

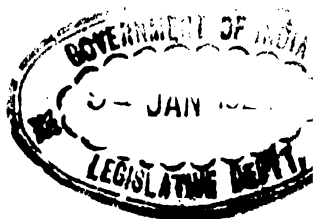
23rd July, 1923

THE LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

VOL. III

PART VII



(16th to 28th July, 1923.)

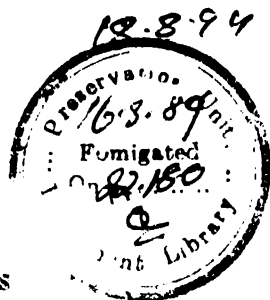
THIRD SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1923.



SIMLA
GOVERNMENT CENTRAL-PRESS
1923



LEGISLATIVE ASSEMBLY.

The President.

The Honourable Sir FREDERICK WHYTE, KT.

Deputy President.

Sir JAMSETJEE JEEJEEBHoy, BART., K.C.S.I., M.L.A.

Panel of Chairmen.

Maulvi ABUL KASEM, M.L.A.

Sardar Bahadur GAJJAN SINGH, M.L.A.

Mr. N. M. SAMARTH, M.L.A.

Colonel Sir HENRY STANYON, KT., C.I.E., V.D., M.L.A.

Secretary.

Mr. L. GRAHAM, M.L.A., I.C.S.

Assistants of the Secretary.

Mr. W. T. M. WRIGHT, I.C.S.

Mr. S. C. GUPTA, BAR.-AT-LAW.

Mr. G. H. SPENCE, I.C.S.

Marshal.

• Captain SURAJ SINGH, Bahadur, I.O.M.

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LEGISLATIVE ASSEMBLY.

Monday, 23rd July, 1923.

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

MEMBERS SWORN :

Babu Devaki Prasad Sinha, M.L.A. (Chota Nagpur Division : Non-Muhammadian) ; Pandit Devi Prasad Shukla, M.L.A. (Allahabad and Jhansi Divisions : Non-Muhammadian Rural).

QUESTIONS AND ANSWERS.

MILITARY FORCE FOR QUELLING DISORDERS.

288. ***Mr. B. N. Misra** : Will the Government be pleased to state the strength of the Military force maintained for quelling internal disorders in India ?

Mr. E. Burdon : The attention of the Honourable Member is invited to the reply given on the 15th January 1923 to the question asked on the same subject by Mr. Ginwala, No. 4.

INTERNAL DISORDERS QUELLED BY MILITARY.

289. ***Mr. B. N. Misra** : Will the Government be pleased to state on how many occasions Military was employed to quell internal disorders during (a) 1912 to 1917, (b) 1917 to 1922 and the number employed and expenditure incurred in each year during the above mentioned period ?

Mr. E. Burdon : The only information available in regard to the first part of the Honourable Member's question is for the period 1st January 1921 to the 31st December 1922. During this period, the aid of the military was resorted to on approximately 170 occasions and the total number of troops that were employed was 9 cavalry regiments, 36 infantry battalions and 7 sections of armoured cars. These figures, I may mention, are exclusive of the troops used in connexion with the Malabar rebellion.

The information desired in respect of the earlier periods mentioned by the Honourable Member is, I regret to say, not available.

As regards the second part of the question, for the reason given in reply to similar questions asked by Mr. Bagde and Sir Montagu Webb on the 11th February and the 23rd March 1922, respectively, I regret I am unable to furnish the information required.

DISCONTENT IN INDIAN CIVIL SERVICE.

290. ***Mr. B. N. Misra** : Is the Government aware of the discontent amongst Europeans in the Civil Service of India owing to their pay and prospects not being prosperous ?

The Honourable Sir Malcolm Hailey : The answer is in the affirmative.

RAILWAY TO BHUBANESWAR.

291. ***Mr. B. N. Misra** : (1) Is the Government aware that Bhubaneswar is a place of pilgrimage ; not only Hindus from different parts of India but non-Hindus also visit the Temples from Archaeological and Architectural point of view ?

(2) Is the Government aware that the Railway Station, although it goes by the name of Bhubaneswar, is located at Budheswar, about 3 miles from the Temples, and the road being infested with wild animals becomes dangerous and inconvenient for passengers to travel from the present Station to the Town ?

(3) Is the Government aware of the repeated demand by the public to remove the present Railway Station from Budheswar and to locate it within Bhubaneswar at a place on the same line which is half a mile from the main Temple ?

(4) If the answer is in the affirmative, are the Government prepared to advise the Railway Board to locate even a Flag Station in the vicinity of the Temples within the ambit of the Bhubaneswar Town ?

The Honourable Mr. C. A. Innes : (1) Yes.

(2) Some inconvenience is admitted but Government has no information regarding the depredations of wild animals.

(3) Yes.

(4) Government do not propose to issue orders for the removal of the station to a new site as it is not considered that the expenditure would be justified. The present station contains adequate facilities for pilgrim traffic and the provision of a new station at the proposed site would involve costly regarding of the line.

BOOKING OFFICE AT BADADANDA, PURI.

292. ***Mr. B. N. Misra** : (1) Is the Government aware of the demand of public to start a Third Class Booking Office at Badadanda in the Town of Puri (Jagannath) ?

(2) Is the Government prepared to advise the Railway Board or the Traffic Manager, Bengal-Nagpur Railway, to open a Third Class Booking Office immediately in the Badadanda, Puri ?

The Honourable Mr. C. A. Innes : (1) Yes.

(2) The Railway Authorities have given the suggestion careful consideration and are of opinion that in view of the adequate arrangements which exist at Puri station there is no need for a branch booking office at Badadanda.

In the circumstances Government do not propose taking any action in the matter.

IRREGULARITIES IN MILITARY ACCOUNTS DEPARTMENT.

293. ***Rai Bahadur Lachmi Prasad Sinha** : (1) Has the attention of the Government been drawn to the articles headed "Irregularities in the Military Accounts Department" published in the "Tribune", dated the 1st July 1923 ?

(2) (a) Will the Government be pleased to state whether it is a fact that the pay of the Accountants has been raised from Rs. 100 or Rs. 200 to Rs. 500 ?

(b) If so, will the Government be pleased to state the number of Accountants whose pay was so raised ?

(3) Will the Government be pleased to state whether the reorganisation of the pay of the Military Accountants was sanctioned before the appointment of the Retrenchment Committee or after ?

The Honourable Sir Basil Blackett : (1) The Government of India have seen the article referred to.

(2) (a) It is a fact that the pay of some accountants of the Military Accounts Department who were in receipt of various rates of pay ranging from Rs. 190 to Rs. 475 was raised to Rs. 500.

(b) The number of accountants whose pay was so raised was 168.

(3). The revision of pay of the subordinate staff of the Military Accounts Department was sanctioned before the appointment of the Retrenchment Committee.

PURCHASE OF CONIFEROUS SLEEPERS BY NORTH-WESTERN RAILWAY.

