Sir William.
Waghorn, Colonel W. D.
Way, Mr. T. A. H.

The motion was adopted.

Mr. President : The question is :

'That a reduced sum not exceeding Rs. 1,87,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Hyderabad'.'

The motion was adopted.

BANGALORE.

Mr. President : The question is :

'That a sum not exceeding Rs. 13,79,00 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Bangalore'.'

Rai Sahib Lakshmi Narayan Lal (Bihar and Orissa : Nominated Non-Official): Sir, I beg to move :

General reduction. 'That the demand under head 'Bangalore' be reduced by Rs. 3,00,000.'

Honourable Members will find on page 263 that the Revised Budget Estimate for the province in 1921-22 was Rs. 8,85,000 only on account of the voted items, but it has gone up to Rs. 13,79,000 for the ensuing year. The increase is therefore of Rs. 4,94,000 for voted items alone. Again, there is an increase of Rs. 11,000 on account of the non-voted items which we cannot touch, but which is an increase all the same.

The total increase is therefore of Rs. 5,05,000. Such a big increase is entirely un-called for, in the face of the existing financial crisis. The present financial circumstances warrant that we should spend much less than what we spent before. Extravagance is always an evil, but in poverty it means ruin.

It can be said that there is no extravagance, but this depends upon the standard with which the matter is judged. The whole difficulty lies in the fact that poor India is being governed with the standard of a rich country. It appears as if the Government, notwithstanding the advantage of having some worthy Indian Members, have not as yet realized how poor India really is, and how highly it is already taxed. (*Voices* : 'Hear, hear.' 'Vote, vote.' 'It is nearing 5 o'clock'.)

Sir, no less an authority than the Right Honourable Mr. Montagu, the late Secretary of State for India, whose resignation we are all deeply deploring, and who, as the author of the Reforms Scheme, deserves our greatest gratitude, was pleased to observe very recently in the House of Commons, that :

'The greatest cause of trouble in India was the economic situation of the country. India was highly taxed, prices were very high and the population was very poor. Their only cure was the development of the industrial and agricultural resources of India in order that the people might become richer.'

But such a heavy increase of expenditure leading to crushing taxation, crushing the poor people as well as the poor industry, will, instead of making the people richer, make them poorer and poorer every day and ultimately lead them to utter disaster.

The motion was negatived.

Rao Bahadur T. Rangachariar : Sir, as I want that the money should not lapse to the Mysore Government and should come to the Central Government, I beg to withdraw the motion which stands in my name as follows :

'That the demand under head 'Bangalore' be reduced by Rs. 71,500.'

Mr. President : The question is :

‘ That a sum not exceeding Rs. 13,79,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Bangalore ’.

The motion was adopted.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE FOR INDIA.

Mr. President : The question is :

‘ That a sum not exceeding Rs. 33,26,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ‘ Expenditure in England under the control of the Secretary of State for India ’.

Mr. K. G. Bagde (Bombay Central Division : Non-Muhammadan Rural) : Sir, I beg to move :

‘ That the demand under the head ‘ Expenditure in England under the control of the General reduction. Secretary of State for India ’ be reduced by Rs. 4,97,000 ’.

I move this motion which is a very modest one and is based on the reasonable policy adopted by the Democratic Party of the usual reduction of 5 per cent. I hope the House will accept it.

The Honourable Sir Malcolm Hailey : Sir, this ‘ reasonable and modest demand for reduction ’ amounts to Rs. 4,97,000. Now, let us see what the items are from which this is to be deducted. The total demand in the Budget Estimate is Rs. 99,40,000. I am going to analyse this demand to the House to show how ‘ reasonable and modest ’ is the demand for reduction. Out of this sum of Rs. 99,40,000 we have got to deduct Rs. 53,23,000 for pensions. I take it that this is not the desire of the House, nor indeed it is even within its power, to reduce the amount of pensions.

Honourable Members : We do not want to reduce this amount.

