

10th January, 1922

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

SECOND SESSION

OF THE
LEGISLATIVE ASSEMBLY, 1922



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Chamber Fomigated 18.10.22
LEGISLATIVE ASSEMBLY.

Tuesday, 10th January, 1922.

The Assembly met in the Assembly Chamber at Eleven of the Clock. Mr. President (the Honourable Sir Frederick Whyte) was in the Chair.

NEW YEAR'S GREETINGS.

Mr. President: Before resuming the deliberations of this Assembly, I desire to wish my colleagues a very happy New Year.

MEMBER SWORN:

Mr. Winter Charles Renouf, M.L.A., (Official, Punjab).

STATEMENTS LAID ON THE TABLE.

Colonel Sir S. D'A. Crookshank: Sir, I lay on the table the information promised in reply* to a question by Maulvi Abdur Rahman on the 22nd September, 1921, regarding the recruitment for postal appointments in the Dacca Range:

Copy of a demi-official letter No. 756-P. W., dated Simla, the 19th October, 1921, from Colonel Sir S. D'A. Crookshank, K.C.M.G., etc., Secretary to the Government of India, Public Works Department, to Maulvi Abdur Rahman, M.L.A., care of M. I. Haque, Esquire, Andarkilla, Chittagong.

In continuation of the *ad interim* reply given by me on the 22nd September, 1921, to your Question No. 611 regarding recruitment for Postal appointments in the Dacca Range; I write to communicate the following information which has now been obtained from the Director-General of Posts and Telegraphs:

- (a) From 1st January, 1918, the date of formation of the Dacca Range, to 31st July, 1921, the number of graduates and under graduates recruited was 22. Of these, 6 belonged to the Dacca District and the rest to other districts, while the number of Baidyas was 6 belonging to different districts. None of them is connected in any way with the Deputy Post Master General, Dacca—Rai Bahadur Kali Prasanna Sen.
- (b) A statement is enclosed herewith.
- (c) Following the rule for the recruitment of Muhammadans in every third vacancy, 20 out of 62 vacancies should have gone to Muhammadans. For want of suitable Muhammadan candidates seven vacancies still remain to be filled up and these are reserved for Muhammadans.

* *Fide* Legislative Assembly Debates, Volume II, No. 7, page 820.

Statement showing number of appointments made in each division in the Dacca Range from January 1920 to July 1921.

	Hindus.	Muhammadans.
Barisal Division	9	1
Chittagong Division	2	Nil
Dacca Division	4	2
Faridpur Division	8	2
Mymensingh Division	7	4
Narayanganj Division	Nil	Nil
Tipperah Division	6	1
Chittagong H. O.	3	Nil
Dacca H. O.	8	5
Mymensingh H. O.	Nil	Nil
	47	15

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray) : Sir, I lay on the table the information promised in reply* to a question by Mr. T. V. Seshagiri Ayyar on the 26th September, 1921, regarding the warrant of arrest against the Khan of Agror :

(i) The warrant issued under Regulation III of 1818 against the *ex*-Khan of Agror did not apply to his brothers. Up to 1897 the brothers were given separate allowances for their maintenance conditionally on their residing where they were ordered. After 1897, the brothers received shares in the increasing income of the estate, subject to the same condition.

(ii) The wives of the *ex*-Khan were allowed to join him in exile and his brothers were ordered to live out of Agror and were given separate allowances conditionally on their residing where they were ordered, as the Government of India were satisfied that peace in the Agror valley could not otherwise be secured.

(iii) It is not understood what letter of the Lieutenant-Governor of the Punjab is referred to.

(iv) No promise has ever been made by Government that the *ex*-Khan will be permitted to return to Agror. In 1897, he was distinctly informed that the Government was quite unable to hold out any hopes to him or his family that their exclusion from Agror or from the actual possession of their former lands was intended to be other than perpetual.

(v) (a) The 'settlement' of the valley was ordered by the Regulation of 1891 but was not completed till 1903.

(b) The relations between the British Government on one side and of the Hassanzais and Akazai tribes on the other are for the moment satisfactory, but as recently as 1920, these tribes attacked British territory and extensive military operations were with difficulty avoided.

(vi) The question of permitting the *ex*-Khan to return to Agror has been most carefully considered at frequent intervals by the Government of India and it has been deemed inadvisable to permit such return for the following reasons :

* Vide Legislative Assembly Debates, Volume I, page 989.

Our relations with the Black Mountain tribes are always liable to be disturbed and have frequently been so during the last few years. The return of the *ex-Khan* would stimulate all the forces of intrigue and unrest, and would undoubtedly disturb the peace of the border.

Secondly, the inhabitants of the valley would be greatly perturbed at the return of the *ex-Khan* with the prospect of coming again under his exacting and despotic rule after enjoying for the last 20 years a reasonable and sympathetic administration under the regular revenue authorities.

QUESTIONS AND ANSWERS.

INDIA ARMY RESERVE OF OFFICERS IN THE UNITED PROVINCES.

1. * **Lieut.-Col. H. A. J. Gidney**: (1) Will Government be pleased to state if India Army Reserve of Officers, who were temporarily employed in the United Provinces during the war on recruiting work, were considered to be (a) on military service or on civil duties, and (b) if the former, whether Civil Surgeons and Assistant Surgeons, permanently or temporarily re-employed, who examined recruits for Indian regiments and Labour Corps for War Service, in addition to their own duties, are shown as having performed paid military service?

(2) Will Government be pleased to state if India Army Reserve of Officers and their Assistants on recruiting work, during the period of the war who did not proceed overseas or to the North-West Frontier, or any other area of hostilities, received medals, gratuities or any other allowances in addition to their pay?

(3) If so, do Government propose to sanction the same to officers mentioned in (1) (b)?

Sir Godfrey Fell: (1) (a). Officers of the Indian Army Reserve, employed in the United Provinces or elsewhere during the war on recruiting work or other military work, were considered to be on military service.

(b) When no military medical officer is available, the examination of recruits forms part of the duties of Civil Surgeons and Civil Assistant Surgeons, and their partial employment of such work is not considered to be military service.

(2) Officers of the Indian Army Reserve and their assistants, who were employed on recruiting work during the war, received the pay and allowances authorised for the appointments they held, as well as any gratuities admissible under the rules in force for officers of the Indian Army Reserve; the grant of war medals to these officers was governed by the general rules applicable to officers of the Indian Army Reserve.

(3) As regards the officers mentioned in part 1 (b) above, the grant to them of war medals was regulated by the same rules as applied to Recruiting Officers and Assistant Recruiting Officers. They were not eligible for the gratuities and allowances referred to above. The Government see no reason to alter the rules.

RAILWAY CONCESSION TO LIEUTENANTS AND CAPTAINS OF BRITISH AND INDIAN SERVICES.

2. * **Lieut.-Col. H. A. J. Gidney**: (a) Will Government be pleased to state if Lieutenants and Captains of the British and Indian Services have the concession to travel by rail first class on payment of second

class fare, or second class on payment of third class fare? If so, will Government be pleased to state if families of the above officers are included in Form 'E', also the number of servants and the amount of luggage allowed?

(b) Will Government be pleased to state if it is owing to the poor income or pay of the above officers, that half concession has been sanctioned; if so, are Government prepared to sanction a similar concession to retired officers of the Indian Army Department and Indian Medical Department whose pensions may be below Rs. 4,500 per annum, as the cost of living has gone up since pre-war days?

Sir Godfrey Fell: (a) The use of Form 'E' by Captains and Subalterns of certain British and Indian Services, when travelling at their own expense, only entitles them to travel first class on payment of second class fares. The families of officers are not entitled to the use of Form 'E' and the free allowance of baggage on tickets issued on Form 'E' is 1½ maunds as for a first class ticket. No concessions are allowed in respect of servants.

(b) The relatively low pay which these officers drew was only one of the considerations which influenced the Railway Board in granting the concession.

The Government of India are not prepared to extend the concession to retired officers of the Indian Army and Indian Medical Department.

Lieut.-Col. H. A. J. Gidney: May I ask a supplementary question, Sir? I would like to ask the Honourable Member in charge of the Department whether families of officers are entitled to travel on Form 'E', or not? And if I may ask another question, why is it that Government refuses this concession to officers of the Indian Medical Department?

Sir Godfrey Fell: As regards the first supplementary question, I have already given an answer: I said that families of officers are not entitled to the use of form 'E'. As regards the second part, I would like to have notice of the question.

Lieut.-Col. H. A. J. Gidney: May I ask a supplementary question again? I have given notice of this question in the shape in which it appears on the agenda paper to-day, and with your permission, Sir, I would like an answer to that question, if possible, to be given immediately.

Sir Godfrey Fell: I am afraid that I do not quite understand the Honourable Member. I have endeavoured to answer the question as it stood on to-day's agenda. I do not know what the Honourable Member means.

Lieut.-Col. H. A. J. Gidney: I thank you. I suppose I must now have to submit this question again.

CONDUCTORS AND MILITARY ASSISTANT SURGEONS.

3. * **Lieut.-Col. H. A. J. Gidney:** (a) Will Government be pleased to state if Conductors and Military Assistant Surgeons on the Employed or Retired Lists are warrant officers, and if the commissions of departmental officers of the Indian Army Department and Indian Medical Department are signed by His Imperial Majesty the King-Emperor of India, or on his behalf by some one else?

(b) If the King-Emperor signs the commissions, do Government propose to direct that departmental officers on the Employed and Retired Lists are

not styled or referred to as 'Conductors' and 'Assistant Surgeons' and that necessary corrections be made in Army and Civil Lists?

Sir Godfrey Fell: (a) With regard to the first part of this question, Conductors of the Indian Army Departments and Military Assistant Surgeons are warrant officers. Military Assistant Surgeons rank as Conductors and Sub-Conductors according to their seniority in the Indian Medical Department. With regard to the second part of the question, the commissions granted to Departmental Officers of Indian Army Departments and to Senior Assistant Surgeons of the Indian Medical Department are issued under His Majesty's Sign Manual and are similar in form to those granted to officers holding combatant commissions. They are signed by two members of the Army Council.

(b) Departmental Officers of Indian Army Departments and Senior Assistant Surgeons of the Indian Medical Department are, by the terms of the commissions granted to them, appointed to be 'Assistant Commissaries' and 'Senior Assistant Surgeons,' respectively, with the Army rank of Lieutenant. These titles, 'Assistant Commissary' and 'Senior Assistant Surgeons,' denote the substantive departmental rank held by these officers, who are correctly described by these titles in Army and Civil Lists. It is not proposed to make any change in these Lists in the method of designating these officers.

• PARTICULARS OF STAFF SELECTION BOARD'S EXAMINATIONS.

4. * **Rai D. C. Barua Bahadur:** Will the Government be pleased to state whether the particulars about the last examination of the Staff Selection Board appeared in any of the newspapers of Assam or Dacca? If not, will they be published in the papers of those provinces when the next examination is held?

The Honourable Sir William Vincent: The answer to the first part of the question is in the negative, but the Honourable Member's suggestion will be borne in mind at the time of the next examination.

FATHER OF THE SECRETARY OF THE STAFF SELECTION BOARD.

5. * **Rai D. C. Barua Bahadur:** Will the Government be pleased to say whether the father of the present Secretary of the Staff Selection Board is a Member of the Board?

The Honourable Sir William Vincent: The answer is in the negative. The question presumably refers, however, to the time when the Secretaryship was held by Mr. R. S. Bajpai, a son of Rai Bahadur Pandit S. P. Bajpai, who is a member of the Board. Mr. R. S. Bajpai only acted as Secretary for a few months from 8th June 1921 to 16th October 1921 and the appointment is now held by another officer.

DISCONTENT IN THE INDIA-RECRUITED BRANCH OF THE INDIAN SERVICE OF ENGINEERS.

6. * **Rai Bahadur Pandit J. L. Bhargava:** (i) Is the Government aware that there is great discontent and dissatisfaction in the India-recruited Branch of the Indian Service of Engineers on account of the introduction of Overseas Allowance and also the Technical Allowance for the Europe-recruited Branch of the same Service by the Re-organization Scheme of 1920?

(ii) Is it a fact that the India-recruited Engineers all over the country strongly resented this differentiation in emoluments specially the technical allowance, given to one Branch of the Service only and as a protest submitted memorials in August 1920 to the Secretary of State through the proper channel praying for the removal of this distinction?

(iii) Will the Government be pleased to state (a) when these memorials were received by the Government of India, (b) what action has been taken on them so far, (c) whether they have been forwarded to the Secretary of State, (d) if not, what is the cause of delay and (e) when they are likely to be forwarded?

(iv) If the memorials have been forwarded to the Secretary of State, will the Government be pleased to lay on the table a copy of their recommendations?

Colonel Sir S. D'A. Crookshank: (i) and (ii). Memorials have been received praying that the technical pay granted to the Europe-recruited branch of the Public Works Department be abolished.

(iii) (a). The memorials were received between September 1920 to July 1921.

(b) and (c). The memorials have been submitted with the Government of India's recommendations to the Secretary of State.

(d) and (e). These questions do not therefore arise.

(iv) The Government of India are not prepared to make any pronouncement in connection with their recommendations to the Secretary of State in the matter.

CHARGES AGAINST ALI BROTHERS.

7. * **Mr. W. M. Hussanally:** (a) Will Government please state what were the charges brought against the Ali Brothers and other co-accused in the recent trials at Karachi?

(b) What were the charges proved against them and which disproved?

(c) Is it a fact that the principal charges against them fell through?

(d) Is it a fact that the Advocate-General, Bombay, and the Indian Members of the Executive Council of Bombay gave their opinion against the prosecution?

(e) Is it a fact that the Honourable the Law Member of the Government of India was called into Council at Bombay in connection with this case?

(f) Is it a fact that the prosecution of the accused was sanctioned under the advice of the Honourable the Law Member?

(g) What has the whole case cost the Exchequer?

(h) What fees were paid:

(i) to Mr. Ross-Alston of Allahabad,

(ii) to Mr. Elphinston, Public Prosecutor for Sind, beyond his regular pay,

(iii) to Mr. Parsram Tolaram, Assistant Public Prosecutor?

(i) Is it a fact that any of the prisoners in jail is ill? If so, which?

The Honourable Sir William Vincent : (a), (b) and (c). They were prosecuted under sections 120-B, 131 and 505 of the Indian Penal Code. Bharat Krishna Tirathji was acquitted on all charges and the remaining accused were acquitted on the charges under sections 120-B and 131 and convicted under section 505 of the Indian Penal Code. The prosecution of Mahomed Ali and Shaukat Ali under sections 124-A and 153-A of the Indian Penal Code, respectively, was authorised, but was subsequently withdrawn in view of the conviction of the brothers under section 505.

(d) The Advocate-General of Bombay was consulted on the legal points in the case and he was of the opinion that the prosecution could be successfully instituted. It would be contrary to all constitutional practice to make any statement regarding the opinion of individual Members of an Executive Council.

(e) No. The Law Member of the Government of India had a consultation, subsequent to the issue of orders sanctioning the prosecution, with the legal advisers of the Bombay Government only with regard to the legal points involved.

(f) No.

(g) The Government have no information.

(h) Rupees 16,000 were paid to Mr. Ross-Alston. The Government have no information regarding the fees paid to other Counsel.

(i) The Government have received no information to this effect.

Mr. W. M. Hussanally : May I ask a supplementary question, Sir? Could not the information with regard to the cost be obtained by the Government? I gave sufficiently long notice?

The Honourable Sir William Vincent : Do I understand the Honourable Member to ask what was the cost incurred by the Bombay Government?

Mr. W. M. Hussanally : Yes.

The Honourable Sir William Vincent : If that is the question, then I would suggest, that the Honourable Member should obtain the information from the Bombay Government direct, but if he so wishes, I am quite prepared to write and ask for it.

Mr. W. M. Hussanally : I should like, Sir, to have that information here, if possible.

Mr. President : Order, order. The Legislative Council of the province of Bombay exists for that purpose. This Assembly must respect the rights of its sister Legislature.

Mr. K. Ahmed : Is not the action taken under the sections now enunciated by the Honourable the Home Member contrary to the terms of Her Majesty Queen Victoria's Proclamation, which was re-affirmed by Their Majesties King Edward VII and King George V?

The Honourable Sir William Vincent : That is a matter of opinion. In my judgment, no action which has been taken is contrary to the Proclamations.

Mr. K. Ahmed : Is it not a fact, Sir, that there is a clear clause in the Proclamation of the Late Queen Victoria that none of Her Majesty's subjects should be prosecuted on account of their religious beliefs?

The Honourable Sir William Vincent: I am not aware that there is anything in the Proclamations to which the Honourable Member refers which precludes the Government of India from prosecuting for sedition or for other offences against the Penal Code.

Mr. K. Ahmed: Nothing would appear either from the statements made by Mr. Mahomed Ali that there has been a breach of the Penal Code?

The Honourable Sir William Vincent: Does the Honourable Member mean that there has been no breach of the law? Certainly, the judgment shows there was a breach of the Penal Code.

Mr. Jannadas Dwarkadas: May I ask a supplementary question, Sir, arising out of part (i) of the whole question? Will Government be pleased to inform the House if the question of giving treatment to political prisoners different from that which is given to ordinary criminals is under consideration?

Mr. President: I think the Honourable Member must give notice. It does not strictly arise out of the question.

Mr. W. M. Hussanally: May I ask another supplementary question, Sir? Was any fee paid to Mr. Ross-Alston from the funds of the Government of India?

The Honourable Sir William Vincent: I believe that half of the fees paid to Mr. Ross-Alston was paid by the Government of India, but I will verify that point.

Mr. W. M. Hussanally: May I know, Sir, how much it was?

The Honourable Sir William Vincent: I have just told the Honourable Member that Rs. 16,000 was the total fee paid to Mr. Ross-Alston, and the moiety of Rs. 16,000 is Rs. 8,000.

YEARLY EXTRA COST OF THE SIMLA EXODUS.

8. * **Mr. W. M. Hussanally:** (a) What is the yearly extra cost of Simla exodus of the Government of India and all other Departments and offices which visit Simla every year?

(b) What other Departments and offices besides the Government of India migrate to Simla every year?

(c) What is the necessity of such offices and Departments migrating to Simla?

The Honourable Sir William Vincent: It is presumed that the question refers only to the Government of India Secretariats and Attached Offices and does not extend to offices such as those of the Punjab Secretariat.

(a) In reply to a question asked by Mr. Beohar Raghbir Sinha last September, the cost of the annual move to and from Simla was stated to be approximately Rs. 3,87,000. The items included in this estimate do not perhaps correspond exactly with the items mentioned in the question. But the figure is sufficiently accurate and the collection of the precise information asked for would involve an amount of trouble which the Government of India are not prepared to take.

(b) A list is being compiled, and when it is ready, I will supply the Honourable Member with a copy.

(c) These offices have to be in constant touch with the Departments of the Government of India to which they are attached and it is essential for efficient working that they should move, in whole or in part, with the Government of India Secretariats.

TELEPHONE CONNECTION BETWEEN SIMLA AND DELHI.

9. * **Mr. W. M. Hussanally**: (a) Is it a fact that Simla and Delhi have now been connected by telephone?

(b) If so, at what cost?

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

(b) The cost of erecting the circuit was :

	Rs.
Cash	1,48,420
Stores	2,82,611
TOTAL	4,31,031

CURTAILMENT OF GOVERNMENT ESTABLISHMENT IN SIMLA.

10. * **Mr. W. M. Hussanally**: (a) Do the Government propose to consider the feasibility of curtailing their establishments in Simla?

(b) Do they propose to consider the desirability of curtailing the number and strength of other Attached Offices and departments visiting Simla with a view to economy?

(c) Are Government prepared to appoint a small Committee of officials and non-officials to go into this question and make recommendations?

The Honourable Sir William Vincent: (a), (b) and (c). It is understood that the question refers to the move to Simla during the hot weather of the Government of India Secretariats and the offices of Departments directly under the Government of India. Government are not at present prepared to consider the suggestions of the Honourable Member, as suitable offices and residential accommodation is not yet available in Delhi.

INDIAN MUSSALMANS AND THE KHILAFAT.

11. * **Mr. W. M. Hussanally**: (a) Are the Government aware of the state of feeling among Indian Mussalmans over the Khilafat question?

(b) If so, what steps have the Government taken to advise the Home Government to allay such feeling by settling the Khilafat question to the satisfaction of Mussalmans at an early date?

The Honourable Sir William Vincent: The attention of the Honourable Member is invited to the replies of His Excellency the Viceroy to the Addresses of the Moslem Deputations which waited upon him recently at Delhi and Calcutta, respectively.

OFFICE HOURS FOR APPRAISERS AND EXAMINERS IN THE KARACHI CUSTOMS OFFICE.

12. * **Mr. W. M. Hussanally**: (a) Is it a fact that Government have fixed office hours for Appraisers and Examiners in the Custom Office at Karachi from 9-30 A.M. to 6-30 P.M. ?

(b) If so, what are the reasons for these long hours ?

(c) Is it a fact that merchants applying for the services of Appraisers between 9-30 A.M. and 10-30 A.M., or between 5-30 P.M. and 6-30 P.M., on overtime cannot get them on the ground that those hours are duty time for those officers ?

(d) Are merchants therefore inconvenienced and have to pay extra fee because appraising cannot be finished before or after duty time now fixed ?

(e) Do Government propose to consider the advisability of fixing duty time for the class of servants from 11 A.M. to 5 P.M., as in other offices ?

The Honourable Mr. C. A. Innes: (a) In 1903, the Government of India, with the concurrence of the Secretary of State and in the interests of the commercial public, fixed the hours of duty for the Appraising and Examining staffs from 9 A.M. to 6 P.M., but empowered Local Governments to vary these hours according to local requirements. The Government of India have no further information as to the practice prevailing at Karachi.

(b) These hours were fixed in the interests of the general public.

(c) and (d). The Government of India have received no complaints that merchants are unable to obtain the services of Appraisers during duty time, nor that merchants are inconvenienced under the present rules.

(e) No.

WORKING HOURS FOR PREVENTIVE OFFICERS.

13. * **Mr. W. M. Hussanally**: (a) How many hours are Preventive Officers expected to be on duty by day and by night ?

(b) Will Government consider the advisability of curtailing the hours of their duty looking to the arduous nature of their duties ?

The Honourable Mr. C. A. Innes: (a) No Preventive Officer is required to work ordinarily more than an average of 9 hours a day or 54 hours a week during the free time from sunrise to sunset. Work in excess of these hours is compensated by the payment of overtime fees.

(b) The answer is in the negative, as no curtailment of the hours of duty of Preventive Officers can be effected without either (1) an increase of establishment which will entail a heavy burden on the public revenues or (2) more overtime work which will impose a prohibitive charge on merchants and shipowners.

OVERTIME RATES FOR APPRAISERS AND OTHERS IN CUSTOMS OFFICES.

14. * **Mr. W. M. Hussanally**: (a) What are the rates for overtime work fixed by Government for Appraisers, Examiners and Preventive Officers in various Customs Offices in India ?

(b) What are the reasons for different rates in different places ?

(c) Will Government consider the advisability of assimilating these rates in all Custom Houses ?

The Honourable Mr. C. A. Innes : (a) The rates for overtime work fixed by Government for Appraisers, Examiners and Preventive Officers vary from port to port according to the nature of the services and the time when they are required (*e.g.*, on ordinary working days or on holidays). It is therefore not possible to give the information required by the Honourable Member in detail.

(b) and (c). The rates in force have been imposed to meet local conditions. The question of securing uniformity in regard to such rates in all ports is already under the consideration of the Government of India.

PASSENGER SHEDS ON PLATFORMS ON THE NORTH-WESTERN AND BOMBAY, BARODA AND CENTRAL INDIA RAILWAYS.

15. * **Mr. W. M. Hussanally :** (a) Is it a fact that only few stations on the North-Western and Bombay, Baroda and Central India Railways have passenger sheds on platforms ; and, in consequence, passengers are exposed to the inclemency of the weather ?

(b) Will Government consider the advisability of gradually building such sheds at all important stations ?

Colonel W. D. Waghorn : (a) All important stations on the North-Western and Bombay, Baroda and Central India Railways have passenger sheds on or adjoining the platforms.

(b) It is not considered necessary to provide covered accommodation on the platforms at road-side stations in addition to that provided in the waiting sheds. The provision of additional covered accommodation depends upon funds being available.

RAISED PLATFORMS ON THE KOTRI-ROHRI LINE.

16. * **Mr. W. M. Hussanally :** (a) Is it a fact that there are no raised platforms on the Kotri-Rohri line on the North-Western Railway ?

(b) Will Government be pleased to consider the advisability of making raised platforms on this line for the benefit specially of women and children ?

Colonel W. D. Waghorn : (a) No. There are raised platforms at 10 out of the 28 stations between Kotri and Rohri, North-Western Railway.

(b) The remaining 18 stations on this section have rail level platforms. Raised platforms are only provided at stations where the volume of traffic justifies their adoption and as funds are available.

REFRESHMENT ROOMS FOR INDIANS ON THE NORTH-WESTERN RAILWAY.

17. * **Mr. W. M. Hussanally :** (a) How many refreshment rooms for Indians are there on the North-Western Railway ?

(b) Will Government consider the advisability of providing at important stations with such refreshment rooms ?

Colonel W. D. Waghorn: (a) There are seven Muhammadan and eight Hindu refreshment rooms on the North-Western Railway. In addition, a dining car runs by 17 Up and 18 Down trains for the convenience of Muhammadan and Hindu passengers travelling between Delhi and Lahore.

(b) The question of providing additional refreshment rooms at Samasatta and Rohri is under consideration, otherwise it is considered that the existing facilities are sufficient for present needs.

PAY OF PREVENTIVE OFFICERS AT KARACHI.

18. ***Mr. W. M. Hussanally:** (a) Will Government be pleased to state if it is a fact that in the reorganization scheme of the Preventive Officers at Karachi the pay of Preventive Officers has been fixed at Rs. 120—10—300?

(b) Have the existing incumbents of the posts been allowed to reckon the whole of the substantive service as Preventive Officers for the purpose of increments in the time-scale?

(c) Will Government be pleased to state if the Appraisers and Examiners will be given the same concession?

(d) If the reply is in the negative, will Government be pleased to state reasons?

The Honourable Mr. C. A. Innes: a) and (b). Yes.

(c) and (d). The proposals of the Local Government are still under the consideration of the Government of India.

PROMOTIONS FOR APPRAISERS AND EXAMINERS.

19. ***Mr. W. M. Hussanally:** (a) Is it a fact that Appraisers and Examiners have been recommended by the Local Government for a maximum of four promotions only although their service may be 20 years?

(b) If the reply is in the affirmative, will Government be pleased to state if the recommendations by the Local Government were based on the recommendation of the Telegraph Committee?

(c) Have the recommendations of the Telegraph Committee been given effect to in the case of telegraphists?

(d) If the reply is in the negative, will Government be pleased to state what recommendations have been made by the Local Government and what is the reason of their not recommending Appraisers and Examiners for as many increases in their length of service as in the case of Preventive Officers?

The Honourable Mr. C. A. Innes: (a) Presuming that the Honourable Member's question refers to the Karachi Custom House, the answer is in the negative. Part (b) of the question therefore does not arise.

(c) The Honourable Member is referred to the Resolution of the Government of India in this Department No. 1629, dated the 30th April, 1920, which was published in the *Gazette of India*.

(d) Does not arise.

APPRAISERS AND EXAMINERS AT KARACHI.

20. ***Mr. W. M. Hussanally:** (a) Is it a fact that Appraisers and Examiners at Karachi have (all but one) risen from ministerial to non-ministerial posts?

(b) Is it a fact that if these men are not allowed a promotion for every year's service and not allowed to count 1/3rd of their total ministerial service for such promotion, they will not be able to rise to the maximum?

(c) Is it a fact that there is a great discontent among them on account of the scheme submitted by the Local Government for the sanction of the Government of India?

(d) If the reply is in the negative, will Government be pleased to state what the facts are?

The Honourable Mr. C. A. Innes : (a), (b), (c) and (d). The Custom House establishment is under the administrative control of the Local Government and the Government of India have no information on the subject.

REVISION OF PAY OF THE BOMBAY CUSTOMS HOUSE AND THE KARACHI STAFFS.

21. * **Mr. W. M. Hussanally :** (a) How many times have the pay and prospects of the staff of the Bombay Customs House been revised since 1912?

(b) How many times have the pay and prospects of the staff in Karachi been revised during the same period?

The Honourable Mr. C. A. Innes : (a) The pay and prospects of the staff at the Bombay Custom House were revised in 1914 and in 1920-21.

(b) The pay and prospects of the staff at Karachi were revised in 1911. The Preventive Staff was again revised in 1920 and the question of revising the pay and prospects of the other branches of the office is now under the consideration of the Government of India.

FREE QUARTERS FOR PREVENTIVE OFFICERS AT KARACHI.

22. * **Mr. W. M. Hussanally :** (a) Is it a fact that Preventive Officers at Karachi are provided with free quarters, while those who are not given quarters will be given house-rent?

(b) What rent is proposed for them?

(c) Will that amount secure a decent house in Karachi suitable to their status in life?

(d) Will Government be pleased to give the reasons why no house-rent allowance is given to Appraisers and Examiners?

The Honourable Mr. C. A. Innes : (a) Yes.

(b) The amount allowed is 10 per cent. of their pay. There are no fresh proposals on the subject.

(c) The Government of India have no information on the point, but I would point out to the Honourable Member that the concession is not intended to cover the whole cost of renting a house.

(d) It is necessary for administrative reasons that Preventive Officers should live near their place of work. The same necessity does not arise in the case of other branches.

TIME-SCALE PAY FOR CLERKS IN THE KARACHI CUSTOMS HOUSE.

23. * **Mr. W. M. Hussanally :** (a) Is it a fact that clerks in the Karachi Customs have not been recommended for the time-scale of pay, i.e., one promotion for every year's past service?

(b) Is it a fact that the clerks in the Post Office have been given this concession?

(c) Will Government be pleased to state why it is proposed to treat clerks of the Karachi Custom House differently from the clerks in the Post Office, both being Imperial Departments?

(d) Are Government aware that according to Appendix A of Government of Bombay, Financial Department, Circular No. 438, dated the 25th June, 1920, the pay of all clerical establishments in Karachi except Postal Department is based on the scale now framed as below:

Those getting Rs. 37-8-0 now will get Rs. 45 in the scheme.

Those getting Rs. 51 now will get Rs. 50 in the scheme.

Those getting Rs. 59-8-0 now will get Rs. 60 in the scheme.

Those getting Rs. 68 now will get Rs. 70 in the scheme?

(e) If it be so, have the Government noticed that many of them will get under the scheme less than what they now draw inclusive of their allowances?

(f) Are Government aware that the cost of living in Karachi is greater than in Bombay?

(g) Are the Government aware that as the pay and prospects of the clerical establishment in the Custom House are not attractive, qualified men do not join the Department, with the result that more than half the staff is non-qualified?

(h) Are the Government aware that the mercantile firms offer better pay?

The Honourable Mr. C. A. Innes: (a) and (b). Yes.

(c) The conditions of service in the two Departments are essentially different.

(d) to (h). The Government of India have no information.

DISCONTENT AMONG INDIAN AND ANGLO-INDIAN EMPLOYEES OF THE KARACHI APPRAISING DEPARTMENT.

24. ***Mr. W. M. Hussanally:** Are Government aware that the proposals regarding the Appraising Department sent by the Local Government have created a strong discontent among the Indian and Anglo-Indian employees of the Department?

The Honourable Mr. C. A. Innes: If the Honourable Member refers to the Karachi Appraising Department, the answer is in the negative.

ONE CADRE FOR APPRAISING AND PREVENTIVE SERVICES.

25. ***Mr. W. M. Hussanally:** (a) Is it a fact that while the highest pay proposed in the Appraising Department is Rs. 725, that in the Preventive service is Rs. 500 only?

(b) Will Government consider the advisability of joining the two services into one cadre for purposes of promotion and prospects, so that the men might have more rapid chance of rise and to the same extent?

The Honourable Mr. C. A. Innes: (a) Yes.

(b) Government do not consider it desirable to join the two services into one cadre, as the nature of the work involved and the qualifications of the officers concerned in each case are essentially different.

UNIFORM SCALE FOR PREVENTIVE SERVICE IN CALCUTTA, BOMBAY AND KARACHI

26. * **Mr. W. M. Hussanally**: (a) Is it a fact that the work of the Preventive Service in Calcutta, Bombay and Karachi is similar?

(b) If so, what are the objections to having a uniform scale for all these places?

The Honourable Mr. C. A. Innes: (a) Yes.

(b) The obvious objection to having a uniform scale is that in fixing such scales, allowance must be made for differences in local conditions and cost of living.

RECRUITMENT OF PREVENTIVE OFFICERS.

27. * **Mr. W. M. Hussanally**: (a) Is it a fact that according to the recent orders of the Government of India the Chief Collector has been authorized to recruit Preventive Officers on a starting salary of Rs. 160, but those officers who are already in the Department cannot be given a start of Rs. 160 by him, although he may like to do so in the case of deserving officers?

(b) Have any new recruits been taken on Rs. 160? If not, why?

The Honourable Mr. C. A. Innes: (a) Yes. The higher initial pay of Rs. 160 is given to a new recruit only when his age, standing or experience warrants the concession. The Collector of Customs has power to allow existing incumbents to reckon the whole of their substantive service as Preventive Officers for the purpose of increments in the time-scale.

(b) The Government of India have no information on the point.

TRANSFER OF THE CANTONMENT AREA OF HYDERABAD.

28. * **Mr. W. M. Hussanally**: (a) Since how long is the question of the transfer of the Cantonment Area of Hyderabad for the removal of the City congestion been pending before the Government of India?

(b) Is it a fact that Sir Horace Mules (then Mr. H. C. Mules), Collector of Hyderabad, first mooted it in 1903?

(c) Is it a fact that the Honourable Mr. F. G. Pratt (when Collector of Hyderabad) took up the question again in 1911 and submitted two schemes for the removal of congestion which were approved of both by the Bombay Government and the Government of India?

(d) Did the Government of India then offer certain lands to the Municipality which they declined?

(e) If so, what were the terms offered to the Municipality and what were the reasons of the Municipality for refusing the offer?

Sir Godfrey Fell: (a) The first definite proposal for the transfer of the Cantonment to another site was made to the Government of India in 1918.

(b) Sir Horace Mules, when Collector of Hyderabad, addressed the President of the Hyderabad Municipality in 1903 with regard to the congestion prevailing in the city of Hyderabad, but he did not suggest the removal of the Cantonment as a means of relieving the congestion.

(c) The Honourable Mr. Pratt, when Collector of Hyderabad, submitted a scheme for the relief of the congestion in the City of Hyderabad (Sind) in 1908. In doing so, he referred to the suggestion that the Cantonment should be removed and stated that this had been found to be impracticable. His scheme, which fell under two divisions, was generally approved by the Government of Bombay.

The Government of India were unable to accept the proposals as they stood, but offered to assist the Municipality in various ways.

(d) and (e). Yes, subject to certain conditions. The Municipality were offered the land free of charge for 30 years, and at the end of that period were to have the option of buying the land outright as revenue-free property, or to retain it at an annual rental. In the event of the Municipality deciding to purchase the land, the purchase value was to be made up of its value in its undeveloped state, calculated on the amount for which the land could then be acquired under the Land Acquisition Act, omitting the 15 per cent. payable under the Act for compulsory acquisition, plus the value of the land revenue assessable at the end of the 30-year period capitalised on the basis which might then be in force for the capitalisation of land revenue. If, however, the Municipality decided to retain the land at an annual rental, the rent payable would be composed of an interest charge, at a rate not less than that at which the Government might then be raising money, on the value of the land in its undeveloped state as defined above, plus the land revenue assessable from time to time.

The Municipality refused these terms, on the ground that the Ganjo Takar site and the other scattered areas of unoccupied land lying on the outskirts of the town had been subsequently found to be unsuitable, either because their development would be very expensive or because their extent was too small. The Municipality considered that the cession to them of the site at present occupied by the Cantonment offered the only satisfactory solution of the question of the expansion of the City.

REMOVAL OF THE HYDERABAD CANTONMENT.

29. * **Mr. W. M. Hussanally**: (a) Did a deputation of the Hyderabad Municipality wait upon His Excellency the Governor of Bombay at Karachi in March 1921 and urge the removal of the Hyderabad Cantonment?

(b) If so, what reply was vouchsafed them?

(c) Did the Hyderabad Municipality solicit permission to send a deputation to His Excellency the Governor General in connection with the removal of the Hyderabad Cantonment about October 1921?

(d) If so, what was the reply? Did His Excellency receive the deputation? If not, why not?

(e) What are the objections to the removal of the Cantonment to another locality?

(f) Is it a fact that the Municipality has offered to recoup Government with all expenditure that may be incurred?

Sir Godfrey Fell : (a) and (b). The attention of the Honourable Member is invited to part (a) of the reply given on the 21st September last to Question No. 423 asked by Mr. Shahani.

(c) and (d). The Government of India understand that the Hyderabad Municipal Committee asked for permission to send a deputation to His Excellency the Viceroy about August 1921, but that the Bombay Government informed the Committee that the proposed deputation would serve no useful purpose as the Commissioner in Sind had then been asked to consider in all its aspects the question of the transfer of the Cantonment to a new site, in consultation with the local civil and military authorities, with a view to arriving at an early settlement of the problem.

(e) The attention of the Honourable Member is invited to part (d) of the reply given on the 19th September last to his Question No. 284 and also to part (b) of the reply given to Question No. 423 asked on the 21st September last. Stated briefly, the objections are, firstly, that the present site of the Cantonment is suitable and convenient ; secondly, that there is no other site in the neighbourhood which would meet the requirements of the military authorities ; thirdly, that military considerations do not permit of the removal of the troops to another station.

(f) The Government of India have no information on the subject.

COMMITTEE FOR THE REMOVAL OF THE HYDERABAD CANTONMENT.

30. ***Mr. W. M. Hussanally :** (a) Are Government prepared to appoint a small Committee consisting of representatives of the Military, the Civil authorities and the Municipality to decide the question of the removal of the Hyderabad Cantonment finally within the next six months ?

(b) If not, will Government state when they are likely to finally settle this question ?

Sir Godfrey Fell : (a) and (b). The Government of India are not prepared to appoint a Committee of the nature suggested by the Honourable Member, as it has now been definitely decided to drop the proposal to remove the Cantonment of Hyderabad (Sind) from its present site.

ELIGIBILITY OF INDIAN BOYS FOR VACANCIES IN THE LOCO. AND OTHER DEPARTMENTS OF THE OUDH AND ROHILKHAND RAILWAY.

31. ***Haji Wajihuddin :** (i) Has the attention of the Government been drawn to a notice of the Oudh and Rohilkhand Railway at page 21 of *The Pioneer* of 24th July, 1921, advertising an examination for filling vacancies for Firemen in the Loco. Department, open to European and Anglo-Indian boys not under 15 and not over 17 years of age ? If not, will the Government kindly look at it and be pleased to state if Indian boys are similarly eligible for a similar examination or not ? If they are, will the Government be pleased to mention the paper in which it was advertised ? If not, why are Indian boys not eligible ?

(ii) Have the Government seen a notice of the Oudh and Rohilkhand Railway at page 21 of *The Pioneer* of 24th July 1921 advertising an examination for filling vacancies in the Loco., Carriage and Wagon and Electrical

Departments open to European and Anglo-Indian boys between the ages of 15—17? Is a similar examination open to Indian boys? If not, why not?

(iii) Are the Government prepared to admit Indian boys to the examinations mentioned in the preceding parts if they are not eligible already?

Colonel W. D. Waghorn: (i) Indian youths have not hitherto been advertised for as the requisite number of Indian firemen has been obtained by recruiting from the cleaner class of the running shed staff. The question of obtaining educated Indian apprentice firemen by examination is, however, being looked into; in the past, there has been no evidence that youths of this class would be willing to undergo the needful training in firing.

(ii) and (iii). Practical training is given by the Railway to Indian mechanical apprentices from the United Provinces Government Technical Schools and a joint scheme for providing an up-to-date technical school in the vicinity of the Locomotive Workshops is being considered in conjunction with the Local Government. Indian mechanics are thus being catered for separately and there is no necessity to open the examinations in question to Indians.

RELIGIOUS OBJECTION TO PHOTOS FOR PASSPORTS BY MUHAMMADAN VISITORS AND PILGRIMS TO EGYPT, ETC.

32. ***Haji Wajihuddin:** (a) Is it a fact that under the Passport Rules Muhammadan visitors and pilgrims to Egypt, Mesopotamia and other foreign places, except Hedjas are bound to provide half-tone photos when applying for such passports, which are affixed to the passports?

(b) Does the Government know that such practice is highly objectionable for Muhammadans on religious grounds?

(c) Will they kindly take early steps to have this grievance removed on religious grounds?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): (a) The Honourable Member's question seems to be based on a misapprehension. Entry into a foreign country is regulated not by the Government of India's Passport Rules, which relate to entry into India only, but by the rules and regulations of the foreign country concerned. Passports are now demanded on entry by most foreign countries, and among these the insistence on a photograph for purposes of identification, as in India, is almost universal.

(b) The Government are aware that prejudice on this score still lingers among certain Mussalmans, but the increasing resort to photography seems to show that it is fast dying out, especially among the class to which most would-be travellers belong. As the Honourable Member is doubtless aware, the Government have secured special exemption for *pardahnashin* ladies travelling to certain countries, and have made an express provision in their Passport Rules for the exemption of *pardahnashin* ladies travelling from those countries to India.

(c) The Government have no means of controlling the Passport regulations of other countries, nor do they propose to make any representations on the subject. For even if they could secure the desired modification, in favour of Mussalmans, which is very doubtful, it could only be at the cost of the

introduction of other regulations not merely more elaborate and harassing but also invidious.

“INDIANISATION” OF THE INDIAN ARMY.

33. * **Mr. T. V. Seshagiri Ayyar**: Will the Government be pleased to lay on the table the scheme, if any, which they have framed for the “Indianisation” of the Indian Army?

Sir Godfrey Fell: The Government of India have under consideration a scheme for the Indianisation of the commissioned ranks of the Indian Army. They have not yet arrived at any conclusions on the subject regarding which they are in communication with the Secretary of State, and they are not prepared to lay any papers on the table.

ALLEGED BURNING OF MOPLAH HOUSES.

34. * **Mr. Mahmood Schamnad Sahib Bahadur**: Is it true that several Moplah houses in Tirurangadi and other places in the martial-law area have been burnt by the military and the police?

The Honourable Sir William Vincent: Moplah houses have on occasion been burned as a military operation.

EVACUATION OF VILLAGES IN ERNAD AND WALWANAD.

35. * **Mr. Mahmood Schamnad Sahib Bahadur**: Is it true that the authorities in Malabar had ordered the evacuation of most of the villages in Ernad and Walwanad even as early as September last and the swelling of the number of refugees is due to that order?

The Honourable Sir William Vincent: It is not true that the authorities in Malabar have ordered the evacuation of most of the villages in Ernad and Walwanad. Actually orders in an opposite sense have been issued.

COMMITTEE ON THE MALABAR TRAIN TRAGEDY.

36. * **Mr. Mahmood Schamnad Sahib Bahadur**: (a) Is it a fact that all the Members of the Committee appointed to inquire into the Malabar train tragedy have been taken from the martial-law area?

(b) If so, will Government state the reason for this?

(c) Is Mr. Knapp as Special Commissioner for Malabar responsible for the administration of martial-law in Malabar?

(d) If so, why has he been made President of the Committee?

The Honourable Sir William Vincent: I would refer the Honourable Member to the statement made by the Honourable Sir Lionel Davidson in the debate which took place in the Madras Legislative Council last week. This debate was reported in the Madras papers of the 14th December.

TRANSFERS OF GENERAL SCALE TELEGRAPHISTS.

37. * **Mr. Mahmood Schamnad Sahib Bahadur**: (a) Is it a fact that many long transfers were, of late, made of general scale telegraphists in

the Government Telegraph Department such as, for example, from Madras to Lahore, Madura to Peshawar, Calicut to Rawalpindi, and so on?

(b) Will the Government be pleased to state :

(i) whether there are any special reasons that induce the authorities to make such long transfers in spite of the expense incurred in the shape of travelling allowances paid to the telegraphists?

(ii) what expense was incurred by Government during this official year on account of travelling allowances paid to the telegraphists?

(c) Do the Government propose to restrict transfers as much as possible and order transfers only between nearest provinces when such transfers are absolutely necessary?

(d) Is it a fact that while Indians, although they had only three years' service or less, were selected for transfer from the Madras Presidency to the Punjab and United Provinces, Anglo-Indians, who were in general service since their entertainment, were retained in the circle?

(e) Will the Government be pleased to state whether they propose for the sake of economy to employ men of the Punjab and United Provinces to serve in these provinces?

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

(b) (i). The only reason was that the staff of the Madras Circle was in excess of the requisite strength while the Punjab and North-West Frontier and United Provinces Circles were under-staffed. The transfers were absolutely necessary and had to be made in order to adjust the shortage in the two last-named circles.

(ii) Travelling allowances paid to telegraphists for transfers are not shown separately in the accounts and it would be a tedious and difficult matter to separate the cost of the transfers of telegraphists from that of the transfers of other staffs in Presidency and District Offices.

(c) Transfers are made in the interests of the public service and the necessity for economy is not overlooked. It is not possible, however, to restrict transfers to adjoining provinces as adjustments have to be made with reference to the actual strength of each circle.

(d) No order directing the transfer of Indians in preference to the non-Indians was issued. The selection of telegraphists for transfer is left to the Post Masters General who are in the best position to select suitable men. It is not the policy of the Department to send telegraphists of less than three years' service on transfer out of a circle, but this principle cannot always be observed.

(e) At present the direct recruitment of telegraphists is stopped. On the last occasion when direct recruitment was ordered, the Punjab and North-West Frontier and United Provinces circles could not obtain locally the number of men required to fill the vacancies allotted to them and the shortage of men had to be made up by drawing on other circles.

PRESENT SITUATION IN MALABAR.

38. * **Mr. J. R. Pantulu**: (a) Will the Government be pleased to make a statement on the present situation in Malabar giving information on the following, among other, points, *viz.* :

- (1) the number of Hindus that have been murdered by the Moplahs ;
- (2) the number of Hindus that have been forcibly converted to Islam ;
- (3) the number of Hindu houses looted ;
- (4) the number of rebels that have been taken prisoners ;
- (5) the number of rebels that have surrendered themselves to the military authorities ;
- (6) the number of casualties on both sides during the military operations ;
- (7) the cost of the military operation so far ;
- (8) the number of refugees for whom relief is being given ?

(b) Will the Government be pleased to state whether, as soon as the campaign is closed, they will appoint a mixed commission of officials and non-officials to inquire into and report on the causes of the outbreak and the way in which the local officials dealt with it in the early stages ?

The Honourable Sir William Vincent: (a) The information is being collected and will be communicated to the Honourable Member.

(b) The question of the appointment of a commission of inquiry is still under consideration and Government are not at present in a position to make any announcement.

REMOVAL OF THE OFFICE OF THE SUPERINTENDENT OF ARCHÆOLOGICAL SURVEY, SOUTHERN CIRCLE.

39. * **Mr. J. R. Pantulu**: Is it a fact that the office of the Superintendent of Archæological Survey, Southern Circle, has been removed from Madras to Kotagiri in the Nilgiri Hills and, if so, what are the reasons for the removal ?

Mr. H. Sharp: The answer to the first part of the question is in the affirmative. The removal was made for reasons of economy and efficiency. Office accommodation can be now cheaply provided at Kotagiri than at Madras ; and the Superintendent, who has to occupy a large part of the year in touring and is permitted a recess in the hills, is thus enabled to keep more fully in touch with his office.

TRANSFER OF THE OFFICE OF THE ASSISTANT ARCHÆOLOGICAL SUPERINTENDENT FOR EPIGRAPHS, SOUTHERN CIRCLE, FROM MADRAS.

40. * **Mr. J. R. Pantulu**: Is it under contemplation to transfer the office of the Assistant Archæological Superintendent for Epigraphy, Southern Circle, from Madras and, if so, to what place and for what reasons ?