294. ***Mr. K. C. Neogy** : Is it a fact that the North-Western Railway is the sole agency for purchasing coniferous sleepers required by the Indian Railways, and that during the past several years it has been always purchasing them from a dozen or more competing firms ?

The Honourable Mr. C. A. Innes : Since 1920 the North-Western Railway has been the purchasing agency for broad gauge sleepers from the Punjab forests for the North-Western, the Bombay, Baroda and Central India, the East Indian, the Great Indian Peninsula and the Oudh and Rohilkhand Railways and of metre gauge sleepers for the Bombay, Baroda and Central India and the Jodhpur-Bikaner Railways. In 1921-22 there were 6 contractors and in 1922-23, 17 contractors.

Dr. Nand Lal : May I ask, why this contract was placed this time with one contractor ?

The Honourable Mr. C. A. Innes : There are numerous other questions on that subject which will be answered in due course.

NORTH-WESTERN RAILWAY TENDERS FOR SLEEPERS.

295. ***Mr. K. C. Neogy** : (1) Is it a fact that in September last, the North-Western Railway issued a call for tenders for the supply of 50 lakhs of coniferous sleepers during the next 5 years and departed from its policy of distributing orders amongst several competent firms by notifying that no firm could tender for less than the full quantity of 50 lacs of sleepers, and is it a fact that this condition was subsequently modified by the Railway after strong protest from certain quarters ?

(2) Is it a fact that contrary to the old practice of giving about one month's previous notice even in cases where tenders called were for much smaller quantities, the North-Western Railway gave originally only one week's time to the intending tenderers to submit their tenders for a contract the value of which was roughly 2½ crores of rupees ?

(3) Is it a fact that out of the fifty lacs of sleepers required by the Railway, 15 lacs were to be treated sleepers ?

(4) Is it a fact that there are several methods of treating sleepers and the cost of treating differs according to the method employed ?

(5) Is it a fact that the North-Western Railway originally left the intending tenderers in the dark as to the method of treatment which they wished to be employed, and that in the absence of such information no quotations could be framed by any firm ?

The Honourable Mr. C. A. Innes : (1) Yes.

(2) In previous years it was customary to give one month's previous notice where tenders were called for. The original notice issued on the 4th September 1922 called for tenders by the 20th September but a revised notice extended the time to the 20th of October.

(3) Yes. 15 lakhs spread over 5 years.

(4) Yes.

(5) Yes. The original tender notice was defective in this respect, but the defect was remedied in the revised tender notice and in the end no treated sleepers were purchased.

Dr. Nand Lal : Is Government aware that the various methods of treating these sleepers have various different rates ?

The Honourable Mr. C. A. Innes : I am aware of that fact and I have already said that the original tender notice was defective in that respect and that the defect was remedied in the subsequent tender notice.

Dr. Nand Lal : Is the Government of India aware that the successful firm with which the contract has been placed is also the sole agent of a certain system of treating ?

The Honourable Mr. C. A. Innes : No treated sleepers are being purchased. I am not aware that the firm has the monopoly of any particular form of treating.

NORTH-WESTERN RAILWAY CONTRACT FOR SLEEPERS.

296. ***Mr. K. C. Neogy :** (1) Are Government aware that the firm to which the recent contract for the entire supply has now been given by the North-Western Railway does not command the full supply of sleepers from forest under its control, and that for more than half the supply it would have to purchase sleepers from the very same firms and Departments whose tenders, though lower than the former's, were rejected by the Railways ?

(2) Are Government aware that this firm has recently obtained a commission of about Rs. 1-8-0 per B. G. Deodar sleeper, and Rs. 1-2-0 per B. G. Chil sleeper to be delivered to the Railway through its agency ? If so, will the Government state why a middleman has been employed to obtain sleepers from the producers who were willing

to supply same at a price cheaper than that which has been settled with the middleman ?

(3) What steps do Government intend to take in keeping healthy competition alive in regard to the sleeper business ?

The Honourable Mr. C. A. Innes : (1) At the time the contract was given it was understood that Messrs. Spedding and Dinga Singh who had previously supplied from 3 to 5 lakhs Deodar sleepers annually had embarked on extensive new leases and expected to find the bulk of the supply from their own forests. Statements have since been made by other contractors that Messrs. Spedding and Company and Dinga Singh are purchasing this year about 30 per cent. of the supply outside their own forests, but the Government have no authoritative information on the subject.

(2) The Government do not understand what is meant by the term " Commission." The contractors are not employed by the North-Western Railway to buy sleepers on a commission basis. If the Honourable Member means that the contractors are buying sleepers from other firms and delivering them to the Railway at a profit of Rs. 1-5 per Deodar sleeper and Rs. 1-4 per Chir sleeper, the Government have no information on the subject. But it has come to their knowledge that the firm has recently signed a contract with the Punjab Government for 1½ lakhs of broad gauge Deodar sleepers per annum at Rs. 6-8 per sleeper and for 70,000 Chir sleepers per annum at Rs. 3-3-6 per sleeper. Nothing approaching this rate was offered to the North-Western Railway in October 1922. Indeed the only Government Department which tendered quoted Rs. 8 for two years and Rs. 8-8 for the remaining period for broad gauge Deodar sleepers. The Punjab contract was entered into some months later and was made without reference to, or the cognizance of, the North-Western Railway.

(3) Up to 1917 the North-Western Railway had obtained practically the whole of their requirements from Messrs. Spedding and Company. The price of Deodar sleepers up to that period had ranged from Rs. 3-8 to Rs. 5 a sleeper. During the period 1917—1921 when tenders were called for and when the contract was split up between a number of competing firms, not only was the price forced up against the Railway to as high as Rs. 10 per sleeper, but the supply became very precarious. Messrs. Spedding and Company in fact were the only contractors who satisfactorily carried out their contracts. Other contractors defaulted in their supplies of sleepers and consequently the North-Western Railway decided that the interest of the Railway would best be safeguarded by reverting to the system of giving the whole contract to a firm of proved reliability and that this was the best way of stabilising prices and ensuring regular supply.

Mr. N. M. Samarth : Have Government attempted to ascertain whether they would not be able to obtain sleepers at cheaper rates from Kanara ?

The Honourable Mr. C. A. Innes : We have imported in sleepers from Canada. But I have always felt that there was great resentment against that practice in India, and, moreover, going on my present information, I am not at all satisfied that we should get cheaper sleepers from Canada.

Dr. Nand Lal : Has the Government now come to know how many forests the successful firm has got ?

The Honourable Mr. C. A. Innes : I understand that they have large forest leases in Kashmir.

Dr. Nand Lal : May I ask how many leases ?

The Honourable Mr. C. A. Innes : I don't know.

Dr. Nand Lal : Did the Government make inquiry whether the successful firm had leases of forests on the day and at the time when the contract was brought about ?

The Honourable Mr. C. A. Innes : I am afraid the Honourable Member has not listened to my answer to the first part of his question.