The Honourable Sir Malcolm Hailey : I am glad to obtain the willing assent of the House on that point. Then the residue is Rs. 46,17,000. Now we have to deduct out of this another item of Rs. 9,37,000 for the management of debt. I do not think, Sir, we should be able to raise our large sterling loans in England unless we secure adequate management of the loan service.

Rao Bahadur T. Rangachariar : Don’t employ costly agencies.

The Honourable Sir Malcolm Hailey : May I take it that my friends here are of opinion that this amount can be reduced ?

(Cries of ‘ It can be reduced. ’) Then, Sir, I am afraid the Honourable Members placed upon me the necessity of going into the matter at much greater length. (Continued Laughter.) I do assure the Honourable Members that the subject of our sterling loan is not a matter of hilarity at all ! But I see that you are willing to grant me this point. Then after deducting this amount, the remainder is Rs. 36,80,000. I have to deduct out of this amount another item—an item equally necessary I think for the welfare of India—I mean the examination expenses of candidates for the Indian Civil Service,

Rs. 4,39,000 votable and Rs. 1,19,000 non-votable, altogether Rs. 5,58,000. That work is undertaken for us by the Civil Service Commissioners at Home, and I do not think any request by this Chamber would weigh with them in order to reduce their scale of charges. As long as you have that examination in England, you will have to pay that sum. I need not add that, of course, we are now having our own parallel examination in India. Are we then to pass this amount also as not being susceptible of reduction? From the attitude of Members opposite, I take it that that item is also passed.

We therefore have left Rs. 31,22,000. Now, I come to another item in which many of my friends here are interested. Mr. Seshagiri Ayyar takes a great interest in it and Dr. Sapru is one expert on it. I refer to the expenditure we incur on account of our partnership in the League of Nations. Some question arose the other day as to whether we would or would not honour a bill presented to us by the majority of the League of Nations as our share of its expenditure. I think at the time we convinced the House that we could not dishonour that bill without dissociating ourselves from the League of Nations. I can imagine, Sir, the effect on the League of Nations, at large and the disastrous effect on the nerves of the Secretary General of the League in particular, if he were to receive a letter from the Honourable Dr. Sapru, saying that the Legislative Assembly desires to make a 5 per cent. cut in their bill. (Laughter.) No doubt we could offer to pay cash for delivery, but even so, we could hardly claim a full receipt for a reduction of 5 per cent. (Laughter.) May I take it then that that sum is not capable of reduction? ('Yes.')

I have left, therefore, a sum of some 24 lakhs. And now, following the example of my friends yesterday evening, I proceed to analyse the remainder of the items. (Laughter.) Sir, do I see that my friend is holding up his hand in token of surrender? (Laughter.) Does he indeed cry 'Kamarad'?

Rao Bahadur T. Rangachariar: In view of the time before us, will the Honourable Member take off one lakh?

The Honourable Sir Malcolm Hailey: No, Sir. I am sorry to say that I cannot abate one anna of the demand. My cause is just!

Dr. H. S. Gour: Well, Sir, you have got Rs. 38,000 for Sundries, absolutely unaccounted for.

The Honourable Sir Malcolm Hailey: I wish to know, Sir, if I hold the House, or does my Honourable friend, Dr. Gour? I am quite willing to give way to him while he makes his point of order. (Laughter.) I thought myself that I was just getting into most excellent order. (Laughter.) Now, Sir, does the House still desire that this reduction should be made? (Cries of 'Withdraw, withdraw.')

Rao Bahadur T. Rangachariar: I cannot withdraw, Sir. My friend, Mr. Bagde, is in charge.

The Honourable Sir Malcolm Hailey: Sir, I had hoped my friend was about to withdraw. I have now left a sum of about 24 lakhs. Now, out of sheer mercy for the nerves of the Assembly, I will not carry out my original threat of analysing each of these small items, most of them amounting to only a few thousands, such as 'Sundry items, Customs,' 'Sundry Items, Salt', etc. I will merely turn from the Party which has sought to wield the

[Sir Malcolm Hailey.]

axe, to that Party which we are now learning to associate with the finer art of the scalpel or the lancet. (Laughter.) I would point out that the reduction which it is sought to make is over 20 per cent. of the remaining items. I have proved to you that the major items are not capable of reduction; indeed the House itself has now admitted that they are not capable of reduction. Now, Sir, if the Members will run an eye through these minor items and spare me the trouble of reading them out, if they will realise that each of those small items is not only capable of justification by my Honourable Colleagues here but will infallibly be justified at length by each of my Honourable Colleagues separately, I think they will be wise to agree at once and in their own interests that a further reduction is impossible. (Laughter.)