Mr. H. Sharp: The answer is in the negative.

CIVIL GUARDS.

41. * **Mr. K. Ahmed**: Are the Government aware that a body of persons called Civil Guards, composed of some Indians as well, alleged to be law-abiding citizens, have offered their services for keeping peace and order in the country, with the approval of the Government?

The Honourable Sir William Vincent: The answer is 'Yes'.

TRANSFER OF THE ADMINISTRATIVE CONTROL OF ADEN.

42. * **Mr. K. Ahmed**: (a) Will the Government be pleased to lay on the table all the correspondence passed between them and the Aden Chamber of Commerce and others concerned, with regard to the transfer of the Administrative Control of Aden from the Government of India to the Colonial Office or to the Egyptian Government as the case may be, including all others, they have had hitherto with the Secretary of State for India as well?

(b) Is it a fact that the Aden Chamber of Commerce and some others as well, are under the impression that Aden should be transferred to the Egyptian Government?

(c) Will the Government be pleased to state in full the attitude of the original and permanent residents of Aden with regard to the transfer or otherwise severance of connection with India? Do they want to remain under Arab or Egyptian Government or keep connection with the Government of India?

(d) Is it a fact that Aden was all along politically a part of British India and under the Governor of Bombay and most of the Arab Chiefs along the Coast of Aden are under the political control of the British Government? Will the Government be pleased to state in full the religion, literature, art and other notable features, historical and geographical, of the majority of the original residents of Aden?

(e) Do Government propose that Aden should remain under the Government of India as it has hitherto been, considering the situation, the literary, historical, religious, racial and social importance of the people and residents of Aden?

The Honourable Dr. T. B. Saprú (on behalf of the Honourable Mr. Denys Bray): (a) Copies of the correspondence with the Aden Chamber of Commerce and other public bodies are laid on the table. His Majesty's Government were duly apprised of the debate and Resolution in the Council of State last September on the subject. As their answer is still awaited, it would not be in the public interest to lay the correspondence with His Majesty's Government on the table.

(b) The answer to the question, as it stands, is 'No'. But the wording is obscure, and I am in some doubt whether the question, as it stands, is really the question the Honourable Member meant to put.

(c) The answer, so far as Government are aware, emerges from the papers I lay on the table under (a).

(d) If by 'all along' the Honourable Member means the years from 1839 onwards, the answer is 'Yes'. As to the latter half of the question, he

will, I trust, pardon me if I express my inability to give a full statement of the religion, literature, art, and other notable features, historical and geographical, of the original residents of Aden. But if by 'original' he means the Arabs, I shall be happy to refer him to standard books of reference on the religion, history, literature, art, and so forth, of the Arab race.

(c) I would refer the Honourable Member to my answer under (a).

Telegram dated the 5th March 1921.

From—The Vice-Chairman, the British Indian Colonial Merchants' Association, Bombay,

To— { (1) The Private Secretary to His Excellency the Viceroy.
(2) The Secretary to the Government of India in the Department of Commerce.

The Committee shocked at the announcement said to have been made by the Premier on 28th February that Indian Government will have no footing at Aden. This news has caused great resentment and irritation to Indian merchants generally. The Committee strongly protest against the policy of the Imperial Government in trying to dismember Aden Administration from the Indian Government without obtaining the views of Indians and presumably of the Indian Government as well, although from the beginning and up to now for many many years Indian Exchequer and Indian enterprise have borne heavy costs for its administration and development. The Committee request Government of India to take immediately effective steps to prevent this dismemberment and to appease the public mind in time. Addressed Private Secretary to the Viceroy, Viceroy's Camp; copy delivered Registrar, Private Secretary to the Viceroy, Delhi.

No. T.-628, dated Bombay, the 17th March 1921.

From—J. K. MEHTA, Esq., M.A., Secretary, the Indian Merchants' Chamber and Bureau, Bombay,

To—The Secretary to the Government of India in the Foreign and Political Department.

It has come to the notice of this Chamber that Aden is to be transferred from India to the Colonial Office. The local Colonial Merchants' Association has also sent a telegram of protest to the Government of India, a copy of which they have sent to my Committee. My Committee will be much obliged if you kindly let them know if it is a fact that Aden is to be transferred to the Colonial Office, in which case my Committee beg to raise a strong and emphatic protest. The *Times of India Year Book* observes in its issue of 1920 that the Aden Settlement was until 1918 subject politically to the Government of Bombay, but it has now been handed over to the Foreign Office. Any elucidation of the present position of Aden will be much appreciated.

No. 479-E.B., dated Delhi, the 5th April 1921.

From—A. N. L. CATER, Esq., Deputy Secretary to the Government of India in the Foreign and Political Department,

To— { (1) The Vice-Chairman, the British Indian Colonial Merchants' Association, Bombay.
(2) J. K. MEHTA, Esq., M.A., Secretary, the Indian Merchants' Chamber and Bureau, Bombay.

With reference to your [1] telegram to the Private Secretary to His Excellency the Viceroy and the Secretary to the Government of India in the Department of Commerce, dated the 5th March 1921, [2] letter No. T.-628, dated the 17th March 1921, I am directed to state that the question of the transfer of Aden

to the Colonial Office is at present under discussion and to forward; for the information of your Association Chamber, a copy of a question which was asked by the Honourable Mr. Bhurgri at a meeting of the Council of State on the 26th March, 1921, and of the reply returned by the Foreign Secretary to the Government of India, from which it will be seen that the Government of India have made it an absolute condition of their assent to the transfer that it shall in no way impair the interests and status of Indians who shall receive precisely the same treatment as that accorded to the other subjects of His Majesty the King-Emperor.

No. T.-851, dated Bombay, the 2nd May 1921.

From—J. K. MEHTA, Esq., M.A., Secretary, the Indian Merchants' Chamber and Bureau, Bombay,

To—The Deputy Secretary to the Government of India in the Foreign and Political Department.

I am directed to acknowledge receipt of your letter of the 5th ultimo, No. 479-E.B.

My Committee regret that their experience with regard to the position of Indians in British Colonies and declarations of the Government made time after time with reference to the same is so disappointing that they cannot derive any satisfaction from the statement made in the letter under consideration that the transfer 'shall in no way impair the interests and status of Indians who shall receive precisely the same treatment as that awarded to the other subjects of His Majesty the King-Emperor'.

It may be mentioned here that the support of the Aden Chamber of Commerce to the proposal cannot in any way be construed into being a popular support as this Chamber is almost wholly European in its personnel.

My Committee are still of opinion that the proposal for the transfer of Aden to the Colonial Office is fraught with a grave menace to the Indian Commercial Community there and that sufficient care has not been taken to ascertain Indian public opinion before the important step was decided upon.

It is observed in the reply given to the Honourable Mr. Bhurgri in the Council of State that 'the administration of Aden has been a serious burden on the Indian Tax-payer' and that the Government of India hope to secure under it (transfer) a substantial relief for the Indian Tax-payer. If it is a question merely of cost, my Committee beg to suggest that whatever loss there is to the Indian Tax-payer should be compensated by the War Office which is naturally interested in strengthening the strategic position of Aden as much as possible.

No. T.-989, dated Bombay, the 16th June 1921.

From—J. K. MEHTA, Esq., M.A., Secretary, the Indian Merchants' Chamber and Bureau, Bombay,

To—The Private Secretary to His Excellency the Viceroy and Governor General of India.

In continuation of my letter No. T.-628, dated the 17th March, 1921, addressed to the Secretary to the Government of India, Foreign Department, relating to the proposed transference of the administration of Aden to the Colonial Office, I am directed by my Committee to say that they strongly support the representation, sent by the British Indian Colonial Merchants' Association, to His Excellency the Viceroy, through His Excellency the Governor of Bombay, dated the 15th May, 1921.

No. 4870-225-Conf., dated Bombay, the 28th June 1921.

From—A. MONTGOMERIE, Esq., C.I.E., Secretary to the Government of Bombay, Political Department,

To—The Foreign Secretary to the Government of India in the Foreign and Political Department.

Subject.—*Transfer of Aden Control.*

I am directed to forward, herewith, for favour of such action as may be deemed proper, a memorial to the address of His Excellency the Viceroy, received from a large and influential number of the residents of Aden in the matter of the proposed transfer of Aden Control

to the Colonial Office. A copy of the signatories' representation to the Political Resident, Aden, dated the 3rd March 1921, together with a copy of the resolution passed by the Chamber of Commerce, Aden, on the 19th January, 1920, is also enclosed for information.

To

HIS EXCELLENCY THE RIGHT HONOURABLE THE EARL OF READING, G.C.B.,
K.C.V.O., P.C., VICEROY OF INDIA, DELHI.

MAY IT PLEASE YOUR EXCELLENCY :

We, the undersigned, representing His Gracious Majesty's Arab, Jew and Indian citizens, trading and residing in Aden, beg most humbly and respectfully to express before Your Excellency our deep sense of anxiety felt at the announcement made by the Premier regarding the proposed transference of the administration of Aden from the Government of India to the Colonial Office.

It was in the year 1839 A.D., that this piece of rocky land was captured by Major Baillie, sent by the Bombay Government; Aden has thus become a part of the British Indian Empire and the administration has since been carried on at the cost of the Indian Exchequer. The Government at that time called upon the Indian Merchants to develop the trade of the country. This important outpost is thus maintained and developed by Indian money and Indian enterprise; and the Government at that time assured the Indian public that Aden will ever remain a part of the Indian Empire. It was on this assurance, Sir, that the Indian Merchants accepted the invitation and with their instinctive spirit of adventure, came forward and carried on the trade with the country at great risk to themselves and to their money. A reference to the trade returns will convince anybody the nature of the laborious part the Indian Merchants have played for the last eighty years for the prosperity of the country. It was the Indian Merchant, Sir, who played the part of the intermediary and upheld the prestige of the British Empire, and who was instrumental in turning the natives into loyal citizens of the Crown.

So much has been our connection conducive to the interests of the natives that we are sure that the chiefs and the well-to-do Arab tribes, not only at Aden but round about, will oppose and resent any proposal of the transference of the administration to the Colonial Office, and the intimate contact with the Indian Merchants for the last eighty years has convinced them of the advantages of the connection with the Indians and the Indian Government. We venture to bring to Your Excellency's notice, that the resolution of the Aden Chamber was supported by a few merchants and only under the belief that the Government has decided to transfer Aden to the Government of Egypt, and they, therefore, preferred the Colonial Office to it; this will clearly be seen from the representation signed by over a hundred merchants including all the Indian and Arab merchants of the Aden Chamber of Commerce and submitted to the Political Resident of Aden on the 3rd March, 1921.

It will not be presumptuous, Sir, if we claim to be the pioneers in developing the trade and prosperity of the country and it behoves, therefore, that the Government of India and Imperial Government should obtain our views and that of Arabs before any change can be saddled on. If the proposed transference of the administration takes place, we are afraid, Sir, that in spite of the assurance of the Honourable Mr. Bray, in the Council of State, the right of equal citizenship of the British Commonwealth will be denied to His Majesty's British Indian subjects whenever the interests of the white Settlers will be at stake in future. We need not narrate here the sad experience of our countrymen in South and East Africa, nor the ignominious condition to which they are reduced, nor the fruitless exertions of the Government of India in fighting the just cause of their subjects. We, therefore, most respectfully request Your Excellency that in the interests of the British Empire, nay, in the interests of the prestige of British justice and fairplay, Your Excellency's Government should not be a party to produce another Africa for the introduction of the ill-feeling, monopolies of trade and land and the very regrettable European policy of Racial Segregation which is but a slur on the fair name of British justice.

If the proposed transference takes place, we shall be grieved to find that whenever a country is developed by the prolonged exertion of the Indians, that country is snatched away from them and is marked down for the settlement and benefit of those, who have played no part whatsoever in its development and prosperity. Against this sort of treatment, we strongly beg to protest as it strikes at the very root of the Indian enterprise and

betrays the Indian merchant when he believes in the good intentions of the Government. We may here mention that as a result of the Great War, the British Colonies have been allotted certain territories and Islands belonging to the enemies, while in the case of India she is being robbed of the territories which her people have brought and developed for the British Empire. Such treatment will naturally tend to shatter all their belief in the talk of India's equal partnership in the British Commonwealth and the full citizenship of the British Empire.

It will not be out of place to point out here that the landed estates of the Indian Merchants at Aden are enormous and the Indians have settled down and have made that country as their land of adoption. The Indians settled there, have so much built up their trade that they at present command the major portion of the Red Sea Ports business, and for this object some of the great Firms have established their Head Offices at Aden since a number of years.

We also beg to point out here, that the British Europeans scarcely form a part of the population and they are merely temporary residents carrying on trade as Shipping and Coaling Agents; and it was these few who were instrumental in passing the Chamber's resolution, probably under the same belief that the administration was being transferred to the Government of Egypt.

Lastly, we think it our duty to bring to Your Excellency's notice a rumour that is afloat that even if the administration of Aden be transferred to the Colonial Office, the military expenditure of the country and, furthermore, the naval expenditure on the port of Aden, will wholly or to a great extent fall on the Indian Treasury we are sure the Government of India will not only protest against and resent any such proposal, but, on the other hand, will demand a share of the present and future military and naval expenditure from the Colonial and the Imperial Treasury as this gateway is and will be maintained for the safety of the Empire. It is our firm belief that under any circumstances the civil administration of Aden can safely and fairly be kept under the Government of India, even if the military and naval administration be transferred to the Imperial Government, but we make bold to point out, that as suggested in Esher Committee's Report if the Commander-in-Chief of India is going to have direct communication with the Imperial Staff, then there is not the slightest reason for snatching away Aden from the Government of India. We therefore request the Government of India to publish the conditions under which the administration is proposed to be transferred to the Colonial Office.

In conclusion, we pray to Your Excellency who is upheld as the model of British justice and fairplay and who has been specially sent here to govern this country justly and to satisfy the aspirations of the Indians, that Your Excellency's Government will strongly put forth the Indian case and advocate the Indian point of view in the Imperial Councils of the British Empire and will thus prevent the transference of an important seat of commerce which was up to now developed at the cost of the Indian Exchequer and by the Indian people.

We beg to subscribe,

Your Excellency's most obedient servants,

*

A copy of the Representation signed by Indian, Arab and Jew merchants of Aden.

ADEN, 3RD MARCH 1921.

To

MAJOR-GENERAL T. E. SCOTT, C.B., C.I.E., D.S.O.,

Officer Commanding and Political Resident, Aden.

SIR,

We have the honour to bring the following to your favourable consideration.

We, the Indian and Arab merchants, trading at Aden, supported the Chambers' Resolution for transfer of Aden to the Colonial Government simply under the belief that the Government had decided to transfer Aden to the Egyptian Government and we preferred

* Signatures not reproduced.

the former to the latter. We are strongly of opinion that Aden must continue under the Government of India as our chief trade and interest are connected with India.

As you are shortly proceeding to Egypt, we respectfully urge that our views be placed before the responsible authority.

We have the honour to be,

SIR,

Your most obedient servants,

Cowasjee Dinshaw & Bros.
 Menahim Messa.
 Hajeebhoy Lalljee & Co.
 Abdoolabhoy and Joomabhoy Lalljee.
 Syed Ahmed Taha Safi.
 Mohamed Omar Bazara.
 M. A. Hassanali & Bros.
 Syed Mohamed Hassan.
 H. Adamally & Co.
 Motabhoy Mahomedali.
 Aman Salah.
 Hajee Mahomed Mowjee.
 Mohamed A. Basindwa.
 M. J. Saleh Jaffer.
 Saleh Barahim.
 Abdulla Banani & Co.
 Moolji Raghavji Dhanki.
 Omer Basindwa.
 Cassim Abdulla Algirby.
 Syed Abdullah bin Hamad Safi.
 Meralibhoy Dosa & Sons.
 Said Ahmed Bahassan.
 Mohamed Haji Ayub.
 Khamisa Haji Janmahomed.
 Hassanbhoy Mahomed.
 Hirachand Sunderji.
 Nachu Mulji.
 Mahomed Awad Mahreiz.
 Syed Ahmed Bin Husen Elhamed.
 Omer Abdulla Basoudan.
 Haji Ahmed Fareh.
 Mahomedali Saad.
 Jasaraj Gokuldas.
 Alibhoy Chagla & Company.
 Kalidas Bhimjee.
 Kapoorchand Lakmichand & Company.
 Sha Panachand Manekchand.
 Bhagwandas Devji.
 Sha Abhechand Savchand.
 Valbhajee Tarachand.
 Devchand Vitaljee.
 Soonderjee Motichand.
 Bhagwandas Amarchand.
 Jagjiwan Tarachand.
 Ali Mahomed Cassim.
 Bakar Bashrahil.
 Hoosen and Saleh Jaffer.
 Saleh Basoden.
 Syed Abdrabim Algofree.
 Meghjee Chapsee.
 Abdulkadar Hussenal Vasi.
 Chaturbhai Harakchand.
 Soondriji Harachand.
 Ahmed Bin Omar Basaleh.

Noormahomed Moosa & Co.
 Abdulla bin Mahomed Bataw.
 Saleh bin Omar Bashanffer.
 Kalianji Virjee.
 Mahub and Raihan Farhat & Son.
 Kalanjee Vasanjee & Co.
 Parmanand Laljee.
 Dadbhoy & Co., Arabia.
 Hajee Ebrahim Noor.
 Abdrehman Bin Othaman.
 Syed Omar Taha Safi.
 Rattonjee Damjee.
 Morarjee Inderjee.
 Kanjee Haridas.
 Haridas Gokuldas.
 Sha Ladaha Sheskaran.
 Sha Sanghjee Lakhmichand.
 Narandas Harjiwan.
 Paranjivan Valbhjee.
 Shantilal Parmanand.
 Manekchand Amarsi.
 Premjee Jetha.
 Amilal Haridas.
 Jamnadas Nemchand.
 Hirachand Vasanjee.
 Abdulaziz Dadabhoy.
 Siddik Moosa.
 Jagjiwan Sobhagchand.
 Gobindjee Jutha.
 Hemraj Hirachand.
 A. A. Nabi.
 Chhagan Moolji.
 H. M. Saleh Fikree.
 Paragji Anderji.
 M. N. Joshi & Company.
 Raghunath Vithaldas.
 Badroodin & Company.
 Madhavjee Laljee & Bros.
 Meghjee Parmanand.
 Harilal Ratilal.
 Abdulgafoor Haji Abdulla.
 Abdulkadar Adamji.
 Abdulgani Abdushakoor.
 Hassanali Eshabhai Rupawalla.
 Devchand Hirachand.
 Hirachand Soonderjee.
 Talakchand Motichand.
 G. M. Mahmedali & Company.
 Ranchordas Girdhar.
 Harjiwan Shankar.
 Madhabji Hirji.
 Tribhuwandas Chotalal.
 Harising Poonjmalji.
 Vanmali Virji.

Dated Aden, the 21st January 1920.

From—A. E. ADAMS, Esq., Honorary Secretary, Chamber of Commerce, Aden,
To—MAJOR-GENERAL SIR J. M. STEWART, K.C.M.G., C.B., Political Resident,
Aden.

I have the honour to inform you that the following Resolution proposed by the Chairman was carried unanimously at a General Meeting of the Chamber held on 19th instant, viz :

Resolution.—Understanding that it is proposed to transfer the Administration of the British Settlement of Aden to the Government of Egypt, the Aden Chamber of Commerce expresses its earnest desire that Aden should be placed under the British Colonial Office and thus be on the same footing as Gibraltar, Malta, British Somaliland, British East Africa, Zanzibar, Mauritius, Seychelles, Ceylon, Straits Settlements, Hongkong, and the other Crown Colonies, which it is believed would be conducive to the expansion of Aden trade, at present valued at ten million pounds sterling per annum, and to the welfare of the inhabitants, numbering over forty-six thousand at last Census.

Telegram dated the 4th July 1921.

From—JEHANGIR B. PETEL, Esq., Honorary Secretary, Bombay,
To—The Secretary to the Government of India in the Department of Commerce.

Council Imperial Indian Citizenship Association strongly supports protest of British Indian Colonial Merchants' Association against transfer Aden from India Government to Colonial Office, London, and prays Aden should continue to be administered as at present by Bombay Government.

No. 5097-234-Conf., dated Bombay, the 6th July 1921.

From—A. MONTGOMERIE, Esq., C.I.E., Secretary to the Government of Bombay,
Political Department,
To—The Foreign Secretary to the Government of India in the Foreign and Political Department.

In continuation of my letter No. 4870-225-Conf., dated the 28th June, 1921, I am directed to forward herewith a memorial to the address of His Excellency the Viceroy received on behalf of the British Indian Colonial Merchants' Association in the matter of the proposed transfer of Aden control to the Colonial Office.

To

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

Through

HIS EXCELLENCY SIR GEORGE AMBROSE LLOYD, G.C.I.E., D.S.O., GOVERNOR OF
LOMEAT IN COUNCIL, BOMBAY.

MAY IT PLEASE YOUR EXCELLENCY,

We, the undersigned, on behalf of the British Indian Colonial Merchants' Association representing His Gracious Majesty's loyal British Indian Subjects Trading with Aden, beg most humbly and respectfully to express to Your Excellency our feeling of great anxiety at the announcement recently made by the Premier regarding the contemplated transference of the administration of Aden from the Government of India to the Colonial Office.

2. It was in the year 1839 A.D., that this piece of rocky land was captured by Major Baillie, sent by the Bombay Government. From that date the settlement was created a Political Residency. Aden thus became a part of the British Indian Empire and its administration has since been carried on at the cost of the Indian Exchequer. The Government at that time called upon the Indian merchants, specially of the Presidency of

Bombay, to develop the trade of the country; though it was a fact that long before the capture of Aden, some Indian merchants had been prosperously carrying on trade under the Sultanate of Lahej. This important outpost is thus maintained and developed by the Indian money and Indian enterprise; and the Government at that time assured the Indian public that Aden will ever remain an integral part of the Indian Empire. It was on this assurance that Indian merchants cordially responded to the invitation and with their instinctive spirit of adventure came forward and carried on the trade with the country at great risk to themselves and of the capital invested. A study of the trade returns from 1839 A.D. will show the nature of the laborious part Indian merchants have played for the last eighty years for the greater progress and prosperity of the country. It was the Indian merchant who played the part of the intermediary and upheld the prestige of the British Empire, and who was instrumental in turning the turbulent natives into loyal and orderly citizens of the Crown, and it was the Indian troops that have been mostly employed and kept there to preserve peace and order.

3. So much has our connection been conducive to the interests of the natives of Aden, that we are sure that the chiefs and the well-to-do Arab Tribes, engaged in the peaceful pursuits of commerce, not only in the Settlement but round about, will oppose and resent any proposal of the transference of the administration to the Colonial Office, and their intimate commercial and social relation with Indian merchants for the last eighty years. So convinced they are of the immense benefit they have derived from that connection that there is every likelihood of great discontent taking place by the reason of the proposed severance. We venture to bring to Your Excellency's notice that the resolution of the Aden Chamber was supported by a handful of merchants only and that too under the belief that the Government had decided to transfer Aden to the Government of Egypt. They therefore preferred the Colonial Office to the Egyptian Government. This will clearly be seen from the representation signed by over a hundred leading merchants, including all the Indian, Asiatic, Jew and Arab members of the Aden Chamber of Commerce and submitted to the Political Resident on the 3rd of March, 1921.

4. We trust, we will not be presumptuous, if we claim to be the pioneers of the development of the trade and prosperity of the country. As such we respectfully beg to point out, that it behoves the Government of India and the Imperial Government to ascertain our views and those of the Arabs before any transfer to the Colonial Office is determined upon. Should it take place at all, we are afraid, notwithstanding the assurance of the Honourable Mr. Bray in the Council of State, the right of equal citizenship of the British Commonwealth will be denied to His Majesty's British Indian subjects. It would be an act of grievous injustice and inequity to subordinate the interests of the Indian settlers to those of the white. We need not narrate here the sad experience of our countrymen in South and East Africa, nor the ignominious condition to which they are reduced, notwithstanding all the exertions of the Government of India in fighting the just cause of their Indian subjects. We, therefore, most respectfully pray Your Excellency, that in the interests of the British Empire, nay, in the interest of British Justice and Fairplay, your Government will be pleased to oppose most vigorously the creation of an all-India Arabian problem as there is an African one. The introduction of all ill-feeling, monopolies of trade and land and the very regrettable European policy of Racial Segregation will be another great slur on the fair fame of impartial British Justice.

5. If the proposed transfer takes place, it will be taken for granted by His Majesty's Indian subjects that whenever a country is developed by the prolonged exertions of the Indian, it will only be a preliminary to a transfer of an undeserved character to a Government which had no hand or played no part whatsoever in its establishment, development and prosperity. We beg to enter our emphatic protest against so imprudent and unjust a policy. It will strike at the very root of all Indian enterprise in foreign parts and will amount to a betrayal of the best interests of Indian merchants. All the firm belief in the just and good intentions of the Government will be shattered. We may here beg leave to observe, that as the result of the Great War, while the British Colonies have been allotted certain territories and islands belonging to the enemies, India is being unjustly and arbitrarily deprived of the territories which her people had brought to such prosperous development. Such treatment will naturally tend to undermine all their belief in talk of India's equal partnership with the British Commonwealth and the full citizenship of the British Empire.

6. It will not be out of place to point out here, that the landed estates of the Indian merchants at Aden are enormous and the Indians have settled down and have made that country as their land of adoption. The Indians settled there have so substantially built

up their trade, step by step, during the last eighty years, that they at present command the major portion of the Red Sea Ports business and, for this object, some of the prominent firms have established their Head Offices at Aden for many a year past.

7. We may also be permitted to point out, that the British and other Europeans scarcely form a considerable part of the population. They are merely temporary residents carrying on trade as shipping and coaling agents; and it was these few who were actually instrumental in passing the Chamber's resolution, probably under the same belief that the administration was being transferred to the Government of Egypt.

8. Lastly, we think it our duty to bring to Your Excellency's notice a rumour that is afloat, that even if the administration of Aden be transferred to the Colonial Office, the Military expenditure of the country and, furthermore, the Naval expenditure on the port of Aden will wholly or to a great extent fall on the Indian revenues. We do not believe in the rumour but, should there be a grain of truth in it, we are sure, the Government of India will not only protest and resent any such proposal but, on the other hand, will demand a share of the past, present and future enormous Military and Naval expenditure from the Colonial and the Imperial Treasury as this gateway has been and will be maintained for the safety of the Empire. It is our firm belief, that under any circumstances, the civil administration of Aden can safely and fairly be kept under the Government of India, even if the Military and Naval administration be transferred to the Imperial Government; but we make bold to point out, that as suggested in the Kisher Committee's Report, if the Commander-in-Chief in India is going to have direct communication with the Chief of the Imperial Staff, then there is not the slightest reason for snatching away Aden at all from the Government of India. We therefore earnestly trust, the Government of India will be pleased to publish the full conditions under which the administration is proposed to be transferred to the Colonial Office.

9. In conclusion, we pray Your Excellency who are regarded as a model of British Justice and Fairplay and who have been specially sent here to govern this country justly and to satisfy the aspirations of the Indians, that Your Excellency's Government will strongly submit the Indian case and advocate the Indian point of view in the Imperial Councils of the British Empire and will thus prevent the transference of an important seat of commerce which up to now has been undoubtedly developed at the cost of the Indian Exchequer and by enterprise, patient industry and capital of the Indian people.

We beg to subscribe,

Your Excellency's most obedient servants,

HOOSAINBHAI ABDOLABHOY LALLJEE,
HORMUSJI C. DINSHAW,

Vice-Presidents.

BUNDALIBHOY HAJIBHOY,
BAKUBHAI MANSUKHBHAI,
MATHURADASS CANJEE MANTANI,

Members of Managing Committee.

ALLADIN MAHOMED,
VAZIRALLY BANDEALLY,

Honorary Secretaries.

BOMBAY;

The 15th May, 1921.

Extract from a copy of the Resolutions for transmission to the Secretary of State passed at a meeting of the Council of the Western India National Liberal Association on the 20th August, 1921, Bombay.

TRANSFER OF ADEN.

The Council of the Western India National Liberal Association consider the contemplated transfer of Aden from the Indian Government to the Colonial Office as detrimental

to the interests of India on political, administrative and financial grounds. They strongly support the representation of the British Indian Colonial Merchants' Association to His Excellency the Viceroy and Governor General in Council on this subject and urge on the Government of India and the Secretary of State for India the continuance of the *status quo* in regard to the civil and political administration of that port, not merely because Indians have played a great part in the development of it and constitute over one-fourth of its population, but also because of its strategic and political importance to India for own defence when she attains her full Dominion status within the British Commonwealth.

Dated the 29th August 1921.

From—FAIZ B. TRABJI, Esq., for Self and Co-Secretaries, Bombay Presidency Association,

To—The Secretary to the Government of India in the Foreign and Political Department.

I beg to enclose a copy of a Resolution passed by the Council of the Association at its meeting held on the 24th instant in connection with the transfer of Aden to the Colonial Office, and trust that the Government will pay due consideration to it.

The Council of the Bombay Presidency Association beg strongly to oppose the contemplated transfer of Aden from the Indian Government to the Colonial Office, as being distinctly detrimental to the interests of India and of the Indians settled in Aden and the country around Aden who have played a great part in its development and constitute over one-fourth of its population. The transfer is opposed on political, administrative, financial and strategic grounds. The Council need not dilate on these grounds as the same are more fully stated in the representation of the British Indian Colonial Merchants' Association to His Excellency the Viceroy and Governor-General in Council on this subject and which the Council entirely endorses. The Council therefore respectfully but strongly urge on the Government of India and the Secretary of State for India, that the civil, military and political administration of Aden be continued as heretofore.

No. 180, dated Bombay, the 2nd September 1921.

From—The Honorary Secretaries, British India Colonial Merchants' Association Bombay,

To—The Private Secretary to His Excellency the Viceroy.

We have the honour to inform you that our Association has submitted some time back a representation to His Excellency the Viceroy through the Governor of Bombay, regarding the contemplated transfer of administration of Aden to the Colonial Office.

We beg to bring to your notice that the most influential bodies in Bombay representing various interests and shades of opinion have all with one voice protested against this proposed transfer as detrimental to India on political, administrative and financial basis; this will clearly be seen from the copies of the resolutions passed by the Bombay Presidency Association, the Western India National Liberal Association, the Imperial Indian Citizenship Association, the Reform Conference and the Indian Merchants' Chamber and Bureau.

Our Association is pained to find that the Government had not taken special steps to ascertain the views of the Indian trading community concerned, as is evident from the reply which the Right Honourable Mr. Montagu gave to Sir T. Bennett in the House of Commons; and, therefore, our Association begs to put its most emphatic protest against the handing over of Aden to the Colonial Office without consulting the views of those who have played a great part in its development and who contributed over one-fourth of the population. My Association is further grieved to find that the Indian public is utterly kept in dark by the Government regarding the financial clauses under which the transfer is to be made; and judging from the speech made by the Secretary of State for Colonies, while moving a vote to the Colonial Office in the House of Commons on the 14th July, 1921, my Association is under the belief that this transfer would involve heavy Military expenditure and that India will have to bear tremendous financial burden for maintaining a fortress of first-class consequence to India.

Our Association therefore hopes that His Excellency the Viceroy will be pleased to consider the case from the Indian point of view, after ascertaining the opinion of the Indian Commercial Community in particular and the public in general. We may point out to you, in this connection, that the Government have not even taken the consent of the Indian Legislative Assembly.

In conclusion, my Association prays that His Excellency the Viceroy will not perpetrate an act of grievous injustice and inequity by allowing this transfer and thus will not be a party in creating another contested problem as in British East Africa, as it is sure to follow the transfer in spite of the assurance of the Secretary of State for India that 'the Government accepted without reservation the condition of the Government of India that its transfer should in no way impair the interests and status of Indians who should receive precisely the same treatment as other subjects of His Majesty'. We fervently hope that His Excellency, during the present state of the country and under his just régime, will act in the best interests of the Indian Empire.

Extract from the House of Commons' Report, 14th July, 1921

DURING A DEBATE ON THE COLONIAL OFFICE VOTE.

Mr. Churchill.— There is another possibility of a reduction of expenditure in Aden. The India Office has very kindly handed Aden over to the Colonial Office, and my acceptance of the gift has only been delayed by the financial negotiations, because India has hitherto paid a great part and I certainly should not be serving the interest of the British Tax-payer if I assumed the whole burden without any of the funds which are necessary to maintain a fortress of first-class consequence to India, but I hope for a happy solution; in fact, I think, that in a very few days we shall have reached an agreement. And the moment that Aden is transferred to the Colonial Office, it will be possible to amalgamate the administration of Aden and Somaliland. Somaliland and Aden are really the most happy marriage that could be made. They are really necessary to one another. The high ground, five or six thousand feet high, in Somaliland will afford a hill station to which the British soldiers in Aden under the most trying conditions all through the summer could go company by company in one night's journey across the sea to Somaliland. You could not have a more harmonious minor proposition, and if this amalgamation be carried out in such a way as to effect, perhaps a saving of £200,000 to £300,000 a year in the reduction of Military expenditure, it will repay the trouble which it takes to arrive at such a conclusion.

Copy of the messages sent by Mr. Jehangir B. Petit on behalf of the Council of Imperial Indian Citizenship Association, to the Secretary of State for India and the Government of India.

'The Council of the Imperial Indian Citizenship Association strongly protests against contemplated transfer of Aden from India Government to Colonial Office, London, and prays that Aden should continue to be administered as at present by Bombay Government.'

'The Council of Imperial Indian Citizenship Association strongly supports protest of British Indian Colonial Merchants' Association against transfer of Aden from India Government to Colonial Office, London, and prays Aden should continue to be administered as at present by Bombay Government,' 5th July 1921.

Copy of the Resolution passed by the Council of the Western India National Liberal Association at a meeting held on the 20th August, 1921, under the presidency of the Honourable Sir D. E. Wacha.

'The Council of the Western India National Liberal Association consider the contemplated transfer of Aden from the Indian Government to the Colonial Office as detrimental to the interests of India on political, administrative, and financial grounds. They strongly support the representation of the British Indian Colonial Merchants' Association to His Excellency the Viceroy and Governor General in Council on this subject and urge on the Government of India and the Secretary of State for India, the continuance of

status quo in regard to the civil and political administration of that port, not merely because Indians have played a great part in the development of it and constitute over one-fourth of its population, but also because of its strategic and political importance to India for her own defence when she attains her full Dominion status within the British Commonwealth.'

Copy of the Resolution passed by the Bombay Presidency Association.

'The Council of the Bombay Presidency Association beg strongly to oppose the contemplated transfer of Aden from the Indian Government to the Colonial Office, as being distinctly detrimental to the interests of India and of the Indians settled in Aden and the country around Aden who have played a great part in its development and constitute over one-fourth of its population. The transfer is opposed on political, administrative, financial and strategic grounds. The Council need not dilate on these grounds as the same are more fully stated in the representation of the British Indian Colonial Merchants' Association to His Excellency the Viceroy and Governor General in Council on this subject and which the Council entirely endorses. The Council, therefore, respectfully but strongly urge on the Government of India and the Secretary of State for India that civil, military, and political administration of Aden be continued as hithertofore.'

Extract from letter No. T-989, dated the 16th June, 1921, from the Secretary, Indian Merchants' Chamber and Bureau, to the Private Secretary to His Excellency the Viceroy and Governor General of India, Simla.

I am directed by my Committee to say that they strongly support the representation sent by the British Indian Colonial Merchants' Association to His Excellency the Viceroy, through His Excellency the Governor of Bombay, dated the 15th May, 1921.

Copy of the Resolution passed by the Reform Conference held in Bombay under the auspices of the National Home Rule League on the 30th August, 1921, Mrs. Besant presiding.

'This conference considers the contemplated transfer of Aden from the Indian Government to the Colonial Office as detrimental to the interests of India on political, administrative and financial grounds. It strongly supports the representation of the British Indian Colonial Merchants' Association to His Excellency the Viceroy and Governor General in Council on this subject and urges on the Government of India and the Secretary of State for India the continuance of the *status quo* in regard to the civil and political administration of that port not merely because Indians have played a great part in the development of it and constitute over one-fourth of its population, but also because of its strategic and political importance to India for her own defence, when she shall have attained her full Dominion status within the Indo-British Commonwealth.'

No. 5991, dated Simla, the 13th October 1921.

Endorsed by the Department of Commerce.

TRANSFER OF ADEN TO COLONIAL OFFICE.

A copy of the undermentioned paper is forwarded to the Foreign and Political Department:

Extract from a letter from the Deccan Sabha, Poona City, dated the 2nd October, 1921.

Extract from a letter from the Deccan Sabha, Poona City, dated the 2nd October, 1921.

I am desired to forward for your information the following two Resolutions passed at a recent meeting of the Council of the Deccan Sabha:

'In view of the very large Indian interests created in Aden since its conquest in 1839 by an officer deputed by the Government of Bombay, the Council of the Deccan

Sabha protests most emphatically against the proposed transfer of its administrative control from the Government of India to the Colonial Office and trust that the step, fraught as it is with far-reaching consequences to the well-being of the people composing the Settlement, will not be carried out without consulting the wishes of the people concerned and giving the Indian Legislature an opportunity to examine it in all its bearings.

QUESTIONS IN THE VERNACULAR.

43. * **Mr. K. Ahmed**: In view of the fact that the Members of this Assembly can take part in the debate of a Resolution or a Bill in their vernacular language commonly spoken by them, will the Government be pleased to state whether they can put in the vernacular questions starred and unstarred in this Assembly including the supplementary question they may desire to put arising out of any question or questions and the answers of such questions of this Assembly? If the answer is in the negative, will the Government be pleased to explain the principle and reasons of such refusal?

Mr. President: The procedure which governs questions is under the sole control of the President. I therefore propose to answer this question. Rule 14 declares that the business of the Assembly shall be transacted in English provided that the President may permit any Member unacquainted with English to address the Assembly in a vernacular language. I interpret this rule as meaning that Members unacquainted with English may put their questions, including supplementary questions, in the vernacular. Up to the present moment, I have not yet considered it necessary to issue instructions in this matter. If any specific need for such instructions arises, I am prepared to take steps to meet it.

COUNCIL SECRETARIES WITH KNOWLEDGE OF THE VERNACULARS.

44. * **Mr. K. Ahmed**: Do Government propose to appoint Council Secretaries qualified to interpret the vernacular languages used by the Members and thereby facilitate the business of the House?

The Honourable Sir William Vincent: I invite a reference by the Honourable Member to the provisions of section 43-A of the Government of India Act. The appointment of Council Secretaries is a matter to be decided by the Governor General and is not a business of the Governor General in Council.

GHUTIYARI SHERIFF STATION OF THE EASTERN BENGAL RAILWAY.

45. * **Mr. K. Ahmed**: Are the Government aware that at Ghutiyari-Sheriff station on the Canning branch of the Eastern Bengal Railway line the platform is much lower than the foot-board of carriages and it being the pilgrim station many people, specially the females, find great inconvenience in alighting from the train?

(b) Do the Government propose to give proper warning to the local authorities to supervise their work duly, so that in case any step is to be taken for improving the station platform or otherwise wanting in any other stations, may report on the subject in order that the inconveniences of the passengers may be removed?

Colonel W. D. Waghorn: (a) Ghutiyari-Sheriff station has a medium height platform 1²—2" above rail level. The lower foot-board of the passenger carriages is generally level with the platform and no special difficulties are experienced in alighting from trains.

(b) No special action is thought necessary.

Mr. K. Ahmed: Is it not a fact that there is no raised platform and the ladies going there are not helped to alight?

If that answer is in the affirmative, I am very thankful to the Honourable Member. But if it is in the negative, I ask for a definite answer.

Colonel W. D. Waghorn: I have nothing to add to what I have already said.

MALDA RAILWAY STATION.

46. * **Mr. K. Ahmed:** (a) Are the Government aware that Malda Railway station on the Eastern Bengal Railway line is situated far away from the town of Malda, the District Headquarter across the river Mahananda, and that near the station on the road leading to the town there are jungles from where tigers come out and attack passengers going to and coming from the railway station?

(b) Is it a fact that owing to their long-felt grievances of the people of Malda, frequently memorials are being made to the authorities and the Governor of Bengal?

(c) Do the Government propose to take immediate steps and relieve the passengers and the people of Malda of the great danger and inconvenience, by either removing the railway line near the city or clearing the jungles and bridging the river to help the passengers going to and coming from the railway station?

Colonel W. D. Waghorn: (a) The railway station at Malda is situated at a distance of about 1½ miles from the town, the Railway Administration has received no reports of any passengers having been attacked by tigers.

(b) Government are not aware of any memorial about the so-called long-felt grievances having been received by the railway authorities, or the Governor of Bengal.

(c) It is not possible to shift Malda station from its present site. The clearing of the jungle along the road and the bridging of the river are matters which concern the District Board and not the Railway.

Mr. K. Ahmed: Has the Government, Sir, inquired of the Local Government? Are the Government in a position to answer that question without making any inquiries?

Colonel W. D. Waghorn: No.

Mr. K. Ahmed: Will the Government be pleased to do that?

Colonel W. D. Waghorn: I don't think it is the business of the Government.

Mr. K. Ahmed: To start with, the railway has been stationed in the middle of the jungle. The railway authorities will do nothing and the people are being eaten up by tigers. May I ask an answer to my question, Sir?

Colonel W. D. Waghorn : I have already explained to the Honourable Member that there have been no reports of any passengers having been eaten by tigers and the Government are not aware of any memorials having been sent in.

Mr. K. Ahmed : I repeat the same question again, Sir. Has the Government taken the trouble to inquire into the matter whether anybody has been eaten up or not? Is not there any jungle on both sides of the station which is situated unnecessarily too far from the town of Maida?

Colonel W. D. Waghorn : If the Honourable Member will give us a specific case, I am quite prepared to inquire.

Mr. President : Order, order. The Honourable Member must be aware that there is a Standing Order which prescribes that those who make statements in their questions must make themselves responsible for the accuracy of them.

Mr. K. Ahmed : I am quite responsible, Sir. I know the facts and I am asking on that responsibility. Without having made any inquiries with regard to the question, how can the answer be given by the Honourable Member in charge?

The Honourable Mr. C. A. Innes : I just want to say, Sir, that if Mr. Kabeer-ud-Din Ahmed will quote to us any specific instance of any man having been eaten up by a tiger, we are quite prepared to go into the matter.

Mr. K. Ahmed : Will the Government be pleased to make inquiries with regard to the jungles, Sir, situated on the road leading to the station?

Mr. President : I drew the Honourable Member's attention to the Standing Order which imposes on the Member asking the question the responsibility for the accuracy of the statements made in his question. I ask the Honourable Member to consider the meaning of that Standing Order in relation to the questions which he has just been asking.

Mr. J. Chaudhuri : May I ask Mr. Kabeer-ud-Din Ahmed, who comes from Malda, if he can undertake to shoot the tigers going about the station or scare them away?

Mr. K. Ahmed : I am neither the Chairman of the Railway Board nor any high officer of the State Railway, and I am not responsible for that.

TELEGRAPHIC COMMUNICATION FOR CHAPAI, NAWABGANJ, ETC.

47. * **Mr. K. Ahmed :** (a) Are the Government aware that the people of Chapai, Nawabganj and Kansat, specially the merchants as consignors and consignees of goods and parcels at the stations of Amnura and Rahanpur on the Eastern Bengal Railway, are under great disadvantage and inconvenience for a long time for the want of telegraphic communication, the above mentioned railway stations being far away from the localities?

(b) Is it a fact that for a long time complaints are being made and memorials were sent to the Government of Bengal on the subject without any result?

(c) Do the Railway Department propose either to remove these stations at some suitable places, advantageous to the people, or confer with the

Telegraph Department to consider the desirability of joining those important places by telegraphic communication ?

Colonel Sir S. D'A. Crookshank : (a) Both Amuura and Bahanpur railway stations are open to the public for receiving telegrams.

(b) The Government of India are not aware that any complaints or memorials on the subject have been sent to the Government of Bengal.

(c) It is not possible to shift the stations from their present sites but the desirability of opening telegraph offices in the towns referred to in (a) of the Honourable Member's question will be considered.

TRANSFER OF A VILLAGE FROM BIHAR AND ORISSA TO BENGAL.

48. * **Mr. K. Ahmed :** (a) Will the Government be pleased to state whether a memorial signed by over 500 of the residents of the village within the Police Stations Rajmahal and Barharwa in the District of Santal Parganas in Bihar and Orissa Province has been received by the Government ?

(b) Do the Government propose to transfer the area under these two police stations to the Province of Bengal immediately ?

The Honourable Sir William Vincent : (a) A copy of the memorial has been sent to me personally, but the memorial has not been sent officially to the Government of India.

(b) Government do not propose to take any action until the memorial is transmitted by the Local Government.

Mr. K. Ahmed : Will the Government of India be pleased to forward those memorials to the Local Government to make necessary inquiries ?

The Honourable Sir William Vincent : I have explained that a memorial on this subject is, I believe, being sent by certain persons through the Local Government to the Government of India, and we are awaiting receipt of that memorial from the Local Government. In the meantime, an advance copy has been sent to me by name because I am supposed personally to be interested with the areas. We are at present awaiting the receipt of the memorial from the Local Government with the opinion of that Government on the proposal and I believe that this is the proper and reasonable course.

Mr. K. Ahmed : I am very much obliged for this satisfactory answer, Sir.

COSTS OF THE TREATY WITH AFGHANISTAN.

49. * **Mr. K. Ahmed :** Will the Government be pleased to state in full and lay the particulars on table as regards the exact amount of the costs of the treaty with Afghanistan from the beginning to end, date by date, which Sir Henry Dobbs, his committee, the Government of India and others have incurred from the Indian Exchequer ?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray) : From December 13th, 1920, when the Kabul Mission assembled at Peshawar, up to the end of December, 1921, the total cost of the Kabul Mission including the estimated cost of such items for which final charges have not yet been presented but excluding the telegraph material which is to

be presented to the Afghan Government amounted to Rs. 3,85,594. It will not be in the public interest to lay the particulars date by date on the table.

Mr. K. Ahmed : Will not the public realise the situation and appreciate the answer of my Honourable Friend, if date by date the items of expenditure are given ?

The Honourable Dr. T. B. Sapru : I have already stated that it will not be consistent with the public interest to answer that question.

UNSTARRED QUESTIONS AND ANSWERS.

INDIAN APPRENTICES IN THE JAMALPUR RAILWAY WORKSHOP.

1. Rai G. C. Nag Bahadur : (a) With reference to clause (b) of Question No. 157 asked by Mr. K. C. Neogy on the 15th September last, and the answer given by Colonel Waghorn, will Government be pleased to state whether the Indian apprentices, while entering the Jamalpur Railway Workshop, are at liberty to use the gateway hitherto used by European and Anglo-Indian apprentices ?

(b) Do Government propose to issue definite instructions to this effect ?

(c) With reference to the answer to clause (d) of the said question, do Government propose to consider the desirability of adopting the method of payment in vogue in the case of the Indian apprentices in the case of the European and Anglo-Indian apprentices as well, in view of the merits of the said method as stated by Colonel Waghorn in the said reply ?

Colonel W. D. Waghorn : (a) and (b). It has been ascertained that there is no objection at all to Indian apprentices of the special grade and 1st class using the gateway referred to. In fact some of them do already.

(c) The matter is not one for Government to consider. The Railway Company is at liberty to arrange for the disbursement of the pay of their staff in such manner as they see fit. Payments are usually made in the manner considered most suitable and expeditious in regard to the class and numbers of staff to which they are applicable.

APPOINTMENT OF THE HONOURABLE MR. C. A. INNES TO THE VICEROY'S EXECUTIVE COUNCIL.

2. Rai G. C. Nag Bahadur : With reference to Government of India, Home Department, Notification No. 2128, dated the 10th September, 1921, appointing Mr. Charles Alexander Innes, C.S.I., C.I.E., to be a temporary Member of the Council of the Governor General of India in the vacancy caused by the resignation of the Honourable Sir Thomas Holland, will the Government kindly state whether seniority in service or other reasons have determined the choice of the authorities in making the temporary arrangement ?