Dr. Nand Lal : I have listened to the answer given." I am asking if the Government made any inquiry whether the statement which was made was correct or not.

Dr. H. S. Gour : May I, Sir, ask if the tender accepted for the supply of the sleepers was the lowest tender offered ?

The Honourable Mr. C. A. Innes : I am placing on the table in reply to a later question a complete list of all the tenders offered. It was not the lowest tender but, in the opinion of the Agent of the North-Western Railway, it was the lowest satisfactory tender.

Mr. P. B. Haigh : Sir, shall I be in order in asking if Mr. Samarth's question referred to Canada or Kanara ?

Mr. N. M. Samarth : Kanara.

Mr. P. B. Haigh : The Honourable Member replied with reference to Canada.

The Honourable Mr. C. A. Innes : In any case, I can reply to that at once. I cannot imagine that it would pay the North-Western Railway to buy sleepers as far south as Kanara.

GUARDS ON NORTH-WESTERN RAILWAY.

297. ***Mr. W. M. Hussanally :** (1) (a) How many guards are there on North-Western Railway in classes A, B and C respectively ?

(b) How many of each class are Indians, Europeans and Anglo-Indians respectively ?

(2) What are the rules regarding promotion from one class to another ?

(3) (a) Is it a fact that while Europeans and Anglo-Indians with comparatively short service are promoted to class C, Indians with 10 or 20 years' service and experience are not so promoted ?

(b) If so, what are the reasons why Indians are thus passed over ?

(4) (a) How many Europeans and Anglo-Indians have been promoted to class C with 5 years of their service ?

(b) How many Indians with longer service have not been so promoted ?

(5) How many Indian guards have passed the Station Masters' and other examinations and still not promoted to class C?

(6) (a) Is it a fact that between 1919 and 1922 several European and Anglo-Indian guards have been directly taken in class C on a starting salary of Rs. 125? If so, how many?

(b) Was this because there was no Indians in class B fit to be promoted to class C?

(7) Do Government propose to liberalise the rule and practice about promotion in railway service generally with a view to equalise the number of every class of His Majesty's subjects in all grades of service with due regard to efficiency and do away with all colour bar?

The Honourable Mr. C. A. Innes : (1) (a) There are :

537 in Class A.

317 in Class B.

290 in Class C.

(b) The distribution by communities is as follows :

Class.	Europeans and Anglo-Indians.	Indians.
A	5	532
B	98	219
C	213	77

(2) Promotions are made by selection from amongst the senior men of each class. For promotion from B to C, a guard must pass as an Assistant Station Master, and must sign a certificate that he is prepared to work as an Assistant Station Master when so required.

(3) (a) It is sometimes the case that Europeans and Anglo-Indians of comparatively short service but with the necessary qualifications are promoted to Class C in preference to Indians of longer service.

(b) Promotions are made by selection, having due regard to efficiency.

(4) (a) There are 36 European and Anglo-Indian guards who were promoted to Class C in the first 5 years of their service.

(b) It has not been found possible to obtain this information in the limited time available.

(5) 15.

(6) (a) Yes, 76.

(b) The custom on the North-Western Railway has ordinarily been to appoint Europeans and Anglo-Indians Assistant Station Masters in large stations.

(7) The whole question of recruitment for the Subordinate Traffic Service is now under consideration.

Mr. Harchandrai Vishindas : Why should only Europeans and Anglo-Indians be appointed in large stations and not Indians?

The Honourable Mr. C. A. Innes : I have already said that this has apparently been the custom up-to-date on the North-Western Railway. It is a question of the method of recruitment and the whole question of the method of recruitment is now under examination.

Dr. H. S. Gour : Will the Honourable Member supplement his reply to question (4) (b) by obtaining the information and incorporating it in this reply later on?

The Honourable Mr. C. A. Innes : I will certainly endeavour to do so.

Dr. Nand Lal : Will the Honourable Member be good enough to enlighten this Assembly as to what is the difference between the pay of an Indian Guard and a European Guard belonging to the same class ?

The Honourable Mr. C. A. Innes : I am afraid I cannot answer that question without notice.

RESERVED INTERMEDIATE CLASS.

298. ***Mr. W. M. Hussanally :** (a) With reference to the undertaking given by the Honourable Mr. Innes on 10th March 1923, printed at page 3183 of the Assembly proceedings, to do away with Inter Class reserved compartments for Europeans and Anglo-Indians on Indian Railways, will Government please state what action has been taken by Government in the matter ?

(b) Upon what Railways have such reserved compartments been done away with so far ?

The Honourable Mr. C. A. Innes : (a) and (b). Railway Administrations were asked to consider whether there was any necessity to continue the distinction in respect of inter class accommodation and report what action they were taking in this matter. The reports have now been received and they shew that except on the East Indian, the Oudh and Rohilkhand and the North-Western Railways, inter class compartments are not reserved for Europeans and Anglo-Indians. The reservation on the East Indian Railway is restricted to one small compartment on the Mail and Express trains only, on the Oudh and Rohilkhand Railway to one compartment on the Punjab and Dehra Dun Mails only and on the North-Western Railway to one compartment on 1 Up and 2 Down Mail trains between Lahore and Saharanpur only.

FALLOW LANDS NEAR RAILWAYS.

299. ***Munshi Mahadeo Prasad :** (1) Has the attention of the Government been drawn to the fact that large extents of land are lying vacant and fallow on both sides of railway lines in certain places, e.g., between Jhusi and Benares Cantonment Railway stations, Bengal and North-Western Railway, and that the said lands can be beneficially let for agricultural purpose or disposed of by sale ?

(2) Are the Government prepared to order collection of figures on the above points and to see what amount could be available to pay a portion of the loan incurred for capital expenditure on Railways ?

The Honourable Mr. C. A. Innes : The Government's attention has not previously been drawn to the subject. The leasing of lands, for short periods, for purposes of grazing, etc., is within the discretion of the Railway Administration, whose attention will be invited to the matter.

Sir Deva Prasad Sarvadhikary : Would not the allowing of grazing within the railway fencing be apt to lead to destruction of cattle in the same way as unfenced lines are apt to be ?

The Honourable Mr. C. A. Innes : I imagine the practice is rather a dangerous one.

COST OF SUPERVISION, ETC., OF GOVERNMENT PRESSES.

300. * **Dr. H. S. Gour** : (a) Will the Government be pleased to state the cost of supervising, clerical and menial staff of the Calcutta and Delhi Presses, the Simla Monotype Press and the Simla Press, for 1921-22 and 1922-23 ?

(b) Is it a fact that the cost of supervising, clerical and menial staff for 1920-21 was as follows :—

			Rs.
Calcutta and Delhi Presses	..	..	2,33,646
Simla Press	..	..	73,048
Simla Monotype Press	..	..	34,075

The Honourable Mr. A. C. Chatterjee : (a) The cost of the supervising, clerical and menial staff in the year 1921-22 was as follows ; the figures include the total cost of the accounts offices of the presses :

			Rs.
Calcutta, Delhi	..	..	2,73,145
Simla	..	..	80,065
Simla Monotype	..	..	41,147

Figures for 1922-23 are not yet available.