Mr. N. M. Samarth: Sir, may I put it to the Honourable the Finance Member that 'Office Contingencies' has increased from Rs. 4,00,000 to Rs. 4,94,000, and surely there is some justification for asking for a decrease of Rs. 94,000 in that item.

Dr. H. S. Gour: To which may I add, Sir, that Rs. 38,000 is for Sundries, etc., and the Finance Member may at least reduce the Demand by this Rs. 38,000.

Mr. President: The question is :

'That the demand under the head 'Expenditure in England under the control of the Secretary of State for India' be reduced by Rs. 4,97,000.'

The motion was negatived.

Mr. President: The question is :

'That a sum not exceeding Rs. 33,26,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Expenditure in England under the control of the Secretary of State for India'.'

The motion was adopted.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE HIGH COMMISSIONER FOR INDIA.

Mr. President: The question is :

'That a sum not exceeding Rs. 64,06,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Expenditure in England under the control of the High Commissioner for India'.'

Mr. J. N. Mukherjee: Sir, I beg to move :

Currency, Stores for India. 'That the sum of Rs. 32,00,000 under sub-head 'Currency, Stores for India' be omitted and debited against profits.'

What has been proposed in the Budget is that the whole expenditure in connection with Currency notes circulation has been debited in the Revenue Account. According to the law on the subject, the profits, under the conditions laid down arising from note circulation, should be applied to the reduction of the created securities. The Budget, therefore, should have applied the working expenses of the Currency Department towards reducing the gross profits. By adopting this process the Government would have been in a position to apply the net profits only to the reduction of the created securities.

My submission to the House is that the net profits should be taken into account by omitting the expenditure under the sub-head 'Currency, Stores for India', and similar items of expenditure to be found elsewhere. Such treatment is important, as it will go to reduce the deficit shewn.

Sir Deva Prasad Sarvadhikary: I owe amends to the Honourable Sir Malcolm Hailey. What is proposed cannot be unfortunately done under the law till amended as I conceived yesterday.

The Honourable Sir Malcolm Hailey: I am very much obliged to my Honourable friend, Sir Deva Prasad Sarvadhikary. I think he had yesterday some doubt whether we were or were not obliged under the Act to place the whole of the interest derived from our paper currency securities to the reduction of the securities created for our own purposes. I hope that the House after hearing what Sir Deva Prasad Sarvadhikary has said, will have less doubt on a matter on which they have more than once expressed a friendly suspicion, namely, my capacity correctly to interpret the law! I think this, Sir, sufficiently meets the point that was made by my friend, Mr. Mukherjee; but I am afraid that I did not catch the whole of his argument; he made it, however, in

5 P.M.

Mr. President: The question is :

'That the demand under head 'Expenditure in England under the control of the High Commissioner for India' be reduced by Rs. 32,00,000 in respect of the sub-head 'Currency Stores for India'.

The motion was negatived.

Mr. President: The question is :

'That a sum not exceeding Rs. 64,06,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of 'Expenditure in England under the control of the High Commissioner for India'.

The motion was adopted.

Rao Bahadur T. Rangachariar: On a point of order, Sir, I wish to understand the rule about this guillotine. I see that you are authorised, Sir, to put the motions on the last day allotted at 5 P.M. :

'The President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.'

There is a question in my name which I wish to be put.

Mr. President: The question has never been moved. I put the questions that are before the House. The questions before the House are the main question, namely, the demand for the grant itself and any motion for reduction under discussion at the moment that the clock struck 5. No other motions for reduction can come in.

Rao Bahadur T. Rangachariar: No other grants can come in too.

Mr. President: Oh, yes.