The Honourable Sir William Vincent : The gentleman named in the question was appointed to the post because in the opinion of the Governor General in Council his appointment was in the public interest.

RATIONS FOR INDIAN SOLDIERS.

3. **Sardar Gulab Singh:** (1) Is the Government aware:

- (a) That the issue of *gur* for making tea to Indian soldiers of some non-silladar regiments is objected to except as emergency rations?
- (b) That the Indian soldiers are dissatisfied with the supply of impure ghee at present?

(2) Has Government considered the question of having regimental management for the supply of ghee in such regiments as desire it?

(3) Is it a fact that in boards for matters about rations the Indian officers are not sufficiently represented?

Sir Godfrey Fell: (1) (a) *Gur* is issued as a standard ration for Indian troops except:

- (1) During some of the hot and moist months of the year when sugar is issued as a substitute, and
- (2) When sugar is cheaper than *gur*.

Experience has shown that *gur* is readily acceptable.

(b) Government are not aware that the Indian soldiers are dissatisfied with the ghee supplied. The greatest care is taken to obtain ghee of pure quality and the strictest tests are applied before it is passed as fit for issue to Indian troops. The price of the ghee supplied to the Indian troops has averaged about Rs. 112 per 100 lbs. for the past 12 months.

Complaints are rarely made, and if made are invariably attended to.

(2) Yes. It is undesirable, however, from the point of view of the Indian soldiers' health and physique, that regimental arrangements should be made for the purchase of ghee.

When, as a temporary measure, a money allowance was allowed in lieu of ghee it was found that the ghee purchased by the troops in the Bazaars was impure, often adulterated as much as 40 per cent., and possessing in many cases little or no food value. This entailed loss to Government who were getting a relatively small return for the money.

With a ghee supply supervised as at present the State receives full value for the money spent and the individual soldier a pure and wholesome article of food. Careful control and scientific tests cannot in practice be effectually enforced under any system whereby units purchase their own ghee.

(3) Boards presided over by a medical officer and on which Indian officers are represented are provided for in Army Regulations.

- (i) These boards are assembled under the orders of the Officer Commanding Station, and in practice one Indian officer of each of the classes of men by whom the rations will be consumed is included on the boards.
- (ii) The Officer Commanding any unit (advised by Indian officers in all cases where necessary) is required to reject any apparently unsatisfactory supplies tendered to his unit.
- (iii) Indian officers are detailed to accompany Inspectors in the supply service and advise them when inspecting depôt stocks.

These safeguards are simple and are found to be effective in practice. They are identical in the case of British, Indian and mixed units.

EDUCATIONAL STANDARD FIXED BY THE STAFF SELECTION BOARD FOR WAR-SERVICE CANDIDATES.

4. **Rai Bahadur Bakshi Sohan Lal**: (a) Is it a fact that the condition of minimum educational qualifications fixed by the Staff Selection Board for outside candidates to appear at their examination for 1st Division of the Secretariat and attached offices was relaxed in the case of certain candidates with war services?

(b) If so, was there any public announcement made to this effect to enable all concerned to avail themselves of the privilege?

(c) If the reply to (b) is in the negative, do the Government propose to consider the advisability of extending this concession to other deserving Undergraduates with war services who passed for the 2nd Division but could not apply for the 1st Division for want of information on the point?

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

(b) and (c). In view of the answer to (a) these questions do not arise.

PROPORTION OF CERTAIN RAILWAY APPOINTMENTS HELD BY SIKHS.

5. **Bhai Man Singh**: (a) Will the Government be pleased to lay on the table a statement showing the posts of Assistant Traffic Superintendents, Traffic Inspectors, Claims Inspectors on Railways held by Sikhs as compared with Hindus, Muhammadans and Christians?

(b) Do the Government propose to consider the question of appointing Sikhs (new candidates or those already in service) to these posts?

Colonel W. D. Waghorn: (a) A statement giving the information asked for is placed on the table.

(b) It is not possible to make communal distinctions in appointing Indians to the Railway establishments. The most suitable candidates are selected both on first appointment and for promotion subsequently.

Statement showing the posts of Assistant Traffic Superintendents, Traffic Inspectors, and Claims Inspectors held by Sikhs as compared with Hindus, Muhammadans and Christians on the North-Western Railway.

Class.	Assistant Traffic Superintendents.	Traffic Inspectors.	Claims Inspectors.
Sikhs	1	...	1
Hindus	4	5	7
Muhammadans	8	...	4
Christians	27	44	...
Total	40	49	12

ELECTRIC INSTALLATION IN CANTONMENTS.

6. **Bhai Man Singh** : (a) Is it a fact that a large electrical installation has been started at Peshawar and smaller ones at Nowshera, Jamrud, Risalpur and Attock, and that a similar installation at Ambala is under construction ?

(b) In what other cantonments have electric installations been provided or started within the past two years ?

(c) In what other cantonments are new installations under contemplation ?

(d) How much money has been spent on these installations and how much more is estimated to be spent ?

(e) How much of this money will be spent in this year ?

(f) Having regard to the assurance given by the Government to keep the military expenditure as low as possible, do the Government propose to order that the expenditure on electric installations and similar luxuries be stopped or deferred till financial conditions improve ?

Sir Godfrey Fell : (a) Yes.

(b) Small temporary installations have been provided at the Quetta Station hospital ; Rawalpindi hospital and some of the barracks ; Agra hospital ; Fyzabad hospital ; Kohat ; Bannu ; Dera Ismail Khan ; and the Aden hospital and certain other buildings.

(c) A list is laid on the table.

(d) The approximate Capital cost of these electrical installations up to date has been Rs. 55,00,000.

It is estimated that approximately 1½ crores will be required to complete the present electrical programme.

(e) If the scheme progresses as rapidly as is anticipated, the sum expended will be approximately Rs. 8,25,000.

(f) The policy of introducing electrical installations into hospitals, barracks and other regimental buildings was accepted so long ago as 1903, when the Secretary of State for India approved of annual expenditure on the provision of joint electrical systems for lighting and punkah-pulling in large stations. Since that date the policy has been to introduce these amenities into the various cantonments, as far as funds have permitted.

The Army in India Committee, in paragraph 47 of Part V of their Report, emphasised the necessity for better lighting and cooling arrangements in British barracks and, in paragraph 83 of the same part of the Report, advocated the provision of free lighting, on an adequate scale, throughout Indian troops lines. The Government of India are of opinion that it is essential to improve both barracks and lines in this respect, so as to maintain the health and, consequently, the efficiency of the troops, whose health and spirits cannot but be adversely affected by occupying barracks which are ill-lighted and badly ventilated. The importance of having a good electric lighting system in hospitals, both with

reference to the comfort of the patients and in connection with operations, etc., cannot be over-estimated.

List of the Cantonments in which it is proposed to install Electricity.

Allahabad; Cawnpore; Lucknow; Sialkot; Rawalpindi; Jullundur; Multan; Agra; Jubbulpore; Quetta (lighting only); Bangalore (lighting only); Hyderabad (Sind); Nasirabad; Kamptee; Benares; Ahmednagar; Dinapore; Secunderabad; Muttra; Campbellpore; Fyzabad; Rurki; Mhow; Rangoon; Karachi and Poona.

ELECTRIC LIGHTS AND FANS FOR INDIAN TROOPS IN AMBALA CANTONMENT.

7. **Bhai Man Singh:** (a) Is it a fact that the benefits of the electric lights and fans to be put up at Ambala Cantonment are intended to be confined to the British section of His Majesty's troops and that it is not proposed to extend the same to the quarters and residences of the Indian section of these troops?

(b) Is it further a fact that poles for carrying cables have already been put up in the Staff Road and Mall Road, etc., and has the putting up of poles on other roads of Ambala Cantonment been stopped, and if so, does this mean that the roads occupied by British officers only are to be lighted and they alone will receive private connections?

(c) Has the same scheme of putting up the poles in the British quarters only been adopted in all other cantonments where these installations are started?

(d) Is it not a fact that Indian troops and Indian officers at Ambala have invariably to remain there all the year round and have thus to stand the rigour of the hot weather, whereas the British troops are often sent up to the hills to avoid the heat of the plains?

Sir Godfrey Fell: (a) The proposals are as stated, except that it is intended to supply the Indian troops hospital with electricity.

(b) The Government have no precise information as to the progress that has been made with the erection of poles in the Ambala Cantonment. All work, however, has been stopped pending the revision of the present scheme for the electrification of the Cantonment.

(c) In the electrification of cantonments the usual practice is to provide electricity in British and Indian hospitals, in British troop lines and in streets. It is not proposed to extend the policy of electrification to Indian troops lines until funds permit.

(d) It is not the fact that Indian officers and other ranks have invariably to remain at Ambala all the year round. The rules permit of Indian officers and other ranks being granted leave liberally during the hot weather months. As regards British troops, a certain number from each unit especially the younger men are, as a rule, sent to the hills for the hot weather months, or a part thereof. The choice of the individuals to be sent is governed by medical considerations.

ELECTRIC INSTALLATION IN THE AMBALA CANTONMENT.

8. **Bhai Man Singh:** (a) Is the Government aware that there is a great complaint at Ambala Cantonment that pressure is being brought on the

proprietors of the bungalows situated in military lines where electricity is to be supplied to have electric house connections therein?

(b) If so, do the Government propose to issue orders to the effect that the house proprietors are at liberty to have electric house connections or not, and to give broadcast publicity to such orders?

Sir Godfrey Fell: (a) The Government of India have no information on the subject. As, however, it is clearly desirable that when electric power is available in a cantonment, privately owned bungalows should also share in the benefits of the scheme, the owners of such bungalows are invited and encouraged to instal electric fittings. When this is done, it is the invariable rule to increase the rent of the bungalow.

(b) The Government do not consider it necessary to issue any orders of the kind suggested.

LAW RELATING TO THE MANUFACTURE OF COTTON THREADS IN BOMBAY.

9. **Bhai Man Singh:** (a) Is it a fact that there is a law in the Bombay Presidency prohibiting the manufacture of cotton threads of a finer thinness than that of a fixed standard?

(b) Is there such a law in England?

(c) If so, are the standards of thinness prescribed by both the laws the same?

(d) If there is a difference, what is the reason for it?

(e) Will the Government be pleased to lay on the table a copy of the Act relating to this matter with all amendments?

Mr. A. C. Chatterjee: (a) No such law is in existence in India.

(b) The Government of India are unaware of the existence of any such law in England.

2. The remainder of the question does not arise.

SPECIAL OFFICER WITH THE RAILWAY BOARD.

10. **Bhai Man Singh:** Will the Government be pleased to state:

(a) Has there been a special officer with the Railway Board during the last three years? If so, on what special duties has he been employed?

(b) In what way has he improved the system of the railway working and its offices and what savings in the staff (European and Indian) and costs have been effected through him?

(c) What has been the total cost of the said officer and his establishment during the last three years?

(d) Will the Government be pleased to lay on the table a copy of the suggestions and improvements made by him together with the final orders thereon by the Government?

Colonel W. D. Waghorn: (a), (b) and (c). The Honourable Member is referred to the answer* given by me on the 19th September, 1921, to Khan Sahib Mirza Muthamad Ikramulla Khan on the same subject.

* Vide Legislative Assembly Debates, Volume II, pages 463-464.

(d) The Government do not think it necessary to lay on the table a copy of all the suggestions and improvements made by Mr. Heseltine.

RATES OF FODDER AND FOOD GRAINS IN OTHER COUNTRIES.

11. **Bhai Man Singh** : (a) Have the Government of India any information about the rates of fodder and food grains prevalent in other countries which grow wheat and other food grains ?

(b) If not, will the Government be pleased to make inquiries in the matter ?

(c) Do the Government propose to consider the advisability of importing food grains from other countries if that could be cheaper taking into consideration the very high prices now prevalent in various parts of India and specially in the Punjab ?

Mr. J. Hullah : (a) and (b). The Government are regularly supplied with information regarding wheat prices. They have also a certain amount of information regarding prices of rice and no further inquiries are contemplated.

(c) As the Honourable Member must be aware, the importation of a large quantity of foreign wheat into India has already taken place. It does not appear that any other food grains largely consumed in India could be imported at prices lower than those prevailing in this country.

MAHARATTA NATIVE COMMISSIONED OFFICERS IN THE MILITARY DEPARTMENT.

12. **Mr. K. G. Bagde** : (a) Will the Government be pleased to state :

(i) The number of the Maharatta Native Commissioned Officers—Jamadars, Subadars, Risaldars and Risaidars—serving in the Military Department as combatants ;

(ii) The number of such officers who have been recommended by the Soldiers' Board for grant of land for their meritorious services in the past war ;

(iii) The number of such officers, if any, who have been refused such grants only because they happen to be residents of some Native States ; and if so, why ?

(b) Will the Government be pleased to state :

(i) The number of Native Maharatta Commissioned Officers who have been given King's Commission—honorary Captainship excluded—eligible for higher rank and pension in the Indian Army ; and

(ii) The number of the Maharatta candidates selected direct for such commissioned posts ?

Sir Godfrey Fell : (a) (i) The number of Maharatta Indian commissioned officers serving in the Indian Army on the 1st January, 1921, was 207.

(ii) The number of Maharatta Indian officers who have been recommended by the Indian Soldiers' Board for grants of land on account of distinguished service rendered during the Great War is 93.

(iii) The Government know of no instance in which a Maharatta Indian officer recommended for a grant of land under the special War Reward scheme has been refused such a grant for the reason that he is a resident of a Native State. The latter part of this question does not, therefore, now arise.

(b) (i) Five Maharatta Indian officers have been granted Honorary King's Commissions of the kind described.

(ii) One Maharatta candidate has been granted a permanent King's Commission.

ERECTION OF BUNGALOWS AND A HOTEL IN POONA.

13. **Mr. K. G. Bagde** : Will Government be pleased to state :

(a) Whether they have received offers to build bungalows on the Hill opposite to the Rifle Range, Poona, and a hotel on the vacant plot of ground in front of the Polo Ground, Poona ;

(b) Whether they will place them on the table ; and

(c) Whether before accepting these offers they intend to invite offers from the public ?

Sir Godfrey Fell : (a) Yes.

(b) The Government are not prepared to lay the papers on the table.

(c) The matter is under consideration.

ADDITIONAL EXPENDITURE DUE TO THE ENHANCEMENT OF PAY AND PENSIONS OF GOVERNMENT SERVANTS.

14. **Lieut.-Col. H. A. J. Gidney** : (a) What addition to the annual expenditure of Government has been made :

(i) by increasing the pay and allowances of its present servants in all Departments ;

(ii) by increasing the pensions of certain officials, or classes of officials, who retired after 23rd July, 1913 ?

(b) What reason is there for the recent raising of the pensions of Chaplains, and that, too, with arrears from the 1st April, 1919 ?

(c) Are those who have retired from service and are in receipt of pensions still to be regarded as Government servants, subject to the rules of Government regulating the conduct of public servants ?

(d) Do the Government of India propose to define the position and responsibilities of retired servants of Government and issue such rules as will secure for them suitable positions ?

The Honourable Sir Malcolm Hailey : (a) (i) The additional expenditure involved in the revision of the pay of the superior civil services in India, whether paid from Central or Provincial revenues, is approximately Rs. 1½ crores per annum. I am unable to furnish information as to the additional cost of revision of pay of all subordinate appointments throughout India.

(ii) From calculations made early last year, the results of which were placed on the table of the House in September last, the additional cost,

charged to Central revenues on account of increase in pensions paid in India and England to the officers referred to by the Honourable Member, was approximately Rs. 19,100 and £13,200, respectively.

(*t*) The increase in the pensions of Chaplains on the Indian Ecclesiastical Establishment was sanctioned by the Secretary of State after considering the revised scale of pensions for uncovenanted services in India and with special reference to the revised scale of pensions payable to the Chaplains of the Royal Army Chaplains Department in England.

(*c*) The Government Servants' Conduct Rules do not apply to pensioners, but under Article 351, Civil Service Regulations, the right is reserved of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

(*d*) The Government of India see no reason for taking the action suggested. The proposal is in any case one which is primarily for the consideration of Local Governments.

PETITION FROM MR. G. N. NAIDU FOR COMPASSIONATE ALLOWANCE.

15. **Rao Bahadur T. Rangachariar:** (*a*) Is it a fact that the petition of appeal against the order of the Government of Madras (G. O. No. 4-Mis., dated 4th February, 1921, Finance, Persian Department) refusing to grant a compassionate allowance, submitted by Mr. G. Narayanaswamy Naidu, late Receiver, Nidadawole and Medur Estates, Kistna District, Madras Presidency, for transmission to the Government of India, was withheld by the Government of Madras, under rule XI (3) of the rules for the submission of memorials to the Government of India?

(*b*) Is it a fact that thereupon, the said Mr. Narayanaswamy Naidu brought to the notice of the Local Government that rule XI (9) and not XI (3) applied to his memorial and that his memorial came under the exception contemplated by rule XI (9), and yet the Local Government refused to send on the memorial?

(*c*) Will Government be pleased to call for the memorial and deal with it?

(*d*) Is it a fact that Mr. G. Narayanaswamy Naidu was on foreign service drawing a salary of Rs. 650 a month and that he was subject to the rules regulating the pensions of the servants of the Government of India?

Mr. J. Hullah: (*a*) and (*b*). The answer is in the affirmative.

(*c*) The Government of Madras were asked in October last to forward the memorial to the Government of India and it is now under consideration.

(*d*) The answer to the first part of the question is in the affirmative. With regard to the latter half, Mr. Naidu was subject to the ordinary rules regarding pensions laid down in the Civil Service Regulations.

STAFF SELECTION BOARD EXAMINATIONS AND STANDARD OF QUALIFICATIONS FOR EUROPEAN, ANGLO-INDIAN AND INDIAN CANDIDATES.

16. **Dr. Nand Lal:** (*a*) Is it a fact that according to the rules of the Staff Selection Board, European and Anglo-Indian candidates having

passed the Senior Cambridge Examination are eligible for the 1st Division of the Secretariat Offices without possessing a University degree which is necessary for Indian candidates?

(b) If so, do the Government propose to consider the advisability of extending this concession to Indian candidates as well to remove the racial distinction?

(c) Is it a fact that the total number of marks and position of the passed candidates of the Staff Selection Board has not been made known to them (candidates)?

(d) If so, do the Government propose to remove this complaint at an early date to enable the candidates concerned to see that due justice is done to their claims according to the relative position secured by them in the examination?

(e) Is it a fact that travelling expenses were sanctioned for the journey performed by candidates called by the Staff Selection Board for interview at various centres?

(f) If so, will the Government be pleased to say whether all such candidates were paid this travelling allowance, and if not, why not?

(g) What steps were taken by the Staff Selection Board to make this concession known to the candidates concerned to enable them to claim the travelling allowance due to them?

The Honourable Sir William Vincent: (a) Yes.

(b) The educational qualifications required for Upper Division appointments were fixed provisionally for the purposes of the first examination, and the suggestion of the Honourable Member will be considered by the Staff Selection Board. The distinction was not made on any racial grounds but with a view to secure men with the highest qualifications obtainable for the pay offered from both communities.

(c) The Staff Selection Board's examination was a qualifying and not a competitive examination. Candidates were informed whether they had qualified or failed. They were not arranged in order of merit.

(d) In view of the answer to (c), this question does not arise.

(e) Travelling expenses were only sanctioned by Government in the case of candidates summoned for interview from other provinces.

(f) The total number of candidates paid travelling allowance was seven, representing candidates for interview from Bihar and Orissa, Central Provinces and Assam, which provinces were not visited by the Board.

(g) Any candidate summoned from another province (except those from the neighbourhood of Delhi) was informed by the Board at its interview that he was entitled to travelling allowance. And in most cases the Secretary then and there helped the candidates to fill up the claims.

BOY SCOUT MOVEMENT.

17. **Bhai Man Singh:** With reference to the question asked by Mr. Kamini Kumar Chanda on 30th January, 1920, regarding the Boy Scout Movement, will the Government be pleased to state whether the Circular referred to in the reply given by the Honourable Khan Bahadur Mian

Mohammad Shafi, was sent to the Local Administration of the North-West Frontier Province? If not, why not?

Mr. H. Sharp: The reply is in the affirmative.

RECRUITMENT OF HEADMASTERS IN THE NORTH-WEST FRONTIER PROVINCE.

18. **Bhai Man Singh:** (a) Is it a fact that the Government contemplated recruiting Headmasters of Kohat and Dera Ismail Khan Government High Schools from military men through Formation Commanders, and that the selection was to be made by the Commander, Waziristan Force, to whom the applications were to be forwarded by the 30th June last?

(b) Were any applications received and the appointments made?

(c) Will the Government be pleased to state the reasons why the selection was not to be made by the Director of Public Instruction, North-West Frontier Province, and why it was thought necessary to be made through the Headquarters, Waziristan Force?

(d) Will the Government be pleased to state when were the grant-in-aid rules first promulgated in the North-West Frontier Province by the Director of Public Instruction?

(e) Have they undergone revision since then, if not, why not?

(f) Did the Director of Public Instruction, North-West Frontier Province, surrender any of his budgetted amount to the Local Administration during the years 1918-19, 1919-20 and 1920-21? If so, how much each year?

(g) What is the amount of grant-in-aid for a primary teacher in the aided schools in the North-West Frontier Province?

(h) Do the Government propose to consider the question of revising the grant-in-aid rules at an early date in view of high prices?

Mr. H. Sharp: (a) The reply is in the negative.

(b) Two applications were received from some military officers about to be demobilised, but they were not eventually submitted to the Government of India as the Secretary of State had in the meantime secured the requisite officers in the United Kingdom.

(c) The Director of Public Instruction, North-West Frontier Province, has no power to make final selections for permanent appointments in the Indian Educational Service. Nor can they be made by any other authority except the Secretary of State.

(d) The grant-in-aid rules in force in the North-West Frontier Province were published in 1913.

(e) The rules in question have not since then been revised for the reason that up to very recently no revision was considered necessary or practical.

(f) The reply is in the negative in so far as the years 1918-19 and 1919-20 are concerned. In the year 1920-21, however, a sum of Rs. 66,000 was surrendered chiefly from the building grants and was devoted to the general revision of the pay of teachers.

(g) Rupees 12 and Rs. 8 per month, respectively, for every trained and untrained teacher in aided primary schools.

(4) Grants for secondary schools, both for maintenance and equipment, are already very liberal, but those admissible in the case of primary schools require some enhancement. The question of amending the grant-in-aid rules relating to the latter is accordingly engaging the local Administration's attention.

INDIANS ON THE STAFF OF THE GOVERNMENT OF INDIA SECRETARIAT.

19. **Lala Girdharilal Agarwala:** (a) Is it a fact that out of 647 Indians employed in the Government of India Secretariat, 499 belong to the Punjab and Bengal while only 147 belong to the rest of India?

(b) Do the Government propose to fill future vacancies by appointment of suitable candidates from those Provinces which are not adequately represented having regard to their extent, population and importance, and to send this suggestion to the Staff Selection Board for necessary action?

(c) How many persons belonging to the United Provinces have been recruited to the Secretariat within the last 3 years and given permanent posts?

The Honourable Sir William Vincent: (a) Yes.

(b) The Honourable Member is referred to the answer given on the 10th September, 1921, to Mr. J. Ramayya Pantulu's question (No. 72) on the subject.

- (c) 12 permanent.
 2 provisionally permanent.
 1 on probation.
 25 temporary or officiating.

UNIVERSITIES IN THE UNITED PROVINCES, PUNJAB AND BENGAL.

20. **Lala Girdharilal Agarwala:** How many Universities are there in the United Provinces and how many in the Punjab and Bengal?

Mr. H. Sharp: There are four Universities in the United Provinces, one in the Punjab and two in Bengal.

KASGANJ-AGRA RAILWAY PROJECT.

21. **Lala Girdharilal Agarwala:** (a) Will Government be pleased to lay upon the table all papers connected with the Kasganj-Agra Railway project?

(b) What is the total length of the projected Kasganj-Agra Railway and at what intermediate places between Kasganj and Agra are stations proposed to be constructed?

(c) What is the estimated cost of the Kasganj-Agra Railway project and what is the estimated annual income?

(d) Are the Government prepared to construct the Kasganj-Agra Railway? If so, when?

(e) In case the Government are unable to undertake the construction of Kasganj-Agra Railway at their own cost, are the Government prepared to permit somebody else to do it?

(f) When was the Kasganj-Agra Railway project started and what progress has been made in regard to it ?

Colonel W. D. Waghorn: (a) The papers connected with the project referred to are very voluminous, and the Government of India do not propose to lay them on the table.

(b), (c), (d), (e) and (f). The project was put forward in 1913 as an extension of the Rohilkund and Kumaon Railway and the line was surveyed in 1914-15. The project report and estimate, prepared as a result of the survey, showed that the line would be 74.70 miles in length and provided for stations at the following intermediate places between Kasganj and Agra :

Nandou.
Anwalkhera.
Bhains.
Khalilganj (Jalesar).
Pondri.
Awagarh.
Bausa.
Etah.
Murthara.
Amanpur.
Babupur.

The line was estimated to cost Rs. 46,61,555 and to yield an annual return thereon of only 4.26 per cent. Under present conditions the cost would be very much in excess of this figure.

The Kasganj-Agra Railway was projected as a metre gauge line, and its construction would be contrary to the Government's policy of restricting the extension of metre gauge railways to certain areas.

DISMISSAL OF HEAD CONSTABLE BISHAMBHAR DAYAL.

22. **Mr. B. H. Jatkar:** Will the Government of India be pleased to state :

- (a) Whether one Bishambhar Dayal, Head Constable of Delhi Police, who had served for over 16 years, was dismissed from service by the Senior Superintendent of Police, Delhi, on suspicion that he was implicated in a criminal offence, and his appeal to the Chief Commissioner was disallowed ?
- (b) Whether the man was put on regular trial in a Criminal Court and was acquitted ?
- (c) Whether according to the Police rules and general rules about conduct of Government servants, the Head Constable could not be dealt with departmentally and dismissed even after he was acquitted in a Court of Justice ?
- (d) Whether the Government propose to take into consideration his long service and reconsider his case ?

The Honourable Sir William Vincent: Bishambhar Dayal served in the Delhi Police from June 1906 to November 1917,

The order of the Senior Superintendent of Police, Delhi, dated 17th November, 1917, dismissing Bishambhar Dayal from the Force ran as follows :

'H. C. Bishambhar Dayal has been tried and acquitted of the offence of rape. The Magistrate, however, though judicially not satisfied as to the man's guilt, is morally certain that he is guilty. The whole nature of the case as revealed by the evidence is revolting and for a man to have taken advantage of his official position as this man has is a stigma on the Delhi Police. For such as Bishambhar Dayal there can be no extenuating circumstances and no mercy shown. He has violated the trust placed in him and shown that he is not fit to be a police officer.

I order that he be dismissed from the force with effect from 10th November, 1917.'

The man's appeal to the Chief Commissioner was rejected on 3rd February, 1918, and the dismissal confirmed after a careful examination of all the facts of the case.

In the circumstances the Government of India reconsider the order of dismissal a proper order, and do not propose to reconsider the case.

PASTEUR INSTITUTES IN INDIA.

23. **Mr. B. H. Jatkari:** (a) How many Pasteur Institutes are maintained in India at Government cost and at what places ?

(b) What is the amount of expenses incurred every year over each of these institutes ?

(c) Are the Government prepared to give those who claim to have devised remedies for rabies proper facilities to go to any such Institution and prove the efficacy of their medicine ?

Mr. H. Sharp: (a) There are no Pasteur Institutes maintained entirely at Government expense. There are, however, four Pasteur Institutes in India which are maintained partly at Government expense and partly by contributions from local bodies, Municipalities, Indian States and private individuals. These Institutes are at Kasauli, Rangoon, Shillong and Coonoor.

(b) The expenditure incurred during the year 1920-21 by Government on these Institutes, as obtained from the latest annual reports, is as follows. (Except as regards Kasauli, the matter does not directly concern the Government of India.):

	Rs.
Kasauli	31,000
Rangoon	20,000
Shillong	57,519
Coonoor	12,000

In addition, the pay of the Directors of these laboratories is met in the case of Coonoor, Shillong and Rangoon by Local Governments and in the case of Kasauli from the Central revenues.

(c) The Government of India are prepared, in the case of the Kasauli Pasteur Institute with which alone they are directly concerned, to give to those who claim to have devised cures for rabies, facilities to prove their efficacy under the following conditions :

(1) They must produce reliable evidence of actual cure of definite cases of rabies.

- (2) They must cure in the presence of the Director of a Pasteur Institute definite cases of rabies in animals, the person claiming to possess the remedy paying the necessary cost of the trial.
- (3) If the remedy should pass these tests then, before Government can allow it to be tried on human beings, the claimant must declare the composition of his remedy, which, if found to be as stated, will be tried on human beings who agree to try it, and the results will then be published.

WATER TAPS IN GOVERNMENT QUARTERS AT SIMLA.

24. **Rai G. C. Nag Bahadur:** (1) Will the Government be pleased to state how many water taps have been provided in each unit of the houses for :

(i) Europeans at the Bemloe and the Park estates in Simla, and at Summer Hill.

(ii) Indian Clerks at Phagli ?

(2) Is it a fact :

(a) That the number of water taps in the existing houses at Bemloe, the Park and Summer Hill has been reduced, while it has been decided to reduce the number of taps in the case of existing quarters for Indian clerks at Phagli.

(b) That it has been decided not to provide any water taps in those Indian Clerks' Quarters which have been constructed recently ?

(3) If the reply to 2(a) and (b) is in the affirmative, will the Government be pleased to state the reason for reducing the number of water taps in the existing quarters and for not providing taps in quarters recently constructed ?

(4) Will the Government be pleased to state for what reasons it has been decided to reduce the number of water taps in the Indian Clerks' Quarters only and not in the case of houses at Bemloe, the Park and Summer Hill ?

Colonel Sir S. D'A. Crookshank: (1) Number of taps provided per units :

(a) (i) *Park estate*—5 taps.

Bemloe estate—Class A—4 taps.

Class B—4 taps.

Class C—3 taps.

Class D—3 taps.

Summer Hill—4-roomed married quarters } 2 taps in each.
3-roomed married quarters }

(ii) *Phagli*—2 taps in each quarter, except in those constructed this year where there are none.

(2) (a) Yes.

(b) Yes.

(3) Shortage of municipal water-supply.

(4) (a) One tap was temporarily removed from each of the old quarters at Phagli for the following reasons :

- (i) Shortage of water in Simla.
- (ii) Water consumption in the Phagli clerks' quarters was greatly in excess of the free allowance and it was hoped that the removal of one tap would reduce waste of water.
- (iii) Water was required for the water closets of the new quarters under construction at Phagli, and this was granted by the Municipal Committee on the condition that one tap was removed from existing quarters.

These taps will be replaced when the water-supply improves.

(b) No reduction in the number of taps provided was made in the European Clerks' quarters at Summer Hill as it was decided not to put in water closets or taps in the new quarters under construction, but to provide instead outside stand posts and commodes. The European clerks and the Members of the Council of State and Legislative Assembly quartered out at Summer Hill are therefore much worse off than the Indian clerks at Phagli.

No taps were removed in the houses on the Bemloe and Park estates as building operations were completed on these estates, and as the quantity of water consumed was very little in excess of the free allowance. Had building operations been in progress, some reduction in the number of taps would have had to be made. In any case, no true comparison can be drawn between the clerks' quarters at Phagli and the Officers' houses at the Bemloe and Park estates as they are separately classed and differently rented.

FURTHER RELIEF TO SECRETARIAT STAFF ON THE LINES OF ARMY HEADQUARTERS REORGANISATION.

25. **Rai G. C. Nag Bahadur :** (a) Is it a fact that in reorganisation of Army Headquarters offices a fixed sliding scale of immediate increase was granted to all members and they were then allotted their respective positions in the time scale. If this is so, will Government be pleased to state whether they intend to grant similar relief to all members of the Civil Secretariat?

(b) Are Government aware that there is discontent among a large number of the staff on account of the high cost of living and of their getting little or no relief in the reorganisation? If so, do Government propose to devise any scheme other than counting the past service which would do away with the many anomalies at present created; and would ensure the extension to all of a uniform rate of increase?

The Honourable Sir William Vincent : (a) All members who were serving in the Army Headquarters offices on the 1st of April, 1920, were given an increase of 20 per cent. on their old rates of substantive or sub. *pro tem.* pay on that date, and their initial pay on the new time-scale of pay was regulated accordingly, subject to certain provisos. There is no intention at present of giving further improved terms to members of the Civil Secretariat.

(b) Government have received memorials expressing discontent with the revision of pay in the Secretariat. It is not intended to revise the system

on which those serving in the Secretariat were brought on to the time-scale, as the improvements recently effected are considered adequate.

HAILEY COMMITTEE'S REPORT ON THE IMPERIAL SECRETARIAT SERVICE.

26. **Rai G. C. Nag Bahadur** : (a) Will Government be pleased to lay on the table a copy of the Hailey Committee Report containing the recommendations for increase of salary of the Imperial Secretariat Service?

(b) Is it a fact that as the result of the introduction of the time-scale, in certain cases, men who had on account of their approved merit earned higher rates of pay, are now made to draw lower rates of pay than their juniors, and that consequently merit, which has always been considered as the chief criterion for advancement, has been ignored?

(c) If so :

(i) What steps are the Government taking to help such men to retain their seniority in position and particularly in pay?

(ii) Do Government propose to consider the "next below" rule?

The Honourable Sir William Vincent : (a) I will give the Honourable Member a copy of the Report.

(b) and (c). The purport of the question is not clear, but so far as can be judged, no cases of the kind have occurred. An automatic time-scale is bound in certain cases to give more preference to seniority over merit but this tendency is corrected, so far as possible, by the system of an efficiency bar.

DISTRESS IN BURMA OWING TO RISE IN THE PRICE OF RICE.

27. **Mr. P. P. Ginwala** : (a) Is the Government aware that there is much distress, especially among the poorer classes, in Burma owing to the sudden and excessive rise in the price of rice?

(b) Will the Government be pleased to state whether it proposes to take any, and if so what, action to alleviate such distress?

Mr. J. Hullah : (a) and (b). Since notice of this question was received there has been a very substantial fall in the price of rice and paddy in Burma, and in view of this fact and of the favourable character of the rice crop in Burma the Government of India decided to remove all restrictions on the export of rice from Burma, with effect from the 13th December, 1921, as announced in their press communiqué of the same date.

MEMORIALS FROM THE POSTAL CLERICAL STAFF FOR A UNIFORM RATE OF TIME-SCALE OF PAY.

28. **Mr. Muhammad Faiyaz Khan** : (a) Is it a fact that since the announcement of the time-scale of pay, Government have been receiving further memorials from the Postal Clerical Staff throughout India praying for a uniform rate of time-scale of pay, viz., Rs. 60—200 in 18 years?

(b) Is it a fact that that was the time-scale of pay suggested by most of the European and Indian witnesses who appeared before the Postal Inquiry Committee?

(c) Does the Government propose to consider the memorials with reference to the scale so suggested?

(d) Is it a fact that there are different scales of pay and promotion for men and women postal clerks doing the same duties? If so, will the Government be pleased to state the reasons for the distinction?

Colonel Sir S. D'A. Crookshank: (a) Yes. Some telegrams on the subject have been received from the staff.

(b) A reference is invited to paragraph 4, Chapter II of the Postal Committee's Report.

(c) For the reasons given in paragraph 8, Chapter II of the Postal Committee's Report, Government do not propose to consider the prayer made in the telegrams.

(d) There is a difference in the time-scales of pay, in that the minimum for women is higher and the maximum is reached within a shorter period; but there is no difference in status or as regards promotion. The difference in pay is not confined to the Post Office, but exists in all Departments of the Government of India. The Honourable Member's attention is invited to the Report of Mr. Sharp's Committee issued with Home Department Resolution No. 165-C. of the 29th November, 1916, in which the reasons for offering a higher pay to women are fully explained.

DIFFERENT RATES OF PAY FOR POSTAL CLERKS AND TELEGRAPHISTS.

29. **Mr. Muhammad Faiyaz Khan:** (a) Is it a fact that the postal clerks and signallers and departmental telegraphists working in one and the same Department, controlled by one D. G., having equal educational qualifications are given different rates of pay?

(b) If so, will the Government be pleased to state the reasons why the postal clerks and signallers are started on a lower scale of pay?

Colonel Sir S. D'A. Crookshank: (a) No. The position is not correctly stated.

(b) The matter has been clearly explained in the replies given to part (b) of Rai Bahadur T. Mukherjee's unstarred question No. 5 on the 22nd September, 1921, and to Mr. B. H. Jatkar's unstarred question No. 41 on the 26th September last, to which the Honourable Member is requested to refer.

DISTRESS OF POSTAL CLERKS OF SIMLA OWING TO INCREASE IN PRICES OF FOODSTUFFS.

30. **Mr. Muhammad Faiyaz Khan:** (a) Is it a fact that the Postal clerks of Simla have been petitioning for an immediate increment in their local allowance from Rs. 25 to 40 per mensem on account of very high cost of living in Simla, and the sudden abnormal increase in prices of foodstuffs?

(b) If so, what steps do the Government contemplate to remove the distress immediately?

Colonel Sir S. D'A. Crookshank: (a) and (b). Government have received a telegram to this effect. In addition to the sanctioned local allowance, postal clerks in Simla have been granted grain compensation allowance at the rates and under the conditions sanctioned by the Local Government with effect from the 1st August, 1921, on account of the temporary rise in the prices of grain.

EXTRA ALLOWANCE FOR POSTAL CLERKS.

31. **Mr. Muhammad Faiyaz Khan :** (a) Is it a fact that the departmental telegraphists, in addition to the common local allowance, draw an extra allowance in the shape of house-rent to the extent of Rs. 35 per mensem?

(b) If so, what are the reasons for this concession not being extended to the postal clerks and signallers?

(c) Do not the Government contemplate to extend the concession to them?

Colonel Sir S. D'A. Crookshank : (a) There is no common local allowance for telegraphists. Local allowances are granted at a few frontier posts and remote stations. House-rent allowances are granted to telegraphists where free quarters are not provided, varying according to locality and length of service from Rs. 15 and Rs. 20 to Rs. 30 and Rs. 45 for single and married men, respectively.

(b) Paragraph 22 of the Report of the Telegraph Committee, 1920, states that the efficiency of the service requires that the staff should live in the vicinity of the telegraph office where quarters are procurable only with great difficulty and at prohibitive cost. This concession has not been extended to postal clerks and signallers, because the conditions of the service do not require that they should ordinarily live in the immediate vicinity of the post office.

(c) Government do not contemplate the extension of this concession to postal clerks, but the Director General is considering a scheme for providing quarters for them where necessary.

POSTS FOR PASSED CANDIDATES OF THE STAFF SELECTION BOARD.

32. **Babu Braja Sundar Das :** (a) Is it a fact that the Staff Selection Board has not been able to provide during this year permanent vacancies for more than 2 or 3 out of the hundreds of its passed candidates and not even temporary or officiating posts for more than half of them?

(b) If the answer to (a) be in the affirmative, will the Government be pleased to say when and how the passed candidates are likely to be provided with permanent posts after probation of one year as promised to them in the preliminary notification of the Board?

(c) Do the Government propose to see that no further examination or recruitment takes place—either direct or through the Board—until all the already passed men have been provided with permanent jobs either in the Imperial Secretariat or in other Government offices?

The Honourable Sir William Vincent : (a) No. Full information regarding the number of appointments made up to the 21st December, 1921, is contained in the statement which is laid on the table.

(b) The question does not arise.

(c) A further examination will be held when the number of passed men on the Board's books is inadequate to meet likely demands in the near future.

The rights of those candidates who have already passed the Board's examination will be fully safeguarded.

Number of candidates passed—220.

No. of passed candidates appointed in temporary posts.	No. of passed candidates nominated for temporary posts.	No. of passed candidates appointed in permanent posts.	No. of passed candidates nominated for permanent posts.	No. of passed candidates who have declined the offer of appointment or not replied to the offer of employment.	No. of passed candidates who are over-age and who have been notified.	No. of passed candidates resigned.	No. of passed candidates not appointed.	Total.
55	43	23	1	28	16	12	42	220

RECOGNITION OF WAR SERVICES BY THE STAFF SELECTION BOARD.

33. **Babu Braja Sundar Das :** (a) Is it a fact that there was a column for war services in the Application Form prescribed by the Staff Selection Board? If so, will the Government be pleased to say in what respect preferential treatment was given for military services rendered by the candidates concerned?

(b) Is the Government prepared to reconsider the cases of those men who did not apply for the 1st Division and could not thus be passed in the 1st Division although they had recognised military services and good clerical experience to their credit?

The Honourable Sir William Vincent : (a) Yes. Candidates who had approved war service to their credit were granted the concession authorised in paragraph 3 of the Government of India, Home Department, Resolution No. 1099, dated 8th August, 1919.

(b) Special consideration was paid by the Board to those who had rendered military service, and Government think it unnecessary to ask the Board to reconsider individual cases of the kind referred to, if such exist.

IMPROVEMENT IN STARTING PAY FOR THE SECOND DIVISION OF THE SECRETARIAT OFFICES.

34. **Babu Braja Sundar Das :** (a) Do the Government propose to lessen the difference in the rates of starting pay for the 1st and 2nd Divisions of the Secretariat offices (i.e., Rs. 200 and Rs. 100, respectively)?

(b) Do Government propose to consider the question of raising the minimum pay of the 2nd Division clerks from Rs. 100 to 150?

(c) If the reply to (b) be in the negative, will the Government consider the advisability of appointing a Committee to report on the matter after due consideration of the cost of living of a Secretariat clerk?

The Honourable Sir William Vincent : (a) Government consider the difference between the initial pay of the 1st and 2nd Divisions appropriate to the difference in the qualifications required of the entrants to the two divisions.

(b) and (c). Government see no necessity for changing the existing initial rates of pay in the two divisions.

(d) The existing rates of pay were fixed as a result of the recommendations of a Committee which inquired into all the circumstances, including the cost of living, and the appointment of a further Committee is thought unnecessary.

POSITION OF THE SECRETARY OF THE STAFF SELECTION BOARD.

35. **Rai D. C. Barua Bahadur:** (a) Will the Government be pleased to say whether the present Secretary of the Staff Selection Board is a whole-time officer?

(b) If the answer is in the negative, how much of his time is devoted daily by him for the Staff Selection Board's work?

(c) In case he does not devote any time outside the usual office hours, is he entitled to get any extra remuneration?

The Honourable Sir William Vincent: (a) No.

(b) Under the existing arrangement about one hour a day on the average, except when an examination is being held and during the periods immediately before and after the examination.

(c) The officer who performs the duties of Secretary does so in addition to his own work, and Government consider it only reasonable that he should be compensated for the additional work by extra remuneration.

EXEMPTION OF ANY ASSISTANT OR CLERK FROM STAFF SELECTION BOARD'S WRITTEN TEST.

36. **Rai D. C. Barua Bahadur:** (a) Will the Government be pleased to state whether any assistant or clerk, who has rendered temporary service under the Government of India for the past two or three years without any break and who has rendered field service for one or two years is to be exempted from the written test of the Staff Selection Board?

(b) Has the Board made any such exemption?

The Honourable Sir William Vincent: (a) and (b). The answer is in the negative.

DUTIES OF ASSISTANT DIRECTOR OF THE CENTRAL BUREAU OF INFORMATION.

37. **Rai D. C. Barua Bahadur:** (a) Will the Government be pleased to say what work is done by the Assistant Director of the Central Bureau of Information?

(b) Do the Government propose to consider the question of replacing the present Assistant Director by a competent office Superintendent drawing lesser rate of pay than that now drawn by the present incumbent?

The Honourable Sir William Vincent: As the title of his office implies, the Assistant Director, Central Bureau of Information, aids the Director in

the discharge of his duties, which are now far too heavy for one individual. So far from being merely responsible for office correspondence, as the question suggests, the Assistant Director is in general charge of the relations between the Central and Provincial publicity organisations. He assists in the production of the various publications of the Central Bureau, supervises the Press cutting work, English and Vernacular, and acts as Secretary of the Advisory Publicity Committee. He is in general charge of the work of communicating information to the public departments, as well as to Members of both Houses of the Legislature who may consult the Central Bureau of Information. Government do not think that this work could be discharged by a Superintendent on a lower rate of pay than that enjoyed by the present incumbent of this office.

CLERICAL STAFF IN THE BUREAU OF INFORMATION OFFICE.

88. **Rai D. C. Barua Bahadur:** (a) Will the Government be pleased to say whether the clerical staff employed in the Bureau of Information Office have passed the Staff Selection Board's examination?

(b) If not, why have they not been replaced by passed men of the Board and why has that particular office been exempted from the examinations of the Staff Selection Board?

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

(b) The Superintendent of the office being a retired official, the question of his passing the examination of the Staff Selection Board does not arise. The stenographer has passed the Board's examination for the 1st Division. The general assistant was appointed prior to the constitution of the Staff Selection Board and has been employed ever since in the office. As there was no question of his qualifying himself for appointment in any other office, it was not necessary for him to take the Board's examination. The typist and the despatcher were engaged, respectively, from the 22nd of April, 1921, and the 8th August, 1921. At that time no clerks passed by the Board were available. No examination of the Staff Selection Board has since been held. They will be required to take the Board's next examination when held. The Section dealing with newspaper work consists of a trained journalist and four assistants who were appointed because of their technical qualifications and therefore were not required to pass the Board's examination under the terms of the Government of India Resolution No. 2366, dated the 15th September, 1920. The official Photographer also falls in this category.

It will thus appear that the office has not been exempted from the operation of the Staff Selection Board.

REVISION OF THE SIMLA ALLOWANCE CODE.

89. **Rai D. C. Barua Bahadur:** (a) Will the Government be pleased to say when the Simla Allowance Code fixing the Simla House Rent Allowances was last revised?

(b) In case it was done some time ago, does not the Government propose to revise it now on account of the general rise of house rent in Simla?

The Honourable Sir William Vincent : The existing scale of house rent allowances was sanctioned in 1907. A recent inquiry into the rent actually paid by the clerical establishments indicated that the allowances were on the whole adequate, and Government do not therefore think it advisable to revise the scale.

EXTRA REMUNERATION FOR OVERTIME WORK DONE BY GOVERNMENT OF INDIA CLERKS.

40. Rai D. C. Barua Bahadur : (a) Will the Government please say whether the clerks, assistants, etc., under the Government of India are required to work in the office after 5 P.M., and also required to come to office during the holidays?

(b) If the reply is in the affirmative, will the Government be prepared to allow them extra remuneration according to their pay for such work?

The Honourable Sir William Vincent : As regards work after 5 P.M., the Honourable Member is referred to parts xi and xiii of the statement laid on the table in reply to Mr. Seshagiri Ayyar's question of the 10th September. Assistants and clerks as well as stenographers are whole-time servants.

The practice as regards holidays is laid down in the Office Memorandum of the 30th September, 1901, of which I lay a copy on the table. Government consider its terms sufficiently liberal, and are not prepared to take up the question of granting extra remuneration to those whose presence on a holiday may be necessitated by a rush of work in any Department.

No. 5411-16.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

Simla, the 30th September, 1901.

OFFICE MEMORANDUM.

The undersigned is directed to forward a copy of the letters addressed to the Governments of Bengal and the Punjab, Nos. 5234 and 5236, respectively, dated the 16th September 1901, and to communicate to the Foreign Finance Department the principles which should in future regulate the grant of holidays to ministerial establishments in the Government of India Secretariats.

2. The holidays to be given may be divided into four classes. The first two classes are (i) those prescribed by section 25 of the Negotiable Instruments Act, 1881 (XXVI of 1881), and (ii) those declared by the local Government by notification under that section to be public holidays. The third class of holidays are holidays announced by the local Government to take effect in Government offices either in respect of all classes of Government servants, or in respect of the class who observe the fast or festival on account of which the holiday is announced. Lastly, there are local or special holidays, such as the Sipi Fair day or the last Saturday of the month.