(b) Yes.

COST OF OFFICE OF CONTROLLER OF PRINTING.

301. * **Dr. H. S. Gour** : What is the cost of the administrative office of the Controller of Printing ?

The Honourable Mr. A. C. Chatterjee : The total cost of the Office of the Controller of Printing, Stationery and Stamps, including the stationery store, amounted to Rs. 3,27,945 in 1921-22 ; the greater part of this is recovered from Local Governments ; of the balance only a fractional part is debitable to printing.

PRESS MACHINERY.

302. * **Dr. H. S. Gour** : What amount has the Government decided to invest in the purchase of machinery for printing presses ?

The Honourable Mr. A. C. Chatterjee : It is proposed to spend Rs. 5 lakhs on the purchase of new machinery for the Government of India presses during the current year. The Government of India have not yet decided on the amount to be invested for the purpose in future.

Dr. H. S. Gour : A supplementary question, Sir. Will it include any provision for the printing of stamps in the country—postage stamps and non-judicial stamps hitherto printed by firms overseas ?

The Honourable Mr. A. C. Chatterjee : So far as I am aware, it will not.

Dr. H. S. Gour : May I inquire, Sir, if in the cost that is to be incurred, any provision is made at all for the printing of postage and other stamps ?

The Honourable Mr. A. C. Chatterjee : That matter is under separate consideration.

COST OF GOVERNMENT PRINTING.

303. *Dr. H. S. Gour : Is the Government aware that the average cost of Government printing is about two and a half times in excess of the work done by private printers ?

The Honourable Mr. A. C. Chatterjee : The Government are not aware of the fact stated and have grounds for belief that the statement is incorrect.

Rao Bahadur C. S. Subrahmanayam : With reference to the statement made by the Honourable Mr. Chatterjee some time ago, has any action been taken upon the question of ' costing ' ?

The Honourable Mr. A. C. Chatterjee : That is being done, Sir.

Rao Bahadur C. S. Subrahmanayam : When will that inquiry be finished ?

The Honourable Mr. A. C. Chatterjee : I hope to be able to give further facts about it in January next.

Dr. Nand Lal : Is Government aware that if this printing is carried on by private agency, it will be comparatively cheaper ?

The Honourable Mr. A. C. Chatterjee : That is not a fact.

Mr. N. M. Joshi : Is Government aware that some private presses are sending canvassing letters amongst Members of this Assembly ?

The Honourable Mr. A. C. Chatterjee : I believe so, Sir.

COMPTOMETERS.

304. *Dr. H. S. Gour : (a) When were comptometers purchased and what was their object and cost ?

(b) If it was intended to reduce the number of clerks otherwise required in the Press, has any reduction been made on this account ?

(c) Was it intended to improve the efficiency of the accounts section ? If so, is it a fact that the Government has paid twice over the bills of a Government printer ?

The Honourable Mr. A. C. Chatterjee : The necessary information is being collected and will be supplied to the Honourable Member when it is ready.

PAY OF GOVERNMENT COMPOSITORS.

305. *Dr. H. S. Gour : Is it a fact that Government compositors are paid higher wages than private printers and their outturn is considerably less ?

The Honourable Mr. A. C. Chatterjee : In private presses compositors ordinarily receive a fixed wage *plus* overtime ; in Government presses they do not receive a fixed wage, but are paid by the piece ; the first part of the question accordingly does not arise. Government are satisfied that the outturn of compositors in their presses is greater than that achieved in private presses.

DEVELOPMENT OF PRINTING INDUSTRY.

306. ***Dr. H. S. Gour** : Will the Government be pleased to state what means it is employing to assist the development of the printing industry in India ?

The Honourable Mr. A. C. Chatterjee : Printing is an old established trade in India and Government do not believe that it requires any direct assistance ; under the existing constitution such assistance, if necessary, must be given by Local Governments. The Government of India believe that existing facilities for printing are equal to the demand. Since the year 1881 the Government of India have entrusted a considerable amount of their printing work to private firms with the specific object of encouraging the industry ; the results have not always been satisfactory. A system of apprenticeship training has recently been inaugurated in the Government of India presses, while training on a more extensive scale is given in some of the jails in India.

Dr. H. S. Gour : Is the Honourable Member aware that the House of Commons have recently appointed a Committee to go into the question how far the Government presses in England compete with private enterprise, and will the Honourable Member take a similar step in this country for the purpose of ensuring that the Government do not hamper the progress of private printing in the country ?

The Honourable Mr. A. C. Chatterjee : I think the solicitude which the Government in India displays towards private industries is greater than that in England and I do not think we need follow the example of England in this particular matter.

ARMY CANTEN BOARD.

307. ***Mr. W. M. Hussanally** : With reference to answer to Question 81, dated 28th September 1921, of Mr. J. Chaudhari, will the Government please state if the Army Canteen Board is a private company or an official body ?

Mr. E. Burdon : The Honourable Member's attention is invited to the reply given to Question No. 253 asked by Mr. Chaudhri on the 8th September 1922. The Army Canteen Board (India) is a public company incorporated under the Indian Companies Act of 1913.

ADVANCE TO ARMY CANTEN BOARD.

308. ***Mr. W. M. Hussanally** : (a) How much money has been advanced to Army Canteen Board by the Imperial Bank and for what period ?

(b) Does that loan bear interest ? If so, how much ?

(c) If the Army Canteen Board is a private body, under what law has the Government guaranteed to the Imperial Bank the amount lent by them to that company ?

Mr. E. Burdon : (a) and (b). The Honourable Member's attention is again invited to the reply given to Mr. Chaudhri's Question No. 253 on the 8th September 1922. The Government of India have no official access to the accounts of the Army Canteen Board, and have no information regarding the details of its financial arrangements, apart from that

which is available to the general public. The Honourable Member must therefore be referred to the Canteen Board's audited balance sheet.

(c) As the Army Canteen Board has for its object, the welfare and health of the Army, the guarantee is *intra vires* of the Government's powers under the Government of India Act.

OPERATIONS OF ARMY CANTEEN BOARD.

309. *Mr. W. M. Hussanally : (1) When did Army Canteen Board start their operations and at what places ?

(2) What net profits, if any, has the Army Canteen Board made during the time it has been in existence ?

(3) How have those profits been utilized ?

(4) Has the Army Canteen Board liquidated any portion of the loan from the Imperial Bank ? If so, how much ?

Mr. E. Burdon : (1) The Army Canteen Board commenced its operations in October 1921 at Rawal Pindi on a small scale. It has since extended its operations in the Rawal Pindi District and has also commenced operations in the Peshawar, Baluchistan and Waziristan Districts.