Rao Bahadur T. Rangachariar: There is no motion for the succeeding grants; they cannot come either under that rule.

Mr. President: Rule 47 refers to all outstanding matters in connection with the demands for grants.

Rao Bahadur T. Rangachariar: I bow to your decision. We were punctual to bring to a close; we have no more motions.

Expenditure charged to Capital.

RAILWAYS.

Mr. President: The question is :

'That a sum not exceeding Rs. 29,97,53,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Railways '.'

The motion was adopted.

IRRIGATION WORKS—NOT CHARGED TO REVENUE.

Mr. President: The question is :

'That a sum not exceeding Rs. 2,69,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Irrigation Works—not charged to Revenue '.'

The motion was adopted.

CAPITAL OUTLAY ON TELEGRAPHS.

Mr. President: The question is :

'That a sum not exceeding Rs. 1,45,00,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Capital Outlay on Telegraphs '.'

The motion was adopted.

DELHI CAPITAL OUTLAY.

Mr. President: The question is :

'That a sum not exceeding Rs. 1,96,65,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Delhi Capital Outlay '.'

The motion was adopted.

Disbursements of Loans and Advances.

INTEREST-FREE ADVANCES.

Mr. President: The question is :

'That a sum not exceeding Rs. 12,06,37,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Interest-free Advances '.'

The motion was adopted.

LOANS AND ADVANCES BEARING INTEREST.

Mr. President: The question is :

'That a sum not exceeding Rs. 6,73,59,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1923, in respect of ' Loans and Advances bearing interest '.'

The motion was adopted.

RESOLUTION *RE* RE-APPROPRIATION BETWEEN DEMANDS IN THE MATTER OF REDUCTION.

Sir Vithaldas D Thackersey (Bombay Mill-owners Association : Indian Commerce) : Sir, I beg to move :

‘ That the Governor General in Council be empowered to re-appropriate from one Demand to another between Demands Nos. 1 to 57 inclusive provided that this be done in such a manner that the aggregate reduction made by the Assembly be given effect to.’

Dr. H. S. Gour (Nagpur Division : Non-Muhammadan) : But not less than the amount.

Sir Vithaldas D. Thackersey : No, no. That is all right. I have considered my own motion.

Sir, as I explained when I moved the first grant, we have not the slightest desire that any of the Departments should be worked except on the most efficient lines. (Hear, hear.) I am now bringing forward this motion in order that we may leave to Government the adjustment of the reduction in the different heads as they think best. These reductions amount to about Rs. 90,00,000, that is, 10 lakhs less than the crore which the House in the beginning thought reasonable. I am not sorry that the reduction is only 90 lakhs, because I think the House will be perfectly satisfied even if we get an actual reduction of 90 lakhs in our expenditure. Moreover, the votes for the reduction of 90 lakhs were passed after due consideration and with the help of our friends who voted with us after hearing the Government Members as to the reasonableness of our proposals (Hear, hear), and I can assure Government that the House is united in demanding this reduction of 90 lakhs.

Before I conclude, Sir, I have one remark to make, and that is that we have absolute confidence in the Government of India that they will do their best in this matter. (Hear, hear.) So far as the Finance Department is concerned, I am sure I echo the feeling of every Member here that, far from finding any fault with the Finance Department, I think the country owes a deep debt of gratitude to the Finance Department which is presided over so ably by such a distinguished Member of the Government as the Honourable Sir Malcolm Hailey. (Loud Applause.) I should not here omit to mention the name of his able lieutenant, I mean the Honourable Mr. Cook, to whose help also we owe a great deal. We cannot by any means understate the difficulties of Government during the last two or three years.

The difficulty of devising of Ways and Means on the scale required in our case can only be appreciated by those who have any experience of managing large finances, and I can say with the little knowledge that I have that any other two men with less courage, with less ability and with less grasp of financial problems would have thrown out the attempt in despair. I say, therefore, on behalf of the Members that we have every confidence in the Honourable Finance Member and the Honourable Mr. Cook to carry our ship safe into the harbour and they deserve full support from us.