3. The general rule in respect of the first two classes of holidays mentioned above should be to close an office entirely, subject to the conditions (i) that a holiday notified under the Act may be stopped in the case of any individual guilty of idleness or inattention to duty, unless the day in question is deemed specially sacred by the members of the religion which the offender professes, and (ii) that very urgent work may be required on a holiday provided that a man who has to attend on a holiday shall get another one in its place, and that, if possible, a man of the religious persuasion which observes the holiday shall not be called upon to work on it. In the case of holidays given on account of a local fair such as the Sipi Fair, or on the last Saturday of the month on the ground that the state of the work permits of a holiday, all establishments should be allowed, subject to the conditions laid down in the case of holidays under the Negotiable Instruments Act, to take full advantage of the holiday.

4. On holidays announced by the local Government, the general rule should be to close an office only where the absence of the persons on whose behalf the holiday is given will prevent the work of the office from being properly done. To this rule, an exception should be made in respect of the Christian holidays which should, if possible, be granted to all establishments, whatever their race or creed.

5. As regards the grant of 'notified' or 'announced' holidays, the rule should be to observe the holidays declared in the Calcutta Gazette, while the Government of India are at Calcutta, and those declared in the Punjab Gazette, while the Government of India are at Simla. In respect of the Durga Puja holidays, however, the practice hitherto adopted in some offices, of giving a whole holiday on every Saturday in September and October in lieu of them, should be followed—the Hindus only being allowed additional holidays on the two special Puja days.

In following the list of Hindu holidays published in the Punjab Gazette, it would be advisable, if the same festival is notified on different dates by the Governments of Bengal and the Punjab, to observe the date published in the Calcutta Gazette, as the majority of Hindu clerks in the Secretariats of the Government of India are natives of Bengal.

(6. The undersigned is to request that the substance of the general principles stated above may be communicated to the Heads of offices subordinate

() Not to Legislative Department. Foreign to the Finance Department.)
etc.

J. P. HEWETT,

Secretary to the Government of India.

To

The Foreign
Finance
Military Department.
Public Works
Legislative
Department of Revenue and Agriculture.

REVISION OF PAY IN THE OFFICE OF THE DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

41. **Rai Bahadur Bakshi Sohan Lal:** (a) With reference to the answer given by Sir William Vincent on 26th September, 1921, to Sir Sivaswamy Aiyer's question No. 237, will the Government be pleased to state the reasons for granting less and in some cases practically no increase to the members of the Office of the Director-General, Indian Medical Service?

(b) Have Government taken any steps to grant them percentage increase to the full extent sanctioned over the amount drawn on 1st April, 1920, and if not, why not?

Mr. H. Sharp: The percentage increases sanctioned by the Government of India for the members of the office of the Director-General, Indian Medical Service, aimed at placing the men on stages of incremental pay which would give them immediate increases not exceeding 30 per cent. of their pay to those drawing Rs. 100 and less a month, 25 per cent. to those drawing pay at more than Rs. 100 but not more than Rs. 200, and 20 per cent. to those drawing more than Rs. 200 a month. The percentage increase was, however, sanctioned generally and could not be applied rigidly in every individual case. The intention was that no one should be allowed by the increase to go beyond efficiency bars unless he would in the ordinary course have passed those bars. In certain cases it was not possible to grant the full percentage increase for the following reasons :

- (a) the increase granted placed the clerk on the maximum of the grade beyond which no promotion was possible at the time ;
- (b) the clerks concerned had to be placed at a suitable stage of the progressive grade and the percentage increase worked out at a lower rate ; and
- (c) the increase was based on the substantive pay and although there was no apparent increase over temporary acting salary there was an actual increase of pay.

REVISION OF PAY IN THE OFFICE OF THE DIRECTOR-GENERAL OF OBSERVATORIES.

42. **Rai Bahadur Bakshi Sohan Lal :** (a) Is it a fact that the members of the Office of the Director-General of Observatories (Meteorological Department) were granted percentage increase of 20, 25 and 30 per cent. and those with over 20 years' service of 40 per cent. over their monthly average salaries of one year drawn from 1st April, 1919, to 31st March, 1920?

(b) If so, is the reply given by Mr. Sharp, in No. 53, dated the 26th September, 1921, with regard to the 2nd part correct?

Mr. H. Sharp : The reply to (a) is in the affirmative.

(b) The reply given on the 26th September, 1921, referred to the general lines applied in the case of all attached offices. The deviation adopted in the case of the office of the Director-General, Observatories, was intended to meet special circumstances.

TOTAL PENSIONABLE SERVICE OF THE STAFF OF THE DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

43. **Rai Bahadur Bakshi Sohan Lal :** Will the Government be pleased to state the total pensionable service of each member of the Office of the Director-General, Indian Medical Service, on 1st April, 1920, and the total service at which they will reach the maximum of their grades?

Mr. H. Sharp : A statement is laid on the table.

Name.	Pay on 1st July 1920.	Pay proposed by Director-General.	Percentage increase.	Pay sanctioned by Home Department.	Percentage increase.	Length of pensionable service on 1st April 1920.	Total service at which maximum will be reached (including boy service).	REMARKS.
1	2	3	4	5	6	7	8	9
1. Mr. Stuart Wilson	650	800	23	780	20	30	32	
2. E. B. Upendra Nath Makerjee	450	550	22	540	20	25	28	
3. Mr. F. Buller Wade	400	500	25	480	20	18	24	
4. Mr. E. N. L. Hypher	400	425	6	425	6	20	20	
5. Mr. A. C. McCormick	350	400	14	350 + 50*	14	11	Drawing maximum.	* Personal allowance.
6. Mr. N. M. Dalton	300	350	17	320	7	9	12	
7. Babu O. N. Chatterjee	300	300	Nil.	300	Nil.	17	22	
8. Mr. J. C. C. Peachey	200	250	25	250	25	23	33	
9. Pt. Kapur Singh Nehru	200	250	25	250	25	25	35	
10. K. S. Barkat Ali	200	300	50	250	25	27	37	
11. Mr. F. B. Evans	200	250	25	230	15	12	24	
12. Pt. Mazaji Lal	190	240	26	230	21	15	29	
13. Mnlawa Ram	130	170	30	160	23	18	37	
14. L. Ram Bakha Mal	130	170	30	160	23	13	32	
15. B. Bissalder Bahadur	100	136	36	128	28	14	37	
16. Mr. D. L. Dawson	350	400	14	400	14	23	30	

Name.	Pay on 1st July 1920.	Pay proposed by Director-General.	Percentage in c. case.	Pay sanctioned by Home Department.	Percentage increase.	Length of pensionable service on 1st April 1920.	Total service at which maximum will be reached (including boy service).	REMARKS.
1	2	3	4	5	6	7	8	9
17. L. Daulat Ram	150	175	17	175	17	26	Drawing maximum.	
18. B. Vishnu Das	150	...	...	...	...	32	On leave pending retirement.	
19. L. Prabh Dyal	180	170	30	160	23	21	24	
20. Babu N. C. Roy Chowdry	150	155	3	155	3	24	Drawing maximum.	
21. M. Gulam Ahmed	100	131	31	131	31	22	28	
22. Babu N. C. Roy	100	131	31	131	31	15	21	
23. M. Habibullah	100	131	31	131	31	28	34	
24. M. Umar Din	100	131	31	131	31	16	23	
25. Babu S. K. Mukerjee	95	123	29	123	29	14	22	
26. B. Bhal Uhand	100	131	31	123	23	10	19	
27. M. Abdur Razaq	95	123	29	119	25	9	20	
28. B. Nando Gopal Ghosh	95	123	29	111	17	9	20	
29. B. Promotho N. Mukerjee	75	...	...	...	...	...	...	On deputation to the office of Controller of War Accounts.
30. M. Nur Mohammed	75	99 ^a	32	99	32	7	21	
31. B. Baboo Ram	75	99	32	99	32	9	23	

32. L. Bishan Das Jerath.	75	32	99	32	7	21
33. B. Ganda Ram Sharma	75	32	99	32	6	20
34. M. Nur Elahi Maruf.	75	32	99	32	6	20
35. M. Fatah Ali Sheikh (Temporary)	75	21	91	21	6 months	17
36. B. Harman Singh (Temporary)	75	21	91	21	3 years.	19
37. M. Masud Ali (Temporary)	70	30	91	30	2 "	18
38. Pt. Bhagwan Das Sharma (Temporary)	100	20	99	-1	2 "	16
39. B. Jagdish Sahai (Temporary)	50	50	75	50	1 year.	21
40. B. Piem Singh Parmer (Temporary)	50	50	75	50	1 "	21
41. M. Abdul Wahid (Temporary)	70	29	91	30	3 years.	19
42. B. Bhagwan Das Mehra (Temporary)	50	50	75	50	9 months	21
43. B. Dan Singh Thapa (Temporary)	50	50	75	50	5 "	21
44. Mr. A. C. Swarris (Temporary)	75	...	...	...	...	...
45. B. Dev Raj Kundra (Temporary)	50	...	...	...	...	...
46. Mr. V. A. Dighe	210	19	250	19	11 years.	16
47. B. Mahesh Chand	90	67	150	67	7 "	22
48. Mr. S. Krishnaaswami.	150†	...	...	...	...	...
49. Babu H. M. Roy (Temporary Draftsman).	150†	...	...	...	...	...

Provisionally permanent.

On deputation.

Resigned on 21st November 1920.

New appointment. Employed from 22nd February 1921.

†Temporary appointment.

TOTAL AMOUNT OF RESERVES AND TREASURY BALANCE.

44. **M. K. Reddi Garu:** Will the Government be pleased to lay on the table a statement showing :

(1) the total amount of the following reserves and balances up to the 1st of January, 1922 :

(a) Paper Currency Reserve, (b) Gold Standard Reserve, (c) Treasury balances of the Government of India ;

(2) how much of the above reserves and balances are held in England and in India at present and in what form, either as sterling loans or securities, as gold or rupees, or as temporary loans ; and

(3) at what rate of interest these reserves are invested in the sterling securities ?

The Honourable Sir Malcolm Hailey: (1) and (2). The figures required by the Honourable Member are published in the Press, and the information so far as available can be obtained from the Gazette of India or financial journals. I shall be glad to show him where to look for it.

(3) All the securities in the Paper Currency Reserve and most of those in the Gold Standard Reserve consist of British Treasury Bills with rates of interest varying from time to time according to the date of purchase. The other securities in the Gold Standard Reserve consist of Exchequer Bonds and Colonial Government Securities at 5 per cent. to 5½ per cent. and about £2¼ million worth of Consols at 2¼ per cent. and 2½ per cent. and Transvaal Stock at 3 per cent.

STERLING SECURITIES HELD BY DIFFERENT COUNTRIES AND BANKS.

45. **M. K. Reddi Garu:** Will the Government be pleased to state what different countries, banks, or private firms hold our sterling securities, and the total amount held by each at present ?

The Honourable Sir Malcolm Hailey: It would be extremely difficult to ascertain who are the actual holders of our sterling securities ; in any case it would necessitate a prolonged inquiry, and I do not think that the matter is of sufficient importance to justify the trouble and expenditure involved.

CASH BALANCES OF THE GOVERNMENT OF INDIA HELD IN ENGLAND.

46. **M. K. Reddi Garu:** Will the Government be pleased to lay on the table a statement showing :

(1) the cash balances of the Government of India held in England for the years 1912 to 1922 ;

(2) the names of the various firms to which these balances were lent in London during these years ?

The Honourable Sir Malcolm Hailey: (1) I lay on the table a statement showing the cash balances of the Government of India held in England.

(2) I have no information, and could not obtain it without having a laborious examination made of the Bank of England's books, which I do not feel justified in asking for.

Statement showing the cash balances of the Government of India held in England on 31st March.

1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.	1921-22. (Revised.)
£	£	£	£	£	£	£	£	£	£	£
19,463,723	9,789,634	8,157,732	7,913,236	12,903,248	11,391,993	16,625,416	14,715,627	11,997,393	7,033,154	5,118,900

ASSISTANT TRAFFIC SUPERINTENDENTS IN THE NORTH-WESTERN RAILWAY.

47. **Baba Ujagar Singh Bedi:** (a) How many Assistant Traffic Superintendents are there in the North-Western Railway?

(b) How many of these posts are now vacant and held by officiating subordinates?

(c) Are these subordinates Anglo-Indians?

(d) Did the Traffic Manager, Lahore, recommend six of these subordinates to be confirmed as Assistant Traffic Superintendents and did the Railway Board refuse to agree?

(e) Have these six posts been filled up yet? If not, why are such large number of Assistant Traffic Superintendent's posts not being filled up?

Colonel W. D. Waghorn: (a) The sanctioned scale of the North-Western Railway provided for 39 Assistant Traffic Superintendents, and against this scale there are 39 permanent officers. This number of appointments is about to be reduced as a consequence of the formation of a local Traffic service, *vide* (d) below.

(b) None of the posts are substantively vacant, but in the room of officers on leave or officiating as District Officers there are certain subordinates officiating as Assistant Traffic Superintendents.

(c) With one exception these officiating Assistant Superintendents are Anglo-Indians or Europeans.

(d) and (e). As explained above, there have, hitherto, been no permanent vacancies in the sanctioned cadre against which officiating subordinates, could be confirmed. But following the reorganization of the Engineering Department, the Traffic Department has been reorganized and while the number of appointments on the old superior cadre will be reduced gradually as vacancies occur, a local Traffic service of Assistant Traffic Superintendents has been constituted in the Railway Board's Resolution No. 370-E.—21, dated the 31st August, 1921. To this service the permanent appointment of selected men officiating as Assistant Traffic Superintendents will now be made. The recommendations of the North-Western Railway have already been considered by the Railway Board and terms of appointment are now being fixed; the number of first appointments to be made must, necessarily, be few as the excess under the old cadre has yet to be absorbed.

INDIANS AND LOCOMOTIVE DEPARTMENT IN THE NORTH-WESTERN RAILWAY.

48. **Baba Ujagar Singh Bedi:** (a) Is it a fact that there is no Indian (with one exception) in the whole of the Locomotive Department in the North-Western Railway? If so, why?

(b) Do the Government propose to admit, in future, Indians into this Department?

Colonel W. D. Waghorn: (a) There is no Indian in the Superior Branch of the Locomotive Department on the North-Western Railway. The reason for this is that hitherto it has not been possible to get qualified candidates of the class and general standard of education and training necessary to occupy these appointments.

(b) If candidates with the necessary qualifications are forthcoming, Government will certainly admit them into this Department.

PASSENGER TRAINS BETWEEN MADRAS AND PALLAVARAM.

49. **M. K. Reddi Garu:** (a) Will the Government be pleased to state:

- (i) the number of passenger trains that run between Madras and Pallavaram,
- (ii) the speed at which they run and the time taken to cover the distance,
- (iii) the number of first and second class coaches attached to each train,
- (iv) the number of first and second class passengers that travel by these trains on an average per day?

(b) Do the Government propose to arrange for quick traffic between these two stations and also to increase the number of these trains?

Colonel W. D. Waghorn: (a) A statement is being sent to the Honourable Member which gives the required information.

(b) Until the line between Madras Beach and Pallavaram stations is doubled, it is not possible to take any action in the directions suggested. An estimate of the cost of doubling this section of the railway is now being revised.

DOUBLE LINES BETWEEN MADRAS AND CHINGLEPET.

50. **M. K. Reddi Garu:** Do the Government propose to consider the advisability of laying double lines between Madras and Chinglepet—a distance of 88 miles, in order to avoid the time lost at each station in the crossing of trains?

Colonel W. D. Waghorn: The question is mainly one of finance. If arrangements can be made by the Government of India to finance a programme of Railway capital expenditure over a series of years, the question of including this work in the programme will certainly be considered.

OVERCROWDING OF THE SOUTH INDIAN RAILWAY TRAINS.

51. **M. K. Reddi Garu:** (a) Are the Government aware of the very great discontent and agitation in consequence of overcrowding of the South Indian Railway trains and the insufficient accommodation given to the third class passengers?

(b) If so, do they propose to institute an inquiry into the causes of the overcrowding of trains and the measures necessary to give relief to the travelling public?

Colonel W. D. Waghorn: (a) The Honourable Member is referred to the answer given on 10th September, 1921, during the session of September, 1921, to Question No. 144 asked by Rao Bahadur C. S. Subrahmanyam on the same subject.

(b) The Government do not think that any useful purpose would be served by an inquiry. The Honourable Member has, no doubt, seen the Railway Finance Committee's report. If the recommendations of the Committee in respect of the provision of funds for capital expenditure are approved by the Legislature, the Government hope that the conditions of travel of 3rd class passengers will be improved in the next few years not only on the South Indian Railway but on all railways.

INCOME AND EXPENDITURE OF THE SOUTH INDIAN RAILWAY COMPANY.

52. **M. K. Reddi Garu:** Will the Government be pleased to lay on the table a statement showing the income and expenditure of the South Indian Railway Company since the year 1915—and the average profits earned by this company during these years?

Colonel W. D. Waghorn: A statement showing the gross earnings and working expenses of the South Indian Railway and the share of surplus profits and the percentage of return earned by the South Indian Railway Company for the last six years is placed upon the table for the Honourable Member's information.

Statement showing the gross earnings and working expenses of the South Indian Railway and the share of surplus profits and the percentage of return earned by the South Indian Railway Company during the years 1915-16 to 1920-21.

Year.	Gross earnings.	Working expenses.	Profits earned by the Company (exclusive of interest and Government share of net revenue receipts).	Percentage of return earned by the Company on their capital.
	Rs.	Rs.	Rs.	
1915-16 . . .	2,95,90,946	1,45,99,870	4,32,328	6.38
1916-17 . . .	3,23,83,253	1,61,57,513	5,10,664	6.95
1917-18 . . .	3,53,66,666	1,51,64,187	7,97,904	8.85
1918-19 . . .	3,56,36,133	1,60,30,886	7,64,444	8.60
1919-20 . . .	4,01,49,515	2,19,03,270	8,09,917	9.67
1920-21 . . .	4,07,28,036	2,48,34,019	7,11,217	7.01

TOTAL PENSIONS PAID BY GOVERNMENT TO OLD PENSIONERS.

53. **Lieut.-Col. H. A. J. Gidney**: (1) What are the totals of pensions in (a) each Province and (b) the Government of India paid per annum at present to the old pensioners (*i.e.*, those who have not benefited by increases to former pensions, under any new order) who draw pensions from Rs. 2,001 to Rs. 4,999 per annum?

(2) What are the totals of pensions in (a) each Province, or (b) the Government of India paid per annum at present to the old pensioners (*i.e.*, those who have not benefited by increases to former pensions, under any new orders) who draw pensions of Rs. 5,000 per annum (*plus* Rs. 1,000 per annum in special cases of Commissioners, Inspectors-General, etc.)?

(3) What would be the total initial cost per annum to (a) the Provincial Governments and (b) the Government of India, of an increase of 15 per cent. in existing pensions referred to in part (1)?

(4) What would be the total initial cost per annum to (a) the Provincial Governments and (b) the Government of India, of the enhancement, as granted to those who retired from 23rd July, 1913, on existing pensions referred to in part (2)?

The Honourable Sir Malcolm Hailey: (1) and (2). The collection of the details required by the Honourable Member will involve considerable work in all accounts offices throughout India, and I do not feel justified in putting this additional work upon them at a time when they are already extremely busy with the preparation of the budget. Steps will be taken, however, to supply the Honourable Member with the information during the course of the summer.

(3) and (4). I regret that I cannot undertake to arrange for the preparation of such calculations for Honourable Members.

INDIA'S CONTRIBUTION TOWARDS THE EXPENSES OF THE LEAGUE OF NATIONS.

54. **M. K. Reddi Garu**: (a) With regard to the expenses of the League of Nations, is it a fact—

(i) that India is obliged to pay as much as independent nations like Japan, Italy and China; if so, what is the proportion to be contributed towards the total expenses of the League by each one of these nations and India?

(ii) Is it a fact that Self-governing Dominions like Canada, Australia, South Africa, and Newfoundland contribute only a fourth of what India is asked to pay?

(b) Are the Government aware that there is already discontent in the country regarding the award of the Imperial Conference that India should get only 1.20 per cent. while the Dominions get 4.35 per cent. of the reparation receipts?

(c) Do the Government propose to take any steps in the matter?

The Honourable Dr. T. B. Sapru: (a) (1) The Second Assembly of the League of Nations at its meeting held on 5th October, 1921, decided on a provisional allocation of the expenses of the League amongst Member States with effect from January 1st, 1922, based on the population on

31st December, 1919, and net revenue for the year 1913. This scheme replaced the original plan under which these expenses were borne by Member States in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union. It is to remain in force pending the submission of a final scheme in 1923 by a Committee appointed for the purpose. India, Japan, Italy and China are placed in class II and will contribute 65 units (*i.e.*, 1,654,786 gold francs) each. Under the original plan India was placed in class I.

(ii) Canada is placed in class III and will contribute 35 units (*i.e.*, 891,038 gold francs). Australia and South Africa are placed in class IV and will contribute 15 units (*i.e.*, 381,873 gold francs) each. Newfoundland is not a member of the League.

(b) The Government has received no representation to this effect.

(c) In view of the fact that the allocation of reparation receipts has been finally settled, the Government do not propose to take any action under this head. As regards India's contribution towards the expenses of the League of Nations the representatives of India on the Assembly have succeeded in getting India reduced from class I to class II of the contributing States and will no doubt endeavour to protect her interests when the matter comes up again before the Assembly.

CREATION OF AN INDIAN BAR.

55. **Lala Girdharilal Agarwala :** (a) Will the Government be pleased to lay on the table all correspondence and opinions relating to the Resolution *re* Creation of an Indian Bar which was moved in the Legislative Assembly on 24th February, 1921?

(b) What further action is proposed to be taken in the matter?

The Honourable Sir William Vincent : Government do not propose to lay the papers on the table, but when the correspondence is complete Government will probably print copies which will be available for those Members of the Assembly who are interested in the subject on application to the Home Department. The various authorities were consulted on the question in May, 1920, and many replies are still outstanding. For this reason Government are unable to say what further action they will take in the matter.

OUDH RENT BILL.

56. **Lala Girdharilal Agarwala :** (a) Are the Government aware that the Oudh Rent Bill was passed in the United Provinces Council in the teeth of strong opposition by the representatives of the tenants and that its passage into law will be resented by the tenants?

(b) Will the Government be pleased to lay on the table representations made on behalf of the tenants by certain members of the United Provinces Legislative Council or Members of the Select Committee on the Oudh Rent Bill?

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

Mr. J. Hullah : (a) The reply to the first part of part (a) of the question is in the affirmative. It is believed that certain parts of the legislation are welcome, and others unwelcome, to the tenants.

(b) Copies will be supplied to the Honourable Member.

(c) The matter is under the consideration of His Excellency the Governor General.

POSITION OF MEMBERS OF THE EXECUTIVE COUNCIL IN RELATION TO GOVERNOR GENERAL'S ASSENT TO PROVINCIAL LEGISLATION.

57. **Lala Girdharilal Agarwala :** (a) Are any Honourable Members of the Government consulted, in practice, whether formally or informally, generally or individually by His Excellency the Governor General before assenting to or withholding assent from any law passed by any Provincial Legislature?

(b) Was any Honourable Member of the Government so consulted with reference to the Oudh Rent Bill?

The Honourable Dr. T. B. Saprú : (a) and (b). There is no provision of any law or rule which requires the Governor General to consult any Member of his Executive Council before he assents to or withholds assent from an Act passed by a local Legislature and it is entirely within his discretion to do so or not as he pleases. The Government of India are not therefore in a position to reply to the question.

LISTED POSTS IN THE INDIAN CIVIL SERVICE.

58. **Lala Girdharilal Agarwala :** (a) Will the Government be pleased to lay on the table detailed information and papers showing how far and in what manner has the Resolution *re* Listed Posts in the Indian Civil Service adopted by the Legislative Assembly on 17th February, 1921, been given effect to and what is the present proportion of members of the Provincial Civil Service in such posts in each Province?

(b) In case full effect has not been given by any of the Local Governments to the said Resolution, do the Government of India propose to inquire from such Local Governments their reasons for not so doing and place the same on the table?

The Honourable Sir William Vincent : The Honourable Member is referred to the answer given on the 15th September, 1921, to Rai Bahadur Girish Chandra Nag's question on the subject.

The replies of certain Local Governments are still due. When the replies of all Local Governments have been received and examined, the Government of India will consider the question of laying the correspondence on the table.

EXPORT OF GOOD BREEDS OF CATTLE.

59. **Lala Girdharilal Agarwala :** Will the Government be pleased to state what practical step has so far been taken to carry out the Resolution of the Legislative Assembly passed on 2nd March, 1921, *re* export of good breeds of cattle?

Mr. J. Hullah : The replies of Local Governments who were consulted in the matter are now under consideration and it is hoped that a decision will be reached very shortly.

ULTIMATE COURT OF APPEAL IN INDIA.

60. **Lala Girdharilal Agarwala:** (a) Will the Government be pleased to lay on the table all information and papers including correspondence, opinions and proposals regarding the Resolution of the Legislative Assembly adopted on 26th March, 1921, *re* Ultimate Court of Appeal in India?

(b) What further action is proposed to be taken in the matter?

The Honourable Sir William Vincent: Government do not propose to lay the papers on the table, but when the correspondence is complete they will probably print copies, which will be available on application to the Home Department for those Members of the Assembly who are interested in the subject. The various authorities were consulted on the subject on the 9th May, 1921, and some replies are still outstanding.

(b) The action to be taken must depend on the nature of the replies

CAPITAL RETENTION COMMITTEE AT ALLAHABAD.

61. **Lala Girdharilal Agarwala:** (a) Are the Government aware that a Capital Retention Committee has been formed at Allahabad?

(b) Have Government received any representation from the Capital Retention Committee of Allahabad urging against the action of the United Provinces Government in their attempts to remove the capital of United Provinces from Allahabad to Lucknow, virtually, and regarding the construction of a new Council Chamber at Lucknow and not at Allahabad? If so, will the Government be pleased to lay the same on the table?

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

The Honourable Sir William Vincent: (a) and (b). Yes; a copy of the memorial addressed to His Excellency the Viceroy and Governor General in Council will be supplied to the Honourable Member if he desires. Government see no sufficient reason to lay a copy on the table.

(c) The memorialists have been informed, through the Local Government, that the Government of India accept the statement made by His Excellency the Governor, in reply to an address presented to him on the 23rd July, 1921, that there is not and has not been any question of transferring the capital from Allahabad to Lucknow. The Government of India have also communicated to the memorialists their decision that the location of the Council Chamber is a matter for the Local Government and their Legislative Council to settle.

INDIANISATION OF THE POSTS OF SECRETARIES, DEPUTY SECRETARIES, UNDER SECRETARIES, ETC., IN SECRETARIATS.

62. **Lala Girdharilal Agarwala:** (a) How many of the Secretaries, Under Secretaries, Deputy Secretaries, etc., in the Government of India and the Provincial Secretariats, as given in the statement in answer to my question number 48 printed at page 66 of Volume II of the Legislative Assembly Debates, are Indians and how many are non-Indians?

(b) What steps have been taken or are proposed to be taken to Indianise the posts referred to above by employment of suitable persons to the said posts whenever possible?

(c) How many postings have been made to the posts referred to above within the last 6 months in the Central and Provincial Governments and how many of the said posts were given to Indians?

The Honourable Sir William Vincent: (a) and (c). The information is being collected in so far as the Government of India Secretariat is concerned, and will be furnished to the Honourable Member when complete. As regards provincial Secretariats, it is suggested that Honourable Member might obtain the information required from the various civil lists. The Government of India have no information beyond what is contained in those lists.

(b) The Indianisation of the posts alluded to will proceed *pari passu* with the Indianisation of the services from which they are filled. The Assembly has been informed on more than one occasion of the steps which have been taken in the latter connection.

APPOINTMENT OF INDIANS OTHER THAN BENGALEES AND PUNJABIS IN THE IMPERIAL SECRETARIAT.

63. **Lala Girdharilal Agarwala:** In view of the statement printed at page 187, Volume II, Legislative Assembly Debates, showing that 647 Indians are employed in the Government of India Secretariat (besides 252 Europeans and Anglo-Indians) of whom 499 Indians belong to the Punjab and Bengal while only 51 belong to the United Provinces, and very few or none from other Provinces, do the Government propose to consider the desirability of filling future temporary or permanent vacancies by suitable Indians belonging to the United Provinces and Provinces other than Bengal and the Punjab?

The Honourable Sir William Vincent: The Honourable Member is referred to the answer given to-day to a similar question on the subject.

CONDITIONS FOR THE TRANSFER OF A PROPERTY HELD ON ORIGINAL TENURE.

64. **Mr. W. M. Hussanally:** (a) Is it a fact that when applications are made to the Cantonment authority in Karachi for the transfer, of a property held on original tenure from one owner to another, the owners are informed that applications will be considered provided they are prepared to recognize the proprietary right of Government in the land and that they are willing to execute leases on Form B?

(b) If so, will the Government be pleased to quote the authority under which such conditions are tried to be enforced?

Sir Godfrey Fell: (a) and (b). The attention of the Honourable Member is invited to the reply given on the 22nd September last to his Question No. 556.

IMPROVEMENTS TO AND REBUILDING OF HOUSES ON PLOTS OF LAND HELD ON ORIGINAL TENURE.

65. **Mr. W. M. Hussanally:** (a) Is it a fact that sanction to various applications for effecting improvements, alterations and additions to and

rebuilding of houses on plots held on original tenure within the Cantonment Area of Karachi, and for transfer of such property from one owner to another were made conditional unless and until the applicants executed leases on Form B, chapter XXI, Cantonment Code, 1912 ?

(b) Have any such leases been executed, and have about 41 houses in the Cantonment limits of Karachi been affected thereby ?

(c) If so, will Government be pleased to state under what authority the owners were asked to sign such leases ?

Sir Godfrey Fell: (a) and (c). I would invite the attention of the Honourable Member to the reply given on the 22nd September last to his Question No. 556.

(b) As I pointed out in that reply, occupants, whose title to the land is considered doubtful, are asked if they are willing to execute leases in perpetuity for their original holdings as well as for extensions. The Government understand that the landlords of 35 houses in the Cantonment of Karachi have executed leases in Form 'B' in respect of properties transferred to them by their previous owners.

EXPULSION OF THAKUR AMAR SINGH.

66. **Mr. W. M. Hussanally:** (a) Is the Government aware of the expulsion of Thakur Amar Singh, a resident of Mhow Cantonment, under Section 216 of the Cantonment Code ?

(b) Is it a fact that the expulsion order was issued after Thakur Amar Singh had given evidence in a police corruption inquiry ? If so, is there any connection between the evidence he gave in the inquiry and his expulsion ?

(c) If the reply to the latter part of question (b) be in the negative, will the Government state the reasons for which the expulsion order was issued ?

(d) Is it a fact that Thakur Amar Singh has been seeking for an opportunity to explain his case to the higher authorities but no opportunity has been given to him so far ?

(e) Under the circumstances, do the Government propose to direct an inquiry to be made into the case ?

Sir Godfrey Fell: (a) Yes.

(b) and (c) In March, 1914, Thakur Amar Singh, with certain others, accused an Inspector of Police of taking bribes. As the result of a careful inquiry, it was found that all the complaints that had been made were absolutely false.

In June, 1914, Thakur Amar Singh was expelled from the Cantonment of Mhow, as his presence in that Cantonment was considered, by both the local civil and military authorities, to be prejudicial to good order and military discipline. Thakur Amar Singh appealed against this order, but His Excellency the then Commander-in-Chief, who is the appellate authority in cases of this kind, saw no reason to interfere. The General Officer Commanding, 5th (Mhow) Division, after consultation with the local civil authorities, permitted Thakur Amar Singh to re-enter the Cantonment on the 24th December, 1915, and he has not since been expelled.

(d) The Government of India have no information on the subject. It may be mentioned, however, that Thakur Amar Singh is at present awaiting trial in the Indore jail on a charge under section 131 of the Indian Penal Code.

(e) No.

CANTONMENT MAGISTRATES AS COURTS OF SMALL CAUSES.

67. **Mr. W. M. Hussanally:** (a) Is it a fact that at some stations Cantonment Magistrates are also Courts of Small Causes for such cantonments?

(b) Is it a fact that sometimes intricate questions of law have to be decided by them?

Sir Godfrey Fell: (a) and (b) The replies to both parts of this question are in the affirmative.

INDIANS IN THE MILITARY WORKS SERVICES.

68. **Mr. W. M. Hussanally:** (a) Is it a fact that Indians are as a rule excluded from the Military Works Services?

(b) In view of the progressive policy of Indianisation of all services, will Government be pleased to state if they propose to Indianise the Military Works Services also?

Sir Godfrey Fell: (a) The reply is in the negative, except that Indians are not at present appointed to the Barrack Department.

(b) The question of Indianising the Military Works Services, as well as other services, is being considered.

INDIANS ON THE STAFF OF GENERAL OFFICERS COMMANDING.

69. **Mr. W. M. Hussanally:** (a) Have the General Officers Commanding any Indians on their staffs?

(b) If so, how many and what positions do they occupy?

Sir Godfrey Fell: (a) Yes.

(b) Four Indian officers are attached to the staffs of the General Officers Commanding-in-Chief, Commands, as *Aides-de-Camp*. In addition, one Indian officer is attached to the General Staff Branch, Army Headquarters, as Assistant Translation Officer; and there is one Indian Staff Officer at the Cavalry School, Saugor.

ADMINISTRATION OF LAND CUSTOMS IN THE FRONTIERS OF PONDICHERY.

70. **M. K. Reddi Garu:** (a) With regard to the British and French villages in the frontiers of Pondicherry will the Government be pleased to state if it is a fact (1) that groups of British villages are entirely surrounded by French villages and similarly some French villages by British villages; (2) that in some border villages one side of the street is British and the other French; (3) that the British residents who go to purchase vegetables or paddy in an adjacent French village have to take the things purchased to the British customs to get them assessed to duty, at a distance of four or five miles away?

(b) Are the Government aware that even goods carried by free pass duty cannot directly pass on to their destination but should go *via* a land customs British chauki which in some cases is at a distance?

(c) Is there any proposal on the part of the Government to cancel the land customs duty on the produce and indigenous manufactures in these frontiers?

(d) Are the Government aware that on account of these land customs duties much hardship is felt by the subjects of both the British and French villages situated within this frontier?

(e) Are the Government further aware of the great discontent and agitation in these frontier villages for some relaxation of the rules applicable to sea customs, especially in the matter of land customs?

(f) In 1916 when the tariff rates were raised, did Sir William Meyer, the Finance Member, state that he had some idea of mitigating this troublesome land customs duty? If so, how far has this suggestion been given effect to?

The Honourable Mr. C. A. Innes: The Madras Inland Customs Act, 1844, is a local Act administered by the Government of Madras. The Honourable Member should, therefore, apply to that Government for detailed information on the subject of his question. The Government of India are aware, however, that the frontier is intricate and ill-defined and they have no doubt that the administration of land customs is harassing both to British and to French subjects living near the frontier. The whole subject has recently been examined and the question of improving the arrangements is at present under the consideration of the Government of Madras.

CASE OF BABU TARAPADA MUKERJI.

71. **M. K. Reddi Garu:** (a) Is it a fact that some of the statements made by one Babu Tarapada Mukerji in his speech as the President of the All-India P. and O. and R. M. S. Conference held at Lahore, have been taken objection to by the Post Master General of Bengal as being untrue and disloyal?

(b) If so, will the Government be pleased to lay on the table the correspondence that passed between Babu Tarapada Mukerji and the Post Master General of Bengal?

(c) Is it a fact that Babu Tarapada is threatened with dismissal, if he fails to make a public apology to the Government?

(d) Is this Tarapada Babu the same gentleman on whose transfer to Burma there were protests and memorials to Government? If so, what has become of his transfer?

(e) Is it a fact that the Government desire to get rid of him at any cost, because he is the chief moving figure in the P. and O. and R. M. S. Associations of Calcutta?

Colonel Sir S. D'A. Crookshank: (a), (b) and (c). The facts of the case are as follows:

On the 9th October, 1921, Babu Tarapada Mukerji, who was President of the All-India Post Office and R. M. S. Conference, made a speech at the opening of the Conference at Lahore. The speech was previously printed and circulated and a copy of it is laid on the table.

This speech contained serious mis-statements and was calculated to cause disloyalty and disaffection amongst the postal staff and was of an objectionable nature generally. The Director-General of Posts and Telegraphs, although he considered that Babu Tarapada Mukerji had rendered himself liable to severe disciplinary action amounting to dismissal, decided to give him an opportunity to express his regret and called upon him through his superior officer, the Postmaster-General, Bengal and Assam, to make a public apology or else resign the service. A copy of the Director-General's letter to the Post Master General, Bengal and Assam, with its enclosure, is laid on the table.

Babu Tarapada Mukerji replied to the charges made and refused to apologise or resign. A copy of his letter is laid on the table.

The Director-General was, however, willing to give Babu Tarapada Mukerji another chance and had an interview with him on the 17th November in Calcutta. He told him that he was prepared to overlook his conduct on this occasion if Babu Tarapada Mukerji wrote him a letter expressing regret for certain objectionable passages in his speech. At the close of the interview, the Director-General understood that such a letter would be sent and he agreed that as soon as he had received it, he should issue orders allowing Babu Tarapada Mukerji to rejoin from leave and take up the appointment of Sub-Postmaster, Amherst Street, Calcutta.

The Director-General was surprised to receive no communication from Babu Tarapada Mukerji on either the 18th or 19th November and he telephoned to the Postmaster-General, Bengal and Assam, to call upon him for his letter of regret. On the 20th November, the Director-General received a letter from Babu Tarapada Mukerji, a copy of which is laid on the table. On receipt of it, orders were issued dismissing Babu Tarapada Mukerji from the service with effect from the 20th November.

(d) Yes. The Honourable Member's attention is invited to the reply given by me to a question put by him on September 21st last. Babu Tarapada Mukerji was not, however, actually transferred. He was on leave and was appointed to act as Sub-Postmaster, Amherst Street, Calcutta, upon rejoining duty.

(e) The reply is in the negative, and there are no grounds whatever for the insinuation made.

ALL-INDIA (INCLUDING BURMA) POST OFFICE AND R. M. S. CONFERENCE.

Held at Lahore on the 9th, 10th and 11th October, 1921.

PRESIDENTIAL ADDRESS OF BABU TARAPADA MUKERJI, DELIVERED ON THE 9TH OCTOBER 1921.

Mr. Chairman, Mr. Secretary and Members of the Reception Committee and brother Delegates :

I am deeply sensible of the honour that you have done by electing me President of the second session of the Conference of the All-India (including Burma) Post Office and R. M. S. employees. I know my own shortcomings, and in all humility recognise my unfitness to discharge the very responsible duties of the President of an Assembly, composed of men coming from all parts of India and Burma, gathered together to form decisions on momentous questions, and to mature plans for carrying those decisions into effect. I am sadly conscious of my limitations and I have not the conceit to think that I deserve the trust you have reposed in me. Now that you have chosen me to preside over your deliberations, it would be false modesty to hesitate. But at the outset I prefer to tell you,

brothers, that I seriously count upon your help to pilot me successfully through this difficult task; and it encourages me to think that you will most willingly render all possible help. Last year the Honourable Mr. Kharade, a political leader of all-India reputation, than whom a better champion the poor Post Office and R. M. S. employees can hardly find, was at the helm of the first session of the Conference held at Delhi, and with what signal success you all know; and you have called upon me to step into his shoes!

2. My election as President is not, however, without a special significance of its own. I have passed my life in the subordinate service of the Post Office, and am still in harness. I have lived the miserable life of the subordinate staff, and it has become almost a part of my existence. In choosing me you have chosen one of your fellow sufferers to lead you; you have grasped the true spirits of Labour Union; you have demonstrated that you are prepared to accept the leadership of one who has been the object of persecution on account of the active interest he has taken on behalf of brother officials; you have honoured one whom the Director-General wanted to harass by illegally transferring him from Bengal to Burma; you have shown to the world that you have confidence in your own brothers and are prepared to depend upon your unaided strength for your salvation.

3. I have come here under the deep shadow of an impending domestic calamity. I had thought that I would not be able to leave alone, in Calcutta, my dying wife and come to Lahore to attend the Conference. But when I was told that you had chosen me President, it sent a thrill through me, not only because I was the recipient of such unique honour, but because it revealed that you have learnt to place full confidence in yourselves and no longer hang upon extraneous help. I could not bear the idea of damping your ardour by refusal and I, therefore, readily responded to your call, of course with the full consent of my ailing wife. With my poor equipments and in the present state of my mental anxiety, I shall be guilty of many shortcomings, but I earnestly hope you will not mind them and you will lend all possible help in the discharge of my duties to make me a success.

4. The Punjab has, from time immemorial, been the gate-keeper of India, and as such she has had to bear the first shock and the brunt of fight in all struggles for national existence. It is, therefore, in the fitness of things that in our struggle for emancipation from the slavery, economic or otherwise, that prevails in the Post Office and R. M. S. service, our stalwart brothers of the Punjab should play a worthy part, and the first two sessions of the Conference should be held in the Land of Five Rivers. We are grateful to our Punjab brothers for their earnestness and spirit of sacrifice manifested in the fact of their having invited the Conference for two successive sessions.

5. Let us take a brief survey of the events happening since we met at the last Conference. The much-talked of Postal Committee's report has been published to give us an insight into the mentality that formulated a scheme of revision grotesque in the extreme, absurd as absurd can be, and insulting to the dignity of labour. It is, by this time, familiar to you all what monster the mountain in labour has produced, of which many of you are probably victims.

6. The Postal Committee starts with the very curious and insulting proposition that 'all concession is of the nature of a gift, and this being so, it is for the donor to decide what the measure of the gift shall be.' This tantamounts to saying that the employers are donors and the workers are beggars and they must, therefore, be satisfied with beggars' doles. I am astonished and you are astonished that a Committee of responsible men appointed by a civilised Government in the twentieth century, can so far forget themselves as to place workers in the category of beggars at a time, when labour has become self-conscious enough to contemplate taking 'Direct Action' even in affairs of State. Perhaps our crime of age-long silence in the past is responsible for such humiliating remark, or, it may be, that the Committee wanted to give a quietus to the growing manifestation of life in the Post Office by reminding the employees that they were no better than beggars, bound to accept without a murmur what charity the Government as donors were pleased to give, and it was useless to clamour for more.

7. Ah! Brothers, workers are not beggars; they are the salt of the earth, they are the only people who produce wealth. Wealth consists of the labour imprinted on material substance; and in the absence of workers, where is the labour to come from which is necessary to create wealth? Those who do not work are parasites sucking like vampire the life-blood of society and are battenning on the wealth produced by the workers. Is it not amusing that the wealth produced by workers should be appropriated, and then the producers of wealth be called beggars and then the pittance doled out to them, so that they may keep the body and soul together for further production of wealth for the benefit of others.

8. Consider, brothers, what this world would be, were the workers 'to stop work. Not a grain of cereals would be produced, not a yard of yarn would be spun and woven, not a brick would be laid, not a tenement would be built. Those bloated, over-indulged finely draped figures airing their best manners to their own class, would have no food to allay hunger, no clothes to cover the body, no home to afford shelter; and they would soon cease to exist to call workers beggars. Brothers, shake off the hypnotic spell, the somnambulism of past life, wake up and be self-conscious, appraise your value at its real worth, do not remain forgetful of the dignity of labour, realise your own strength, and march on double quick to the goal, 'heart within and God overhead.'

9. Brothers, what better could be expected from the Committee, constituted as it was? Through your Associations you sent up the names of certain persons on whom you had faith, and who could represent your view-point, had they been given a place on the Committee. But the Government religiously excluded every person whom you nominated, and selected men on whom you had absolutely no faith. You cannot be bound by the findings of a Committee with which you had nothing to do, and who had nothing to do with you.

10. The Committee had rejected the evidence given by your witnesses as worthless and conflicting and unreliable. They were, however, scrupulous in comparing and weighing the schemes prepared by different Postmasters-General, and considering other reports emanating from the Government side. Even in doing so, the Committee brushed aside higher scales proposed by certain Postmasters-General, when a lower scale was proposed by another. The fact of the matter is that the Committee was dominated by one idea in framing their scheme, and that is to keep down any considerable increase of expenditure, and they make no secret of this view in their report.

11. The consideration of economy is, however, cast to the four winds when the question of raising the pay of the upper strata arises. You will be surprised to learn that in the course of twelve months more than one revision has been sanctioned for those who are paid by thousands instead of by tens, but when the poor underpaid, overworked subordinate staff is concerned, that is another matter. The soulless cruel cant of 'demand and supply' then comes in, family budget is discarded, evidence of those affected is declared extravagant and unreliable, comparison is made with commercial firms, as if the Government are to follow, instead of setting example to, capitalist profiteers in the matter of remuneration to the employees, and every quarter is ransacked for the justification of denying what constitutes the real living wage in the present time.

12. If we have a look at the scale of wages in the pre-war time and the advance sanctioned to compensate the increased cost of living in England, we may form a fair idea of the difference of treatment we receive from what our brothers in the British Post Office get. In England a postman at the age of 18 years, on first appointment, used to get, before the war, 20 shillings per week, but on account of increased cost of living at present he is paid 53 shillings per week. Two very striking features rivet our attention: firstly, the pay of a postman on first appointment is Rs. 175 in Indian money; and secondly, the increase of over 160 per cent. granted on pre-war pay. The maximum pay sanctioned for clerks in the Indian Post Office varies from Rs. 120 to Rs. 140 to be attained after a service of 25 years, if they are at all able to cross the two efficiency bars, to be rigorously enforced after 10 and 18 years' service. They have to start on an initial pay of Rs. 35, 40 or Rs. 45 or Rs. 50 as the case may be, against Rs. 175 for a postman in England. Congratulate yourselves, brothers, on your good luck! Your increase has been limited to 50 per cent. and most of you have got only a very small increase, and many have even been adversely affected.

13. This increase of wages in England was not confined to the cadre of postman alone, the clerks got their wages enhanced in like manner. To pay the enhanced rate of wages, the British Post Office had to work at a loss of ten million pounds in the first year the increased pay was sanctioned. To make up the loss the British inland postage has been raised for letters to 2d and for postcard to 1d, equivalent in Indian money to two annas and one anna, respectively. If we look to the Indian Postal Administration, what do we find? Year after year large surplus revenue is appropriated by the Government, and in this way over five crores of rupees out of Postal revenue has been saved in the course of eight years. It has been the declared policy of Government both in the days of the East India Company and after the transference of the administration to the Crown that no surplus revenue would be derived from the Post Office; but the large savings year after year do not give indication of the promise having been kept.

14. Brothers, we are to thank ourselves for the shabby treatment we have been receiving. We have been content to be silent workers for ages, for which such eulogium was

bestowed on us by Sir Arthur Fanshawe; and this crime of silence brought its retribution in the neglect to which we were relegated so long. Instead of being silent workers, had we been a little more clamouring for our rights, then the Government would not have sweated us in the manner they have done. It is time we take lessons from past experience, and carry on our fight for all that makes life worth living.

15. The burning question of the day is the question of bread and decent living. Are we paid a living wage? Do we get sufficient wages to nourish our children with healthy and nutritious food, to clothe them decently, to house them in proper and ventilated quarters with sufficient accommodation for purposes of decency and healthy moral development, to give them education, to pay for proper medical help, to meet their marriage expenses and various other social obligations, and provide for the rainy day? Ah! Brothers, we all know to what strait have we been reduced. We do not live, but we merely exist to drudge on to sustain life. Brothers, do you consent to live this life if you can help it?

16. Man is something more than an animal. He cannot afford to pass his days in mere animal existence. He cannot live contented if only his physical needs are satisfied. His moral nature will rise in rebellion if it is altogether neglected. It is impossible to live the life of a moral being who exists for a higher end,—namely, to develop into full manhood and bring it into harmony with the universe and its author—unless he has a mind free from anxiety, and unless he has sufficient leisure for contemplation and introspection. It is, therefore, necessary that the income should be adequate to dispel domestic cares, and time must be available for the development of the higher nature.