(2), (3) and (4). The Honourable Member is referred to the reply which I have just given to parts (a) and (b) of his Question No. 308.

WORKING OF ARMY CANTEEN BOARD.

310. *Mr. W. M. Hussanally : Have the Government's anticipations as to the success of the Army Canteen Board, as foreshadowed in answer to Question 62 (c), dated 26th September 1921, of Rai Bahadur Bakshi Sohan Lal been realized ?

Mr. E. Burdon : The Government of India have ascertained that the Army Canteen Board have commenced to make a profit ; and they have no reason to anticipate that the venture is not likely to achieve the success which was hoped for.

SERVICES OF ARMY CANTEEN BOARD COMPARED WITH ARMY CONTRACTORS.

311. *Mr. W. M. Hussanally : (a) Have the Government called for any report from Commanding Officers of regiments served by Army Canteen Board or received any such reports on the working thereof ?

(b) If so, will Government lay the same on the table or state the purport thereof ?

(c) If none have been received, do Government propose to call for such reports to ascertain whether the Army Canteen Board has been successful in giving better service than Army Contractors ?

Mr. E. Burdon : (a) No.

(b) Does not arise.

(c) The Government of India do not propose to call for reports of the kind suggested : so far as they are aware there is no occasion for doing so.

EXAMINATION OF FOOD SUPPLIED TO ARMY.

312. *Mr. W. M. Hussanally : (1) Is it a fact that the Inspectors who got samples of food supplied by Army Contractors (before Army Canteen

Board commenced operations) that were submitted for analysis to food laboratory, were servants employed by Army Canteen Board ?

(2) (a) Will Government be pleased to state whether any samples obtained from the Army Canteen Board, of beer and other food stuffs have been sent to any brewery and food laboratory for examination ?

(b) If so, will they lay on the table or state the result of such analysis or examination ?

Mr. E. Burdōn : (1) The Inspectors mentioned were employed under the authority of Government.

(2) (a) and (b). For the reason which has been explained in replies to previous questions, the Government of India have no official access to the details of the Internal administration of the Army Canteen Board (India). On the other hand, the Military Food Laboratory at Kasauli is authorised to examine and report upon samples of supplies made by the Canteen Board, and such samples are, as a matter of fact, sent up by the military authorities. The reports made by the Laboratory are not communicated to the Government of India.

UNEMPLOYMENT OF DOMICILED COMMUNITY.

313. *Lieutenant-Colonel H. A. J. Gidney : 1. Has the attention of Government been drawn to a letter written by me and published in the town issue of the "Statesman" and "Englishman" of the 30th June on the appalling present day condition of unemployment, in the Domiciled Community in India, especially in the capital towns ?

2. Has the attention of Government been drawn to the two Editorials published on the matter in the town issues of the "Statesman" of June and July 1st ?

3. Is the Government of India aware of the fact that this unparalleled economic upheaval is mainly due to (a) demobilisation from the Army of men and lads, who gave up careers to serve their King and country, and (b) as a direct sequel to Indianisation of the Railways, chiefly, and partly of other Government Departments ?

The Honourable Mr. A. C. Chatterjee : (1) and (2). Yes.

(3) Government do not consider that the inference contained in the question is well-founded.

NON-EMPLOYMENT OF EUROPEANS AND DOMICILED EUROPEANS ON RAILWAYS.

314. *Lieutenant-Colonel H. A. J. Gidney : (a) Will Government be good enough to state how many Europeans and how many Anglo-Indians have been deprived of employment from each of the Railways :

(1) During the past 3 years, i.e., since the introduction of the Reforms Scheme, and

(2) Since the President of the Railway Board made his memorable pronouncement in March 1922, when the demands for grants for Railways was discussed in the Legislative Assembly ?

(b) Will Government be good enough to state :

- (1) How many Europeans and how many Anglo-Indians have been employed during these 2 periods, on each of the various Railways ?
- (2) How many Indians have been employed during these two same periods ?

The Honourable Mr. C. A. Innes : (a) and (b). Government regret they have not the information asked for. It has been ascertained, however, from the principal Railway Administrations that there have been no wholesale dismissals of Europeans and Anglo-Indians to make room for Indians and all the Railway Administrations consulted categorically deny the statement that any unemployment which may exist is due to such dismissals.

INDIANISATION ON RAILWAYS.

315. *Lieutenant-Colonel H. A. J. Gidney : (1) Is Government aware of the fact that Company Railways are interpreting the term Indianisation of the Railways to mean the replacement of Anglo-Indians by Indians, as evidenced by the facts that (a) Europeans and Anglo-Indians are being dismissed on certain Railways, *e.g.*, Bengal-Nagpur Railway, and on some of these discharge certificates is written, "reason for dismissal." "We have decided to put Indians in these posts." (b) That Mr. Fenton, the Chief Transportation Officer of the Great Indian Peninsula Railway, wrote me a letter with words to the effect that his Railway must cease employing Anglo-Indians and employ cheaper Indian labour ?

(2) Will Government be pleased to state whether Members of the Domiciled Community are included in the term "Indianisation of the Services" and if they are, will Government be good enough to explain this contrary conduct on the part of certain Indian Railways ?

The Honourable Mr. C. A. Innes : (1) The Honourable Member is referred to the answer just given him from which it will be seen that there have been no wholesale dismissals of Anglo-Indians to make room for Indians.

(2) The Honourable Member is referred to the replies given in this Assembly to Mr. K. C. Neogy's and Mr. K. Ahmed's questions Nos. 184 and 201 on 7th September 1922.

ORDERS RE INDIANISATION ON RAILWAYS.

316. *Lieutenant-Colonel H. A. J. Gidney : Will Government be pleased to place on the table a copy or copies, of the order, or orders, issued by the Government of India and the Railway Board, to the various Railways, relevant to Indianisation of the Railways and the employment of Indians on Railways ?

The Honourable Mr. C. A. Innes : The Government have had certain demi-official correspondence with Agents on the subject but are not prepared to lay it on the table.

DEMOBILISATION FROM ARMY OF DOMICILED COMMUNITY.

317. *Lieutenant-Colonel H. A. J. Gidney : Is the Government of India in possession of statistics of the total number of unemployed in the

Domiciled Community, the result of demobilisation from the various branches of the army, temporary as well as permanent service? If not, will it kindly obtain this information?

Mr. E. Burdon : The Government of India have no statistics of the kind indicated and have no sure and ready means of obtaining them. They will, however, be glad to examine and consider any statistics of the kind which the Honourable Member can furnish to them.

POVERTY OF DOMICILED COMMUNITY.

318. ***Lieutenant-Colonel H. A. J. Gidney :** (1) Is the Government of India aware of the fact that hundreds of demobilised army men, of the Domiciled Community, are, to-day, tramping the streets of India, begging for food, clamouring for wages, even at Indian rates, and living like animals with their families and, as a result, are to-day swelling the population of the jails and becoming a positive danger?