The Honourable Sir Malcolm Hailey (Finance Member) : I cannot speak to the motion until I have thanked Sir Vithaldas Thackersey, and thanked him with all sincerity in the name of myself and of my Department for the generous compliment he has paid us. If I had to take the opinion of any one Member of this House on the work of the Department, I should rank highest

[Sir Malcolm Hailey.]

of all that of Sir Vithaldas Thackersey, who has known Indian conditions of finance so intimately, has for so many years been a Member of our Councils, and taken so prominent a part in our financial controversies. I need not add to what I have said; I can only repeat my gratitude to him, and to assure him that all ranks of my Department will find in what he has said a recompense for the hard times and many anxieties which they have had to undergo. (Hear, hear.)

Now, Sir, that was a grateful task. When I come to deal with the Resolution which Sir Vithaldas Thackersey has put forward, my task is less easy, for, I fear, that it is somehow or other not within the law. I do not desire to dogmatise to this House on legal points. For some reason or other, which I have never been able to appreciate, the House seems to harbour some distrust of what I say in regard to the construction of the law. This has been always a matter of great astonishment to me, for to nobody's opinion in regard to the law do I attach more value than my own. But seriously, Sir, I now merely wish to indicate to the House my doubts as to the possibility of their passing a motion of this kind which proposes to confer on the Government by Resolution certain powers which it does not possess by law. There are other and abler hands who will no doubt take up and discourse on this theme. I merely touch the opening strings. (*Honourable Members*: 'No, no.') Sir, the matter must be discussed and decided now; and for my part I merely wish to suggest that it is not possible under section 67-A of the Act for the House to pass a motion of this nature.

Mr. N. M. Samarth (Bombay: Nominated Non-Official): Sir, I support my friend, Sir Vithaldas Thackersey, in substance, so far as the Resolution goes. I for one have taken up the position, on behalf of myself and of my Party under the guidance of my Leader, that it is not fair nor right that we should apply the axe or the super-axe irrespective of the merits or demerits of a Department, and that, if the figures show that a reduction was possible, by all means vote for a reduction. The Resolution which Sir Vithaldas Thackersey has brought has got behind it a sub-consciousness in favour of the view which I have held and which my Party has held. Otherwise no such Resolution would have been brought. (Hear, hear.) They are conscious that on behalf of their Party they have done something objectionable, by having a five per cent. reduction all through, irrespective of the merits of the Department whose demand was sought to be reduced. I, therefore, join hands with him in this matter and am glad to put my shoulder to the wheel. So far as the Government of India Act is concerned, I think under the Act this House has no power to appropriate from one head to another. The Act is clear on the point. It says:

'No proposal for appropriation of any revenue or moneys for any purpose shall be made except on the recommendation of the Governor General.'

And then it proceeds to say:

'The proposals of the Governor General in Council for the appropriation of revenue or moneys relating to heads of expenditure not specified in the above heads shall be submitted to the vote of the Legislative Assembly in the form of Demands for Grants.'

And then we have the power either to assent or refuse our assent to or reduce any of the Demands, but the next sub-section goes on to say that :

‘The demands as voted by the Legislative Assembly shall be submitted to the Governor General in Council who shall, if he declares that he is satisfied that any Demand which has been refused by the Legislative Assembly is essential to the discharge of his responsibilities, act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, by the Legislative Assembly.’

After all, to my mind, nothing very serious has been done, but, if there is any department in which the axe has been wrongly applied by the joint efforts of the Democratic and the National Parties, which involves the department in any grave difficulty, then it is quite open to the Governor General, if he must, to that extent to rectify the error which may have been committed by the vote of this Assembly. On the whole, all that we say is that the Honourable the Finance Member, for whose efforts, energies, skill and industry, this House and every one in this House will pay a tribute for the axe and the super-axe that he has applied behind the scenes, will find that this Assembly has only added to his efforts and accelerated his work, so far as the finances of the country are concerned and I trust that having regard to the view which has been brought forward by Sir Vithaldas Thackersey, the substance of the Resolution may, if necessary, be given effect to.