17. But what opportunities have we to live a human life in the Postal Service? The pay is too low, in consequence of which we are in a constant state of anxiety, the long hours of duty and the hard labour of office are very exhausting. We are thus reduced to a state of mere animal existence, and even that—not a healthy one. Brothers, we cannot afford to continue as we are, unless we belie our nature. We must, therefore, determine to have our pay increased and working hours reduced. We must fight and fight strenuously to secure what alone can make life worth living. We must make up our minds at this conference whether we shall continue to live as human cattle or 'take up arms against a sea of trouble and by opposing end them.'

18. Brothers, again do I reiterate that we are to thank ourselves if we continue to live this present degraded life. It is the law of nature that we should receive the treatment we actually deserve. We have fallen from our high pedestal and we have lost the consciousness of our true self. We have forgotten that we have a soul which is the essence of God. Once our hypnotism is gone and once we succeed in overcoming mean terror and low selfishness and abject submission to fate, the soul will manifest in all its glory and it will triumph over whatever obstacles may stand in our way.

19. Brother delegates, you had expected a good deal from the Postal Committee; and the animation and activity displayed by the postal officials throughout India and Burma at the time was an index to the high hopes raised by what then appeared as a genuine desire of the Government to do justice to the long neglected subordinate staff of the Post Office. Your hopes have been shattered, your expectations have been cast to the four winds, and you stand to-day in a position hardly better than when the Committee was appointed. I ask you, brothers, as to whether the disappointment has broken your spirit, or whether it has given you a new impetus to redouble your energy and give no rest to the Government till our legitimate claims are fully satisfied.

20. If you are convinced in your heart that the recommendations of the Postal Committee are humiliating and unsatisfactory, if you feel you have been very shabbily treated and you deserved better, and if you are determined to obtain what you have a right to claim, only one course is open to you, and that is summed up in the one word 'Organise.' Organise if you want real living wage, organise if you want to have your working hours reduced, organise if you desire better treatment from your superior officers, organise if you want that the authorities should consult and consider your opinion on all administrative measures affecting you.

21. Simply because the Postal workers' organisation was still in a liquid state, that the Postal Committee could dare to characterise the workers as beggars, to openly give expression in their report to the view that the witnesses chosen by the workers were unreliable, to prepare schemes of revision altogether inadequate, grotesque and ridiculous in the extreme. Had the Committee found the Postal Organisation as strong as the Telegraph Association, they could have changed their tone and sung quite a different song. We should take lessons from the attitude of the Government towards the telegraphists. Simply because the Telegraph Association is a very powerful body with strong financial backing, every member of

which is alive with class consciousness ready to do in concert whatever circumstances demanded. The Telegraph Committee, of which the President was the same Mr. Haseltine who presided over the Postal Committee, recommended almost everything demanded by Mr. Barton of the Telegraph Association, and Government accepted the recommendations without demur. They do not dare to call the Telegraphists beggars, or to characterise the witnesses as unreliable.

22. Take it from me, brothers, that petitions and memorials and supplications will count for nothing so long as you do not organise yourselves in a manner to convince the Government that you will no longer stand nonsense. This organisation, when perfected, will be ten times more powerful than the Telegraph Association. But there are difficulties in the way. We have scattered units spread over the length and breadth of the country; and so much the stronger must be our efforts to enthuse them with the spirit of Association, and secure them to the service of the common cause. The spirit of Association is already in the air, there is a universal awakening in the Post Office, spirit of unrest has captured the entire Postal Service, every one is eager to contribute his mite for the furtherance of the common cause. The ground is ready; only some daring spirits are wanted to sow the seed and reap abundant harvest.

23. Organisation to be effective, must be centralised. Scattered Associations with very loose ties to bind them is useless for action and the authorities know it well. Unless, therefore, we can concentrate our scattered forces to be set in motion by some one central authority we may rest assured that our efforts will not be crowned with full success. The All-India (including Burma) Post Office and Railway Mail Service Union is intended to supply the place of the central authority. To make the All-India Union a reality demands a good deal from us. We must rise superior to provincialism, we must broaden our outlook, we must cultivate a spirit of trust, we must be identified with the All-India Union wherever it may be located, we must fully develop class consciousness, we must have implicit faith in the All-India Executive; in one word, we must strongly feel that we are for the Union, and the Union is for us. So long as we cannot thus identify ourselves fully, the Union will lack the full strength necessary for our salvation.

24. Brothers, our weaknesses arise from the fact that we have forgotten our true selves. From this forgetfulness of the self are engendered the vices that mar our life. Flunkeyism, cowardice, selfishness, treachery, supineness, and insincerity—these are the tools used by Beelzebub to asphyxiate the soul. Brothers, beware of them, shun them as viper's breath, train the mind to be impervious to the devil's wiles, and there is no power that can deny you the rights and dignities of man.

25. Now comes the question as to what are the requisites to make organisation successful. I cannot do better than repeat the advice given by Colonel Wedgwood, one of the labour leaders of England, at a meeting of the Postal employees in Calcutta. The first requisite, he said, was a strong feeling of class consciousness. The bond of all unions is this feeling of class consciousness. We all belong to the Postal Service, and we are, therefore, brothers. We may come from different provinces, we may speak different tongues, we may be separated by wide areas extending over thousands of miles, but all this difference must disappear before our common brotherhood. We may have our private disputes, tempting offers may be in work to seduce particular officials to create divided interest, but we must rise superior to all these. Private quarrels never so bitter, and temptation never so powerful, should not alienate us from our allegiance to brother officials and make us traitors to our cause. This feeling is class consciousness, without which no organisation worth the name is possible.

The second requisite is that no official should stand aloof from our Union. Union is strength, and we cannot afford to have division in our camp. In the interest of service as much as for individual interest, every one should join the Union with heart and soul, so that our demands may have behind them the united strength of the entire body of officials.

The third requisite is to create a substantial Reserve Fund. Brother delegates, full purse constitutes the sinews of war, and no special emphasis is at all necessary on this point. You all know that without a strong financial backing, satisfactory work cannot be done.

The fourth requisite is to give publicity to our grievances through the press. The labour organisations in the West have their own organs for their purpose. In India we had, until lately, practically no organ of our own entirely devoted to the interest of Postal and R. M. S. employees. This want has now been supplied to a certain extent by the 'Labour,' a monthly magazine issued under the auspices of the Provincial Association, Bengal and Assam. If the All-India Union could undertake to issue its own paper or, failing that,

recognised the 'Labour' and gave it sanction to assume the All-India character in name as it has already done in its methods, it would be better still. The organ of the Union should be very largely subscribed, so that every employee may have opportunity to acquaint himself with the activities of associations and become familiar with the progress of ideas.

The fifth requisite is to influence the members of the Legislative Assembly and the Council of State with a view to bring pressure on the Government. The value of help in this direction will, however, depend to a great extent on the strength of our organisation. The members are in a position to render help no doubt, but their help will not be very effective, unless our organisation becomes powerful.

26. These are the five requisites for a successful organisation. I wish to add one more to the Colonel's list—I mean a proper sense of discipline. I said in my speech at Mymensingh the Colonel does not appear to have laid emphasis on the point, simply because discipline is so spontaneous in England, although the spirit of discipline is almost moribund in India. Discipline requires that when you have a duly elected Executive you must abide by their decision in all matters which are within their competence. If you find the Executive going wrong you have the choice to elect a fresh Executive; but you cannot consistently with the principles of discipline, keep an Executive body in office and override their action. Then discipline demands that when there is a difference of opinion, the minority must abide by the verdict of the majority; there must be no secession. 'I do not agree with you on a particular question and I cannot, therefore, act with you'—this spirit is subversive of discipline. If my view does not find favour with the majority, I must subordinate my views to the views of the majority, and loyally work whole heartedly for the common cause. This is discipline. Brother delegates, the spirit of discipline is still weak in us, and it is, therefore, so very necessary always to remember that without discipline no organisation can stand and work with success.

27. The Government do not forget to reiterate, in season and out of season, that a strong Committee was appointed to investigate the grievances of Post Office officials. The Government have accepted their recommendations; what cause of complaint have we then. We must admit that the Committee was strong enough to call workers beggars, strong in their anxiety to recommend as little as possible, strong in declaring the witnesses chosen by the workers as unreliable, strong in rejecting the unanimous demands of the men, strong in accepting whatever was suggested from official quarters, strong in murdering logic and facts, strong in preparing absurd and grotesque schemes.

28. Most of you have, I hope, gone through the memorial submitted to His Excellency the Viceroy by the Secretary, Provincial Postal and R. M. S. Association, Bengal and Assam Circle, which contains a criticism of the Committee's report. The Committee richly deserved the castigations it has received. After a prolonged sitting, the Committee produced a scheme, which contains within itself its own condemnation. Junior men would get higher pay than senior men, a graduate newly appointed would march four years in advance of graduates in service. A graduate appointed paid probationer before December 1919 would be entitled to the initial pay of a Reserve clerk, but a graduate made paid probationer after December 1919 would start on an initial pay 4 years in advance in the time-scale, what greater absurdities could be conceived to discredit the report of the Committee.

29. The distinction made between first class and second class Head offices is based on reasons inconsistent with facts. Neither it is true that cost of living in places with first class Head Offices is higher than places with second class Head Offices, nor it is a fact that work in a first class Head Office is more arduous and more difficult. Then a first class Head Office may be reduced to a second class Head Office and *vice versa* as it has happened before and what scale of pay would then apply is a problem for the gods to solve. The curious part of the whole affair is that the Committee made this fanciful distinction on their own initiative or on the initiative from official quarters, without caring even to question the workers' witnesses what they had to say on the subject. The fact of the matter is that the committee did not care a jot for the opinion of workers' witnesses, and the fact of calling these witnesses was a mere form and nothing else.

30. I refrain from giving a full catalogue of the absurdities as they are too numerous. We are ashamed of the committee and the Government should be ashamed of the committee. We reject the findings of the committee, and the Government should do likewise as the only honourable course.

31. Now, brothers, we should consider what we actually want and determine what we should fight for. To my mind four things are necessary to establish the subordinate service in the Post Office on a correct basis. The first thing we must have is adequate and decent wages; the second thing, curtailment of hours of duty; the third thing, moderation

of punishment and good treatment from superior officers; and the last thing that we must have is a voice in the administration in matters affecting the subordinate staff.

32. At the last conference held at Delhi we agreed that the scale of pay for clerks and sorters should be uniform, and we formulated our minimum demands. I do not think anything has happened since then to alter our views. We must fight for the minimum irreducible demands we determined after mature consideration. I think it was time that we took up the question of irreducible minimum wages for other classes of employees in the subordinate service as well.

33. Brothers, time-scale of pay for the subordinate service is meant to give a living wage. Efficiency bars are out of place where living wage is the question. Efficiency bars are, therefore, inconsistent and anomalous and out of place in the time-scale of pay in the subordinate service. In the superior services pay is determined, not by the standard of living but to attract men of superior stamp and to give dignity to high officers and it is, therefore, in the fitness of things that there should be efficiency bars in the time-scale of pay in the superior services. Brothers, we cannot, therefore, tolerate any bars in the time-scale of pay in the subordinate service of the Post Office.

34. The reduction in the hours of duties is of equal importance. Under existing conditions one is required to work very long hours, generally from 10 to 12 hours daily. The responsibility of Post Office duty is very heavy. Hard labour for inordinately long hours with considerable money responsibility reduces the men to a state of physical and mental paralysis; and it should not be allowed to continue for a day to the detriment of the service if we can help it. The authorities are, however, altogether callous. In the year 1919-20, the work of the Post Office increased over 11 per cent. and only 1·8 per cent. increased staff was sanctioned. Where is the wonder then that the manipulating staff should be harder pressed year after year. With the question of reducing hours of duty is involved the question of revising the Time-Test. We must press for workers' representatives in any committee that may be appointed to revise the Time-Test.

35. The question of punishment is another matter which we must take up in earnest. The superior officers treat their subordinates not as public servants but as public slaves. One who cares to know can easily find for himself, if one visits an important Post Office at a busy hour, how showers of abuse and insult pour down on the devoted heads of the clerks, as a most natural thing. Even assaults are not a very uncommon occurrence. But the clerks do not get protection from the Department they serve. They have to exercise Job's patience even under extreme provocation, lest their official career be ruined.

36. The Postal Administration is conducted by working on the terror of the subordinate staff. Circulars and instructions issued by the authorities always carry a sting in the tail and the sting is in the shape of a warning that 'mistake or failure to carry out instructions will be severely punished.' This betrays a mentality that has no faith in the sense of duty and loyalty of the workers, but depends entirely on the terror of punishment. Like slave owners, the Postal Administration always keeps the rod uplifted to get the work done. What is calculated to demoralise the men more than this? The authorities do not believe in the innate goodness of man. They appear to hold that man was not created by the Good God, but by the forces of Evil; and the evil propensities so inherited can be restrained only by the use of the rod.

37. Draco, the ancient law giver of Athens, is not dead. He lives in spirit in the Postal Administration. Have you missed a letter? You must be fined—you must bleed. Have you, through pressure of work, failed to exercise the necessary scrutiny prescribed in the Manual rules?—you must bleed, you must pay heavy penalty in fine and you must be degraded. Have you the hardihood of allowing your manhood to rebel against insults, abuses and assaults? You must bleed and your career is blighted. Any the smallest thing will be on record against you, and it will bar your progress beyond the efficiency bars, and your dream of entering the selection grades will vanish into the air. The Director-General, in his book recently published, admits, to quote his own words, 'Every official in the Department is supposed to have the contents of these four volumes of Manual at his finger's ends, but in reality few have ever read them through; and any one who attempted to obey all their instructions would find himself sadly hampered in the exercise of his duties.' But what of that? This frank admission by Mr. Clarke does not at all count when punishment is determined, and it goes on merrily as ever. We must seriously take up this question of punishment and the treatment due from superior officers. We cannot allow our manhood to be destroyed by such constant terror of punishment hanging like Damocles' sword over our head.

38. Brothers, our position will not be quite satisfactory, unless we can secure a voice in the Postal Administration in matters affecting the subordinate staff. The authorities have the knack of launching into schemes, hasty and defective; and the manipulating staff have to suffer. You know what happened when the despatch of Value Payable Money Order forms to offices of destination was abolished, what confusion it caused, what trouble it brought to the workers, what serious inconvenience it caused to the public, and how at last the old system had to be reintroduced. The abolition of Savings Bank Ledger maintained in the Audit Office was another instance of serious blunder, which generated endless difficulties and occasioned the ruin of many promising careers.

39. The disintegration of the Calcutta General Post Office and separation of the Sorting work to form a separate Sorting office under the control of the Deputy Postmaster General, R. M. S., was also a huge blunder. After a chequered career and various somersaults, the Calcutta Sorting has been restored to the control of the Presidency Postmaster. These blundering experiments have proved unqualified failures. But they involved a lot of wasteful expenditure and caused endless trouble to the workers. Such blunder can be easily avoided if the representative Associations of the workers are consulted, and due weight given to their opinion. For purposes of good administration, for the prevention of wasteful expenditure and for saving the workers from unnecessary troubles, we have a right to claim that in all administrative measures affecting the subordinate staff the All-India (including Burma) Post Office and R. M. S. Union should be consulted.

40. It may look ungalant, but I shall be failing in my duty if I do not refer to the invidious preference given to women clerks. They will start on a higher initial pay, much higher even than that of graduates; the rates of annual increments are higher, and there are no efficiency bars for them. All the world over, women clerks still hold a place inferior to male clerks, and only now a movement is going on in England on behalf of women clerks for an equal status with male clerks. But this natural order has been reversed in the Indian Post Office for reasons best known to the authorities. Are you going to accept this lower status assigned to male clerks or are you determined to remove the stigma of inferiority thus branded on your forehead?

41. Brothers, the tale of our woe is endless and I have touched only the fringe. But I have already inflicted on you a long lucubration to tire your patience. I do not dare to take further advantage of your goodness out of which you have given me so patient a hearing. I shall, therefore, conclude by asking you to remember that you are men, and not dumb driven cattle: you have a soul which is the essence of God and which nothing can repress except your own folly and ignorance and supineness. You have immense potentiality, capable of moving heaven and earth. Organise this power, organise with a purpose, organise with determination, and I promise you success will knock at your door.

Copy of a communication No. 76c-Con., dated the 13th October, 1921, from the Director-General of Posts and Telegraphs, to the Postmaster-General, Benjal and Assam.

I have the honour to say that the following extracts have been taken from a speech delivered by Babu Tarapada Mukerji at the Post Office and R. M. S. Conference, Lahore, on the 9th October, 1921.

Will you kindly ascertain from Mr. Mukerji if the extracts are correct and if he actually used these words in his address.

If so, I have the following remarks to make. The Address was a public one and has been printed for circulation. It is calculated to bring Government and the Postal Administration into contempt with their own employés.

Statements have been made which are unfair and untrue casting ridicule and scorn upon a Committee of Indian and European gentlemen who devoted a great deal of time and care to improve the pay and prospects of the Post Office subordinate staff. The cost of this revision was no less than 1 crore 31 lakhs a year and the result of the heavy increase in expenditure is that the Post Office which made a profit of 75 lakhs in 1919-20 has shown a deficiency of over 45 lakhs of rupees in 1920-21.

Other charges are made against the Administration of the Post Office which the speaker must have known to be untrue, I refer to extracts Nos. 2, 4, 5, 8 and 9.

Mr. Mukerji is a senior postmaster on Rs. 250-350 and has been officiating as Postmaster, Mymensingh. He is now nominated to act as Assistant Postmaster, Calcutta, on

Rs. 350—450, but it is impossible to place an officer in this important position who has publicly brought false and unfounded charges against his superior officers and against the Government. There is no objection to reasonable criticism of any action, but public abuse of the Postal Administration by a responsible officer belonging to it cannot be tolerated. If Mr. Mukerji holds the views expressed in this address, he is disloyal to himself by remaining in the Department. His whole speech is designed to stir up disaffection and disloyalty among the staff and I am sorry to find that any officer of this Department could be capable of such unseemly and disloyal conduct.

Ordinarily no officer who made a public address of this kind could be retained in Government service. But I am willing to give Babu Tarapada Mukerji an opportunity of withdrawing his assertions and expressing regret. If he makes a public apology in the following terms I shall ask Government to overlook the matter upon this occasion. If he refuses to do so, he may be given the option of resigning his appointment or of being removed from Government service.

FORM OF APOLOGY.

I, Babu Tarapada Mukerji, Postmaster in the Bengal and Assam Circle, admit that the extracts given below are correctly taken from my Address delivered at Lahore on 9th October 1921 at the All-India Postal and R. M. S. Conference.

I apologise sincerely for the expressions used in these extracts and for the unfair and unfounded statements which I have made about the Postal Administration and the Postal Committee. I withdraw everything which I have said as reported in these extracts and I promise, as a responsible officer of the Department of Posts and Telegraphs, to refrain in future from stirring up disaffection and disloyalty among the Postal Staff either by speech or actions.

(Signed) _____

Extract from a Presidential Address of Babu Tarapada Mukerji at the All-India (including Burma) Post Office and R. M. S. Conference at Lahore on the 9th, 10th and 11th October, 1921.

* * * * *

1. It is, therefore, in the fitness of things that in our struggle for emancipation from the slavery, economic or otherwise, that prevails in the Post Office and R. M. Service, our stalwart brothers of the Punjab should play a worthy part. * *

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2. I am astonished and you are astonished that a Committee of responsible men appointed by a civilised Government in the twentieth century, can so far forget themselves as to place workers in the category of beggars, at a time, when labour has become self-conscious enough to contemplate taking 'Direct Action.' * *

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3. Brothers, what better could be expected from the Committee, constituted as it was? Through your Association you sent up the names of certain persons on whom you had faith, and who could represent your view point, had they been given a place on the Committee. But the Government religiously excluded every person whom you nominated and selected men on whom you had absolutely no faith. You cannot be bound by the findings of a Committee with which you had nothing to do, and who had nothing to do with you.

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4. The fact of the matter is that the Committee was dominated by one idea in framing their scheme, and that is to keep down any considerable increase of expenditure, and they make no secret of this view in their report.

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5. The consideration of economy is, however, cast to the four winds when the question of raising the pay of the upper strata arises. You will be surprised to learn that in the course of twelve months more than one revision has been sanctioned for those who are paid by thousands, instead of by tens, but when the poor underpaid, overworked subordinate staff is concerned, that is another matter. The soulless cruel cant of 'demand and supply' then comes in, family budget is discarded, evidence of those affected is declared extravagant and unreliable comparison is made with commercial firms as if the Government are to follow, instead of setting example to, capitalist profiteers in the matter of remuneration to the employees, and every quarter is ransacked for the justification of denying what constitutes the real living wage in the present time.

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6. Simply because the Postal worker's organisation was still in a liquid state, that the Postal Committee could dare to characterise the workers as beggars, to openly give expression in their report to the view that the witnesses chosen by the workers were unreliable, to prepare schemes of revision altogether inadequate, grotesque and ridiculous in the extreme.

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7. I refrain from giving a full catalogue of the absurdities as they are too numerous. We are ashamed of the Committee and the Government should be ashamed of the Committee. We reject the findings of the Committee, and the Government should do likewise as the only honourable course.

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8. The superior officers treat their subordinates not as public servants but as public slaves. One who cares to know can easily find for himself, if one visits an important Post Office at a busy hour, how showers of abuse and insult pour down on the devoted heads of the clerks, as a most natural thing. Even assaults are not a very uncommon occurrence. But the clerks do not get protection from the Department they serve. They have to exercise Job's patience even under extreme provocation, lest their official career be ruined.

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9. The Postal administration is conducted by working on the terror of the subordinate staff.

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10. Draco, the ancient law giver of Athens, is not dead. He lives in spirit in the Postal Administration. Have you missed a letter? You must be fined—you must bleed. Have you, through pressure of work, failed to exercise the necessary scrutiny prescribed in the Manual rules? You must bleed, you must pay heavy penalty in fine and you must be degraded. Have you the hardihood of allowing your manhood to rebel against insults, abuses, and assaults? You must bleed and your career is blighted. Any the smallest thing will be on record against you and it will bar your progress beyond the efficiency bars, and your dream of entering the selection grades will vanish into the air.

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11. The authorities have the knack of launching into schemes, hasty and defective; and the manipulating staff have to suffer.

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To

THE DIRECTOR-GENERAL, POSTS AND TELEGRAPHS IN INDIA, CALCUTTA.

SIR,

In connection with the conversation I had the honour to have with you at an interview on the 17th November 1921, I have received a letter No. A.-9—T.-14, dated the 19th November 1921, from the Post Master General, Bengal and Assam, requesting me to submit my apology in the course of to-day.

I beg to remind you that I never told you that I would apologise for anything I had spoken at Lahore. I maintained that there was nothing in my speech which was unfair or unfounded.

My transfer from Bengal to Burma was in contravention of the accepted principle of the department; and although the transfer was ordered at the instance of Mr. G. P. Roy, Post Master General, and Rai Bahadur K. P. Sen, Deputy Post Master General, as I understood from you, one would naturally have the conviction that it was an act of persecution to transfer me out of India. I still believe that my transfer from Calcutta Barabazar to Dacca and my transfer from Bengal to Burma were acts of harassment.

But from the conversation I had the honour to have with you I felt that a public utterance of the fact has been an exposure which you have taken much to heart, and out of respect for your feelings and position I agreed to express regret for it.

I also agreed to express regret for any strong language that may have been used with reference to Government, although I denied having used any, and you did not point out any particular passage or passages in my speech to which objection might be taken.

I beg most respectfully to say that I have been astonished that the conversation at the interview has been made to appear in a different light in the Post Master General's letter. After the conversation at the interview, it is needless to say that I decline to apologise for any part of my speech delivered at Lahore.

I have, etc.,

(Sd.) TARAPADA MUKERJI,

Postmaster, Pegu (on leave).

162, Bowbazar Street,
Postal Club, Calcutta,
The 19th November, 1921.

To

THE POST MASTER GENERAL, BENGAL AND ASSAM, CALCUTTA.

SIR,

1. With reference to your letter No. A.-9—T.-14, dated the 19th October 1921, I have the honour to state that I do not remember having said anything unfair or untrue in my Presidential address delivered at Lahore on the 9th October 1921.

2. The Presidential address was a printed document, and I actually used the words printed in it. The extracts forwarded with your letter under reply are extracts from my speech; but it is necessary to read them with context to avoid misconstruction.

3. The statements I made in my speech are none of them unfair or unfounded, so far as my knowledge goes. Unless therefore I am false and disloyal to myself, I cannot subscribe to an apology declaring my speech to contain unfair and unfounded statements.

4. As I have been called upon either to apologise or to resign, I submit it will not be irrelevant if I adduce facts in justification of what I said at the Lahore Conference, and I hope the Director-General will not refuse a patient hearing before he pronounces his final judgment. I will take up the extracts in the order they have been given.

5. *Extract No. 1.*—The extract is made from paragraph 4 of my speech; but it is altogether misleading if read by itself without reference to the context. The speech as delivered runs thus: 'It is therefore in the fitness of things that in our struggle for emancipation from the slavery, economic or otherwise, that prevails in the P. O. and R. M. S. service, our stalwart brothers of the Punjab should play a worthy part, and the first two sessions of the Conference should be held in the Land of Five Rivers. We are grateful to our Punjab brothers for their earnestness and spirit of sacrifice manifested in the fact of their having invited the Conference for two successive sessions'.

6. My submission is, there is absolutely no exhortation to the Postal officials of the Punjab to acts of disloyalty to the service to which they belong. My speech was only an expression of admiration and gratitude at the spirit of sacrifice manifested by inviting the Conference for successive sessions.

7. If objection is taken to the expression 'slavery, economic or otherwise, that prevails in the Post Office and the R. M. S.' I beg to say that the scales of pay in the P. O. even after the revision are quite inadequate; and this fact had been admitted by Rai Sahib Bawa Teja Singh, Postmaster of Lahore, in his speech as Chairman of the Reception Committee. When one of the chief officers of the Department holds the view that the scales of pay are inadequate, there is no denying the fact that living wage is denied to the men in the subordinate service of the Post Office. Economic slavery means nothing more nor less than that the workers in return for full time labour does not get full living wage. When the officials in the subordinate Postal and R. M. S. service do not get adequate wages, there can be no exaggeration to say that they are under economic bondage or economic slavery.

8. The public know, and whoever has taken the trouble to enquire knows, that the Postal officials have to work long and inconvenient hours. The Postal Committee in their report have admitted this fact. The R. M. S. sorters have in many sections to work more than 10 hours at a stretch in a running train or steamer. This is not economic slavery; but it is a slavery of the worst kind. The Postal officials do not practically enjoy holidays like Government servants in other Departments. They have to work 365 days in the year, and from 10 to 12 hours each day, often with split duty. If this is not slavery, one wonders what slavery really is.

9. From the explanations furnished in the foregoing paragraphs you will be pleased to see that there was no unfair or unfounded statement in the portion of my speech from which extract No. 1 has been made.

10. *Extract No. 2.*—This extract is incomplete without the addition of the words 'even in affairs of State' as is given in paragraph 6 of the speech. The Postal Committee in their report (*vide* page 6) lays down the maxim, to quote their own words, 'Any concession is entirely a gift, and this being so, it is for the donor to decide what the measure of the gift shall be.' This, I submit, tantamounts to saying that the workers are beggars, and they must be satisfied with beggars' doles. The Committee by this curious maxim denies the workers the right to claim living wage in return for full time work. The workers are not actually beggars and the employers are not donors. The workers are joint producers of wealth with the employers, and they have the inherent right to living wage as much as the employers. Naturally the strange dictum adumbrated by the Committee came as a surprise, and I and my brother workers were simply astounded.

11. The labourers of Great Britain were dissatisfied with the Cabinet for continuing military operations in the Archangel Region of Russia even after the conclusion of the Great War; and the Executives of the different labour Unions combined and advised the Cabinet to stop all military operations in Russia and to withdraw the troops that were in occupation of the Archangel region, failing which they said they would take Direct Action to make any military operation in Russia impossible.

12. Whatever therefore I said in my speech, from which extract No. 2 has been made, are all based on facts. Days of isolation are past. India no longer slumbers within the confines of her own boundary. She is wide awake to get her inspiration from abroad. The Indian labour world in general and the Indian Postal and R. M. S. officials in particular are alive to the World movement. It was therefore only natural that the Postal Committee's estimate of the Postal and R. M. S. employees should astonish by its contrast with the treatment of labour in Great Britain. I submit I was not therefore at all guilty of unfair and unfounded statement in the portion of my speech from which extract No. 2 has been made.

13. *Extract No. 3.*—As far as I have been able to ascertain from enquiry, the gentlemen who constituted the Postal Committee were, none of them, nominated by any one of the Postal Associations except perhaps Rao Bahadur S. Rangachari, whose name may have been suggested by the Bangalore Postal Union of which he was President. Those who had got the largest backing from the officials whose case the Committee was appointed to investigate, were, not one of them, given a seat on the Committee. It was therefore idle to expect that the Committee constituted as it was could at all command the confidence of the officials. I therefore cannot see wherein I have made unfair and unfounded statement.

14. It is an accepted principle all the world over that a Committee appointed to investigate the case of workers, should have in it equal representatives of the employers and the employee. The Postal Committee was constituted on quite a different principle,—and the workers' representatives were altogether excluded. If my information is not wrong, my name was suggested by a large number of Postal Associations; Bengal and Assam were unanimous in nominating me; there were other Provinces as well that suggested my name for membership. But I was not given a seat on the Committee. When the Postal Associations despaired of inducing the Director-General to appoint me as a member of the Committee, they approached Mr. Kamini Kumar Chanda, a member of the Imperial Legislative Council (as it was then called). Mr. Chanda wrote to the Director-General requesting him to have me on the Committee. The Director-General's reply to Mr. Chanda is very characteristic and I quote it *in extenso* to prove by the very tenor of the Director-General's letter that every word I wrote in my speech contained the barest truth. Many of the Postal Associations nominated Mr. P. G. Rogers and Mr. H. N. Hutchinson, Postmasters General. They were high administrative officers of the Department on whom the workers had faith, but not one of them was appointed member of Committee :

No. 5-S.-E. S.

OFFICE OF THE DIRECTOR GENERAL OF
POSTS AND TELEGRAPHS ;

Simla, the 30th—31st March, 1920.

DEAR MR. CHANDA,

In reply to your letter dated the 26th instant I am afraid that owing to a pressure of their official duties it will not be possible to depute either Mr. H. K. Raha or Babu Tarapada Mukerji to the Postal Committee as they cannot spare the time for a Committee which will have so much work to do. I am, however, asking the President of the Committee to call up Babu Tarapada Mukerji as a witness so that he will have every opportunity of expressing his views upon the points at issue. I think you will find the personnel of the Committee thoroughly satisfactory.

Yours sincerely,

(Sd.) G. R. CLARKE.

15. As to the portion where I said 'You cannot be bound by the findings of a Committee with which you had nothing to do, and who had nothing to do with you,' I have sufficient justification for the remark. The employees had actually no voice in the constitution of the Committee, and they had therefore nothing to do with it. The Committee on the other hand did not place any reliance on the evidence given by the witnesses chosen by the workers. The Committee summarily brushed aside their evidence, and built up their recommendations on the statements and papers produced by the Postmasters General and on documents supplied by other departments. Evidently therefore the Committee had very little to do with the men of the subordinate staff.

16. I submit that after the explanations furnished in the preceding paragraphs you will kindly see that I did not make any statement unfair or unfounded, so far as extract No. 3 is concerned.

17. *Extract No. 4.*—I beg to invite a perusal of the Committee's report, and no explanation will I submit then be necessary to prove that the dominant idea was to prevent any considerable increase of expenditure. The report of the Committee as a whole is pervaded with this idea and I fail to see how I could be guilty of an unfair and unfounded statement in merely repeating the same.

18. *Extract No. 5.*—A Member of the Bengal Legislative Council stated in his speech only at the Session just closed that more than one revision was granted to the members of the I. C. S., in the course of twelve months, and this statement was not challenged in the Council. This revision may have been in the shape of allowance, etc., instead of increase of substantive pay; but all the same, increase of income due to holding particular class of appointments is revision, whatever name may be given to it. I submit I cannot have done wrong in repeating the statement of a Member of the Legislative Council.

19. With regard to the last portion of Extract No. 5, I beg to invite your attention to the Director-General's reply in the Imperial Council given to an Honourable Member. He brought prominently to the fore the theory of "demand and supply", and he asked the Honourable Member as to why the Government should pay more when clerks could be had for less. Then, I beg to invite your attention to the majority report of the McAlpin Committee appointed to advise the Bengal Government as to the revision of pay of the Ministerial Officers and menials, and to the Note of Dissent by Rai Mahendra Chandra Mitra Bahadur. The majority report took shelter under the theory of "demand and supply", discarded family budget, declared the workers' evidence as unreliable, comparison was made with jail and hostel figures as well as with commercial firms.

20. Rai Mahendra Chandra Mitra Bahadur in his note of dissent met the theory of "demand and supply" by citing the authority of the Public Service Commission who declared the theory inapplicable to the conditions of India. I beg to quote a portion of the Note of Dissent to prove that every word I said in my speech, as far as Extract No. 5 is concerned, contains unexaggerated truth. Says the Rai Bahadur:

21. 'The comparison with Jail figures is bound to be an under-estimate, first, because in a Jail a very large body of men live together, which is not the case in a family; secondly, because in Jails several of the items of living have undergone either comparatively little or no increase. In adopting Jail figures, the important point to be borne in mind is that they do not include the increased cost of labour and the middle-man's profiteering. Paddy, pulses, mustard seed, yarn, etc., are purchased wholesale and prepared for final consumption by Jail labour itself; and while the cost of labour and the rates of profit have increased in the outside world, they have not effected Jails. We know that these are two substantial factors in making up the prices of articles. Again in Jails articles are purchased wholesale, and there is a considerable difference between the increase of wholesale and retail prices. A comparison with Jail figures is fallacious in several other ways. For instance, they do not show increase under the heads house rent, vegetable, doctor's fees, educational charge, etc.'

'Similarly I am not prepared to accept Hostel figures as an absolute basis of comparison for the very good reason, that as every parent knows, the fixed monthly remittance is supplemented very frequently by the supply of several articles or cash. Moreover, the figures for particular Hostels referred to by my colleagues and quoted in appendices IV and V do not give a fair idea of the increase. For instance, the first item of appendix IV, viz., the Wan Hostel, is a missionary hostel, where accommodation is supplied at a concession rate and there is thus no increase in house rent. The second item, the Krishnagar Hostel, the estimate from which is regarded by my colleagues as most complete, does not include warm clothing and several other items, and here also the house rent is cheaper than it is elsewhere. The greatest defect in figures for the students hostel is that there are regular vacations, and the charges realised for these periods go a considerable way towards making up the deficit in the other period; and, besides, there are always a number of casual absentees, who do not consume food, but nevertheless contribute their share of the common cost.'

22. 'This comparison with commercial firms again is a misleading comparison. In the first place, in determining the rate of admissible increase in the pay of clerks, it was unnecessary to seek comparison with Commercial firms. Government themselves have recently revised the whole of their superior services and some of their subordinate services too; and the rate fixed for these services would give a fair data for comparison for appointments with the corresponding rates of pay in the clerical service. But as this gives a very inconvenient figure, this method of comparison has been avoided by my colleagues. To seek guidance from Commercial firms to determine the rate of wages to be given by the employer to the employee appears to me to be a strange idea, and in matters like these Government should rather lead capitalists than follow them.'

23. *Extract No. 6.*—This extract has been made from paragraph 21 of my speech. The extract is intelligible only if it is read with the context. It is my personal opinion, and it is the opinion of all postal employees who have given a thought over the matter that the Postal Committee would not have been indifferent to the evidence given by the witnesses

chosen by the workers, and would not have adumbrated the curious 'Donor and Gift' theory if the Postal organization had been as strong as the Telegraph Association. To this conclusion I and other postal employees have come to from the very courteous and reasonable attitude of the Telegraph Committee towards the demands of the Telegraph Association and I still hold on to the same opinion.

24. As regards my remarks that the Scheme of Revision was inadequate, grotesque and ridiculous in the extreme, I submit there was no exaggeration in what I said. I have already explained in paragraph 7 that the Postmaster of Lahore, who is one of the chief officers of the Department, declared in his Chairman's speech that the revision was inadequate. I am therefore not alone to hold the opinion that the revision is inadequate. Grotesque and ridiculous the revision certainly is, although it may sound uncharitable to say so. The Director-General, in reply to representations made to him, said that he was helpless if under the revision junior men should get higher pay than senior men. This one confession comprehends all that I said in my speech. A graduate who was made paid probationer prior to December 1919 would under the revision get as his starting pay the wage of a reserve clerk, but a graduate made paid probationer after December 1919 would get a start of four years, and he would always mark four years in advance of the graduate who had entered the Department before him. Then again, as a result of the Committee's recommendations, cases have occurred in which a graduate or an I. A. or I. Sc. would get higher pay if he resigned and got reappointed. I submit that it is no exaggeration to call such a scheme as grotesque and ridiculous; and there was nothing unfair or unfounded in what I said in this connection.

25. *Extract No. 7.*—This is only a matter of opinion. The absurdities pointed out in the preceding paragraph do not exhaust the list. The distinction made between first class and second class Head Offices is another matter, the absurdity of which is apparent. There are District Head-Quarters with first class Head Office where the cost of necessaries is much lower than in places with second class Head Office. Then, Barisal was at one time first class Head Office, and Mymensingh a second class Head Office. The position was reversed afterwards. Now if on account of partition of the Mymensingh District or from some other cause the work of the Mymensingh Head Office does not justify its retention as a first class Head Office, and if it is on that account reduced to a second class Head Office, the question will at once arise as to whether the cost of living at Mymensingh would drop down simultaneously and the pay of the clerks reduced to the standard of a second class Head Office. Similar absurd situation will arise if a second class Head Office is raised to the status of a first class Head Office. When such absurd and grave and serious faults vitiated the recommendations of the Postal Committee, we are naturally ashamed of the Committee, and it is not only my personal opinion but the opinion of the thoughtful public as well that the Government who appointed the Committee should reject instead of adhering to the Committee's recommendations.

26. *Extract No. 8.*—I only narrated the barest truth when I made the remarks contained in extract No. 8. The Director-General in his book 'The Post Office of India and its Story' makes mention, in the Chapter on Post Office Buildings, of the disgraceful scene of scuffle and petty riots every evening near the windows of important and busy Post Offices for want of space. I have personal experience, and every Postmaster who has held charge of busy Post Offices have personal experience, that the scuffle and petty riot is not confined amongst those who come on postal business. The public go on abusing and sometimes assaulting the window clerks in their irritation; and no protection is afforded against such abuse and assaults. I may mention only one instance that occurred in the Calcutta General Post Office to prove my contention. A European lady came in the afternoon at the window of the Registration Department and she asked the window clerk to accept a registered parcel. The clerk explained to the lady that parcels were accepted in a different place and the one she had presented could not therefore be booked by him, and he requested her to go to the place where parcels were booked. The lady got irritated, and abused the clerk to her heart's content, and came to the Assistant Postmaster in charge and complained against the window clerk. The Assistant Postmaster called the window clerk to know what had happened. When the clerk was explaining to the Assistant Postmaster the real situation, the lady got more and more irritated and in the presence of the Assistant Postmaster slapped the clerk on the face. What protection did the clerk get? Absolutely none. The Assistant Postmaster quietly told the clerk to go and work, and politely asked the lady to go to the Parcel Window and gave his Chaprasi to escort her to the proper place. Simply because the public know that the clerks get no protection from the Department, that they dare to abuse and assault the clerks even in the presence of officers in charge. The clerks know very well that their career in the Post Office would be ruined if they give way under provocation, and their

manhood is thus crushed out of them. The statement contained in Extract 8 is an unadulterated truth, and no language is strong enough to give expression to the deep and pent up feeling of the whole service in this connection.

27. *Extracts Nos. 9 and 10.*—I beg to take up extracts Nos. 9 and 10 together, as Extract No. 10 is only an amplification of the general observation contained in Extract No. 9. The accepted principle of the Postal Department is to consider an official guilty until he is proved innocent. This has been incorporated in the Post Office Manual for the guidance of investigating and administrative Officer. This is reversing the accepted principles of jurisprudence. Then, the circulars and instructions issued by the authorities are not considered complete without the warning that 'mistake or failure to carry out instructions will be severely punished'. I submit that the threats embodied in Circulars and Instructions can have only one signification, namely, want of faith in the sense of duty of the workers and faith in the efficacy of the terror of punishment alone.

28. The Postal Department has built up its own tradition quite in conformity with the above principle. The officers work under the impression that they must punish and punish heavily for every mistake, if they want to get work from their subordinates. I have had talks with some administrative and supervising officers on the subject of punishment, and some of them admitted that they have to be hard on the men, as otherwise the officers above them would hold them as too lenient. Then, every one of them was sure that in absence of the terror of punishment there would be nothing left to stimulate the officials to exertion. To such an extent has the tradition of working on the terror of punishment clouded the Post Office atmosphere that no count is taken of the most elementary moral truth, that constant terror of punishment serves only to demoralise, and demoralisation and efficiency cannot go hand in hand together.

29. The Director-General in his book 'The Post Office and its Story' has admitted that, to quote his own words, 'the marvellous set of rules known as the Post Office Manual was prepared, which has grown into four healthy volumes. Every official of the Department is supposed to have the contents of these at his fingers end, but in reality few have ever read them through, and any one who attempted to obey all their instructions would find himself sadly hampered in the exercise of his duties.' But, the Director-General's candid confession notwithstanding, there is no mitigation of punishment for failure to adhere strictly to any of the Manual Rules.

30. In the Chapter on 'People and the Post Office,' a very interesting story is related how the letters written by one Abbasali failed to reach their destinations. In the concluding portion of the story the Director-General writes: 'Poor Abbasalli was quite perplexed and awfully sorry to know that all the valuable letters written by him for two weeks, sometimes containing cheques even, were thus washed away by the merciless waves; but no less embarrassed am I (Mr. G. R. Clarke) on hearing of the tomfoolery to think of what blame it may sometimes accidentally and unnecessarily entail on a Postmaster.' Here the Director-General admits that unless the truth is accidentally found out, as in the case of the letters written by Abbasali, the officials, although quite innocent and dutiful, are considered in the eyes of the Department as guilty. The Director-General himself therefore indirectly upholds me in the statement contained in Extracts Nos. 9 and 10.

31. Extract No. 10 contains an enumeration and description of the punishments to which the Postal officials are subjected. I submit there is absolutely no exaggeration in what I have said. The truth of my statement can be at once verified if a reference is made to the punishment awarded by Mr. C. D. Rae after his assumption of office as Presidency Postmaster, Calcutta. I am informed that a statement of punishment was compiled some time ago, at the instance of a member of the Imperial Legislative Council. I therefore submit that I made no unfair and unfounded statement so far as Extracts Nos. 9 and 10 are concerned.

32. *Extract No. 11.*—I submit that the extract, isolated from what precedes and what follows in my speech, is rather unfair to me. In paragraphs 33 and 39 of my speech I made it very clear why I made the statement, and I cannot do better than quote them below in justification of my observation.

33. I said in my speech: 'Brothers, our position will not be quite satisfactory, unless we can secure a voice in the Postal administration in matters affecting the subordinate staff. The authorities have the knack of launching into schemes, hasty and defective; and the manipulating staff have to suffer. You know what happened when the despatch of V. P. Money Order forms to offices of destination was abolished, what confusion it caused to the public, and how at last the old system had to be re-introduced. The abolition of Savings Bank Ledger maintained in the Audit Office was another instance of serious blunder, which generated endless difficulties and occasioned the ruin of many promising careers'.

34. 'The disintegration of the Calcutta General Post Office and separation of the Sorting work to form a separate Sorting Office under the control of the Deputy Postmaster General, Railway Mail Service, was also a huge blunder. After a chequered career and various somersaults the Calcutta Sorting has been restored to the control of the Presidency Postmaster. These blundering experiments have proved unqualified failures. But they involved a lot of wasteful expenditure and caused endless trouble to the workers. Such blunder can be easily avoided if the representative Associations of the workers are consulted, and due weight given to their opinion. For purposes of good administration, for the prevention of wasteful expenditure and for saving the workers from unnecessary troubles, we have a right to claim that in all administrative measures affecting the subordinate staff the All-India (including Burma) Post Office and R. M. S. Union should be consulted.'

35. I have given chapter and verse to show that the statements I made in my speech are all founded on facts; and my criticisms are all fair and reasonable. It was never my intention to bring Government and the Postal Administration into contempt with the employees. The report of the Postal Committee cause universal discontent; and petitions and memorials almost deluged the Directorate and the Government. This, I submit, was not my doing, nor the doing of a few malcontents. It was a spontaneous outburst of the dissatisfaction of the whole body of the subordinate staff at the recommendations of the Committee.

36. The petitions and memorials sent up to the Director-General and the Government did not evoke a sympathetic response; and this seeming indifference was bound to produce certain impressions in the minds of the men, which could not be conducive to the harmonious working of the Department. This simmering discontent was ominous; and I and the Associations with which I am connected wanted to get control over the men instead of leaving them alone to drift with the current, with a view to proceed on constitutional lines for securing redress of their grievances.

37. For this purpose it was necessary to win the confidence of the men whom we wanted to restrain and to acquaint the Government with their view-point and with the feelings so strongly working in them. To win the confidence of the men it was necessary to prove to them that we fully understood their case and were competent to help them out of their difficulties. My speech was carefully drafted always keeping this object in view; and I trust I succeeded in my attempt.

38. If the Director-General kindly condescends to consider my speech from the point of view mentioned above, I submit, he will be convinced that instead of attempting to bring the Government and the Postal Administration into ridicule, my sole endeavour was to create an atmosphere helpful to a mutual understanding. If I have succeeded in this, I have fulfilled a difficult task, and have rendered valuable service both to the Government and to the subordinate staff. If I have failed, it has been due to weakness and incapacity and not from lack of earnestness and zeal in the cause of peace and harmony in the Department.

39. As a senior Postmaster on Rs. 250 to 350, I had not lost touch with the subordinate staff. I possessed the unique advantage of knowing intimately the thoughts and feelings of the men; and I would be false to myself and disloyal to the service to which I belong if, at a critical time, an apprehension of trouble to myself had dissuaded me from an attempt to clear the lowering atmosphere by open and distinct utterances, as I have done.

40. In these circumstances I submit that I have done nothing unworthy of an officer of the Department. I would be false to myself if I were to apologise for doing what my conscience fully approves; I would be false to myself and to the service if I were to tender resignation for doing what I considered as the only honourable and sensible course conducive to the interest of both the Postal Administration and the workers in the Subordinate Service.

I have the honour to be,

SIR,

Your most obedient servant,

(Sd.) TARA PADA MUKERJI,

Postmaster, Pegu (on leave).

The Postal Club,

162, Bowbazar Street,

Calcutta, the 25th October 1921.

DAYS ALLOTTED FOR NON-OFFICIAL BUSINESS OF THE ASSEMBLY.

72. **M. K. Reddi Garu** : Will the Government be pleased to state how many days were allotted for non-official business during the two terms the Assembly was at work ?

The Honourable Dr. T. B. Sapru : Five days were allotted for the transaction of non-official business during the Delhi Session and five days during the Simla Session of 1921. In addition, a number of non-official Resolutions and Bills were given time on days allotted for official business.

RESOLUTION OF THE TRICHINOPOLY DISTRICT NON-BRAHMIN CONFERENCE.

73. **M. K. Reddi Garu** : (a) Has the attention of the Government been drawn to the Resolution No. 14 of the Trichinopoly District Non-Brahmin Conference held on the 25th of September, 1921, urging the appointment of more Non-Brahmins in the several departments of the Railway administration ?

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

Colonel W. D. Waghorn : It has been ascertained that a copy of the Resolution referred to has been sent to the authorities of the South Indian Railway Company. They have full powers in the matter of appointing their staff and the Government of India do not propose to intervene.

CENTRAL ADVISORY COMMITTEE ON EDUCATION.

74. **M. K. Reddi Garu** : (a) Will the Government be pleased to state with what object the Central Advisory Committee on Education has been created and what are its functions ?

(b) Have the vacancies created by the absence of Messrs. E. M. Macphail and the Right Honourable V. S. Sastri been filled up ? If not, what is this delay due to ?

(c) If the Government should propose to fill up this vacancy now, do they propose to consider the question of appointing eminent educationists ?