(2) Will the Government of India state what steps it has, hitherto, taken to come to the rescue of these demobilised army men who gave up their all to serve their King and country and are, in consequence, to-day, starving and inhabiting the slums?

Mr. E. Burdon : (1) The Government of India have no information to the effect that acute unemployment exists amongst members of the domiciled community who were demobilised from the Army in India and that such unemployment is due to members of the domiciled community having been employed in army service and subsequently demobilised. Under the existing constitution of the army in India, members of the domiciled community are not employed, as a class, in army services except in the Indian Medical Department and there has been no measure of demobilisation in the recent past which, so far as Government are aware, could affect large numbers of the domiciled community.

(2) For the reason indicated in the reply to the preceding part of this question, the Government of India have taken no specific steps to provide for members of the domiciled community demobilised from the army.

PREFERENTIAL TREATMENT TO INDIAN SOLDIERS.

319. ***Lieutenant-Colonel H. A. J. Gidney :** (1) Has the Government of India granted (quite deservedly granted) (a) gifts of lands as rewards, (b) opened out Technical Schools, and (c) given preferential treatment, in various ways, to demobilised Indian soldiers?

(2) Have similar rewards and opportunities been offered to demobilised army men of the domiciled community? If not, why not?

Mr. E. Burdon : (1) Yes.

(2) The Honourable Member's attention is invited to the terms of the Resolutions issued by the Government of India in the Home Department, dated the 8th August 1919 and the 15th September 1921, in which it was laid down that certain concessions in the matter of securing civil appointments should be granted to those persons who had rendered service in connection with the great war. These orders applied to all classes of the community. No land grants or other facilities of the kind mentioned by the Honourable Member have been sanctioned specifically for demobilised Anglo-Indians but the Government of India would be prepared to go

into the matter if, as I have already suggested in my reply to his question No. 317, the Honourable Member is able to produce statistics of deserving cases in which military service during the Great War has directly led to present distress.

PREFERENTIAL TREATMENT TO SEPOYS.

320. *Lieutenant-Colonel H. A. J. Gidney : (1) Is the Government of India aware of a recent communiqué issued by the Punjab Government ordering preferential treatment to be given, in all Departments, to demobilised soldiers (meaning sepoys) ?

(2) Is the Government of India itself prepared, as also prepared to advise all Provincial Governments, to offer similar treatment to unemployed demobilised army members of the Domiciled Community ?

Mr. E. Burdon : (1) Yes.

(2) The reply which I have given to part (2) of the preceding question covers this question also.

HELP FOR DOMICILED COMMUNITY.

321. *Lieutenant-Colonel H. A. J. Gidney : Is Government prepared to offer land, assist in establishing land settlements and to financially help unemployed and demobilised Army members of the Domiciled Community and, so relieve the present day acute distress amongst these men ?

Mr. E. Burdon : The question of establishing land settlements is one primarily for provincial Governments. But if the Honourable Member will report to the Government of India any specially deserving cases of the kind to which he refers, the Government are prepared to examine them and to consider whether any special measure of relief is called for.

DOMICILED COMMUNITY DEBARRED FROM ARMY.

322. *Lieutenant-Colonel H. A. J. Gidney : (1) Is Government aware of the fact that members of the Domiciled Community are to-day debarred from (a) entering the ranks of the British and Indian Armies (entrance into the former being dependent on the colour of the applicants), (b) from participating in the formation of the 8 experimental Indian Army units ?

(2) Do Government propose to remove these restrictions ?

Mr. E. Burdon : (1) (a) Members of the domiciled community, so far as Government are aware, are not admitted to the British Army. Recruitment for the British Army is carried out by His Majesty's Government in the United Kingdom. Members of the domiciled community are eligible to hold the King's Commission in the Indian Army ; but they cannot enter the ranks of the Indian Army, in respect of which a specific class composition is laid down.

(b) The Indianization of the 8 selected Indian Army units merely consists in replacing the establishment of British Officers by an establishment of Indian Officers holding the King's Commission ; and as already stated, members of the domiciled community are already eligible to hold the King's Commission in the Indian Army.

(2) The Government of India are not concerned with the recruitment of soldiers for the British Army ; and as regards the Indian Army, they do

not propose to make members of the domiciled community eligible, as Indians, for admission to Indian Army units.

Sir Deva Prasad Sarvadhikary : Is the Government in a position to state the number of Anglo-Indians that have joined either the Territorial or the Auxiliary Forces according as they view themselves as Indians or as Europeans ?

Mr. E. Burdon : Not without notice.

MILITARY EMPLOYMENT OF ANGLO-INDIANS.

323. ***Lieutenant-Colonel H. A. J. Gidney :** Has the attention of the Government of India been drawn to an editorial, on the military employment of Anglo-Indians, which appeared in the town issue of the "Statesman," the leading English newspaper in the East, dated July 7th, and what action does it propose to take on the issues raised ?

Mr. L. Graham : The Government of India do not propose to take any action in the direction of forming Anglo-Indian units of the Indian Army. If they were to do so, it would be necessary to disband a corresponding number of Indian units ; and after the retrenchments recently decided upon, the Government of India are not prepared to make any further change in the strength or organisation of the Indian Army.

TERRITORIAL FORCE.

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

- (a) Whether they have fixed or intend to fix any limit to the strength of the Indian Territorial Force which is being organised ?
- (b) What is the annual addition intended to be made to the Territorial Force ?

Mr. L. Graham : (a) The maximum strength of the Indian Territorial Force has for the present been fixed at 20,000. The authorised establishment of the units so far constituted is in the neighbourhood of 19,000, and the actual number of persons so far enrolled is approximately 14,000.

(b) No annual addition has been or can be fixed at present.

AUXILIARY FORCE.

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

- (a) The reasons and necessity for organising and maintaining an Auxiliary Force as distinct from the Territorial Force, and
- (b) Whether there are any, and if so, what objections apart from statutory difficulties to the formation of India Units of the Indian Auxiliary Force ?

Mr. L. Graham : (a) The Auxiliary Force exists for the purpose of supplementing the regular forces in support of the civil power and also to meet any kind of emergency arising within the military area in which the unit concerned is located. The Indian Territorial Force,

though it may be used in support of the civil power, is primarily a second line to the regular army. The two forces are intended to serve somewhat different but equally necessary military purposes.

(b) There would be no objection of military principle to the formation of Indian units with obligations limited to those of the Auxiliary Force ; but it is considered unnecessary to do this. The more efficient and convenient arrangement is that already laid down, by which the Territorial Force is available both for internal security and as a second line to the regular army.

COST OF MILITARY COLLEGE AND UNITS.

326. ***Sir P. S. Sivaswamy Aiyer** : Will the Government be pleased to state the probable cost, initial and recurring, of maintaining—

- (a) A Military College like Sandhurst in India,
- (b) An Indian Unit of Artillery,
- (c) An Indian Unit of Air Force,
- (d) An Indian Unit of the Royal Engineers,
- (e) An Indian Unit of the Armoured Car Company ?