The Honourable Dr. T. B. Sapru (Law Member) : In view of the reference to section 67-A of the Government of India Act by my friend, Mr. Samarth, I think it is necessary that I must intervene at this stage so as to explain from my point of view the constitutional point which arises under this Resolution. I will beg the House to remember the terms of this Resolution. First, it says that the Governor General in Council be empowered to reappropriate from one Demand to another between Demands No. 1 to No. 57 inclusive and then it says : ‘ Provided that this be done in such a manner that the aggregate reduction made by the Assembly be given effect to.’ The very first thing to which I will invite the attention of the House is the form of the Resolution itself. The Governor General does not want under the law any power to be conferred on him by a Resolution of this Assembly, and yet, having regard to the form of the Resolution, I hope the House will not grudge this jealousy for the power of the Governor General which arises under the Statute. Now the second thing that I will invite the attention of the Assembly to is the proviso. In the first part of the Resolution, Sir Vithaldas Thackersey seeks to confer certain power upon the Governor General in Council. I think he has no right to invite the Assembly to confer such powers. In the last portion of the Resolution he seeks to impose a certain limitation upon the liberty of action of the Governor General. Now, whatever may be said with regard to the underlying idea of the Resolution, I must take exception to the form of the Resolution on constitutional grounds and I think my friend, Mr. Samarth, will agree with me.

Mr. N. M. Samarth : I said I supported the Resolution in substance.

The Honourable Dr. T. B. Sapru : Now I come to the substance of it on which my friend, Mr. Samarth, may not so readily agree with me. Now, section 67-A is the section which really has a bearing upon this question. Under sub-clause (5) of that section, the proposals of the Governor General in Council for the appropriation of revenue or moneys have got to be submitted to the vote of the Assembly in the form of demands for grants. Now this has been done.

[Dr. T. B. Sapru.]

The Legislative Assembly may do one of two things ; either it may assent, or it may refuse to give its assent. This also has been done in relation to the various demands. Then arises the third stage in the succeeding sub-clause (7) :

‘ The demands as voted by the Legislative Assembly shall be submitted to the Governor General in Council, who shall, if he declares that he is satisfied that any demand which has been refused by the Legislative Assembly is essential to the discharge of his responsibilities, act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, by the Legislative Assembly.’

It will appear from this sub-clause that what it contemplates is individual Demands. The Governor General may say that he assents or that he withholds his assent, to a particular Demand as voted by the Legislative Assembly. But if we are to accept the Resolution of Sir Vithaldas Thackersey, we shall be adding something to the words of the Statute for which there is no warrant. The Governor General in Council may say : ‘ I accept the vote of the Assembly with regard to item No. 1’ ; he may say : ‘ I do not accept the vote of the Assembly with regard to item No. 2 ’ ; but you have got no right to say to him : ‘ Whatever may be the nature of our vote, you have got to calculate the whole amount and then to transfer certain moneys from one item to another.’ That is for the Governor General in Council to do. He may do it, or he may not do it. If he finds it convenient to follow Sir Vithaldas Thackersey’s Resolution, he will do it ; if he does not find it convenient, he will not do it. But I do say, and maintain, that it is not for the Assembly to impose any such limitation on his constitutional freedom ; and it is in that view that I would ask the Assembly not to accept this Resolution.

Sir P. S. Sivaswamy Aiyer (Tanjore *cum* Trichinopoly : Non-Muhammadian Rural) : Sir, with reference to the question of constitutional law which has been raised, I should like to offer a few observations for the consideration of the Members of the Government. The portion of section 67-A which is relevant to the question now raised is sub-section 7 of section 67-A. The Honourable Dr. Sapru is perfectly right, if I may venture to express my concurrence with him, in stating that the Governor General in Council has to express his opinion with reference to particular demands, and not with reference to the Budget as a whole. The words are that the Governor General in Council shall :

‘ If he declares that he is satisfied that any demand which has been refused by the Legislative Assembly is essential to the discharge of his responsibilities, act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, by the Legislative Assembly ’.