Mr. H. Sharp : (a) The main function of the Central Advisory Education Board is, as stated in the reply given to Mr. A. B. Latthe on the 15th February, 1921, the giving of advice to the Department of Education on subjects regarding which that Department may seek the advice of the Board. Its other functions are explained in the Department of Education's letter No. 1060, dated the 21st August, 1920, a copy of which is laid on the table.

(b) The vacancy created by the absence of the Reverend E. M. Macphail has been filled up. There is no vacancy in the place of the Right Honourable V. S. Sastri, as he is still a Member of the Board.

(c) There is one vacancy on the Board at present, namely, for the Principal of a privately managed college. In filling vacancies, the object aimed at is to appoint eminent educationists.

No. 1060, dated Simla, the 21st August 1920.

From—The Honourable Mr. H SHARP, C.S.I., C.I.E., Secretary to the Government of India, Department of Education,

To—
 { The Secretary to the Government of Madras, Home (Education) Department
 The Secretary to the Government of Bombay, Educational Department.
 The Secretary to the Government of Bengal, General (Education) Department.
 { The Secretary to the Government of the United Provinces, Educational Department.
 The Under Secretary to the Government of the Punjab, Home (Education) Department.
 { The Chief Secretary to the Chief Commissioner of the Central Provinces.

I am directed to address the Government of Madras
Bombay
Bengal
the United Provinces
the Punjab on the subject of
local Administration of the Central Provinces
 the duties and constitution of a Central Advisory Education Board which it is proposed to establish with the Government of India.

2. The Calcutta University Commission considered that the Government of India perform an invaluable function by defining the general aims of educational policy, by giving advice and assistance to Local Governments and to universities, by acting as an impartial arbiter in cases of dispute, by supplying information, by helping to obtain the services of scholars and by guarding against needless duplication, etc. They proposed that the Governor General should be the Visitor of University of Calcutta and should have power to direct enquiries into its work. They added that, if the Government of India decided to establish a special organization to deal with university questions, the visitatorial function of the Governor General might be performed by the aid of this organization. They further proposed that the Governor General should have similar power over all universities—a power which, as they stated, is inherent in the Governments of all countries. They considered that the Visiting Committee should include at least one distinguished scholar from overseas and that the others should be men of Indian experience. They further indicated the functions which might be performed by the Government of India in paragraphs 54 and 56 of Chapter L of their Report.

3. At the present time, new universities are springing into being, and it is probable that certain local Governments will accept the further recommendation of the Commission that the admission stage to universities should be the intermediate and that secondary and intermediate education should be entrusted to boards separate from the university though including university representatives. This re-arrangement of the existing organisation may however be found unsuitable in some provinces. There is every likelihood therefore that the existing system, which is fairly uniform throughout India and is well understood, will become complicated by a variety of examinations held at different stages for admission to different universities; and this complication will be accentuated by the growth of new universities. Hence, in recent university legislation, visitatorial powers have been accorded to the Governor General and, further, the recognition of the Governor General in Council is required for the recognition of the equivalence of degrees or other examinations which may be regarded as qualifying for admission to newly established universities. It is clearly necessary that the Department of Education should possess some additional agency for formulating the advice which should be tendered to the Governor General or to the Government of India respecting these matters.

4. The adviser of the Government of India is at present the Educational Commissioner. In the new conditions, as described above, the creation of a larger and more representative advisory agency, comprising a non-official element, is desirable. In the opinion of the Government of India, therefore, the time has arrived for constituting a Central Educational Advisory Board which will not only serve the purposes of the visitatorial body proposed by the Calcutta University Commission but will also be in a position to tender advice on matters regarding universities as well as general educational questions.

5. The Government of India desire that it should be clearly understood that this body will possess purely advisory functions. It will be open to the Governor General, should he desire to make a visitation of any university with reference to which he is empowered by

statute to make such visitation, to utilise the proposed Board or certain members of the Board for purposes of inspection. But, apart from its use by the Governor General for such statutory purposes, the Board will have no administrative functions. Nor will it in any sense interfere with the control of education, which will be a Provincial transferred subject. It is possible that the Government of India may entrust to it the conduct of certain examinations which they will control, but this question has not yet been decided.

6. Apart therefore from its position as an agency for the exercise by the Governor General of his visitatorial powers mentioned above, the function of the Board will, as regards local Governments, be restricted to the giving of advice whenever they ask for advice and, as regards the Government of India, to the assistance of the Department of Education in such educational questions as will still come within the purview of the Imperial Government and may be referred to the Board by the Member-in-charge of Education. The precise duties, which it will be convenient to attach to it, will become clearer after it gets to work. But the following are suggested as among those it may naturally be expected to perform :

- (i) The visitation of universities on behalf of the Governor General as Visitor.
- (ii) The giving of advice regarding the equivalence of examination standards.
- (iii) The scrutiny of any points of university legislation which is either subject to Indian legislation or reserved, when the Government of India refer such points to it.
- (iv) The giving of advice regarding the management of Imperial institutions.
- (v) The production of occasional reports, monographs on special forms of education, etc.
- (vi) The conduct of educational surveys, whenever required.
- (vii) The conduct of such examinations as may be entrusted to it.

For the due performance of most of these functions, it will be necessary to collect a body of authorities who are not merely experts in educational matters but will have knowledge of the conditions in different provinces and whose names will carry weight and influence. The intention of the Board, in fact, is to link the Department of Education more closely with the various official and non-official educational authorities and institutions throughout India.

7. The composition of the Board will be largely non-official. The following constitution has been decided upon :

- (i) The Educational Commissioner with the Government of India as Chairman.
- (ii) An expert member from the United Kingdom (whenever required).
- (iii) Two Vice-Chancellors of universities in India, one of whom will be a whole-time officer.
- (iv) Two Principals of privately-managed colleges.
- (v) Four Directors of Public Instruction.
- (vi) Four non-officials who, though not immediately engaged in education, are interested in the subject.

With the exception of (i), who is appointed by the Governor General in Council and will be the *ex-officio* Chairman of the Board, the appointment of the other members will be made by the Member-in-charge of Education with the approval of the Governor General. In addition to the above, Departments dealing with technical education in any of its branches will be invited to send representatives to take part in the deliberations regarding any technical matter that may be included in the agenda of a meeting. It is clearly necessary that the chairmanship of the Board should be held by a permanent official with the Government of India. The Educational Commissioner will also be able to conduct correspondence with members of the Board on questions which have been referred to the Board but cannot conveniently be postponed to the next meeting.

8. The tenure of office of the members of the Board will be, in the case of the two Vice-Chancellors, two years, and in that of Nos. (iv), (v) and (vi) three years. But, in order that the whole Board may not change simultaneously, half the first members under each category (iii) to (vi) will retire after two years by ballot or some other arrangement.

9. Meetings of the Board will be held quarterly—the first being held in February next at Delhi—and agenda of each meeting, as approved by the Member-in-charge of Education, will be circulated sufficiently in advance of the date thereof to enable members to come prepared with their opinions. It will be necessary and desirable to conduct some of the business of the Board by correspondence.

SELECTION OF CANDIDATES FOR KING'S COMMISSIONS.

75. **M. K. Reddi Garu** : Will the Government be pleased to lay a statement on the table to show :

(a) Since the year 1918 how many candidates have been selected to the King's Commission ?

(b) Of these how many have been from Madras ?

(c) Is it a fact that a number of applications were sent by aspiring candidates to the Private Secretary to His Excellency the Governor of Madras : if so, how many such applications have been received and how many of them from the Brahmin community and how many from the non-Brahmin communities including Muhammadans ?

(d) Did the Local Government recommend any candidates to the Central Government : if so, why none of them were selected ?

Sir Godfrey Fell : The statement asked for is laid down on the table. The statement is based on the assumption that the Honourable Member's question refers to the admission of Indian cadets to the Royal Military College, Sandhurst.

(a) 29 Indian cadets have been admitted to the Royal Military College, Sandhurst, since 1918.

(b) None.

(c) Since 1918, 141 such applications have been made : of these applicants, 33 were Brahmans and 108 non-Brahmans, including Muhammadans.

(d) Yes. In 1920 and 1921, altogether three candidates were recommended by the Local Government, but all three failed to qualify for admission to the Royal Military College, Sandhurst.

ADMISSION OF INDIANS INTO THE MILITARY ASSISTANT SURGEON CLASS.

76. **M. K. Reddi Garu** : (a) Will the Government be pleased to state if it is a fact that Indians are not admitted into Military Assistant Surgeon classes ; if so, on what grounds ?

(b) Will the Government consider the advisability of throwing it open to the Indians also ?

Sir Godfrey Fell : (a) The answer to the first part of the question is in the affirmative. As regards the second part, a reference is invited to the reply given to Question No. 555 asked on the 22nd September, 1921, by Rai G. E. Nag Bahadur. As the duties of Military Assistant Surgeons are wholly confined to the medical care of British troops and their families, it is not considered advisable to throw open the service in question to Indians, who might find difficulty in maintaining discipline in hospitals and elsewhere when the Military Assistant Surgeon is placed in command of British private soldiers.

(b) The reply is in the negative.

ELIGIBILITY FOR I. C. S. EXAMINATION TO BE HELD IN INDIA.

77. **Lala Girdharilal Agarwala** : (a) Are the M. As. of the Punjab and the Allahabad Universities eligible to compete at the next

competitive examination for the I. C. S. to be held in India in 1922, under the present rules ?

(b) Is it a fact that while M. As. of some of the Indian Universities are qualified to appear at the next I. C. S. examination to be held in India in 1922, the M. As. of other Indian Universities are age-barred ? If so, of what Universities ?

(c) Are the Government aware that for several years, the Allahabad University and the United Provinces Government did not allow any candidate to appear at the Matriculation, Entrance, or School Leaving Examination, who was below the age of 16 years on the date of the examination, which are held in March or April, and therefore M. As. of the Allahabad University who took their degree of M. A. in 1921 would be age-barred for competition at the next I. C. S. examination to be held in India in 1922 ?

(d) Do the Government propose to allow those M. As. of the Allahabad University to appear at the said examination, who shall not have completed the age of 23 years on the 1st of March, 1922, instead of the 1st of August, 1922, as provided for in the rules ?

(e) If it is not within the powers of the Government of India to alter the rules or make any exceptions, are the Government prepared to take immediate necessary action to meet the situation ?

The Honourable Sir William Vincent: (a), (b), (c), (d) and (e). The Honourable Member appears to be under some misapprehension. The qualification for the Indian Civil Service examination to be held in India this year is not the M. A. degree but the B. A. or B.Sc. degree. The fact therefore that up to the year 1920 the minimum age for the Matriculation or Entrance examination of the Allahabad University has been 16 years, does not appear to impose any special disability on the students of that University; nor does there appear to the Government to be any reason why the age limit should be extended in the case of persons who have taken the M. A. degree of that University.

The rules are statutory rules made by the Secretary of State in Council and cannot be varied by the Government of India.

DISMISSAL OF BABU TARAPADA MUKERJI.

78. **M. K. Reddi Garu:** (a) Will the Government be pleased to state :

(i) if it is a fact that Babu Tarapada Mukerji of the Postal Department of Calcutta has been recently dismissed ?

(ii) if so, for what reasons ?

(b) Will the Government be pleased to lay all the papers connected with his dismissal on the table ?

(c) Is it a fact that this action of the Government has created a great discontent among the Post Office and the R. M. S. employees ?

Colonel Sir S. D'A. Crookshank: (a) and (b). The facts of the case have already been explained to the Honourable Member in my reply to his Unstarred Question No. 71 and the papers connected with the dismissal of Babu Tarapada Mukerji have been laid on the table.

(c) Representations have been received by Government from certain Postal Associations.

STATISTICS OF CATTLE IN DIFFERENT PROVINCES OF INDIA.

79. **Rai Bahadur Luchhmi Prashad Sinha** : Will the Government be pleased to give statistics of the cattle in the different provinces of India and their ratio to the population ?

Mr. J. Hullah : A statement giving the required information is laid on the table.

Statement shewing the number of bovine cattle in the different provinces of India and their ratio to the population.

Province.	Number of bovine cattle according to the cattle census of 1919-20.	Population according to the census of 1921.	Number of cattle per head of population.
Bengal	24,725,363	46,695,536	·53
Madras	22,294,328	42,318,985	·53
Bombay Presidency	8,183,732	16,012,342	·51
Bombay (Sind)	1,778,884	3,279,377	·54
Bombay (including Sind but excluding Aden) .	9,962,616	19,291,719	·52
Agra	20,328,540	33,209,145	·61
Oudh	9,440,224	12,166,642	·77
United Provinces of Agra and Oudh	29,768,764	45,375,787	·66
Bihar and Orissa	20,179,990	34,002,189	·59
Punjab	14,392,799	20,685,024	·69
Burma	5,792,724	13,212,192	·44
Central Provinces	9,554,256	10,831,263	·88
Berar	2,072,195	3,075,316	·67
Assam	5,472,342	7,606,230	·72
North-West Frontier Province (Districts and administered territories).	1,131,881	2,251,340	·50
Ajmer-Merwara	293,224	495,271	·59
Delhi	135,530	488,188	·28
Coorg	141,778	163,838	·88
Manpur Pargana	5,855	4,565	1·28
British Baluchistan (Districts and administered territories).	134,209	420,648	·32

SPECIAL RAILWAY RATES FOR TRANSPORT OF CATTLE AND FODDER.

80. **Rai Bahadur Luchhmi Prashad Sinha**: Will the Government be pleased to state whether it is the intention of the Government to approach the Railway authorities for special rates for the transport of cattle, dry and milch, and of fodders?

Colonel W. D. Waghorn: Government are satisfied that the rates levied on Indian Railways for the carriage of cattle and fodder are reasonable and, in the circumstances, they do not propose to ask them to quote special rates. Neither fodder nor cattle are liable to surtax.

2. The transport of cattle in times of famine at cheap rates has been tried in the past but was found to be of little use. Fodder is always carried at concession rates in times of famine.

LOW LEVEL PLATFORM AT KIUL JUNCTION.

81. **Rai Bahadur Luchhmi Prashad Sinha**: (a) Are the Government aware of the low level of platform at such an important East Indian Railway Station as the Kiul Junction?

(b) Are the Government also aware that the passengers, specially ladies and children, are greatly inconvenienced?

(c) If so, will the Government take steps to remove this grievance at the earliest possible opportunity?

Colonel W. D. Waghorn: (a) Yes. The existing platforms at Kiul Junction, East Indian Railway, are 1'—2" above rail level.

(b) and (c). The attention of the Agent has been drawn to the matter. But in the opinion of the Government of India there are many other matters which have a prior claim on the funds available.

CONSTRUCTION OF A RAILWAY LINE FROM MONGHYR PURABSERAI TO BARRIAR-
PUR, ETC.

82. **Rai Bahadur Luchhmi Prashad Sinha**: (a) Is it a fact that there was a proposal for the construction of a railway line from Monghyr Purabserai, East Indian Railway Station, to Barriarpur, thence to Kharagpur and Jamui, a Sub-Division in the Monghyr District?

(b) If so, will the Government be pleased to lay on the table the papers in connection with it?

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

(b) Government do not consider that any useful purpose will be served by laying the papers on the table. A reconnaissance survey of the line, carried out in 1914-15, indicated that there was no inducement to construct a line from Barriarpur to Jamoee, but that a line from Barriarpur to Gaighat might prove remunerative. In the present financial situation there is no hope of constructing the proposed line in the near future.

CONSTRUCTION OF A RAILWAY LINE FROM KHAGARIA TO SAMASTIPUR, AND
THE GRIEVANCES OF THE LOCAL PEOPLE.

83. **Rai Bahadur Luchhmi Prashad Sinha**: (a) Are the Government aware that a railway line has been constructed by the Bengal and North-

Western Railway from Khagaria to Samastipur without the provision of sufficient number of waterways, thereby causing stupendous hardship and misery to the people of that part of the country?

(b) Is it a fact that even those few culverts provided for on the line are closed up by the Railway authorities during the rainy season and floods, thereby causing the whole cultivated area to go under water and exposing life and property to the ravages of a flooded area?

(c) Are the Government aware of the rumoured intention of the people of that part to institute a damage suit against the Bengal and North-Western Railway Company on account of their disappointment in the matter despite numerous petitions, telegrams and memorials to the authorities to provide sufficient number of waterways?

(d) If so, will the Government be pleased to state what steps they propose to take in the matter with a view to remove the grievance?

Colonel W. D. Waghorn: (a), (c) and (d). The Government are aware that complaints have been made on the subject for some years past, especially in regard to the Khagaria-Roserah section of the line. The question of the waterway on this part of the line was considered by the Local Government in 1913, and the drainage crossings provided were then approved. The question was again considered in 1915, and the Local Government then decided that there was no evidence that the floods of that year were due to the existence of the railway embankment, but in 1918, as an additional precaution, the Railway Board sanctioned the construction of two bridges—one of 6 spans and the other of 10 spans—at an estimated cost of nearly Rs. 50,000. The Government have no information regarding the proposed suit, and do not at present propose to take any action.

(b) Government are aware that certain culverts are closed by the railway authorities during floods; these culverts, however, were never intended to be flooded openings, but to deal only with impounded water from local rainfall and, even if kept running full the whole time, would make no appreciable difference in a flood.

7 UP AND 8 DOWN MAIL TRAINS ON THE BENGAL AND NORTH-WESTERN RAILWAY AND THE MAHESHKHUNT STATION.

84. **Rai Bahadur Luchhmi Prashad Sinha:** (a) Is the Government aware that the 7 Up and 8 Down Mail trains on the Bengal and North-Western Railway running to and from Katihar have discontinued stopping at Maheshkhunt, an important trade centre and station containing many public offices, and consequently great inconvenience is caused to the public and officials alike, and repeated representations from those concerned so far seems to have had no effect?

(b) If the answer is in the affirmative, do Government propose issuing instructions to the authorities concerned to stop the said trains at Maheshkhunt station?

Colonel W. D. Waghorn: (a) In this connection the Honourable Member is referred to item (e) of Question No. 94 asked by Babu Baidyanath Prasad Sinha in the Legislative Assembly on 29th September, 1921, regarding the alleged slow running of trains and unnecessary stoppages at roadside stations on the Bengal and North-Western Railway.

To meet the desire therein expressed, the Railway Administration introduced a new time table on and from the 15th October, 1921, which allows for one fast passenger train to run through the minor stations on each section of the line where there are more than three daily trains carrying passengers.

7 Up and 8 Down trains connect with the Eastern Bengal Railway fast passenger trains and are considered the most suitable to run as fast passenger trains over the Barauni-Katihar section.

(b) Maheshkhunt is one of the many small stations from which complaints have been received on this account. All the complaints are being collected and considered by the Railway Administration with a view to meeting, as far as possible, the conflicting interests of the travelling public concerned.

In the circumstances Government do not propose to issue instructions to the railway authorities concerned.

NUMBERS, CASUALTIES AND COST IN THE LAST MILITARY OPERATIONS AGAINST THE FRONTIER TRIBES.

85. **Rai Bahadur Luchhmi Prashad Sinha :** (a) Will the Government be pleased to lay on the table a statement showing the total number of Indians, Anglo-Indians and Europeans, combatants and non-combatants, employed during the last military operations against the Frontier tribes and number of Indians and other people killed, disabled and discharged?

(b) Will the Government be pleased to indicate the total amount of expenditure incurred in the said operations?

Sir Godfrey Fell : (a) and (b). A statement giving the information asked for by the Honourable Member is laid on the table. The statement has been based on the assumption that by 'the last military operations against the Frontier tribes' the Honourable Member is referring to the Waziristan operations. The cost of these operations for the year 1920-21, including the Wana column, amounts so far as is known at present to Rs. 13,09,36,000. The accounts for that year have not yet been finally closed.

Statement showing (i) the number of troops, employed in Waziristan during 1921 and (ii) the number of casualties incurred by the Waziristan Field Force up to date.

(i) The average number of British and Indian troops employed in Waziristan during 1921 are as follows:—

British	2,500
Indian	42,000

No separate figures are available for Anglo-Indians, who are included with British troops.

(ii) The approximate number of casualties incurred by the Waziristan Field Force up to date, is as follows:—

<i>British.</i>		Officers.	Other ranks.
Killed		41	10
Wounded		68	28
Died of wounds		6	1
Died of disease		21	46
Accidentally killed		4	1
	Total	140	86

<i>Indian.</i>			
	Officers.	Other ranks.	Followers.
Killed	19	742	21
Wounded	15	2,318	12
Died of wounds	3	60	...
Died of disease	2	518	38
Missing . . . . .	...	148	...
Accidentally killed . . . . .	...	10	...
Accidentally wounded . . . . .	...	13	...
Total	<u>39</u>	<u>3,809</u>	<u>71</u>

It is not understood what the Honourable Member means by the number "discharged".

INDIANS AND PERMANENT POSTS IN THE INDIAN MEDICAL SERVICE.

86. **M. K. Reddi Garu:** Will the Government be pleased to lay on the table a statement showing :

- (a) the number of Indians who have been recruited permanently into the I. M. S. from among the temporary I. M. S. officers ;
- (b) the number from each province ;
- (c) the number of Parsees, Punjabees, Muhammadans, Bengalees and others so selected ;
- (d) the number who have received Military distinctions ;
- (e) the total number of Indians who were taken into the I. M. S. during the war ?

Sir Godfrey Fell: The statement is laid on the table.

—————

Statement showing the number of Indian temporary commissioned officers who have been granted permanent commissions, etc.

(a) 85. In addition, 12 Indian officers have recently been recommended to the Secretary of State for permanent commissions.

(b) and (c). The Government of India have no information on the subject, as no inquiry is made at the time of recruitment as to the province or class to which a candidate belongs.

(d) 10 officers have been granted military distinctions.

(e) 1,004.

MEDICAL MEN FROM MADRAS IN THE INDIAN MEDICAL SERVICE.

87. **M. K. Reddi Garu:** Will the Government be pleased to state the number of medical men who were taken into the I. M. S. from Madras and the number confirmed from among them ?

Sir Godfrey Fell: Government have no information on the subject. I would refer the Honourable Member to the reply given to parts (b) and (c) of his Question No. 86.

SELECTION BOARD FOR THE INDIAN MEDICAL SERVICE.

88. **M. K. Reddi Garu:** (a) Will the Government be pleased to state the personnel of the Selection Board for the I. M. S. and the general principles

which guide the Board in recommending candidates for permanent commission ?

(b) Will the Government be pleased to state whether it is a fact that besides other qualifications, the colour of the candidate, the educational qualifications of the wife in the case of married applicants and their fitness to move in European society, are also taken into consideration and candidates are questioned about them ?

Sir Godfrey Fell : (a) I would invite the attention of the Honourable Member to part (d) of the reply given on the 5th March last to Question No. 369.

The guiding principle of the Selection Board is to choose candidates who, judged by their personal and professional qualifications, are likely to prove of the best value to the State.

(b) The answer is in the negative.

REGISTRATION OF OFFICERS IN THE INDIAN MEDICAL SERVICE UNDER THE GENERAL MEDICAL COUNCIL.

89. M. K. Reddi Garu : Will the Government be pleased to state if it is a fact that officers made permanent in the I. M. S. are compulsorily required to register themselves under the General Medical Council? If so, will the Government be pleased to state the reasons for such a procedure ?

Sir Godfrey Fell : The answer to the first part of the question is in the affirmative. As regards the second part, the procedure is in accordance with the regulations that have been laid down by the Secretary of State on the subject and follows the practice in force in England. In that country no medical man may hold any office under the Crown, unless he has been registered by the General Medical Council.

PREVENTION OF EXPORT OF SPECIAL BREEDS OF CATTLE.

90. M. K. Reddi Garu : With reference to the undertaking given last year by the Honourable Member for Agriculture that he will stop the export of some of the special breeds of cattle from India, will the Government be pleased to state if this has been given effect to ; if so, what are the kinds of breeds that are at present prevented from export ?

Mr. J. Hullah : The Honourable Member is referred to the reply given by me to-day to Question No. 59 put by Lala Girdharilal Agarwala.

PREVENTION OF THE EXPORT OF OIL CAKES AND OTHER MANURES.

91. M. K. Reddi Garu : Will the Government be pleased to state if they have any intention to stop the export of oil cakes and other manures from India in the near future ?

Mr. J. Hullah : Government can give at the present time no indication of the policy they are likely to pursue in the matter which is now under their consideration.

PRICES OF VARIOUS KINDS OF MANURES.

92. M. K. Reddi Garu : Will the Government be pleased to lay on the table a comparative statement of the prices of various kinds of manures for the last four years ?

Mr. J. Hullah: A statement is placed on the table showing the wholesale prices of different descriptions of manures in Calcutta in the beginning of December of the years 1918 to 1921.

Wholesale prices of different descriptions of manures in Calcutta in the beginning of December of the years 1918 to 1921.

Description of manures.	Rate per.	1918.			1919.			1920.			1921.		
		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
1. Castor oil cake	Ton	165	7	9	170	2	3	146	5	1	132	11	4
		to			to						to		
		108	14	3	176	15	1				136	1	9
2. Mustard or Rape seed cake.	"	85	1	1	98	10	11	91	14	0	105	7	9
		to			to						to		
		91	14	0	108	14	3				108	14	3
3. Linseed cake	"	64	10	5	122	8	0	149	11	7	163	5	4
		to			to								
		68	0	11	136	1	9						
4. Groundnut oil cake.	"	Not available.			98	10	11	105	7	9	119	1	7
					to								
					102	1	4						
5. Bonemeal, steamed	"	69	0	0	130	0	0	105	0	0	130	0	0
		to						to			to		
		70	0	0				110	0	0	160	0	0
Bonemeal unsteamed	"	63	0	0	115	0	0	105	0	0	130	0	0
					to						to		
					120	0	0				135	0	0
6. Bonedust	"	60	0	0	95	0	0	95	0	0	115	0	0
					to			to			to		
					100	0	0	100	0	0	120	0	0
7. Nitrate of soda	"	Not available.			300	0	0	295	0	0	330	0	0
					to			to			to		
					320	0	0	300	0	0	335	0	0
8. Fish Guano	"	Do.			150	0	0	185	0	0	160	0	0
					to			to			to		
					160	0	0	190	0	0	165	0	0
9. (Imported) Basic slag.	"	Do.			120	0	0	120	0	0	160	0	0
					to			to					
					180	0	0	180	0	0			
10. (Imported) Single Superphosphate.	"	Do.			165	0	0	190	0	0	160	0	0
					to						to		
					170	0	0				170	0	0
11. (Imported) Double Superphosphate.	"	Do.			340	0	0	380	0	0	330	0	0
					to						to		
					350	0	0				340	0	0
12. (Imported) Nitrate of Potash.	"	Do.			255	0	0	330	0	0	285	0	0
					to			to			to		
					265	0	0	335	0	0	290	0	0

EXPORT OF SANDAL WOOD OIL FROM INDIA.

93. **M. K. Reddi Garu** : Will the Government be pleased to state :

- (i) the quantity of sandal wood oil exported from India ;
- (ii) to what countries they are exported and in what proportions ?

The Honourable Mr. C. A. Innes : The information is contained in the following publications which are issued by the Department of Statistics :

- (1) Annual statement of the Sea-borne Trade of British India with the British Empire and Foreign countries.
- (2) Monthly Accounts relating to the Sea-borne Trade and Navigation of British India.

The annual and monthly volumes will be found in the Library.

PAY OF INDIAN AND EUROPEAN OFFICERS OF THE INDIAN MEDICAL SERVICE.

94. **M. K. Reddi Garu** : (a) Will the Government be pleased to state what is the pay of the Indian and European officers of the Indian Medical Service who have been recruited since 1st December, 1919 ?

(b) Whether the Government have come to any conclusion if any oversea allowances are to be granted to the Indian members of the Indian Medical Service ?

(c) If no decision has so far been arrived at, do the Government propose to consider the desirability of restricting the overseas allowances to non-Indians for the present, in view of the need for retrenchment of expenditure ?

Sir Godfrey Fell : (a) I will furnish the Honourable Member with statements showing the rates of pay drawn by permanent officers of the Indian Medical Service employed on military and civil duties.

(b) Yes. An overseas allowance is admissible to Indian officers of the Indian Medical Service appointed after the 1st December, 1918, when they serve beyond the limits of India as defined in Army Regulations, India.

(c) This part of the question does not now arise.

OVERSEAS ALLOWANCES FOR IMPERIAL SERVICES OTHER THAN THE I. M. S.

95. **M. K. Reddi Garu** : Will the Government be pleased to state :

- (i) whether overseas allowances are granted to Imperial Services (other than the I.M.S.), and if so, the amount granted to each service, and
- (ii) whether the amount is granted to the Indian members also, whether they are recruited in England or in India ?

The Honourable Sir William Vincent : (i) The Honourable Member's attention is drawn to Appendix A to the Resolution of the Government of India, Finance Department, No. 1559-E. A. of the 16th August, 1921, in which the scales of overseas pay sanctioned for the various Imperial Services are stated.

(ii) Overseas pay, being granted in consideration of the fact that an officer is serving in a country other than that of domicile, is in its very nature not admissible to Indians serving in India. As a special concession, however, it has been granted to Indians who were serving in the Imperial Services at the time when this form of pay was introduced, and will be granted to all Indians recruited in the United Kingdom for the Indian Civil Service during the five years following its introduction.

STAFF EMPLOYED IN PUBLIC SERVICES IN MADRAS DIRECTLY UNDER THE GOVERNMENT OF INDIA.

96. **M. K. Reddi Garu:** (a) Will the Government be pleased to lay on the table a statement showing the number of (1) European officers, (2) the Brahmin officers, (3) the non-Brahmins, in all the departments of Public Services directly under the control of this Government in the Madras Presidency?

(b) If this is not possible at present, will the Government be pleased to lay on the table this statement at the next session at Simla?

The Honourable Sir William Vincent: The information asked for can, I believe, be obtained from the published lists of the services in question, to which I would invite the attention of the Honourable Member.

EXAMINERS OF THE POSTAL INSPECTORS EXAMINATIONS.

97. **M. K. Reddi Garu:** (a) Will the Government be pleased to lay on the table the names of the examiners of the Postal Inspectors examinations from the year 1917 to the last examination and the communities to which they belong?

(b) Is it a fact that a brother of the Deputy Accountant General (Posts and Telegraphs) has been recently recruited to the department; if so, what are his qualifications?

(c) Has the attention of the Government been drawn to the fact that none of the non-Brahmin candidates were made to pass this year?

(d) In view of this dissatisfaction that prevails, will the Government be pleased to order the revaluation of the papers of all the candidates by an impartial committee?

Colonel Sir S. D'A. Crookshank: The information called for by the Honourable Member is being collected and will be supplied when available. It would however be convenient if the Honourable Member would state which Deputy Accountant General is referred to.

CREATION OF NEW APPOINTMENTS IN THE ACCOUNTANT-GENERAL'S OFFICE, MADRAS.

98. **M. K. Reddi Garu:** (a) Will the Government be pleased to state how many new appointments have been created since the last financial year in the Accountant-General's office?

(b) Of those filled up, how many were given to the Brahmin community?

(c) Is there any truth in the statement that most of those that got these jobs were the relations of the then Accountant-General, Mr. Aiyar?

The Honourable Sir Malcolm Hailey : On the presumption that the Honourable Member is referring to the office of the Accountant-General, Madras, the following is the reply to his question :

- (a) Since 1st April, 1921, 49 new permanent appointments have been created. In addition 55 appointments, which, prior to the date above mentioned were temporary, have been placed on a permanent basis.
- (b) Of these 104 appointments, 73 have been filled by members of the Brahmin community.
- (c) Mr. Woollam, a European officer, has held the appointment of Accountant-General, Madras, since October, 1920. Mr. R. Srinivasa Aiyar, who, it is presumed, is the officer referred to, officiated as Accountant-General in Madras for some six weeks only in May and June, 1919, after which he served in Burma and Bombay. He has been on leave since October, 1920.

DESPATCH TO THE SECRETARY OF STATE ON THE ASSEMBLY'S RESOLUTION RE: CURTAILMENT OF THE 'TEN YEARS' LIMIT RE: FURTHER ADVANCE IN THE GRANT OF SELF-GOVERNMENT.

99. Beohar Raghurib Sinha : (a) Has the attention of the Government been drawn to the reply given by Mr. Montagu in the House of Commons that the Resolution of the Assembly recommending the curtailment of the ten years' limit touching the further advance in the grant of Self-Government, with the Government of India's opinion thereon, has not yet been communicated to him ?

(b) Will the Government be pleased to state the cause of delay and when they will be able to forward the same with their opinion ?

(c) Will the Government lay on the table any correspondence that may have passed on the subject with the Secretary of State and place before the Assembly their opinion on the subject when they are able to send up the same ?

The Honourable Sir William Vincent : (a) Yes.

(b) and (c). It will be remembered that the resolution was discussed in the Assembly on the 23rd and 29th September, 1921. A copy of the debates and of the resolution adopted by the Assembly was forwarded to the Secretary of State on the 13th October, 1921. No reply has as yet been received. Government are at present unable to say whether if a reply is received, it will be laid on the table.

CHARGES AGAINST MESSRS K. AND A. BLEWITT.

100. Haji Wajihuddin : With reference to my question No. 117 and the Government reply to it at the last Simla session, will the Government be pleased to state :

(1) whether it is a fact :

- (a) that Mr. K. Blewitt was found guilty of an offence with regard to a respectable Muhammadan lady and was let off with a nominal fine ?

(b) that Mr. A. Blewitt, Assistant Station Master, Kalka, E. I. Railway, was summoned by the S. D. Magistrate of Puar (Ambala) in connection with an offence, and that notwithstanding his neglect to attend the Court, he was let off by merely tendering an apology ?

(2) If it is true, what action has been taken by the Railway authority in this connection ?

(3) If none, does the Railway propose to take any now ?

Colonel W. D. Waghorn : (1) (a) The Government of India have nothing to add to the Press Communiqué issued on the subject on the 8th October last.

(b) As the Honourable Member was previously informed, the Government understand that the Assistant Station Master was fined but that on retrial the sentence was quashed.

(2) and (3). The Government of India have no information.

ALLEGATIONS AGAINST SOME GUARDS AND TICKET COLLECTORS OF AMBALA-KALKA RAILWAY.

101. **Haji Wajihuddin :** Will the Government be pleased to state :

(a) if it is a fact that some cases were started by the police in which some Guards and Ticket Collectors of Ambala-Kalka Railway were accused of stealing some shoes out of a certain parcel and the luggage of the Honourable Raja Moti Chand, C.I.E., Member of the Council of State ?

(b) If it is right, what were the results of these cases ?

(c) If the accused were convicted, will the Railway Company re-employ them ?

Colonel W. D. Waghorn : (a) In October last two Guards of Ambala and a Ticket Collector of Kalka were arrested by the Police and tried for thefts from luggage and parcels loaded in brake vans.

(b) One of the Guards was sentenced to 12 months' rigorous imprisonment under section 381, Indian Penal Code, and an additional one month under section 411, Indian Penal Code and the Ticket Collector to two months' rigorous imprisonment under section 381, Indian Penal Code, and an additional one month under section 411, Indian Penal Code. Sentences in both cases to run concurrently. The other Guard was acquitted.

(c) The two Guards and the Ticket Collector have been dismissed and the Railway Company has no intention of re-employing them.

EMPLOYMENT OF WOMEN CLERKS IN POST OFFICES.

102. **Rao Bahadur C. S. Subrahmanayam :** (a) Will the Government be pleased to state the reasons for employing women clerks in Post Offices ?

(b) Is it a fact that the scale of pay sanctioned for women clerks is higher than that sanctioned for men ?

(c) What is the total number of women employees in Post Offices ?

(d) How many of them come under the class of Anglo-Indians and Native Christians and how many are Hindus, Mussalmans and Parsees ?

Colonel Sir S. D'A. Crookshank : (a) Women clerks are found to be useful in dealing with the European population, and their employment in towns where there is a large European or Anglo-Indian population (such as Simla), in cantonments and in similar places. Their employment has proved to be a success from an administrative point of view.

(b) Yes, in the lower grades.

(c) The total number of women clerks employed in Post Offices—135.

(d) They belong to the following classes :

Anglo-Indians	93
Indian Christians	33
Hindus	4
Mussalmans	Nil.
Parsees	Nil.
Europeans	2
Jews	1
Burmese	2

RECRUITMENT OF PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

103. **Rao Bahadur C. S. Subrahmanayam :** (a) Have the Government issued orders that recruitment of Probationary Superintendents of Post Offices should be effected by the help of selection committees ?

(b) How many were appointed as Probationary Superintendents since the order was issued ?

(c) How many such appointments were made under the advice of selection committees ?

(d) How and when are such committees formed ?

(e) How are likely applicants to know that the post of a Probationary Superintendent has fallen vacant ?

(f) If not, will the Government take steps to ensure that the existence of vacancies is widely advertised before it is filled up in order to enable the best men available to apply in time ?

Colonel Sir S. D'A. Crookshank : (a) No orders have been issued on the subject.

The matter is under consideration.

(b), (c), (d), (e) and (f). These do not arise.

APPOINTMENTS IN THE GRADE OF POSTMASTER GENERAL IN INDIA
AND BURMA.

104. **Rao Bahadur C. S. Subrahmanayam** : (a) What is the total number of appointments in the grade of Postmaster General in the whole of India and Burma?

(b) How many of such appointments are held by officers of the Indian Civil Service?

(c) And how many by officers promoted from the Post and Telegraph Department? How many are Indians and Anglo-Indians?

(d) How many Indians have held permanent appointments as Postmaster General till now?

Colonel Sir S. D'A. Crookshank : (a) 10.

(b) 5.

(c) 5. None of the present permanent incumbents are Indians. One Indian is officiating.

(d) 2.

NUMBER OF APPOINTMENTS IN POST MASTER'S CADRE.

105. **Rao Bahadur C. S. Subrahmanayam** : (a) What is the total number of appointments in Post Master's cadre which carry a pay of Rs. 500 and above?

(b) How many such appointments are held at present by Indians and how many by Anglo-Indians?

Colonel Sir S. D'A. Crookshank : (a) 26 appointments in the higher grades commencing from the grade of Rs. 450—20—550.

(b) 5 by Indians and 21 by Anglo-Indians and Europeans.

PRESIDENCY POST MASTERS.

106. **Rao Bahadur C. S. Subrahmanayam** : (a) How many Presidency Post Masters are there?

(b) Are Presidency Post Masters promoted to the rank of Postmasters General?

(c) Among the Presidency Post Masters how many are Indians and how many are Anglo-Indians?

Colonel Sir S. D'A. Crookshank : (a) 3.

(b) They are eligible for such promotion.

(c) None of the present incumbents are Indians.

Indians become eligible for the post by seniority.

SUPERINTENDENTS OF POST OFFICES IN NILGIRIS AND OTHER DIVISIONS.

107. **Rao Bahadur C. S. Subrahmanayam**: (a) Is it a fact that only European and Anglo-Indian Superintendents of Post Offices are posted to divisions like Nilgiris, the Mysore East and the Mysore West Divisions?

(b) If not, will the Government state the number of Indian Superintendents who held office permanently in those divisions during the last 20 years with the period for which each has been in each of such divisions?

Colonel Sir S. D'A. Crookshank: (a) No. There is no such discrimination as is implied in the question.

(b) None. No Indian has ever applied for any of these Divisions and the Nilgiris Division, with Headquarters at Ootacamund, is not popular with Indians.

INDIAN AND NON-INDIAN OFFICERS IN THE MILITARY DEPARTMENT ENTRUSTED WITH THE DUTIES OF ROYAL AIR FORCE, ETC.

108. **Lala Girdharilal Agarwala**: (a) Will the Government be pleased to lay on the table a statement showing the number of officers in the Military Department entrusted with the duties of (1) Royal Air Force, (2) Fighting units with machine guns, (3) Army Headquarters, (4) Headquarters of Commands, (5) Brigades, (6) Military Transport Department, (7) Veterinary Department, (8) Ordnance and Clothing Department, (9) other departments, and how many in each case are Indians?

(b) What are the comparative salaries of Indian and non-Indian officers in each department of the Military performing the same duties?

Sir Godfrey Fell: (a) In replying, on the 20th September last, to an almost identical question asked by the Honourable Member, I pointed out the difficulty in answering that question, owing to the vague and unusual classification of the units of the Indian Army which the Honourable Member had adopted. The same classification has been adopted in the present question, and there is the same difficulty in supplying the information asked for. If the Honourable Member will refer to page 7 of the Estimates of expenditure on military services for the year 1921-22, he will find figures of the number of British officers employed with—(1) Fighting units; (2) Army Headquarters, Headquarters of Commands, Brigades, etc., (3) Animal Transport; (4) Mechanical Transport; (5) Supplies; (6) Medical; (7) Veterinary; (8) Ordnance and Clothing; (9) Remounts; (10) Military Training and Education; (11) Royal Air Force; and (12) Miscellaneous. The total number of Indian officers with King's Commissions is at present 101. Of these, 93 are employed with fighting units, one is Aide-de-Camp to the General Officer Commanding, Peshawar District, one is on special duty in Persia, and 6 are employed with Departments. In addition, there are, approximately, 4,598 Indian officers with Viceroy's Commissions, almost all of whom are employed with fighting units.

(b) Indian officers holding the King's Commission are paid at present at the same rates as British officers of similar ranks.

SUPPLY OF ARTICLES FOR THE PUBLIC SERVICE.

109. **Mr. Manmohandas Ramji**: (a) Will the Government be pleased to state whether they have submitted to the Secretary of State for India for his sanction the rules for the supply of articles for the public service?

(b) If the answer is in the affirmative, will the Government be pleased to state as to why the rules were not placed before the Legislative Assembly for the expression of its opinion on the same?

(c) If the reply be in the negative, will the Government be further pleased to state whether they now propose to place the rules before the Assembly for their opinion before submitting them to the Secretary of State for his sanction?

Mr. A. C. Chatterjee: (a) The rules are still under consideration and have not yet been submitted to the Secretary of State for India.

(b) Does not arise.

(c) It is not the practice to place before the Legislature the draft rules on an administrative subject. Honourable Members will, however, have an early opportunity of expressing their opinion on the general policy in the matter of the purchase of stores for Government Departments.

ADDITIONAL EXPENDITURE DUE TO THE INAUGURATION OF REFORMED GOVERNMENT.

110. **Beohar Raghubir Sinha**: Will the Government be pleased to state the total increase of expenditure due to the inaugurations and working of the reformed Government?

The Honourable Sir William Vincent: The Honourable Member is referred to the statement printed on pages 39-41 of Volume I (No. 3) of the Council of State Debates. Further figures are being collected so as to bring the information up to date, which will be communicated to the Honourable Member in due course.

BELIEF AMONG THE MASSES IN PLAGUE-INFECTED LOCALITIES.

111. **Beohar Raghubir Sinha**: Are the Government aware that the masses in certain plague-infected localities generally believe that these epidemics are brought about by Government itself to reduce the Indian population in pumber and that the enemies of Government are making capital out of this foolish yet dangerous belief to sap the very foundations of Indian loyalty?

Mr. H. Sharp: No such rumours as those mentioned by the Honourable Member have recently been brought to the notice of the Government of India.

RETURN TO INDIA OF MR. SUDHINDRA BOSE.

112. **Beohar Raghubir Sinha**: Is it a fact that Mr. Sudhindra Bose, a lecturer in the Iowa University, America, is not allowed to return to India? If so, why?

The Honourable Sir William Vincent : (1) Yes.

This gentleman is now a naturalised citizen of the United States having applied to renounce his British Indian nationality a few weeks after the outbreak of War. He was refused a visa for the journey to India some time ago at the instance of the Secretary of State, and in view of the information available about him, the Government of India are not prepared to re-open the question. He has not applied to the Government of India for facilities to return to India.

SUPPRESSION OF THE INDIAN NATIONAL CONGRESS.

113. **Beohar Baghubir Sinha :** Is it the intention of the Government to suppress the Indian National Congress? If so, do the Government realise the consequences of such a policy?

The Honourable Sir William Vincent : 'No.'

RECRUITMENT TO THE IMPERIAL FOREST SERVICE.

114. **Sardar Gulab Singh :** Will the Government be pleased to lay on the table the following facts :

- (a) Is there going to be any recruitment in the Imperial Forest Service this year? If so, what percentage of Indians will be recruited?
- (b) Is it a fact that last year the selection was made at different places, though in the rules and regulations it was written that it will be made at Dehra Dun. If so, will the Government please explain why this extraordinary procedure was adopted?
- (c) Is it a fact that among the selected candidates there were cases who did not pass the qualifying test; and there are cases who passed the qualifying test, were medically fit, and were rejected. If so, is the Government going to give some consideration to those candidates in this year's selection?

Mr. J. Hullah : (a) Yes.

Of the total required for India 40 per cent. are to be recruited in India. Of the number required for Burma 25 per cent. are to be recruited in Burma.

(b) Owing to the fact that the regulations failed to attract applications from a sufficient number of suitable candidates, the date for the submission of applications was extended twice and, as time did not permit of candidates responding to the latest call appearing before the Central Selection Board, nomination in their cases was left to Local Governments. The object was to obtain the number of Indian probationers required.

(c) No standard was prescribed for the qualifying test, consequently it cannot be said of any candidate undergoing this test that he either passed or failed in it. If by 'pass' and 'passed' is meant 'appeared for' the answer is that certain candidates who did so and who passed the medical examination were considered unfit for appointment by the Selection Board.

Candidates qualified under the regulations for the current year will obviously be allowed to apply but it is not the intention of the Government to give special consideration to any candidate.

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

The Honourable Sir William Vincent (Home Member) : Sir, the Government of India have received a communication from the Chief Secretary to His Royal Highness the Prince of Wales, which, with your permission, I should like to read.

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : Sir, before the House commences its daily business, I beg to mention that I gave notice on the 22nd of December with regard to an adjournment of the House to discuss the present political situation of the country.

Mr. President : We will come to them. These notices will be in order in a moment or two.

The Honourable Sir William Vincent : Sir, as I was saying just now, I have received a letter from the Chief Secretary to His Royal Highness the Prince of Wales, which I propose, with your permission, to read to this House. The letter runs as follows :

‘ I have the honour to acknowledge Mr. Tonkinson’s letter No. 138-Public, dated the 8th November, 1921, forwarding a copy of the Government of India Despatch with enclosures to the Secretary of State for India, dated the 29th September, relating to the Resolutions adopted by the two Chambers of the Indian Legislature regarding the presentation of an Address of Welcome to His Royal Highness the Prince of Wales. The papers have been laid before His Royal Highness the Prince of Wales, who commands me to express his appreciation of the spirit which has animated the Indian Legislature in this matter, and I am to inform you that His Royal Highness will gladly accept the proposed Address.’ (Loud Cheers.)

STATEMENT OF GOVERNMENT BUSINESS.

The Honourable Sir William Vincent (Home Member) : For the convenience of the Assembly, Sir, I should like to make a statement as to the probable business in the immediate future :

Motions will be made to-day recommending that the reports of the Joint Committees appointed to consider and report upon the Indian Electricity (Amendment) Bill and the Indian Factories (Amendment) Bill be taken into consideration. It is hoped that sufficient progress may be made to enable these Bills to be passed by the Assembly during the present month.

If the report of the Joint Committee on the Indian Income-tax Bill can be presented by the 16th of January, Government hope that the consideration of the Report may be taken up on Monday, the 23rd of January.

Government propose that the Code of Civil Procedure (Amendment) Bill relating to fraudulent suits should be referred to a Select Committee on the 18th of January.

Select Committees have already been appointed on the Indian Emigration Bill and the Indian Limitation Act (Amendment) Bill, and it is hoped that the Select Committees will be able to present their reports on the 18th and 23rd January, respectively.

Lastly, a Bill to incorporate a University at Delhi will probably be introduced about the 18th of January.

RESOLUTION *RE*: THE ABANDONMENT OF THE POLICY OF REPRESSION.

The Honourable Sir William Vincent (Home Member) : To-morrow, various motions for the amendment of the Standing Orders will be placed before the Assembly by different Members, and, further, there will be a debate upon a Resolution to be moved by Munshi Iswar Saran, of which, I think all Honourable Members have had notice.