Mr. L. Graham : It is impossible to give an answer which would be of any practical value to the Honourable Member as in any calculation which could be made the data would have to be largely hypothetical. It is presumed that the Honourable Member has in mind units in which both officers and rank and file would be Indians. In that case the cost of the officer establishment would be the same as it is at present if the units were to be Indianised on the same lines as those on which the Indianisation of the 8 selected Infantry and Cavalry units is now proceeding, that is to say, merely by the substitution, on the same rates of pay, of Indian officers holding the King's Commission for British officers holding the King's Commission. But so far as the rank and file are concerned, the rates of pay which it would be necessary to give Indians possessing the technical qualifications required would be a matter of pure conjecture. Again, we have in the Army in India no such thing as a unit of Royal Engineers.

It is similarly impossible to say what the cost would be of establishing a military Sandhurst in present Indian conditions. The net annual cost to His Majesty's Government of maintaining Sandhurst is shown in the Home Army Estimates as about £2,00,000. The initial cost of Sandhurst is not known to the Government of India.

ESTABLISHMENT OF WIRELESS TELEGRAPH.

327. ***Mr. N. M. Samarth** : (1) Will Government be pleased to state the grounds on which the Legislative Department of the Government of India has based its legal opinion to the effect that, under the Indian Telegraph Act, as at present worded, the Governor General has the power to permit any person, by means of a license, to establish, maintain or work a wireless telegraph within any part of British India ?

(2) (a) Have Government obtained the legal opinion of the Law Officers of the Crown on the point ?

(b) If so, will they lay it on the table of the House ?

Mr. L. Graham : (1) It would not be in accordance with practice to state the grounds of an opinion expressed by the Legislative Department.

(2) (a) No. It is not the practice to consult the Law Officers of the Crown regarding the interpretation of Acts of the Indian Legislature.

(b) Does not arise.

LICENSE FOR WIRELESS BROADCASTING.

328. *Mr. N. M. Samarth : (1) (a) Will Government be pleased to state if any license for wireless broad-casting in any part of British India has been given by them to any person or persons or to any Company ?

(b) If so, will Government be pleased to state the name or names of the person or persons or of the Company and the terms and conditions of the license given ?

(2) If no such license has been given, will Government be pleased—

(a) to state if the terms and conditions of the wireless broad-casting license have been drawn up by them ?

(b) if so, to lay on the table of the House, a copy of the said license ?

Mr. G. R. Clarke : (1) (a) No.

(b) Does not arise.

(2) (a) No.

(b) Does not arise.

Mr. N. M. Samarth : Was there not a meeting last March in Delhi between Government and the representatives of the Press and manufacturers regarding broadcasting ? If so, what was decided at that meeting ?

Mr. G. R. Clarke : There was a meeting in March last held by Mr. Sams, first with the members of the press and secondly with the manufacturers of wireless apparatus regarding the question of broadcasting. The press were generally opposed to broadcasting. At any rate they were not enthusiastic about it and the matter is still under consideration. I went into this question of broadcasting in England and at present there is a committee sitting in England known as the Sykes Committee dealing with the whole question of broadcasting, which presents very much greater difficulties in England than it is likely to present in India and I think it is desirable that Government should wait for the conclusion of this committee before they bind themselves to any definite policy.

Mr. N. M. Samarth : How many wireless licenses have been given already and how many have been given to private persons ?

Mr. G. R. Clarke : In India we have given up-to-date 32 non-commercial licenses and three limited commercial licenses. Non-commercial licenses are generally given to educational institutions for experimental purposes and a certain number is being given to private experimentors. Only three limited commercial licenses have been given, two to a Petroleum Company in the Punjab and one to the Marconi Representatives in Bombay for dealing with their apparatus on board ships.

Sir Deva Prasad Sarvadhikary : Was the press opposed to broadcasting in India on the same grounds as existed in the case of organisers of entertainments in England ?

Mr. G. R. Clarke : I cannot say, Sir.

CLOSING DOWN OF WIRELESS STATIONS.

329. *Mr. N. M. Samarth : (1) Will Government be pleased to say if the recommendations of the Inchcape Committee, in regard to the closing down of certain Government wireless stations in British India, have been given effect to ?

(2) If the answer to the above question be in the affirmative, will Government be pleased to state—

(a) which of the wireless stations have been closed down ?

(b) the dates on which they have been closed down ?

(c) the manner in which the plant and equipment of the said stations have been disposed of ?

(d) the respective economies that have been thereby effected ?

Mr. G. R. Clarke : (1) Yes, and further reductions are under consideration.

(2) (a) One station, Patna, has been dismantled, one, Maymyo, laid up and nine, namely, Allahabad, Delhi, Mhow, Nagpur, Quetta, Secunderabad, Lahore, Poona and Diamond Island, have been placed under a care and maintenance party.

(b) 15th January 1923.

(c) In cases where the plant and equipment has been removed it has been returned to store.

(d) A reduction in working expenses of 4.63 lakhs in 1923-24 over the budget estimate for 1922-23, with a corresponding saving in the remaining months of 1922-23 after 15th January.

Mr. N. M. Samarth : What does a care and maintenance party consist of and why is such a party necessary ?

Mr. G. R. Clarke : A care and maintenance party in a wireless station consists of a supervisor and an engine room hand merely to keep the battery and the generating plant in order. If these men were not there, the most expensive and important part of the apparatus, namely, the battery and the generating plant, would seriously deteriorate.

Mr. N. M. Samarth : Is this party maintained even in the case of dismantled stations.

Mr. G. R. Clarke : In the case of dismantled stations, the station is completely removed and no care and maintenance party is kept.

COST AND REVENUE OF WIRELESS STATIONS.

330. *Mr. N. M. Samarth : Will the Government be pleased to state—

(a) if the wireless branch of the Indian Telegraph Department keeps the figures of capital expenditure, operating costs and annual revenue for each of the Government wireless stations ;

(b) if so, which of the wireless stations are being worked at a profit and which not ?

Mr. G. R. Clarke : (1) Yes, but the annual revenue from traffic is only kept in coast stations.

(2) The coast stations except Madras and Rangoon earn a revenue above their cost. Madras and Rangoon maintain in addition the only

telegraph communication with Port Blair and Victoria Point, which does not pay. Most of the remaining stations in India are now not operating for reasons of economy.

Mr. N. M. Samarth : Are no inland stations doing any commercial traffic ?

Mr. G. R. Clarke : There are no inland stations doing commercial traffic, except Peshawar and Jutogh. In the case of Peshawar we do not account for any separate revenue as the station is used as part of the ordinary telegraph communication of the country. In Jutogh we get about 400 words a day from Leafield in England. The traffic is known as Addressed Press and for this traffic India gets four annas a word.

Mr. N. M. Samarth : Is the one at Peshawar used for military purposes ?