The question now for consideration is, what are the courses open to the Governor General in Council upon the decision of the Legislative Assembly with reference to these various Demands for Grants. Is he bound to declare now that he is, or is not, satisfied with regard to the grants which have been passed in respect of each Demand ? If the Honourable Dr. Sapru thinks that he is bound to make a declaration now, at this moment, then I respectfully venture to differ from him.

The Honourable Dr. T. B. Sapru : Sir, I rise to a point of order. I did not make any such statement.

Sir P. S. Sivaswamy Aiyer : I said 'if'. What I beg to say is that another position can be taken up. The Governor General in Council is not bound to declare, if the demand has not been fully assented to, that he is satisfied that the demand is essential and it has been improperly refused. It is quite open to him, and it would be a legitimate course to adopt, to say that he cannot say whether he is satisfied and that he will wait and see. It is quite open to the Governor General in Council to say : 'At this moment we are not prepared to say whether the Assembly has given enough or not, whether the means they have voted are or are not sufficient for the discharge of our responsibilities. We shall take due note of the desire of the Assembly for retrenchment. A Retrenchment Committee has been appointed and is going to consider the matters in question. We shall await the report of that Committee, and if afterwards it is found necessary to ask for more, then we shall do so.' The Governor General in Council can legitimately adopt that course. I concede that the provision of this sub-section which empowers the Governor General to act as if the demand has been assented to can only be exercised now. It cannot be exercised later on. But the proper course for the Governor General in Council is to come before us for a supplementary grant. There is nothing in law, so far as I am aware, to prevent the Governor General in Council from coming before us for a supplementary grant. Nor is there anything to prevent us from making a grant in respect of such supplementary demand. That, I submit, would be the most proper and the fairest course to take, with due regard to the decisions of the Assembly and out of consideration to the Assembly. I trust that the Governor General in Council will pay sufficient deference to the wishes of the Legislative Assembly, to induce him to hold his hand and suspend his judgment. In the interests of the evolution of the Constitution and the evolution of constitutional conventions I hope and trust that this course will commend itself to the Governor General in Council.

Sir Montagu Webb (Bombay : European) : Sir, though I cannot lay claim to that legal knowledge which many of the Members of this House possess, and though I have not perhaps that great respect for the legal profession which the Honourable Member for Finance is so well known to hold, nevertheless I venture to appeal to the Finance Member to give effect to the intention of the Resolution which Sir Vithaldas Thackersey has put before this House. I have myself voted against many of the Resolutions for retrenchment which have been carried. At the same time I would ask the Finance Member and the Government of India to recognise that those motions have been put forward honestly and with knowledge, in the hope of bringing pressure upon Government to exercise still further retrenchment.

With that idea I am entirely in sympathy. I feel that our expenditure has reached a level that is now dangerous, and I therefore appeal strongly to the Finance Member and to the Government of India to find a way to give effect to the sense of the Resolution which Sir Vithaldas has put forward, whether the motion be legal or illegal. (Applause.)

Rao Bahadur T. Rangachariar (Madras City : Non-Muhammadian Urban) : Sir, while recognising the legal difficulties in the way of this Resolution, I wish to emphasise one aspect of the question for the consideration of the Assembly. This motion should not be deemed to imply that there is any doubt in our minds that the 5 per cent. reduction we have made

[Rao Bahadur T. Rangachariar.]

in each grant is not capable of being effected under each grant. (Hear, hear.) I wish to say this with all the emphasis that I can command on behalf of my Party, so that it might not be understood that we know that there is any Demand in which we have made a reduction which cannot be made.