Several Honourable Members : No.

An Honourable Member : Only hearsay.

If any Honourable Member seeks to have the debate postponed on that account, then, we shall have to consider the point. I am, however, surprised to hear Mr. Seshagiri Ayyar say that he has not received notice of the motion, because he has put in an amendment to the Resolution.

Mr. T. V. Seshagiri Ayyar (Madras : Nominated Non-official) : May I offer a word of explanation, Sir? In the letter which I wrote to the Legislative Secretary, I said that I had not received notice of the Resolution, but that I had heard orally from Mr. Iswar Saran what the language is likely to be, and on that statement I sent in my amendment. I have not yet received notice.

The Honourable Sir William Vincent : It was impossible to circulate notices to all Honourable Members, and if any inconvenience has been caused, we are quite prepared to consider the question of postponing the debate. But though official notices could not be sent out, we advertised the fact widely in the press. It has been in the Indian News Agency telegrams and, I think, in all the newspapers, that this Resolution would be taken up on the 11th.

I do not in any way seek to inconvenience Members in this matter. And, if there is any feeling that any other course should be taken or that the discussion should be postponed, we are quite prepared to consider the question.

Mr. Harchandrai Vishindas (Sind : Non-Muhammadan Rural) : I think myself every Member knows the wording of the Resolution. It is a very urgent Resolution and no inconvenience will be caused by taking it up to-morrow.

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : Reuter's report is not gospel truth. There should be at least twodays' notice before a certain Resolution is taken up, and without having that, certainly this House will not agree to proceed with the Resolution at such a short notice. I am within the four corners of my right to move for an adjournment of the

[Mr. K. Ahmed.]

House to have a discussion on the present political situation. I am entitled to do that under the rules.

Mr. President : I will take that point in a moment.

CONGRATULATIONS ON HONOURS.

Sir Deva Prasad Sarvadhikary (Calcutta : Non-Muhammadan Urban) : Before the Assembly proceeds with the usual business of the day, it is my gratifying privilege to perform a very agreeable duty and that is to convey to you, Sir, the warmest felicitations of the Assembly and its congratulations on the high honour which His Majesty the King-Emperor has been pleased to bestow on you. (Cheers.) To my mind, it is not an ordinary, routine, conventional honour bestowed upon you as merely the President of the Assembly, but it is also an honor to us. No one has worked harder than Sir Alexander Muddiman in making the reforms possible, none has worked harder than you in making them a success since they came. Your experienced tact and firmness have set the pace to the Assembly, and even from unwilling quarters I think the proceedings of the Assembly have extolled appreciation. You have set the pace, and it has been your privilege to do so, also to the Provincial Councils which have noticeably benefitted by it and we wish you God-speed in the arduous labours you had in Burma of late.

You have wished us a happy New Year. We fully reciprocate your good wishes and hope that it will not only be a happy but also a fruitful New Year, and that we shall see another important stage, under your capable leadership, in the progress of the reforms. It will be gratifying to you, Sir, to know that in England your work is as well appreciated as here, and not the least gratifying feature of the record of this Assembly will be that you have so well presided over its early deliberations. (Loud cheers.)

(At this stage Mr. K. Ahmed rose.)

Mr. President : Order, order. I will come to that in one moment.

Gentlemen of the Assembly, I appreciate very warmly indeed the congratulations conveyed to me in the words of Sir Deva Prasad Sarvadhikary. The honour conferred on your President is one which, I think, we all recognise as the signal mark of the appreciation by His Majesty the King-Emperor of the auspicious beginning made by the Legislative Assembly in the new Indian constitution. As you know, it is the custom that when a ship in the Royal Navy or a regiment of the Army has performed a feat in an action at sea or in the field, some signal distinction such as the Victoria Cross is conferred upon it, and officers and men alike partake of the honour. In such a case, the regiment meets, or the crew of the ship assembles on the lower deck, to decide who shall wear the coveted decoration on behalf of his comrades.

The exact procedure has not perhaps been followed in this case; but I assure you, that though I am the bearer of the honour, my colleagues in this Chamber are all partakers in it (Hear, hear.) It has thus a significance beyond any meagre personal merit. May I repeat, while I express my deep personal appreciation of the manner in which this vote of congratulation has been moved by Sir Deva Prasad Sarvadhikary, and while I am moved by the words which he has used of me, that this Assembly, and the world outside, knows that this token of appreciation by His Majesty the

King-Emperor is a possession which belongs of right to all in this Chamber who have borne a share in laying the foundations of Indian Self-Government.

I thank you, gentlemen. (Cheers.)

Rao Bahadur T. Rangachariar (Madras City : Non-Muhammadian Urban) : If Munshi Iswar Saran's Resolution relates to the general situation of the country, I should like to withdraw the notice of adjournment which I gave on the same subject, because there will be a fuller discussion on a motion like that, than on a motion for adjournment.

Mr. President : I should not like to pass from the pleasant interlude brought into our business by my colleague on my left here without conveying my personal congratulations, and I think the congratulations of the Chamber to the Honourable Sir Malcolm Hailey, the Finance Member, on the mark of appreciation which His Majesty the King-Emperor has conferred upon him for his public services to the Indian peoples and to the British Empire.

The Honourable Sir Malcolm Hailey (Finance Member) : I am very grateful to you, Sir, for conveying on behalf of the House its felicitations to me on the honour which I have received at the hands of the Sovereign. An honour conferred by the Sovereign, the fount of all honour, must always be received with gratitude, respectful gratitude, by the recipient and if he can feel in addition that that honour is appreciated by those among whom he has worked for the most responsible period of his official life and to whose interests he has endeavoured to give his whole-hearted devotion, then, Sir, the honour is redoubled.

Sir, I thank you.

Mr. J. Chaudhuri (Chittagong and Rajshahi Divisions : Non-Muhammadian Rural) : Before we commence the business of the day, I should like to convey the congratulations of this House to the Honourable Mian Sir Muhammad Shafi (Cheers) on the honour which has been conferred upon him by His Majesty the King-Emperor. He is not a Member of this House, but he is a very familiar figure amongst us. We take great interest in his Department, and he has frequently been amongst us and has evinced his sympathy for any motion that has been brought before this House for the advancement of education, and, to the best of his ability, tried to promote the interests and meet the aspirations of the educated community in India. We have always appreciated the spirit in which he has taken part in the debates in this House and the sympathetic response which he has always extended to public opinion as voiced by us. On behalf of the House I, therefore, convey our hearty congratulations to the Honourable the Education Member. (Cheers.)

The Honourable Mian Sir Muhammad Shafi (Education Member) : Sir, I am deeply grateful to my friend, Mr. Chaudhuri, for the kind congratulations which he has conveyed to me on behalf of my friends of this House. Not being a regular Member of this House, the position occupied by my colleague on my right (Sir Malcolm Hailey) and myself is entirely different. But I can assure all my Honourable friends of this House that I take as keen an interest in the success of the proceedings of this House as I do in the Council of State

[Sir Muhammad Shafi.]
to which I have the honour to belong, and, in consequence, I appreciate the message of congratulation which has been conveyed to me.

PANEL OF CHAIRMEN.

Mr. President: Under Rule 3, I appoint:

3. Dr. H. S. Gour

4. Mir Asad Ali Khan Bahadur

to complete the Panel of Chairmen to which Mr. Seshagiri Ayyar and Mr. McCarthy were appointed in the Simla Session.

COMMITTEE TO INQUIRE INTO THE FUNCTIONS OF THE DEPUTY PRESIDENT.

Mr. President: The Legislative Assembly is aware that the position of the Deputy President requires examination. In Simla, I made a statement of the general principles governing the functions of this officer and I now appoint a small Committee, over which I shall preside, to report to me upon the manner in which the duties of the Deputy President may be enlarged. The Committee will consist of

The Honourable Dr. Tej Bahadur Sapru,

Sir Sivaswamy Aiyer,

Dr. H. S. Gour,

the Deputy President, and myself.

The report of the Committee will be laid upon the table in due course and, though it will be primarily drawn up for the guidance of the President and the Deputy President, the Legislative Assembly will be duly consulted regarding any action which may be necessary to give formal effect to its recommendations.

RULING ON STANDING ORDER No. 38.

Mr. President: I have a statement to make regarding Standing Order No. 38. A question has arisen since the adjournment of the Legislative Assembly, regarding the interpretation of Standing Order No. 38, which authorises a Member in charge of a Bill, when that Bill has been introduced, to make one of three motions in regard to it. The first two motions, namely, that it be taken into consideration or that it should be referred to a Select Committee, raise no controversy. It is the third motion 'that the Bill be circulated for the purpose of eliciting opinion' on which I desire to review and amend a ruling given in Simla.

It seemed to me at that time, that where, under Standing Order No. 38, any one of these three motions was passed, the Legislative Assembly should be held committed to the principle of the Bill, but, as the result of representations made to me from various quarters, I have come to the conclusion that this interpretation of the Standing Order may lead to serious inconvenience.

A Bill is circulated for opinion in order to provide the Assembly with material for a judgment upon the principle involved. I therefore propose to recall the ruling of 20th September, 1921, recorded in the Official Report of the Legislative Assembly Debates, Tuesday the 20th September, 1921, Volume II, pages 588, 589 and 592. After due consideration, I am of opinion, that the Assembly in passing the motion referred to should not be committed to the principle of the Bill to which it refers, and that, therefore, the motion that a Bill be circulated for the purpose of eliciting opinion stands in a different category from the other two motions prescribed by Standing Order 38. It follows, therefore, that it will be undesirable to maintain the ruling then made. It will be for the proposed Select Committee on the Standing Orders to judge whether the statement I have now made should be embodied in a formal amendment of Standing Order No. 38. 59.

NOTICE OF MOTION UNDER RULE 11.

Mr. President: I have received notices from four or five Members of their desire to move the adjournment of the business of this House in order to discuss a matter of urgent public importance. The notices have been cast in various ways, but they all refer in more or less general terms to the political situation in the country.

Now, in the first place, that question, namely, the political situation in India, is raised in a series of Resolutions of which notice has been given by different Members of this House, and I must take it for granted, that these Resolutions will before long come up for discussion. Therefore, the notice which I have received of the desire of Honourable Members to move the adjournment of the House must be read as an attempt to anticipate the debate which would otherwise arise on those Resolutions. On that ground, therefore, I am bound under the Rules and Standing Orders to rule that that notice is out of order. I should add that a case of this kind, which is of a general character, is not sufficiently definite—in the sense in which the word 'definite' is used in the Standing Order—to justify the interruption of business and, therefore, on that ground also the motion cannot be accepted. A matter to be 'definite', 'urgent', and 'of public importance', in the sense in which these terms are used in the Standing Order, must have arisen suddenly in the manner of an emergency. Now the political situation to which these notices refer has arisen over a series of weeks, indeed one might say, over a series of months; and it would make no material difference to the discussion whether it were taken to-day, to-morrow, next week or even next month. At all events, it is not of sufficient urgency to demand the interruption of the ordinary business of the Assembly in order that a debate may take place to-day. On all these grounds, therefore, the notices given are not in order. I hope the House will not misunderstand me when I say, that the matter is not urgent. Upon the political urgency of the matter the Chair has not pronounced, but in respect of the technical use of the word 'urgent' in the rule, there is no doubt whatever in my mind that these motions do not satisfy that requirement.

MOTION FOR ADJOURNMENT.

Mr. J. Chaudhuri (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): I understand that there is a general feeling in the House that

[Mr. J. Chaudhuri.]

the House should be allowed an opportunity to discuss the policy of Government with regard to the present political situation. Sir William Vincent said just now that permission has been given to Munshi Iswar Saran to move his Resolution to-morrow. I am one of those who heard of the Resolution for the first time last evening from Munshi Iswar Saran at Raisina, and not knowing the exact terms of the Resolution we have not had the opportunity of sending appropriate amendments. I have, however, submitted an amendment by anticipation. I had not seen the Resolution before I came here this morning. I think it will satisfy the House if a suitable opportunity is given at an early date next week to discuss Mr. Iswar Saran's Resolution. Mr. Iswar Saran having given notice of the Resolution in very general terms, I think that amounts to a motion for adjournment of the House, and if that has been accepted by the Government, I do not see any necessity of bringing forward any motion for adjournment now. I should like Sir William Vincent to give us a suitable day next week, as many Members are not present here to-day who would certainly like to take part in the discussion. (Cries of 'To-morrow'.)

That being so, no useful purpose will be served by bringing forward any motion for the adjournment of the House to-day.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Sir, I shall be the last person to accept the view of my friend, Mr. Chaudhuri, because, Sir, if the wording of the Resolution, which we are not aware of, is such that we will be shut up from discussing the matter at great length,—that is, the matter with regard to the present state of political situation in India—there will be some objection; objection will be raised with regard to that. So it is better for the Honourable Home Member, Sir, to enlighten us with regard to the wording of that Resolution. And, secondly, Sir, there is a strong suspicion in the mind of the public as well as of Honourable Members here present, as to how is it and why is it that Munshi Iswar Saran's Resolution was accepted by the official Member in charge, in the absence of or without the knowledge of the public, and outside the ordinary course. Sir, that being the ground, the matter fixes itself on the circumstance of the Honourable Member's movement in this Honourable House. And it raises the suspicion that there is some mutual arrangement between the Government of India and my friend, Mr. Iswar Saran, who has been allowed to move the Resolution in question.

Maulvi Abul Kasem (Dacca Division: Muhammadan Rural): Sir, we are here to understand the debate. So far as I am concerned, it may be defective education or something more, but my Honourable friend's arguments are unintelligible to us. The Honourable Member, Sir, may either speak in vernacular or in English, but he must speak in a language which is intelligible.

Mr. K. Ahmed: Sir, that is rather usurping the function of the President.

Mr. President: Order, order. The Chair is quite able to take care of itself. The Honourable Member will kindly put his point of order as precisely as possible. What point does he wish to discuss?

Mr. K. Ahmed: The point is that under these circumstances, as the

matter stands, with regard to the Resolution which we are asked, should be moved to-morrow; there is a strong suspicion in the mind of the people, and I daresay without knowing it, Sir, without an acquaintance with the wording of the Resolution, we cannot accept the view of Mr. Chandhuri.

Munshi Iswary Saran (Cities of the United Provinces Non-Muhamadan Urban) : Sir, I rise to offer a personal explanation. It was about 10 days ago that I sent this Resolution to the Secretary of the Legislative Assembly. I did not write or speak about it to any Member of the Government of India. In fact I did not write even to any personal friend about it. About three or four days ago, I received a telegram, I believe, from Sir William Vincent, saying that the Government of India was willing to allow the discussion of my Resolution on the 11th of this month, and inquiring whether I would agree to its discussion on that date. I at once wired back to Sir William Vincent that I was agreeable, and it was for the first time to-day since the date on which I sent my Resolution that I met Sir William Vincent in this Chamber. Sir, I shall say only one word more. If I am misunderstood, if it is imagined, to quote the words of the Honourable Member over there, that this Resolution is the result of a friendly arrangement, then I shall content myself by merely saying that I treat the insinuation with the contempt that it deserves. Sir, my record of work in this Council, and may I add, my record of public life extending over a period of about a quarter of a century, is a sufficient answer to such insinuations either of the gentleman over there or of anybody else. As long as I am here, I have got to do my duty regardless of the frowns of officials or the misunderstandings of people like the Honourable Member who has just spoken.

The Honourable Sir William Vincent (Home Member) : Sir, I should like now to read to this Assembly, the terms of the Resolution which it is proposed to discuss to-morrow, because there is some uncertainty about its terms. It runs :

“That this Assembly recommends to the Governor General in Council the immediate abandonment of the policy of repression inaugurated in the country.”

Now, if the Assembly thinks that a Resolution of this kind was proposed in collusion with Government, all I can say is, that I shall be very much surprised. The actual position was this. I received information from various Members of their intention to move the adjournment of the House. We had also received notices of various Resolutions on what is called the repressive policy of Government. I was aware, on my interpretation of the rule and on an examination of the notices of Resolutions, that a motion for adjournment would be out of order. I was anxious to give the Assembly,—indeed I think the Assembly will want it—an opportunity of debating this question at the earliest opportunity. I therefore took up a Resolution which in terms was directly hostile to the action taken by Government and of a very comprehensive nature, and I put it down for the earliest date possible. If I am in any way to blame for taking that course, I regret it. All I can say is, that there was no question of any collusion, and what I did was for the convenience of this Honourable Assembly.

I may say, there is another Resolution of Mr. Rangachariar which is down, I think, in the list for the 12th, dealing with a different aspect of the same question, and it was not therefore necessary to consider that Resolution for the 11th. I am, however, entirely in the hands of this Assembly in the matter. I

[Sir William Vincent.]

have taken what I believe to be an honest and open course, in order to afford the House, which might have been debarred from securing a date to discuss this matter,—an opportunity of doing so at the earliest opportunity. If there are any complaints regarding my action, I can only express my regret for having gone out of my way to meet what I believed was a general wish.

Lieut.-Col. H. A. J. Gidney (Nominated Anglo-Indian): Sir, as one of the Members of this House who submitted an application for an adjournment of the House to discuss this question, I gladly accept your interpretation and would urge that the Honourable the President's views on the motion for adjournment be equally applied to the Resolution under discussion. I do think that Members of this House should be given an adequate time to consider such an important matter, and it was only in yesterday's *Pioneer* that I saw that the Resolution would be put up. To put it up in such a way, I consider, is distinctly contrary to Standing Orders, for it does not give Members an ample opportunity for considering the subject. I therefore put it for the consideration of the Honourable Home Member and this Honourable House that the subject be postponed for a few days at least so as to give to Members desirous of talking on the subject a better and fuller opportunity of considering their views and placing them before the House.

Rao Bahadur T. Rangachariar (Madras City : Non-Muhammadan Urban): Sir, I would oppose the proposal for an adjournment of this most important question. It is an urgent question: indeed we consider it so urgent that we think we should interrupt the business of the Assembly; the country is going wild over the state of affairs; and it will not do for us, the representatives of the people, to sit quiet without deciding this most important point. I am glad that Mr. Iswar Saran has given notice of this Resolution and I am thankful to Government for having placed it at as early a date as possible, because, I, knowing Mr. Iswar Saran as I do and having had a consultation with him in Calcutta in regard to this very matter, I knew he would not give notice of any Resolution which would not be acceptable to us. I am glad to know that the Resolution of which he has given notice speaks worthily of Mr. Iswar Saran. I therefore think, Sir, that it would be futile to move any motion for adjournment of it, and I urge that this motion may be taken up to-morrow without fail, and, if possible, Sir, that it should be given precedence over other business posted for to-morrow.

Mr. Jamnadas Dwarkadas (Bombay City : Non-Muhammadan Urban): Sir, I am not called upon at this stage to give my views with regard to the Resolution that is tabled in the name of my friend, Mr. Iswar Saran; but without discussing the merits of the Resolution I endorse the view expressed by my Honourable friend, Mr. Rangachariar, that the subject is of such vital importance that it would be a pity if the House did not discuss it at as early a moment as possible. I was one of those who gave notice of a motion for adjournment and I gladly accept in place of that motion the motion that has been placed for discussion by Mr. Iswar Saran. I repeat Sir, that I do not commit myself to any view for the present. I accept that motion, only because it provides sufficient scope for the House to discuss the matter thoroughly to-morrow. I hope Sir, that the Honourable the Home Member will make it possible for us to discuss this matter to-morrow as early as possible.

Mr. Harchandrai Vishindas (Sind: Non-Muhammadan Rural) : I rise, Sir, to draw the attention of the Assembly to one particular aspect of this question, and that is this: this is not the first time that a misunderstanding has arisen with some Members as to the action of Government when the Government has actually obliged the House by going out of their way to allot an official day for non-official business. On a previous occasion, a similar misunderstanding arose. On this particular occasion, so far from accusing Sir William Vincent of any collusion or sinister motive, I think we ought to be thankful to him that he has selected the earliest day for the Assembly to express their views on a subject which is foremost in the hearts of all of us. Therefore, Sir, I want to bring it to the notice of the Assembly that Mr. Kabeer-ud-Din Ahmed's remarks are not only out of place but they are actually against the interests of the House. In future, I think, there will be no such misunderstanding, because if the Government go out of their way and allot an official day for non-official business (and that business being in the nature of an attack upon the Government) then the result of such opposition as Mr. Kabeer-ud-Din Ahmed has made to-day will be that Government will not do such a thing in future. That is one aspect of the question before the House.

As regards the adjournment of this question, I do not agree with Colonel Gidney that this is a subject which should be adjourned. We actually had a meeting—a non-official meeting—at which Lieutenant-Colonel Gidney was also present, when we had an informal discussion on this very subject. I therefore do not think that the subject will be sprung as a surprise on any Member of this House. Of course I know that Mr. Kabeer-ud-Din Ahmed has only arrived at 10 O'clock to-day and he is therefore ignorant of that meeting. I therefore strongly protest . . .

Mr. President : I have allowed a discussion to go on for the last quarter of an hour which is entirely out of order, in order to arrive at the sense of the House on this question. But I should like the House now to come to a decision on the matter. There is actually no motion before the House. If I gather the sense of the House aright, Members want a discussion at the earliest possible moment. I imagine that the Home Member will take the discussion as put down for to-morrow unless there is very strong dissent from that course. Therefore, unless that dissent is shown now, the arrangement stands.

Mr. W. M. Hussanally (Sind: Muhammadan Rural) : I rise to support the proposal made by my Honourable friend, Colonel Gidney. The only reason why I want an adjournment is, that the House now is not full up and a very large number of Members who are absent would like to join in a debate of this important character. I know nothing of the private conference which was held yesterday. I was not invited to that conclave and I do not know what decision my friends in that conference have arrived at. I was never called to that meeting and did not attend.

Mr. Harchandrai Vishindas : I spoke to you about it.

Mr. W. M. Hussanally : You merely informed me that you wanted to hold a meeting; I was not asked to attend. Therefore, I think, Sir, that an important matter like this should not be rushed through as we know nothing about the Resolution except what the Home Member has

[Mr. W. M. Hassanally.]

just now read to us. We should like to have a little time for consideration of the subject and also to give our friends who are absent an opportunity of arriving and taking part in the debate. There is nothing lost by an adjournment for about a week, of an important matter like this.

Mr. President : Unless some Honourable Member feels strongly enough to move a motion, I must bring this discussion to an end now.

Bhai Man Singh (East Punjab : Sikh) : I move, Sir :

'That the discussion of Munshi Iswar Saran's Resolution should not take place to-morrow'.

In the first place, the Honourable Sir William Vincent has only just now read out the Resolution to us. I quite appreciate the fact that the subject is a very important one and requires immediate attention; but if it could have been postponed for a month since the inauguration of Government's present policy, it could very well be put off for a few days or a week more. There is no reason to say that the subject is of importance and that it must be decided to-morrow if not to-day. If the subject is an important one, it is also one which requires the fullest consideration. All the Members have a right to have due notice of the Resolution at least some time before to enable them to read it, to consider it, to think over the actual words of the Resolution and see if they want to send in any amendment to it or not. It is not the point that we know the subject or that we know that repression is there; what we wish to consider is in what words we are to oppose or to support this policy. We have only just now heard it and, of course, there is absolutely no time to go thoroughly into it. My Honourable friend, Mr. Harchandrai Vishindas, said that we had a meeting yesterday. I was present in that meeting. If I mistake not, there were not more than a dozen Members

Mr. President : Order, order. I cannot allow references to private meetings. It is obvious that Members who are present at such meetings will probably differ as to what had occurred and these differences have no place in our debates.

Bhai Man Singh : My Honourable friend had said, Sir, that at this meeting, this Resolution was considered; therefore, I referred to that meeting. Further, Sir, we also see that the attendance to-day is very poor. It is not a subject of such importance that we cannot afford to wait for two or three or four days until we get a fuller House. Therefore, Sir, I would request the Honourable Members that we should postpone the discussion of the Resolution till, say, the 15th or 17th of this month.

Mr. K. Ahmed : To cut short the debate, Sir, as it was I who raised the question, I will now explain

Mr. President : Order, order.

Maulvi Abul Kasem : I understand that Mr. Seshagiri Ayyar has given notice of an amendment to the Resolution moved by my Honourable friend, Munshi Iswar Saran. We have had no notice of that amendment. If that amendment is to be taken up for discussion to-morrow, then, I think, in fairness to us, we ought to have notice of that amendment. If that amendment is not to be considered to-morrow,

then I think, time ought to be allowed for that amendment to come up for consideration and discussion. The question is an important one, and every one of us is anxious to hear the debate, and many of us to take part in it, but, at the same time, in order to get the definite and mature judgment of the House, I think the House ought to have sufficient time to consider the Resolution and its wording. As I read the Resolution, it is very wide and exhaustive; at the same time, an opportunity should be given to all Members to know the nature of any amendments of which notice may be given, so that the whole question may be considered in all its aspects and discussed when the time for discussion comes. As the Honourable Member, Bhai Man Singh, has said, as these things have been going on for several weeks, the sky will not come down if we do not discuss it to-morrow morning. We may discuss it any day this week or in the earlier part of next week, whichever we choose. I hope and trust, however, that as an official date was given, if another date is selected, it will also be an official day and that non-official Members will not be inconvenienced by taking one of their days for the discussion of this matter.

The Honourable Sir William Vincent (Home Member) : We have gone as far as we could to meet the Members of the Assembly in giving an official day to-morrow for this debate, but I cannot guarantee that the state of the public business will permit of our doing that again. I am quite ready to do what I can to meet Honourable Members, but I cannot give any such undertaking. We squeezed this motion in with great difficulty to the exclusion of official business to-morrow. Speaking for the Government, we are indifferent whether this debate comes on to-morrow or whether it comes on later. All I wanted to do was to give the House an opportunity of debating it as soon as possible.

Sir Deva Prasad Sarvadhikary (Calcutta : Non-Muhammadan Urban) : May I inquire whether it would be permissible to send in notices of amendments now. We do not know what Mr. Seshagiri Ayyar's amendment is. I am prepared to move an amendment myself.

The Honourable Sir William Vincent : I should raise no objection. I have only just received Mr. Seshagiri Ayyar's amendment myself, but I suppose copies of it will be sent out to Members to-day.

Mr. President : Before putting the question, I should like to point out to the House that the course of this discussion has placed the Chair in a somewhat difficult position.

I can accept a Resolution and put it down within the period of notice, that is to say, before the necessary days have expired, if I get the consent of the Government; but, in this case, the position is reversed. The Government, on behalf of non-official Members, approached me to allow the Resolution to be moved within the period of notice, that is to say, to suspend that particular Standing Order; and I was moved to do so largely on the ground that there were so many notices handed in asking for a discussion of this question at an early date and that, in view of the agreement between the non-official Members and official Members in this House, I should therefore allow this motion to be moved. As a matter of fact, the notice does not expire until the 14th of January, but I have no more opinion on the subject as to which is the proper date to take it than Government has. I am prepared to take the discussion to-morrow or to take it within the period of notice, if it is convenient to the Honourable the Home Member, but it seemed to me when I was approached

[Mr. President.]

by Government on this subject and informed that it was the desire of so many Members that the debate should take place at the earliest possible moment, that it was essential for me to meet that desire if I could.

I therefore put the question :

'That the proposed debate on the Resolution standing in the name of Munshi Iswar Saran be not taken to-morrow, but be taken on a date to be agreed upon by the Home Member and the non-official Members of this House.'

The Assembly then divided :

Mr. President : Before I announce the result of this division, I want to know whether any objection is raised to the procedure under which it was taken.

Mr. Jamnadas Dwarkadas : I think, Sir, there has been a good deal of confusion with regard to the voting. People who wanted to vote for the postponement, I saw them going on this side, others I saw going on the other side ; and whatever may be the decision, I hope, Sir, you will rule that the division be taken again.

Mr. President : The Honourable Member says that he observed that ; if there is any Honourable Member who actually did that, will he rise in his place and say that he was a victim of that misunderstanding ? If so, I am prepared to take the division again.

Lala Girdharilal Agarwala (Agra Division : Non-Muharrmadan Rural) : I went on one side, Sir, first, and then I went to the other side and so, I think, there was no mistake in the end.

Mr. President : What did the Honourable Member wish to vote for ?

Lala Girdharilal Agarwala : For the postponement.

Mr. B. A. Spence (Bombay : European) : I voted on the other side first of all and then I was told it was wrong and then I went and voted 'No'—not for postponement ; you have just now told me that I voted 'Aye' ; I ask for another division.

Mr. President : I am satisfied that there was a misunderstanding which was due to a slip of the tongue on my part in calling 'Ayes to the right and Noes to the left'. I put the question again :

'That the debate upon the Resolution standing in the name of Munshi Iswar Saran be postponed from the 11th January to a date subsequently to be fixed.'

The Honourable Sir William Vincent : May I draw your attention, Sir, to the fact that there are a number of strangers in the body of the House, in the side galleries, during the division. I saw a lady in the corridor and one or two other people who certainly are not Members of this House. I wish to know whether this is in order.

Mr. President : The entry of persons into the Chamber itself or any part of it, except that to which admission is made by tickets, *viz.*, the galleries above, is forbidden. Those who, not being Members of the House, are admitted to the lower galleries and corridors are the messengers and others engaged in the business of the House and certain officers of Government whose presence is required for the assistance of Members of the Executive Council and Secretaries engaged in the business of the Chamber. The presence of any other person is forbidden.

Mr. A. C. Chatterjee (Industries Secretary) : I may state, Sir, that the lady who was in the corridor is an officer of Government who is here to assist me during the proceedings later on.

Mr. President : Then her presence here is perfectly in order provided she has the authority of a Member of the Government who is present, but not in other cases. I am grateful to the Honourable the Home Member for drawing my attention to it, because in a Chamber so constructed considerable laxity of practice is apt to arise and must be severely controlled.

Mr. A. C. Chatterjee : I may add, Sir, that the two other gentlemen who were there are there to help me in connection with the business before the House to-day.

Mr. President : I may add for information that when a division is taken, all persons, including persons to whom a courtesy right of access is allowed, must vacate the corridors and passages so that there may be no interference of any kind with the liberty of Members voting during a division.

The Assembly then divided as follows :

AYES—40.

Abdul Majid, Shaikh.
Abdul Quadir, Maulvi.
Abdul Rahim Khan, Mr.
Abul Kasem, Maulvi.
Agarwal, Lala G. L.
Ahmed, Mr. K.
Ahmed Baksh Khan, Mr.
Akram Hussain, Prince A. M. M.
Bajpai, Mr. S. P.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Bishambhar Nath, Mr.
Chaudhuri, Mr. J.
Das, Pandit R. K.
Faiyaz Khan, Mr. M.
Faridoonji, Mr. R.
Gidney, Lieutenant-Colonel H. A. J.
Ginwala, Mr. P. P.
Habibullah, Mr. Muhammad.
Hajeebhoy, Mr. Mahomed.

Hussanally, Mr. W. M.
Ibrahim Ali Khan, Lieutenant Nawab M.
Ikramullah Khan, Raja M. M.
Jatkar, Mr. B. H. R.
Man Singh, Bhai.
McCarthy, Mr. F.
Misra, Mr. P. L.
Mukherjee, Mr. J. N.
Nag, Mr. G. C.
Neogy, Mr. K. C.
Reddi, Mr. M. K.
Renouf, Mr. W. C.
Samarth, Mr. N. M.
Sarfaraz Hussain Khan, Mr.
Sarvadhikary, Sir Deva Prasad.
Singh, Babu B. P.
Sinha, Babu Adit Prasad.
Sircar, Mr. N. C.
Sohan Lal, Bakshi.
Zahiruddin Ahmed, Mr.

NOES—28.

Ayyar, Mr. T. V. Seshagiri.
Bradley-Birt, Mr. F. B.
Bryant, Mr. J. F.
Chatterjee, Mr. A. C.
Cotelingam, Mr. J. P.
Crookshank, Sir Sydney.
Dentith, Mr. A. W.
Gajjan Singh, Sardar Bahadur.
Gulab Singh, Sardar.
Hullah, Mr. J.
Jamnadas Dwarkadas, Mr.
Kabraji, Mr. J. K. N.
Manmohandas Ramji, Mr.
Muhammad Hussain, Mr. T.

Muhammad Ismail, Mr. S.
Percival, Mr. P. E.
Pyari Lal, Mr.
Rangachariar, Mr. T.
Rao, Mr. C. Krishnaswami.
Sharp, Mr. H.
Singh, Rana U. B.
Spence, Mr. R. A.
Subrahmanayam, Mr. C. S.
Thackersey, Sir Vithaldas D.
Vishindas, Mr. H.
Wajid Hussain, Chaudhri.
Wajihuddin, Haji.
Yamin Khan, Mr. M.

The motion was adopted.

THE INDIAN ELECTRICITY (AMENDMENT) BILL.

Mr. A. C. Chatterjee (Industries Secretary) : Sir, I beg to move :

'That the Report of the Joint Committee on the Bill further to amend the Indian Electricity Act, 1910, be taken into consideration'

[Mr. A. C. Chatterjee.]

The House will recall that this Bill was introduced in the House last March and was referred by it to a Joint Select Committee of the two Houses. The Select Committee met in September last and devoted much care and thought to the provisions of the Bill and has suggested a certain number of changes which we hope will secure the smooth working of the revised Act when it is finally placed on the Statute Book. I should like to take this opportunity on behalf of the Government, and I hope I may be permitted on behalf of the Assembly also, to thank the Members of the Select Committee for the labour that they bestowed on the Bill. They were most of them business men and it meant a serious call on their time in devoting the time that they did to the Bill. The report of the Select Committee was presented to the House in September last, and I now move that the Report be taken into consideration.

The motion was adopted.

Clauses 1 to 4 were put and carried.

Clauses 5 to 10, as amended by the Joint Select Committee, were then put and carried.

Clause 11 was put and carried.

Clause 12, as amended by the Joint Select Committee, was then put and carried.

Clauses 13 to 16 were then put and carried.

Clauses 17, 18 and 19 were put and carried.

Clauses 20, 21 and 22 were put and carried.

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

That in clause 23 of the Bill, as amended by the Joint Committee :

(1) sub-clauses (a), (b) and (c) be re-lettered respectively (b), (c) and (d) and before sub-clause (b), as re-lettered, the following be inserted, namely :

'(a) after the word 'where' where it first occurs, the words 'after distributing mains, have been laid down under the provisions of clause IV or clause V and the supply of energy through those mains or any of them has commenced, shall be inserted.'

(2) the word 'and' at the end of sub-clause (c), as re-lettered, shall be omitted and re-inserted at the end of sub-clause (d) as re-lettered ; and

(3) the following sub-clause shall be added, namely :

'(e) in the fourth proviso :

(i) for the words 'in the event of any requisition being made for a supply of energy from any distributing main of which' the words 'if any requisition is made for a supply of energy and' shall be substituted ; and

(ii) for the word 'it' in clause (a) the words 'the nearest distributing main' shall be substituted.'

Sir, we are indebted to Sir Vithaldas Thackersey for pointing out to us an oversight which also escaped the attention of the Select Committee when it first drafted its report. Clause 23 of the Bill which amends clause VI of the Schedule to the Act, as it stands at present, might involve the serving of a requisition for the supply of energy directly after the granting of a license and before any works had been or could have been laid down. Nevertheless the licensee would have been bound by law to comply with the requisition.

It will be observed that under clause IV of the same Schedule the licensee is given 3 years in which to lay down what are generally known as compulsory works. Similarly, clause V of the Schedule only operates after 2½ years from the commencement of the license. Part (i) of the amendment will make it clear that until works have been laid down and supply actually begun, a requisition for supply will not be binding.

The second and third paragraphs of the amendment are merely consequential and I hope, that the amendment will be passed unanimously by the Assembly.

Sir Vithaldas D. Thackersey (Bombay Millowners' Association : Indian Commerce) : Mr. President, I wrote a minute of dissent to the Report of the Select Committee pointing out the inconsistencies that arose owing to certain modifications in clauses 5 and 6, and, in order to meet my objection, Government propose to amend those clauses by the amendments which are now before the House. I am satisfied that these amendments meet the case and hope they will be accepted.

Sub-clause (1) of the amendment was put and carried.

Sub-clause (2) of the amendment was put and carried.

Sub-clause (3) of the amendment was put and carried.

Clause 23, as amended, was put and carried.

Clause 24 was put and carried.

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

'That in clause 25 of the Bill after the words 'the said Act' the following words shall be inserted, namely :

'(a) after the word 'where' the words 'after distributing mains have been laid down under the provisions of clause IV or clause V and the supply of energy through those mains or any of them has commenced' shall be inserted; and (b).'

The reasons for this amendment are the same as were mentioned by me in dealing with the amendment standing in my name relating to clause 23 of the Bill.

The motion was adopted.

Clause 25, as amended, was put and carried.

Clauses 26, 27, 28 and 29 were put and carried.

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

'That the Bill, as amended, be passed.'

The motion was adopted.

THE INDIAN FACTORIES (AMENDMENT) BILL.

Mr. A. C. Chatterjee (Industries Secretary) : Sir, I beg to move :

'That the Report of the Joint Committee on the Bill further to amend the Indian Factories Act, 1911, be taken into consideration.'

This Bill was also introduced into this House in March last and was referred by it to a Joint Select Committee of the two Houses. That Committee sat for several days in September last and devoted a considerable amount of time to a very careful examination of the provisions of the Bill. The Committee was composed of all shades of opinion and consequently it was impossible to

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obtain a unanimous report from it, but, on the whole, in regard to the main provisions of the Bill, there was considerable unanimity. The Committee has made certain changes in the Bill as it was originally introduced, and, on the whole, we think those changes are desirable. The Report of the Select Committee was presented to the House in September last and I now move that it be taken into consideration.

Sir Vithaldas D. Thackersey (Bombay Millowners' Association : Indian Commerce) : Mr. President, the Members must have noticed that two of my colleagues with myself appended a minute of dissent to the Report of the Select Committee on two or three sections and in order that our position on the points may be clear, I should like to address the House a few words on the general question.

It is a matter of congratulation to the Government of India that they have legislated on the lines of the Washington Convention even before some of the other Governments have moved in the matter, and more particularly the British and the Japanese Governments. It must also be a source of satisfaction to the Government of India that the Indian Industrialists have not only accepted the limitation of the hours of work of adult workmen, but they have also supported the proposals. Even before the Washington Convention, the textile mills had reduced their hours of work from 12 to 10 a day, while most of the other kinds of factories ordinarily work less than ten hours a day and many of them work not more than eight hours. While the principle of sixty hours a week is accepted, it must be remembered that occasions often arise when exceptions shall have to be made to this rule. These exceptions, after full inquiry by the Factory Commission in 1908 were included in the Act. All these sections have been removed in the proposed Bill and provision has been made in the Bill to define the exceptions by rules made by the Local Governments. I do hope that a full inquiry will be made by the Local Governments in framing the rules so that no inconvenience or loss should occur to the industries.

Government have taken this opportunity of revising some of the other provisions in the existing Act. They have raised the minimum age of child labour from nine to twelve which is a very desirable improvement indeed if only we provide facilities for their education. But the objectionable feature introduced in the Bill is to raise the age of half-timers from fourteen to fifteen. I hardly think Government realised the serious consequences of this change. In the first place, it is going beyond the Washington Convention or the law now in force in England, Japan and other civilised countries, where, after the age of fourteen, the boy is allowed to work up to the maximum of ten hours. In fact, under the English Law, the boy, if he possess certain educational tests, can work the same hours as young persons from the age of thirteen and the reason is quite clear. It is at the age of fifteen that a boy is taken as an apprentice or helper in the workshop and the restriction of half-time working would be most harmful on such boys. The effect would be the workshop managers who never employ half-time workers will cease to employ these young boys and thus the boys will miss not only the opportunity of earning for his own living, but also of getting the training in the workshop at least for a year. He will never be satisfied with half pay and he will perhaps go for work in other classes of manual labour where in all probability he will have to work harder for his living without getting the training. For the

boys employed in textile mills, those who have got experience know that the class of work which these boys generally do there can hardly be called hard labour. Such boys are usually employed on ring frames where all that they have to do is to piece up the thread when it breaks and to remove the yarn when the bobbins are full. It is difficult to say that Government is doing a service to these boys by these proposals.

As regards the girl of fifteen, the effect of the proposed legislation would be much more harmful. As this House knows, the Indian girl attains age much earlier than in other countries and I leave this House to judge whether it is better for a girl of fifteen to be working with her mother and mother-in-law in departments such as reeling and winding where the work is easiest and the atmosphere very healthy, or, to be away from the presence of her guardian and working as day labourer in the sun or building work or such other coolie work. It must be remembered, that a girl of fifteen, often married, will never be satisfied with half pay when she can earn full wages elsewhere. Even assuming that her guardians would prevent her from working away from them on other classes of work, would it be advisable to keep these young women with the boys of fifteen in the waiting rooms of the factory or at home unattended by their guardians? Any one who has worked in the Factory will insist that the best thing for her is to be working with her mother.

How would these young boys and young women feel when they are informed by the manager, that although persons of their age in England and other civilized countries can work ten hours a day, their Indian Sircar *ma-bap* has ordained that they shall only earn half the wages, and if they cannot live upon that, they must become the ordinary coolie on the road. I hardly think, that they would thank the Sircar *ma-bap* for their great anxiety for their welfare.

It should not be forgotten that this innovation has been introduced without consulting a single labourer of that class. It will not do to say that they do not know their interests. Persons of that age know their interests as much as any other person. Even in the United Kingdom, the wishes of the labour are first consulted. It will be news to this House that because of the opposition of certain sections of the British labour, that the British Government have not yet been able to accept the terms of the Washington Convention. My Honourable friend, Mr. Chatterjee, has just returned from England and when I asked him why it was that even the British Government have not yet accepted the terms of the Washington Convention, he replied that it was because the Railway workmen were opposed to the limitation to their hours of work under the Washington Convention. They did not want to be deprived of the wages that they are earning by working overtime. Whatever may be the reason, the fact remains that the British Government have to accede to the objections of the workmen, while we are now attempting to deprive the young boys and girls of their living and the opportunity of their training by this proposal.

I, therefore, would propose when the Bill is taken, clause by clause, to retain the provision of the existing Act limiting the age of half-workers to fourteen. The other amendments, of which I have given notice, relate to the definition of the word 'Factory' in order that playgrounds, school-rooms, etc., should not form part of a factory and follow the English definition.

Mr. T. V. Seshagiri Ayyar (Madras : Nominated Non-Official) : Sir, I rise at this stage to suggest to the Honourable Mover that this matter be put off till the day after to-morrow, for this reason : Mr. Joshi who is representing the interests of the labourers has been unavoidably obliged to be absent from the meeting to-day. I believe he has telegraphed to Mr. Chatterjee that he will be here to-morrow and, therefore, if this matter is taken up the day after to-morrow, he will be in a position to put forward his view of the matter, which, I do not think, can be quite as well put by anybody else. Mr. Joshi has been devoting his whole time to the consideration of this question and any Bill passed without his assistance would be regarded as inadequate. I, therefore, suggest to the Honourable Mover that this matter be adjourned till the day after to-morrow.

The Honourable Mr. C. A. Innes (Commerce and Industries Member) : I must point out, Sir, that if Mr. Joshi is not here to-day, it is Mr. Joshi's own fault. The Select Committee's Report was circulated three months ago and though it is true Mr. Joshi went on public duty to the Geneva Conference, all the other people who went to Geneva have now returned, and I understand that the reason why Mr. Joshi did not return till later was that he indulged in private travel on the continent. At the same time, I recognise of course that Mr. Joshi's advice on a Bill of this kind is of great value. But the House must remember that Mr. Joshi was a Member of the Select Committee and had the fullest possible opportunity of giving his advice there. We have no desire at all to press this Bill unduly quickly through the House, but I cannot at this moment give a definite answer to Mr. Seshagiri Ayyar's request for, in a matter of this kind, I must consult the Leader of the House. With your permission, if I may make the suggestion, I should suggest that the adjournment be taken now and that I may be permitted to give a reply to Mr. Seshagiri Ayyar after the adjournment.

Sir Vithaldas D. Thackersey : Sir, I have not the slightest objection whether the debate is adjourned to to-morrow or the day after. Owing to the notice I received of this business coming up to-day, I made my own arrangements in such a way that I must leave Delhi on the 12th. I have no intention of hurrying up this matter. The further discussion may be taken up on the 11th or the 12th or later on in the month, but I hope that the adjournment will not be in such a way that the whole arrangement one makes after getting notice is upset.

Mr. President : The Honourable Mr. Innes has undertaken to consult the Leader of the House in the matter of the proposal for adjournment made by Mr. T. V. Seshagiri Ayyar. I propose, therefore, now to take the adjournment for an hour, at the end of which the Honourable Mr. Innes will probably be in a position to give the House the information it desires.

This Assembly now stands adjourned till Half Past Two of the Clock.

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

The Honourable Mr. C. A. Innes : I fear, Sir, that I must oppose Mr. Seshagiri Ayyar's request for a postponement of this debate.

I find that Mr. Joshi cannot be here till the 12th and that on the 12th Sir Vithaldas Thackersey has to go away for a considerable period. That being so, it is a question whether we are to sacrifice the convenience of Sir Vithaldas Thackersey or the convenience of Mr. Joshi, and seeing that Sir Vithaldas is here and has given notice of several amendments, I do not think that it would be fair in the circumstances if the House acceded to Mr. Seshagiri Ayyar's request. In the circumstances, I hope, that he will withdraw it.

Mr. T. V. Seshagiri Ayyar : I withdraw it.

The motion :

'That the Report of the Joint Committee on the Bill further to amend the Indian Factories Act, 1911, be taken into consideration,'

was adopted.

The motion that clause (1) do stand part of the Bill was adopted.

Sir Vithaldas D. Thackersey : I beg to move :

'That sub-clause (a) of clause 2 of the Bill be deleted.'

It provides that for the word 'fourteen' the word 'fifteen' be substituted in the original Act.'

Section 2 of the original Act runs thus :

'Child' means a person who is under the age of fourteen years,'

and the proposal in the Bill is that 'child' should mean a person who is under the age of fifteen. That is the difference. I have already explained to this House how it would be a hardship on the boys of fifteen and the girls of fifteen if this new clause was passed. I have said that we as mill-owners are not much affected by this change. We do not mind what the House decides. I am putting this solely in the interests of boys of fifteen. I assure you, I have authentic information that if these boys of fifteen are not allowed to work full-time, the workshops would not have them. They can only join workshops at sixteen and for a year they will have to seek other manual labour. I do not know whether in the present industrial development we are right in insisting that these boys of fifteen should be prevented from joining workshops, when all English boys are allowed to join.

Lala Girdharilal Agarwala (Agra Division : Non-Muhammadian Rural) : I support Sir Vithaldas Thackersey's amendment. It would be in the interests of the labourers as well as of the capitalists, and it was for this reason that I had already made clear my intention in the beginning as to the proposal. We have to compete with foreign trade and unless we can put our whole strength into the mills it would not be possible for us to compete. Moreover, if there is a labourer who has got a son of, say, fifteen, and if that son gets only half the wage, it means that the family gets only one and a half times. On the other hand, if the boy is allowed to work full-time, the family can double it, and, in this way, they will be richer and happier. On these grounds, I submit, that the amendment is a sound one.

Mr. T. V. Seshagiri Ayyar : I am unable to support the motion made by Sir Vithaldas D. Thackersey. What we have to consider is whether it

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would be in the interests of the boys. It is not a question as to what they desire. The question is as to whether the Government and the mill-owners should not see that these boys do not suffer in after-life by being compelled to work for the full period during their early years. That is the real question we have to consider. The Honourable Member from Allahabad just now referred to the fact that the trade being in its infancy in this country it is likely to suffer if these boys are not allowed to work. That is a fallacious argument. I think we have in this country enough of manual labour and I do not think that the interests of trade are likely to suffer by these boys being regarded as minors. Even as against their own wishes it should be the duty of this House to see that these boys are properly protected. I take it that that is the attitude assumed by Government and I think it is a correct attitude. As far as possible we must see that these boys are not sacrificed to the interests of capitalists. I therefore oppose the motion of Sir Vithaldas Thackersey.

Rao Bahadur C. S. Subrahmanayam (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): It is all very well to say that the object is to protect these boys from being employed in factories, but the question is, what is it that these boys do before they enter the factories. Do they come from communities or from families which can well feed and support these boys at home and allow them to grow healthy and strong. That is not so. They generally belong to poor families and if a boy does not do any work he is not properly fed. So, if you prevent a boy from entering a factory before he is 15, you first deprive the family of a regular means of livelihood. If the boy is to be allowed in some kind of labour till that period, he will be employed in some irregular work and, therefore, the question of raising the age to 15 will not be a safeguard. Let us stick to 14 and leave it there.

Mr. Jamnadas Dwarkadas (Bombay City: Non-Muhammadan Urban): I rise, Sir, to oppose the amendment that has been brought forward by my Honourable friend, Sir Vithaldas Thackersey. I appreciate the solicitude that Sir Vithaldas Thackersey, in spite of being a mill-owner, shows for the labourer, but, Sir, even though the labourer demanded that his son should be admitted before the age of 15 as a full-time worker in the factory, I venture to submit, that it is the clear duty of the State to legislate that he shall not do so. Sir, this House is probably aware that so far as Indian labour is concerned, there has been a complaint from all quarters from men who have gone into the question very thoroughly that the life of the Indian labourer is very short. The climatic conditions in India are unfavourable to life in the factory, and if boys are allowed to work inside the factory just at a time when they should grow and are allowed to make themselves machines for producing money for their parents, then, I do not think, there is any wonder that the life period of the Indian labourer should always remain short. I do not think, the boy who certainly should be given an opportunity to grow into a well-built man in the future, should be made a victim either of the ignorance of his parents or of the interests of the capitalists. The clear duty of the State here is to intervene and say, however much the ignorant parent may demand, for the purpose of earning money for himself, that his boy shall be a full-time worker, however much the mill-owner, either because of his solicitude for the ignorant labourer or from the point of view of self-interest demands that the boy should be allowed to work as a full-time

worker, the clear duty of the State, it seems to me, Sir, is to say that the boy shall not be a full-time worker. In admitting boys of this age as full-time workers we are checking their growth. We are preventing them from having the opportunity of living the life outside the factory which shall make it possible for them to breathe the healthy air. We are stunting the growth of the future labourer of this country. I do not think, it is in the interest of the country, that this state of affairs should be allowed to continue. At the same time, the argument that he is prevented from earning a livelihood does not hold water. He is allowed to remain a half-time worker and if my friends, the mill-owners, are solicitous about not depriving the boy of the means of livelihood, they can surely increase the wages in spite of the fact that the boy remains a half-time worker. I should much rather see the solicitude translated into action in this way. Make the boy a half-time worker, increase his wages and, in the hours in which he is free, give him facilities for out-door life and for education which will fit him to be a better citizen. That seems to me to be the proper course for the mill-owners to take. That seems to be the proper translation into action of the solicitude that they have been good enough to show about the well-being of the labouring classes. I submit, Sir, that the Committee has gone thoroughly into this question and they have come by a large majority to the conclusion, that it is not in the interest of the labourer that the boy under 15 should be allowed to work as a full-time worker. I submit, therefore, that the House will throw out the amendment of Sir Vithaldas Thackersey.

Mr. A. C. Chatterjee: I wish to take this opportunity of thanking Sir Vithaldas Thackersey for the general welcome that he has given to the provisions of the Bill. We had some difficulty in both Houses in getting the Convention relating to the minimum age of employment of children passed, but at that time the good sense, the feeling that both Houses have for the interests of the workers and specially of juvenile workers, prevailed and the Resolutions that were placed before this House in February last were passed. The employers have accepted that position, and there has been no serious opposition to the question of raising the minimum age of employment. In the Select Committee, as well as here, opposition has been displayed to the proposal of the Government that the maximum age for half-timers should be raised at the same time. My task has been considerably lightened by my friends, Mr. Seshagiri Ayyar and Mr. Jamnadas Dwarkadas, in stating the arguments in favour of the proposal that has been made by Government. I should like to correct one or two statements that were made by Sir Vithaldas Thackersey in his first speech. He said that in England even now a child of 13 is allowed to work if he passes some educational qualifications. That is not true. Under the latest Statute, that of 1920, a child under 14 is absolutely prohibited from undertaking any employment of any kind. There has been some confusion in the minds of Members here regarding the English law.

The definition of a child in England applies to cases where employment is prohibited. The definition of a child in our law applies to cases where work for half-time is allowed. There is no real analogy between the two. I entirely challenge Sir Vithaldas Thackersey's statement that we are going beyond the English law in this matter. The English law even now is and has always been far in advance of Indian law so far as the protection of children goes. As Mr. Jamnadas has already pointed out, the main object

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of the Government in framing this proposal was a humanitarian one, and also it was designed to increase the efficiency of Indian labour. It is quite untrue to say, that the labouring classes will not accept this proposal. As a matter of fact only quite recently a meeting of the Trade Union Congress was held at Jharia. I was not in the country at the time, but I have seen an account of the proceedings, and I have seen, at least so far as I can remember, that no protest was made at that Congress or at any meeting of labourers. I know that a very large number of meetings of labourers have been held all over India during the last 12 months since this proposal was adumbrated, and I have seen no opposition to this proposal of Government. On the other hand, I have seen many instances of complete approval of this proposal. Also, Sir, I should like to say that if we always waited for the consent of the labourers or of the capitalists to the protection of women and children, social reform in these directions would never be adopted in any country. I should like to make it clear, that under the existing law, up to the age of 14, a certificate of physical fitness is required before a child is allowed to be employed. As soon as he attains the age of 14, a certificate of physical fitness is no longer required, whereas a boy of 14 or a girl of 14 would, under our proposals, be at once liable to be employed for 11 hours every day. As Mr. Jamnadas has pointed out, we in India suffer from the inefficiency of labour. He has mentioned the short life of the Indian labourer. As a matter of fact, if you go to the mills and factories in India, you will very seldom see anyone above the age of 45 employed. If you go to any factories in any other country of the world, you will see a man up to the age of 60 or 70 employed in these factories. The whole design of this proposal is to secure that these boys will have a shorter period of work during the day and will therefore grow to be healthy labourers, and probably their longevity as workers will be increased, and thereby the capitalists will really benefit instead of suffering. Sir Vithaldas Thackersey has said that we are going beyond the English law. He was a Member of the Factories Commission of 1908, and that Commission, following the English law on the subject, proposed a young persons' class. We have at present no young persons' class in India. In England, there are certain special rules regarding young persons between the ages of 14 and 18. I believe, in Select Committee, at least so far as my recollection goes, a suggestion was made to the Members who represented the employers that we might have a young persons' class. That suggestion was not accepted by the Members representing the employers. Because we have no young persons' class, it therefore behoves us all the more to protect the child just at that age when he or she is growing into a man or a woman. Sir Vithaldas has mentioned the case of girls. He thinks it would be a great hardship for girls of 14 not to be allowed to work full-time. I join issue with him. (A cry of '15'.) We are allowing girls of 15 to work full-time. It is only a question of whether we are to allow a girl of 14 or 15 to work full-time. I entirely join issue with him. As a patriotic Indian, I think it is our duty to see that girls grow sufficiently strong in order to become healthy and capable mothers. We shall not secure that unless we prevent their being worked for 11 hours a day or 10 hours a day just at that age. In England, there exists a young persons' class; it is true that they can work under the law up to a maximum of 55 or 60 hours a week, but Sir Vithaldas is aware that by arrangement between the employers and employés in every

trade in England, and in practice all over Europe, the maximum hours of employment of any man does not exceed more than 48 hours a week and in England it does not exceed more than 44 hours. That is in the case of adults. Children or rather young persons as a rule work much smaller hours, and there are many other restrictions on the employment of young persons,—restrictions relating to simultaneous meal times, restrictions relating to overtime, restrictions relating to dangerous and unhealthy industries. We wanted to make our law fairly simple in order that both employers and the factory inspectors might be able to administer it properly. Therefore, the Government in 1911, when the present Factories Act was passed, deliberately came to the conclusion that a young persons' class was undesirable in this country; and I do not think that employers would thank Sir Vithaldas Thackersey if he now suggests a young persons' class in this country. The employers would suffer just as much as anybody else if a young persons' class was introduced, because the Indian system of shifts would have to be altered, and it would be one system of shifts for children on half-time, another system of shifts for young persons, a third system of shifts for grown-up persons. I do not think, Sir Vithaldas would welcome the proposal for a young persons' class. If we do not have a young persons' class, I think personally that it is essential that the age should be raised from 14 to 15. However, we are in the hands of the Assembly. The Government have made their proposals: it is now for this House to say whether they will protect the interests of these young children, or whether they will leave the age as it is at present at 14.

I may mention one other point, Sir, before I sit down. Sir Vithaldas has 3 P.M. referred to a private conversation that he had with me yesterday as to the reasons why the Washington Conventions regarding hours had not been ratified in England. I gave him my own opinion. That is certainly not an authorised version of the British Government, and I should like that to be made quite clear.

I hope that the House will come to a careful decision in this matter.

Mr. President: The question is:

'That sub-clause (a) of clause 2 of the Bill be deleted'

Sir Vithaldas D. Thackersey: I want to reply to certain points raised in the debate and, I think

Mr. President: The Mover of an amendment has no right of reply.

Sir Vithaldas D. Thackersey: The original proposition

Mr. President: Order, order. The Honourable Member has already had an opportunity of making two speeches virtually on the same subject and has made full use of his opportunity.

The original question was:

'That clause 2, as amended by the Joint Committee, stands part of the Bill.'

Since which an amendment has been moved:—

'That sub-clause (a) of clause 2 be deleted.'

The question is:

'That that amendment be made.'

The motion was negatived.

Sir Vithaldas D. Thackersey : Mr. President, I beg to move :

'That at the end of sub-clause (b) of clause 2 of the Bill the following be inserted as clause (c) in the proposed definition of 'Factory,' namely :

(c) Where a place situate within the premises or precincts forming a factory is used solely for some purpose other than the manufacturing process carried on in the factory, that place shall not be deemed to form part of the factory for the purposes of this Act, but shall, if otherwise it would be a factory, be deemed to be a separate factory and be regulated accordingly.'

Mr. President, my reason for putting this amendment is this : in the old Act there was no limit to hours of work for adults. It was only in textile factories that the maximum hours of work was fixed. Now we are introducing the limit of hours of work to 60 hours a week in all factories, and, therefore, it is absolutely necessary in urgent cases to provide for working outside recognized working hours for instance, in jute mills and in some cotton mills it is necessary to empty wagons at once as soon as they arrive or else demurrage is levied ; and sometimes we have to make deliveries on Sundays of bales of cloth or yarn. On other occasions coal is received on Sundays and clerks and gatemen have to attend. For this reason it is absolutely necessary that we should define what the precincts of the factory is. We have not the slightest objection to limiting hours of work to 60 hours a week in the factory ; but if we have a class of work outside the working of the factory which comes into the same category of work which is not limited in other warehouses, we should not be prevented from meeting the convenience of merchants in the delivery of goods, when it arrives outside normal hours. I therefore think it is absolutely necessary that the definition should make this point clear. At the same time it is quite clear that if the other portion is virtually like a factory that portion becomes a separate factory.

Mr. A. C. Chatterjee : Sir, I regret very much that I should have to oppose this proposal also, although I have very great sympathy with Sir Vithaldas' difficulties. But he has given out the real reason for which he wants this amendment to go through. The object is to exempt certain classes of persons who work in a factory from liability to the provisions of the law. I do not think Government can very well support Sir Vithaldas in this proposal. He no doubt has copied the wording of his proposal from section 149 (4) of the English Act. But, in England, every workshop, every factory, no matter what class of work is carried on, no matter what number of persons is there employed, no matter whether power is used or not, becomes a factory. This separate portion of the factory under the Indian Law will have to come under the special provisions of our definition of a factory in order to become a factory ; in our law we are proposing that at least 20 persons should be employed and power should be used in order that a place may be classed as a factory. So that, if power is not used in the portion that will be cut off, it won't come under the definition of a factory. Therefore if Sir Vithaldas' amendment is carried, a large number of people employed within factory precincts who ought to be under the ordinary law under the factory law—and who would not have then to work for more than 60 hours a week and would get many other privileges, would not have any of these privileges. I am afraid, for these reasons, I must oppose this amendment.

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

The motion was negatived.

Clauses 2, 3, 4, 5, 6, 7, 8 and 9 were added to the Bill.

Sir Vithaldas D. Thackersey : Mr. President, I beg to move :

'That in clause 10 of the Bill the following proviso be added to the new section 19-A, proposed to be inserted in the Indian Factories Act, 1911, namely :

'Provided that yards, playgrounds and places open to the public view, school rooms, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment.'

These words also are taken from the English Act. Section 19-A, as introduced by clause 10, provides that :

'Where in the opinion of the Inspector the presence in any factory or any part thereof of children, who, by reason of their age, cannot, under the provisions of this Act, be lawfully employed therein, involves danger to, or injury to the health of, such children, he may serve on the manager of such factory an order in writing prohibiting the admission of such children to the factory or part thereof.'

Now, as we have passed the previous section, 'factory' means the compound also and it will include the school room, the yards, playgrounds. I think if you wish the mill-owners to provide some facilities for children's playgrounds or schools, this definition is absolutely necessary. Otherwise, they shall have to do away with all these facilities which the mill-owners are willing to give to the children.

Mr. A. C. Chatterjee : I regret very much that I have again to oppose this amendment. This clause of the Bill, the new section, 19-A, was framed by Government in deference to the views expressed by the Factory Inspectors employed all over India. They informed us that the largest number of accidents in the mill precincts in which children were concerned arose from tram and rail sidings running inside the factory precincts. No attempt was made to protect these tram and rail sidings, and children ran all over the place and very often met with accidents. As I say, the clause was designed to prevent such accidents. The wording of the clause is very clear. It is only when the Inspector is satisfied that there will be danger or injury to the health of the children that he will pass an order. Surely Sir Vithaldas does not think that the Inspector will pass arbitrary orders. Apart from that, an Inspector's order, which is merely an executive order, is open to appeal under section 50 of the Act. By clause 30 of the amended Bill we have provided that this order will be open to appeal to the Local Government. I hope this explanation will satisfy Sir Vithaldas. If an Inspector passes an arbitrary order, the order will be open to appeal and I hope Sir Vithaldas will not say that the Local Government will also pass arbitrary orders in cases where really no danger is involved to little children.

The motion was negatived.

Clauses 10, 11, 12, 13, 14, 15, 16 and 17 were added to the Bill.

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

'That in clause 18 of the Bill as amended by the Joint Committee for sub-section (3) of the proposed new section 30 the following shall be substituted, namely :

'(3) In such circumstances and subject to such conditions as may be prescribed, nothing in section 21 or section 22 shall apply to work on urgent repairs.'

[Mr. A. C. Chatterjee.]

It has been brought to our notice, Sir, that the wording of sub-section (3), as amended by the Joint Committee, is liable to be misunderstood. We understood that the object of the Joint Committee was to allow a special privilege in the case of urgent repairs that might be necessary anywhere, but, as a matter of fact, the words used have been 'urgent repairs executed in any factory.' It has been brought to our notice that this will prevent urgent repairs being executed, say to a ship which has just come into port, or to a railway engine, or anything of that sort, and so we thought that a little re-drafting was desirable. At the same time we thought that it would be better, if we were extending the privilege to work of urgent repairs everywhere, that we should allow the Local Governments to give this privilege subject to such conditions as they may prescribe. We also found that if we made this slight addition, it might enable the Government of India and the Indian Legislature to ratify, when the time comes for ratification, the Convention passed at the recent International Labour Conference held in Geneva with regard to the weekly day of rest. The Government of India have not yet received a copy of that draft Convention in a formal manner, and the question has not yet been fully considered, but we thought that if this slight alteration, which I think will meet Sir Vithaldas Thackersey's desire, were made, it might be possible to ratify the Convention if the Legislature and the Government of India thought fit to do so on general merits. We also think this amendment is desirable on its own merits, irrespective of any consideration of the Convention passed at Geneva.

I therefore beg to propose that this amendment be made in the Bill.

Sir Vithaldas D. Thackersey : Sir, there is a further amendment which I wish to make to this section. I accept the words introduced by my Honourable friend, Mr. Chatterjee. I propose :

'That for the words 'in section 21 or section 22' the words 'in section 21, 22, 27 or 28' be substituted.'

As was explained by my Honourable friend, this section is provided for repairs of an urgent character and it may be necessary to relax the restrictions imposed by sections 27 and 28 in respect of the limitation of work to 11 hours per day. It may happen that at the end of the day or the middle of the day urgent repairs may be called for and we may have to employ a man a couple of hours longer in order to complete the repairs. Therefore I propose that sections 27 and 28 be added to sections 21 and 22.

Mr. President : Does the Honourable Member move that as an addition to Mr. Chatterjee's amendment ?

Sir Vithaldas D. Thackersey : Yes, Sir.

Mr. President : The question is :

'That the words '27 or 28' be inserted after the word '22' in the amendment, standing on the paper.'

Mr. A. C. Chatterjee : I will accept that amendment to my amendment.

The motion was adopted.

Mr. President : The question is :

'That in clause 18 of the Bill, as amended by the Joint Committee, for sub-section (3) of the proposed new section 30 the following be substituted, namely :

'(3) In such circumstances and subject to such conditions as may be prescribed nothing in sections 21, 22, 27 or 28 shall apply to work on urgent repairs.'

The motion was adopted.

Clause 18, as amended, was added to the Bill.

Clauses 19 and 20 were added to the Bill.

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

'That to clause 21 of the Bill, as amended by the Joint Committee, the following be added, namely :

'(c) after clause (d) of sub-section (1) the following shall be inserted, namely :

'(e) the weekly holidays fixed under section 22''

This was really, Sir, an oversight on the part of the Government. When the Select Committee altered section 13 of the Bill and went back to the old provision of the existing Act regarding the weekly rest day we ought to have made this further consequential change, because it is desirable—and I understand it is also the practice in all factories—to post up the days which are going to be observed as rest days. But, I am sorry, Sir, that I forgot to suggest this at the moment and so I am proposing this amendment. This will also enable us to comply with all the provisions of the Draft Convention passed at Geneva regarding the weekly rest day. As I have already said, the Government of India have not really considered those Conventions but if we make this alteration, to which I do not think anybody will take exception, it will comply with all the technical requirements of that draft Convention ; and as I have said already, this proposal is desirable on its own merits and I believe it only embodies in law the actual practice observed in all factories.

Sir Vithaldas D. Thackersey : Sir, I have no objection to accept the amendment proposed, but I want to make one or two points clear. It is our practice to put up a notice board in the office or at the gate of the weekly holidays. At the same time, this holiday is liable to change. We may have to change that day and we give some times a day's notice or two days' notice to the Inspector that we are changing the day to such and such date. Will this amendment prevent us from following the present practice ? It will be very hard on us when we have once fixed a day not to be able to change it afterwards.

Mr. A. C. Chatterjee : I do not think, Sir, that under the Act as it stands at present—section 36 of the Act—what Sir Vithaldas wants will be contrary to the law ; but, Sir, I cannot say what the Courts will determine later on. I think my Honourable friend, the Law Member, will be able to give better advice. Personally I think there will be no objection at all, so far as I can judge the law.

Sir Vithaldas D. Thackersey : As Members of this House we must surely know the result of any particular amendment we may pass in law. We the mill-owners are quite willing that a notice be put up in the office or at the gate telling the hands what the holidays will be. At the same time, under the existing Act, we have the power and the facility, in case of accident when the mill may have to be closed on some other day, or in case the hands desire

[Sir Vithaldas D. Thackersey.]

to fix some other day, or in the case of Muhammadan holidays when we do not know ahead on what day it will fall on—at present we can and do change the notice and inform the Inspector of the change. The whole object of this is that the Inspector should know when we are closing so that he may inspect the place. That is absolutely observed under the present practice. If we are now going to be bound down to any dates we may fix beforehand, I would oppose this amendment. The Honourable Member in charge of the Bill says, he is not sure of the result of this amendment. I do not think any Member of this House will accept the position that we do not know what the result of any particular amendment might be in law.

Mr. A. C. Chatterjee : I do not think, Sir, that Sir Vithaldas' apprehensions are at all well founded. I do not think, there will be any objection to his making any alterations in the dates fixed for holidays. The section, as it stands, does not prescribe that these notices must be posted up a month or a year beforehand. The object is, that some notice should be posted up. That is all that the section says.

Mr. President : The question is :

'That to clause 21 of the Bill, as amended by the Joint Committee, the following be added, namely :

'(c) after clause (d) of sub-section (1) the following shall be inserted, namely : '

'(e) the weekly holidays fixed under section 22 "

The motion was adopted.

Mr. President : The question is :

'That clause 21, as amended, stand part of the Bill.'

The motion was adopted.

Clauses 22, 23, 24, 25, 26 and 27 were added to the Bill.

Sir Vithaldas D. Thackersey : Mr. President, I have given notice of two amendments. If the first is passed, it will not be necessary to move the second. If the first is not passed, it will be necessary to move the second. The first amendment is 'that clause 28 be deleted'. Now, clause 28 of this Bill runs as follows :

'For section 46 of the said Act, the following section shall be substituted, namely :

'46. If a child over the age of six years is found in any factory or within the precincts thereof, he shall, until the contrary is proved, be deemed to be employed in the factory.'

The burden is thrown on the Managers to prove that the child was not working in the factory. While there was not the slightest objection to accepting that burden, so long as the factory meant the factory proper, we are now bringing within our proposal schools, playgrounds, etc. We do not know what the result of this new clause will be. The original section 46 was quite clear on this point when the burden was thrown on us, it ran thus :

'If a child over the age of 6 years is found inside any room or part of a factory in which room or part children are employed and in which any manufacturing process or work incidental to any manufacturing process is being carried on, he shall, until the contrary is proved, be deemed to be employed in the factory.'

That was quite all right and we were prepared to take that responsibility. Now it is said that the Inspectors have represented to Government that children run away into the yards, etc., and they were not able to prove that they were working. I don't say that it never happens. It may happen sometimes. But it is a ridiculous proposition that a boy found in a school room or in the yard should be deemed to be employed in the factory. Such a boy may bring food for his father, and everybody knows that these men sometimes have no food before they begin work, their children bring them food afterwards. We can only comply with this section, the Inspector shuts his eyes to the law. Do you wish that the law should be broken every day? It has been said that the Inspector ought to be reasonable. They are more often reasonable than not. But we have seen cases when the Inspector has not been reasonable. To ask this Assembly to frame a law which will every day be broken, which is broken to-day and will be broken to-morrow is a position that we ought not to accept. Therefore I move that the original section 46 be retained.

Mr. Jamnadas Dwarkadas: Sir, I oppose the amendment moved by Sir Vithaldas Thackersey. If I understand it aright, his amendment aims at the deletion of the clause as proposed by the Joint Committee and to keep the clause as it was originally under the Act of 1911.

That is the amendment, I take it. Sir, this question was thoroughly discussed by the Select Committee and the Select Committee by a large majority came to the conclusion, that it was necessary to alter the clause and as a result of the discussion the clause, as it stands now in the amended Bill, was proposed. Sir, the Select Committee, the majority of the Select Committee at any rate, thought that the clause as it stood in the original Act provided a loop-hole, and a temptation, and in most cases it was the experience of the factory Inspectors that mill owners employed boys who were over the age of 6 and when the Inspector went into the precincts of the factory the boy was sent out into the yard or play-ground or whatever the case may be. The reason why the Committee thought it proper to alter the clause was, that they did not want to provide any loop-hole for the mill-owner; nor did they want to provide any temptation for the parents of those children, to use their children as money-making machines at the cost of the health and growth of those poor children. Sir Vithaldas points out that it will entail a hardship on the labourers in the factory because in Indian factories boys over the age of 6 take food for their parents; well, Sir, I have no hesitation in saying that if the necessity for the boys taking food for their parents is likely to be exploited by the mill-owners or by their parents in some cases to use those boys as workers in the factory, I would rather that those boys over the age of 6 who ought to be either in their homes or in the schools should not carry food for their parents. However, the duty of the Legislature, I think, is clear on the point. Everything that tends to the exploitation of boys over the age of 6 for the purposes either of the mill-owners or their greedy parents should be avoided by the Government, should be discouraged by the Government, and it was with this intention that the Committee provided that this clause should be substituted in place of the original clause which provided a loop-hole for the mill-owners and a temptation for the parents at the cost, as I said, of the health and growth of these poor innocent children. I hope, therefore, the House will reject the amendment.

Mr. T. V. Seshagiri Ayyar: Sir, I think a word of explanation is necessary in regard to this extraordinary provision. Of course it is to a certain extent going against the ordinary principle of law that a person who has been accused shall not be asked to prove that he is not guilty. This was a matter which was very seriously discussed, and I with hesitation consented, but not for the reasons which have been given by Mr. Jamnadas Dwarkadas. I agreed to this on this ground: it was mentioned to me that it was almost impossible for the Inspector to adduce *prima facie* evidence whether a boy is employed in a factory or not; whereas it would be easy for the mill-owner by producing books to show that the boy was not employed; it was the easiest possible thing to do and, therefore, I with some hesitation agreed to this provision being made because I thought it was a question of the burden of proof after all, and the burden of proof must be on the person who can easily prove it, and in this particular case it could very easily be proved by the mill-owner producing his books and showing that the name of the boy was not on it.

It is for that reason that I agreed that this clause should be inserted, and I hope that that reason would appeal to the House.

Sir Deva Prasad Sarvadhikary (Calcutta: Non-Muhammadan Urban): Sir, I am very glad that Mr. Seshagiri Ayyar has given some explanation as to why what he properly calls this extraordinary provision has been incorporated. Looking at the report of the Select Committee and the Minutes of Dissent I could not get any light. I am not convinced that what Mr. Seshagiri Ayyar or Mr. Jamnadas Dwarkadas has said would answer the requirements of the case. I hope no one will take me to be a friend of mill-owners wanting to oppose advance labour legislation; and of course within reasonable bounds, I am all the other way. At the same time, Sir, I feel that unless facilities like those which Sir Vithaldas Thackersey's amendment proposes are provided, labour will be really at a disadvantage, and the growth of child life in which we are all so rightly interested, will suffer. Mr. Jamnadas speaks of their being at home. He might have added about their being at school. But he knows as well as I and many Indian Members here do, that the average labourer has no 'home' to speak of in the proper sense of the term. The father and mother will be both away, and the children generally be left to themselves. I quite sympathise with Mr. Jamnadas that if the parents cannot otherwise arrange for their food being brought to their factories, they well deserve to do without it. But that is not all. I have seen in some mills, I know that infants in arms are brought by the mothers and are left in charge of children older than six years of age as there is no other place to leave them in. I have also seen in schools provided by the mills children who are not and cannot be employed in the mills taking part in the lessons in those schools. Sometimes the schools are outside the factory limits. There of course the question does not arise, but all factories have not equal accommodation and the schools are oftener than not within the factory limits. In those cases there will be a very great hardship, and the father or mother who had to work and nobody with whom to leave these children would be at a real disadvantage on the question of burdens of proof. Mr. Seshagiri Ayyar has suggested that the production of the books by the mill-owner that the children are not employed would be ample answer. Well, an employer who is unscrupulous enough to exploit child labour can well falsify the books and child labour may be employed without its being shown on the books. Therefore, you

can never provide against abuse. You have got to take things as they are. The normal Indian labour life is not ideal. I do not know what the ideal elsewhere is, but we do know that very great hardships would occur if it is not allowed for children to be brought in or sent to mill schools or allowed in the playgrounds or yards. We have not heard any facts adduced in support of the change. Of course we have the opinion of the Members of the Select Committee and I am sure we attach proper importance to it, but very convincing facts have to be adduced before a change is necessary in ten years with regard to this particular section of the enactment which has not so far failed to answer its purpose.

With regard to clause 10 of the Bill in connection with which Sir Vithaldas moved an amendment, Mr. Chatterjee pointed out that the Inspector would have to pass an order which would be open to appeal. There the safeguard is reasonable, but here there is or can be no such safeguard. On the other hand, the un-British method of imposing the proof of burden on the employer is resorted to and the way on which it is suggested that one should discharge that burden is open to abuse as much as the employment of infant labour. If a loop-hole or temptation is too great for the employer in one direction, it will be too great also in the other direction. It seems, therefore, that we shall lose nothing by letting the sections stand as it is till at least more convincing facts are forthcoming.

Mr. R. A. Spence (Bombay: European): Mr. President, I desire to support the amendment moved by my Honourable friend, Sir Vithaldas Thackersey. I have listened with interest to the speech which has just been given by Sir Deva Prasad Sarvadhikary who has put to the Assembly the reasons which I had for supporting the amendment. If Honourable Members will turn to the minutes of dissent, they will see that four Members who were on that Committee, all of whom have a very good knowledge of factory conditions, are all in favour of the retention of the old clause and are against the present clause. Honourable Members will also see that Sir Alexander Murray, Sir Vithaldas Thackersey, Sir Maneckji Dadabhoy and Mr. Lalubhoy Samaldas all specially go against the clause.

Mr. Jamnadas Dwarkadas says 'naturally', but those four gentlemen do know something about the conditions which affect the working people, and I maintain with Sir Deva Prasad that the inclusion of this clause will certainly do more harm than good to the labourers. We all know that children go to the factories with their parents. We all know that sometimes the children are left in or near the factories and the necessity there is that they should be properly looked after, and they are more often than not by elder children, and we all know, also, in a great number of cases that the yards of factories are better places for the children to be in than their own homes. I would ask my Honourable friend, Mr. Jamnadas Dwarkadas, who comes from Bombay, how, during the strikes in Bombay two years ago when cholera spread all over the place, it was that the disease spread so rapidly. It was because of the strikes, because the people were not able to work in their factories which were sanitary. It was because they were in their own homes where there were no sanitary conditions that cholera spread. I think Mr. Jamnadas Dwarkadas is probably aware, on this particular point in regard to the amendment before the House, that the Bombay Government agrees with the views expressed by Sir Vithaldas Thackersey, and I would ask the House to accept the amendment proposed by Sir Vithaldas.

Mr. President: I would suggest to the Honourable Member that it would be more convenient if he moved the amendment to clause 28. He will have an opportunity of voting against clause 28 itself when I put the clause at the end of the debate. Standing Order 33 precludes a Member from moving a merely negative motion of this character. I therefore think it would be more convenient if he would move the amendment which he proposes to add.

Sir Vithaldas D. Thackersey: Then, Sir, my amendment would take this form

Mr. President: I put from the Chair the question, that the clause do stand part of the Bill, but I think it would be more convenient if the Honourable Member would move the amendment standing in his name and after that he would still be free to vote against the clause.

Mr. Jamnadas Dwarkadas: There is one difficulty in adopting your course, Sir. In bringing forward my arguments on the amendment moved by Sir Vithaldas Thackersey, I restricted myself to the amendment for deletion of clause 28 and the substitution of the clause as it stood in the original Act. If the clause had been moved as you, Sir, now suggest, I should have certainly taken up arguments which Sir Vithaldas Thackersey was likely to advance. I therefore hope that the amendment for deletion will be dealt with first and then the new amendment taken afterwards.

Mr. President: If the new amendment is taken first and got out of the way, we can get back to the main question. I omitted to point out to the House that Standing Order 33, sub-section (2) says :

'That an amendment may not be moved which has merely the effect of a negative vote.'

It is therefore unnecessary to put from the Chair the motion that the clause be deleted.

Mr. Jamnadas Dwarkadas: May I, Sir, then ask if we shall be given another opportunity of speaking if the new amendment is moved?

Mr. President: In so far as the new amendment raises a substantially different point, it seems to me a more restricted version of the same point.

Sir Vithaldas D. Thackersey: Mr. President, I beg to move :

'That to clause 28 of the Bill the following proviso be added, namely.'

'Provided that yards, playgrounds and places open to the public view, school rooms, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment.'

I explained in my speech the object of the first amendment. The second amendment was necessary because in case the House thinks that we should not give greater latitude we are restricting it only to those children not found in these places.

As has been pointed by previous speakers with a knowledge of law, it would be very dangerous to presume the Manager to be guilty and throw the burden of proof on him. My amendment provides that such a responsibility should not be thrown on him. The House will agree that before putting such a great responsibility on the Managers which is against the common law of the country, greater precautions are necessary than proposed in other

sections. As we know, every day children come to factories and they will continue to come. What we want to see is that the law should not be broken but that we should protect the children in a proper way. The Bombay Government themselves approve of the original section.

Mr. President : The original question was :

' That clause 28 stand part of the Bill '.

Since which an amendment has been moved :

' That in clause 28 of the Bill the following proviso be added, namely :

' Provided that yards, playgrounds and places open to the public view, school rooms, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment '.

Mr. A. C. Chatterjee : Sir, speakers who have preceded me have already given the House the genesis of this proposal. It was pointed out to Government by factory Inspectors that the existing provision of the law was practically ineffective. Where a mill-owner or a factory owner or a Manager was contravening the law, then, as soon as the factory Inspector approached the gate of his factory, he sent word and all the children who were working in the work room were sent to the yard or the compound and the factory Inspector found it absolutely impossible to prove that that child or children were actually working and were not merely playing about the grounds of the factory. If you are going to protect the children, it is necessary that the burden of proof should be placed on the person in whose premises the children are found. I do not think Sir Vithaldas is right when he says that the law would be broken every day. As a matter of fact, the factory Inspector would have to satisfy himself that the children were really working in the factory before he initiated the prosecution. If he does not initiate the prosecution after satisfying himself that the children were in the grounds merely for the purpose of playing or because they were carrying food to their parents, I do not think there would be any breach of the law. It is only a question of evidence and not of a breach of the law, so far as I understand the provision. The Government do not go as far as Mr. Jamnadas. We do not object to children carrying food to their parents when the parents are working in factories. Sir Deva Prasad has mentioned the case of infants in arms. Infants in arms are already provided for in the Bill.

Sir Deva Prasad Sarvadhikary : I was referring to children who were there to be looked after by the older children.

Mr. A. C. Chatterjee : Well, the infants in arms can be looked after by the older children just as well outside the factory as inside. I do not see any necessity for infants in arms being taken inside a factory to be looked after. They will be in close proximity to very dangerous machinery there. They would be much better off at home even if they lived in the most insanitary chauls in which they appear to live in the advanced Presidency of Bombay.

The real safeguard is that the Government assumes that the Act will be administered in a reasonable manner by Factory Inspectors. In England, the common informer may initiate a prosecution under the Factories and Workshops Act. In India, we have a special provision under the Act that no complaint is to be instituted or is to be taken cognisance of by a Court except with the previous sanction of the Inspector. The Inspector is subordinate to the

[Mr. A. C. Chatterjee.]

Local Government. We assume that the Inspector will act in a reasonable manner. No Inspector would really be able to carry on his duties if he acts in a dishonest manner and sets all the employers against him and initiates prosecutions when there is no real and reasonable ground for a prosecution. That is the real safeguard in these provisions. I have given the reasons which impelled the Government to frame these provisions and it is now for the House to decide whether they will protect the children by having a special provision or leave the provision as it stands at present. We would much rather stick to the existing provision under the Act than have the amendment which has been proposed by Sir Vithaldas Thackersey.

Mr. B. A. Spence : Mr. President, might we have for the information of the House the knowledge from Mr. Chatterjee as to whether this amendment proposed by the Honourable Sir Vithaldas Thackersey is not the same as the law in England, and if it is, why the Government of India should object to this amendment?

Mr. A. C. Chatterjee : Sir, I have already explained that in England the common informer may prosecute. In India only the factory Inspector can prosecute. The cases are quite different.

Sir Deva Prasad Sarvadhikary : Sir, I am afraid Mr. Chatterjee has not on this occasion spoken in his usually convincing manner. It is no answer to the argument that this amendment is copied exactly from the English enactment, and if anything it supports and does not weaken Sir Vithaldas' position what he said with regard to the common informer is not very helpful in a country where the informer is common and may often find the Inspector wrong. Let us not forget that in England, we have the great safeguard, the great assistance, of having schools to which these children not may but must go. Furthermore, if the factory Manager is enterprising enough to be able to get early information and send out the children to the yard, what is there to prevent him from sending them out to the street?

Mr. A. C. Chatterjee : It is easier perhaps to send them to the yard. The factory Inspector will be at the gate. He will see the children going out.

Sir Deva Prasad Sarvadhikary : If there is only one gate to the factory, then the factory is not worth the name. They are mostly a sort of rabbit warren like the Secretariat buildings here where the children can troop out on the approach of the factory Inspector to the back alley as well as to the play ground. But that is not the whole question. In a country where we have absolutely no arrangement for the schooling of children, where the labourer's 'home' exists only in imagination and is a scandal and I have not heard that challenged by Mr. Chatterjee or by Mr. Jamnadas Dwarkadas who may be following me and telling the Assembly that the housing arrangement of the labourer is much better than I am depicting to myself, the question so strongly urged by Mr. Chatterjee did not arise. But even in England, where all the facilities that civilisation has been able to think of in the way of looking after children and labourer has been provided, conditions are anything but perfect and are everyday leading to enormous troubles. Let us not forget, Sir, that the joint family life is breaking up in India. The labourers like—I won't say his betters, but like—other people suffer from

this disability, that either the father or the mother by themselves constitute the family, and there is hardly any other member who can look after the children. Then, with regard to the infant in arms, a variety of things has to be done than merely looking after them at home. The mother may have to travel more than once a day a mile or a couple of miles to go and look after the infant in more sense than one and that is not good for her health or for efficiency. But if the infant is close by and in charge of other older children who themselves will be kept out of mischief, I think a great deal of the assurance will be provided for the mother or the father as the case may be and they and the children will live under happier circumstances. You must deal with facts and circumstances as you find them and which cannot be changed merely for the asking. After all, there is such a thing as killing even labour by kindness and you can deal with no question in a detached, isolated and ideal way when it is part of a big organic whole.

In view of some of these considerations it strikes me that even if the Resolution for deletion of the proposed section is not agreed to, the second amendment with all the safeguards ought to be accepted by this Assembly.

The Honourable Mr. C. A. Innes : I think, if I may venture to say so, Sir Deva Prasad Sarvadhikary has tried to lead the House off on a side issue. He has advanced against the amendment proposed by the Joint Committee the argument that if the amendment is carried children will not be able to enter into the factory in order to carry food to their fathers or mothers in the factory. (*Sir Deva Prasad Sarvadhikary :* That is not all that I have urged.) His object is, as I understand it, to protect the interests of the children. Now, the whole object of this section is precisely that. We are out in this section to safeguard the children of India. We have just raised the age from 9 to 12 and our object is to prevent children under the age of 12 from being improperly employed in factories. That is the point which the House has got to keep in mind. We have got this section 46 in the existing Act. The Act has been in force for many years and it has been proved to us by experience that the section does not carry out the object for which it was intended. Our experience as gained by the factory Inspectors, and mind you, our factory Inspectors are responsible men,—the experience gained by our factory Inspectors throughout India is that the section is insufficient as it stands. 'All managers who go in for the infringement of the children's regulations have spies stationed at convenient distances to warn off the children..... The news of the Inspector's arrival is the signal for uncertified children to dash into the compound so that the Inspector finds small boys standing about the compound.'

That is the thing we want to put down. We admit that the remedy is a drastic one, but we think we are right in proposing it. We recognise that there is a great deal to be said for Sir Vithaldas Thackersey and also for Sir Deva Prasad Sarvadhikary, and we are quite prepared to leave the decision to the House. All we think is that though we admit the dangers not that I admit that the dangers are very great, it is the right course to adopt, still it is a matter for the House to decide. All I would say is that if the House wishes to make any change it would be very much better not to accept this particular amendment but to let the existing section in the Act stand.

Mr. Jamnadas Dwarkadas : Sir, I entirely agree with my Honourable friend, Mr. Innes, that the remedy suggested for the evil is drastic in character,

[Mr. Jamnadas Dwarkadas.]

but when there are two evils presented, I should choose the lesser of the two evils and I should rather risk the drastic character of the remedy than leave the poor children of India at the mercy of either the mill-owner or of their greedy parents. Sir Vithaldas Thackersey has pointed out, that if the clause, as suggested by the Joint Committee, were agreed to by the House, then the people of India would no longer complain that the mill-owners did not provide schools and playgrounds for the children of the employees. I want to ask Sir Vithaldas if he can tell me of any mills in Bombay which provide school rooms and playgrounds within the limits of the factory. (*Sir Vithaldas Thackersey*: I am sorry I have no right of reply, otherwise I would have given a reply.) At any rate, to my knowledge, there are very few mills where playgrounds and school rooms are provided within the limits of the factories. But, apart from that, if my Honourable friend, Mr. Joshi, had been here, perhaps he would have said, in reply to Sir Vithaldas' argument, that we can no longer agree to the mill-owners providing schools and playgrounds within the limits of the factory, in the first place because we do not want the children to grow in the unhealthy atmosphere of the factory.

Rather than contributing to their growth, it contributes to their decay.

4 P.M.

At the same time, we also think that the day is past when the mill-owner can continue to have his hold over the children of his employees by, if I may venture to say so, these kinds of bribes offered to the children of the employee. There are two ways of making people slaves. You may either kick them and when the child has reached the stage when kicking is no longer tolerated, you pat it on the back and make it a slave. The provision of school rooms and playgrounds within the limits of the factory is a thing which is objected to on that ground in principle. The provision of school rooms and playgrounds is the duty of the State and the State can do it by compelling the mill-owners to provide money for it. I should therefore recommend that this House should not encourage the practice of mill-owners making perpetual slaves of their would-be labourers. There is one more point that I should like to put before this House. Mr. Innes has clearly pointed out that the object of this clause is to protect the children of India. The clause, as it existed in the original Act, has proved absolutely ineffective. In favour of that we have the experience of the factory Inspectors who have told us repeatedly that the object of the Act is not carried out.

Sir Vithaldas D. Thackersey: What about the Bombay Government?

Mr. Jamnadas Dwarkadas: I know that the Bombay Government adduces the argument that the clause should remain as provided in the original Act. I beg leave to differ from the opinion of the Bombay Government on this question. I am just answering the arguments brought forward by my Honourable friends, Sir Vithaldas D. Thackersey and Sir Deva Prasad Sarvadhikary. The argument adduced that in Bombay the housing arrangements are not good and therefore at present the clause should not be substituted does not hold much water. If the housing arrangements are not good, let the housing arrangements be made much better than they are. The housing arrangements for the labourers in Bombay are a scandal and we do not want that scandal to continue for a minute longer if we can help it. The argument for continuing an Act which would encourage the continuation of the same housing arrangement is, to my mind, arguing in a way which I fail

to understand. The vicious circle will go on increasing and there will be no end to it. I think the remedy suggested by the Committee although it is drastic should be adopted by the House so that the necessity for children remaining outside the House will awaken labourers to the need for demanding better housing arrangements and once the labourers demand them I do not think that the mill-owners or the Government can afford not to give them better houses. I submit that for the protection of the children of India and for the welfare and future well being of labour in India it is entirely necessary that the clause, as suggested by the Committee, should be substituted for the original clause.

Rai D. C. Barua Bahadur (Assam Valley : Non-Muhammadan) : Sir, I beg to submit that under no system of jurisprudence does the burden of proof rest on the accused person except in very exceptional circumstances. Now here, although provision has been made for the protection of children by prohibiting the employment of children under a certain age and by regulating their employment in particular ways, no sort of system can do that fully, and perfection cannot be contemplated by the introduction of the proposed provision under review. So it is not desirable in any circumstances that this clause should be retained. Then, Sir, some remark has been made to find certain rooms for the school or waiting room or refreshment room for the children, but it will be a very difficult affair to find such rooms in factories where the area occupied is a very large one, such as tea factories and indigo factories. So when all the facts are taken into consideration and there are rules enough within the provisions of this proposed Bill for the inclusion of tea factories and indigo factories, provision should be made so that those factories or those concerns may not be put to any serious difficulty by the introduction, I mean by the inclusion of those factories in the provisions of this Act. So taking all these circumstances into consideration, I think the proposed clause should be deleted, and that the old law should continue as before.

Mr. President : The question is :

‘That to clause 28 of the Bill the following proviso be added, namely :

‘Provided that yards, playgrounds and places open to the public view, school rooms, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment.’

Sir Vithaldas D. Thackersey : I should like to make one explanation. If the Honourable Member in charge of the Bill will agree to retain the present section 46, I have no wish to press for the second amendment, and shall be perfectly satisfied if the old clause 46 is retained and the new clause is omitted.

Mr. A. C. Chatterjee : I regret, Sir, I cannot give any such undertaking.

Mr. President : The original question was :

‘That clause 28 be added to the Bill.’

Since which an amendment has been moved :

'That to clause 28 the following proviso be added, namely.'

'Provided that yards, playgrounds and places open to the public view, school rooms, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment.'

The question is that that amendment be made.

The Assembly then divided as follows :

AYES—27.

Abdul Majid, Shaikh.
Abdul Quadir, Maulvi.
Agarwala, Lala G. L.
Bajpai, Mr. S. P.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Bishambhar Nath, Mr.
Chaudhuri, Mr. J.
Dass, Pandit R. K.
Gulab Singh, Sardar.
Habibullah, Mr. Muhammad.
Man Singh, Bhai.
Misra, Mr. P. L.
Muhammad Ismail, Mr. S.

Nag, Mr. G. C.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Reddi, Mr. M. K.
Renouf, Mr. W. C.
Sarvadhikary, Sir Deva Prasad.
Singh, Babu B. P.
Sohan Lal, Bakshi.
Spence, Mr. R. A.
Subrahmanyam, Mr. C. S.
Thackersey, Sir Vithaldas D.
Vishindas, Mr. H.
Zahir-ud-din Ahmed, Mr.

NOES—14.

Akram Hussain, Prince A. M. M.
Ayyar, Mr. T. V. Seshagiri.
Bradley-Birt, Mr. F. B.
Chatterjee, Mr. A. C.
Dentith, Mr. A. W.
Hailey, the Honourable Sir Malcolm.
Innes, the Honourable Mr. C. A.

Iswar Saran, Munshi.
Jamnadas Dwarkadas, Mr.
Kabraji, Mr. J. K. N.
Mukherjee, Mr. J. N.
Rangachariar, Mr. T.
Sapru, the Honourable Dr. T. B.
Wajid Hussain, Chaudhri.

The motion was adopted.

Mr. President : The question is that clause 28, as amended, do stand part of the Bill.

The Honourable Mr. C. A. Innes : Sir, I think that it would meet both the employers and certainly Government if the clause, as now amended, were suppressed and if the original section of the Act, section 46 of the Factory Act of 1911, were allowed to stand. I think that Sir Vithaldas will support me in saying that that will be more satisfactory both to employers and to the Government; and if there is no objection and if Sir Vithaldas is willing to agree, I wish to press that solution for the consideration of the House.

Sir Vithaldas D. Thackersey : Mr. President, I expressed my view in the very beginning that if Government gave an undertaking to retain the original section 46, I would not press my second amendment.

Mr. President : The question is :

'That the clause, as amended, do stand part of the Bill.'

The motion was negatived.

Sir Vithaldas D. Thackersey : I understood that Mr. Innes' suggestion to retain the original section 46 is accepted.

Mr. President: The effect of the decision of the House to-day is to remove the clause from this Bill and therefore to leave the clause of the original Act where it stands.

The question is :

'That clause 29 of the Bill, as amended by the Joint Committee, do stand part of the Bill.'

The motion was adopted.

Mr. President : The question is :

'That clauses 30, 31 and 32 of the Bill, as amended by the Joint Committee, do stand part of the Bill.'

The motion was adopted.

Mr. President : The question is :

'That clauses 33 and 34 do stand part of the Bill.'

The motion was adopted.

Mr. President : *Schedule I.*—The question is :

'That this be Schedule I of the Bill.'

The motion was adopted.

Mr. President : *Schedule II.*—The question is :

'That this be the second Schedule of the Bill.'

The motion was adopted.

Mr. President : The question is :

'That this be the preamble of the Bill.'

The motion was adopted.

Mr. A. C. Chatterjee: It may be convenient to the House, and, if there is no objection to it, I should like to move, with your permission :

That the Bill, as amended by the Joint Committee and as amended now by the House, be passed.'

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 11th January, 1922.