Mr. T. V. Seshagiri Ayyar (Madras: Nominated Non-Official) : Sir, I wish to say a word upon the constitutional question. (*Voices* : 'No', 'no'). It seems to me that upon one matter there can be no doubt and if I may say with respect, there is no doubt that the Law Member is quite correct. That is as regards clause 7. But I think the Honourable the Law Member ignores to some extent the 8th clause of the same section. The 8th clause is what is called the emergency clause, and it relates to the power which the Governor General has in cases of emergency to authorise such expenditure as may in his opinion be necessary for the safety or tranquillity of British India or any part thereof. Now, the point I wish to put forward is this. The position taken up by Sir Vithaldas Thackersey is in no way *ultra vires* the powers of this Assembly. We have got the power of recommending to the Governor General certain modes of disposing money and this is the recommendation we make, *viz.*, that in coming to a conclusion that a particular demand ought to be met notwithstanding that the House has resolved that it should be cut down, we make the recommendation to appropriate from one item to another thereby fulfilling the functions which the law has empowered the Governor General to exercise, *viz.*, the power given under clause 8 of section 67.

The Honourable Dr. T. B. Sapru : May I rise to a point of order, Sir? I hope it will cut short the debate. My Honourable friend who has put forward this view obviously overlooks the distinction between the Governor General and the Governor General in Council. Clause 8 deals with the Governor General and clause 7 with which I was dealing, deals with the Governor General in Council.

Mr. T. V. Seshagiri Ayyar : I stand corrected.

Dr. H. S. Gour : Sir, may I just point out that my friend, Mr. Seshagiri Ayyar, was dealing with the question of the emergency powers of the Governor General which have nothing whatever to do with the subject matter under consideration. As regards Dr. Sapru, if I may be permitted to say so, he is perfectly right in saying that under clause 7 as soon as the Budget is passed, it is open to the Governor General in Council to examine the allotments made and if the Governor General in Council is of opinion that he cannot discharge his duties within the sums allotted to him by the Legislative Assembly, then certain restorations as laid down in clause 7 may take place. Now the real point involved in Sir Vithaldas Thackersey's Resolution is this. He empowers the Governor General in Council to make re-appropriations and I submit with due respect to my learned friend, — he is not a learned friend — with due respect to my Honourable friend, whether the Governor General's powers cannot be enlarged or curtailed by this Legislative Assembly, which is itself a creature of the law. Whatever power the Governor General in Council or the Governor General possesses are all statutory powers and consequently I venture to submit that my friend's Resolution is mis-conceived, and I would therefore request him not to press his Resolution.

Sir Vitthaladas D. Thackersey : I have no desire to press this Resolution. My only object was to make the work of the Government of India easy. We are passing through very extraordinary times, and we want to give a clear indication of our wish, that within the law this Assembly has not the slightest objection to the reappropriation from one head to another. We do not wish that the country should have an excuse to say that here the Assembly passed one Resolution and that His Excellency the Viceroy the next day reversed it with his extraordinary powers.

As my learned friend says it can only be done by those extraordinary powers, it should not be misunderstood that these powers have been used against the wishes of the Legislative Assembly. I wish to make this point very clear, as we do not wish at this stage that the whole position should be misunderstood.

The Honourable Sir Malcolm Hailey : I am not sure if I am in order in speaking after Sir Vitthaladas Thackersey ; but I should like to say that when he asked if I had any objection to his Resolution being brought forward at short notice, I assured him to the contrary, for I felt that, from the discussion that would follow his motion, we should gain an insight into the feeling of the House as regards the proceedings of the last five days, and their attitude to the remaining stages of the Budget. We anticipated also that we should learn their feelings regarding the exercise of the statutory powers of the Governor General in regard to the restoration of items cut out, and thought it well that we should on our side have an opportunity of putting the position of Government in the matter. The House, I assume, realizes that the motion cannot stand on legal ground. It is clear that having only just to-day concluded our debate on the demands for grants, it is yet too early for me to announce to the House the decision of the Governor General in Council as to the action that is to be taken in regard to the reductions. I can only say that we shall take into full consideration the feelings which have been expressed by the House this evening. But in doing so, I must make one point clear. We must retain our own statutory powers, and, if necessary, exercise them, because we have statutory responsibilities. We cannot be expected to admit that each and every one of these reductions is possible without injury to the administration. On the other hand, we can and do admit that in some cases reductions can be carried out, and to the extent that they can be carried out without danger of loss of revenue or inefficiency of administration we are prepared to give effect to them.

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

The Assembly then adjourned till Eleven of the Clock on Monday, the 20th March, 1922.