Mr. G. R. Clarke : It is used for ordinary traffic with Kabul.

REVENUE OF WIRELESS BRANCH.

331. ***Mr. N. M. Samarth :** (1) Will Government be pleased to state what system, if any, is in operation for crediting to the wireless branch such portion of the revenue of the Indian Telegraph Department as is assignable to the wireless branch in respect of telegrams that are transmitted and received by Government wireless stations ?

(2) If no such system is in operation, do Government propose to take steps to initiate such a system at an early date ?

Mr. G. R. Clarke : (1) With respect to the revenue from coast stations, this is shown in the accounts of the Department as a separate item. With respect to traffic carried by the Inland stations, the charges are collected at the ordinary telegraph offices and the revenue is credited to the general telegraph revenue since the Inland wireless stations form part of the Inland telegraph system of the country.

(2) Government do not propose to alter the existing system for the present.

DEPUTATION TO ENGLAND OF DR. RUSHBROOK-WILLIAMS.

332. ***Mr. N. M. Samarth :** (1) Has the attention of the Government been drawn to an article in the 'Hindu' of Madras, dated the 4th July 1923, on India's representation at the Imperial Conference by Sir Tej Bahadur Sapru ?

(2) Will Government be pleased to state under what circumstances Dr. Rushbrook-Williams was appointed his Private Secretary ?

(3) Is there any truth in the statement that in addition to his duties as Private Secretary to Sir Tej Bahadur Sapru, Dr. Rushbrook-Williams has been commissioned by the Government of India to place himself in touch with the Labour Members in Parliament.

The Honourable Sir Malcolm Hailey : (1) Yes.

(2) Sir Tej Bahadur Sapru particularly requested that Mr. Rushbrook-Williams should act as his Secretary. Mr. Rushbrook-Williams was in any case going to England on 4 months' leave, and the arrangement suggested by Sir Tej Bahadur Sapru was therefore readily accepted.

(3) There is no truth whatever in this statement.

SENTENCE OF LALA LAJPAT RAI.

333. ***Dr. Nand Lal** : (1) Is Government of India aware that according to section 401, sub-section 1, of the Criminal Procedure Code, the Governor General in Council is empowered to remit unexpired portion of sentence ?

(2) Will Government of India state as to whether Governor General in Council is prepared under Section 401 (1), Criminal Procedure Code, to remit the unexpired portion of Lala Lajpat Rai's sentence ?

The Honourable Sir Malcolm Hailey : (1) Yes.

(2) No.

Dr. Nand Lal : Is the Honourable the Home Member aware of the statement recently made by Dr. Maharaj Kishen, the family doctor of Lala Lajpat Rai, who was permitted to attend on him in jail ? The contents of his statement are these—that Lala Lajpat Rai is developing tuberculosis of the lungs and this statement is incorporated in the "Tribune" dated the 21st instant. Is the Honourable the Home Member aware of this ?

The Honourable Sir Malcolm Hailey : The Honourable Member has just handed me a copy of the issue to which he refers. As regards any implication which he desires to draw from that fact, now published, I only desire to say that I have no doubt whatever that the Punjab Government will take steps to ascertain whether the diagnosis of the other medical men who are attending Lala Lajpat Rai coincides with that of Dr. Maharaj Kishen. I have explained before that the Punjab Government is watching this case with the greatest care. Lala Lajpat Rai has the best medical advice, and I have not the slightest doubt that the Punjab Government will take the necessary action on any diagnosis that is finally decided on by the doctors.

Dr. Nand Lal : Will the Honourable Member be kind enough to offer a suggestion to the Local Government in this behalf ?

The Honourable Sir Malcolm Hailey : In a matter like that no suggestion is necessary for the Local Government.

INDIAN STORES DEPARTMENT.

334. ***Sir Deva Prasad Sarvadhikary** : Will the Government be pleased to state (a) whether in view of the expansion of the Indian Stores Department indicated in the answers given by the Honourable Mr. Chatterjee in reply to my starred question No. 14 on the 2nd of July 1923, steps have been taken or are proposed to be taken to reduce the activities of the Indian Stores Department in England ?

(b) Are the Government prepared in this connection to consider the desirability of calling for tenders in India, in Indian currency, for articles which are not manufactured in India ?

The Honourable Mr. A. C. Chatterjee : (a) I would refer the Honourable Member to the reply which I gave to starred questions Nos. 229 and 230 on the 16th July.

(b) Government have carefully considered the question of calling for tenders in India in Indian currency for imported stores required by the central departments. They recognise the advantages of this procedure,

and have in fact already adopted it to some extent in conformity with the provisions of the rules for supply of stores for the public services. The adoption of the procedure as a general rule presupposes that goods obtainable through agents, etc., in India of foreign manufacturers can be purchased as cheaply as those obtainable, for example, from manufacturers themselves in the United Kingdom by a Government agency established in that country. This, however, is a proposition which has not yet been established. In any case, if the arrangement referred to is to prove a success, it will necessitate the establishment of an experienced expert and properly staffed purchasing and inspection agency in India. The Indian Stores Department furnishes the nucleus of the kind of agency which would be required for carrying out this work, but, even assuming that firms established in India are as cheap a source of supply as is obtainable, it would not be practicable to entrust the Department with this duty in respect of all the requirements of the central departments until the financial position permitted a considerable expansion of the staff of the Department, and until the staff had been given an opportunity of acquiring more experience of the very technical work involved. The Government will keep this matter prominently in mind.

PURCHASE OF TEXTILES BY STORES DEPARTMENT.

335. * **Sir Deva Prasad Sarvadhikary** : Will the Government be pleased to state whether it is a fact that the Indian Stores Department is not making purchases for the State Railways as regards textiles ? And if so, why ?

The Honourable Mr. A. C. Chatterjee : It is not the case that the Indian Stores Department is not purchasing textiles goods on behalf of the State Railways. At present, however, the purchases effected by this Department represent only a comparatively small proportion of the State Railways' requirements in respect of such goods. The reason for this is that, owing to the financial stringency, it has not been found possible up to the present to provide the Department with the necessary staff to undertake the inspection of this class of stores. As soon as the financial situation permits, action will be taken in this direction and the Department will then be entrusted with the purchase of all textiles goods required by State Railways which can be purchased in India under the provisions of the Stores Purchase Rules.

Sir Deva Prasad Sarvadhikary : Is it suggested that the purchase of the other kind indicated in the Honourable Member's reply is without inspection ?

The Honourable Mr. A. C. Chatterjee : No, that was not the implication at all.

Sir Deva Prasad Sarvadhikary : If so, what would be the difficulty of the Government Department organizing inspection and making the purchases in the way suggested ?

The Honourable Mr. A. C. Chatterjee : I have already mentioned, Sir, that the difficulty is a financial one.

FUNCTIONS OF CONTROLLER OF CONTRACTS.

336. * **Sir Deva Prasad Sarvadhikary** : Will the Government be pleased to state what are the functions of the Controller of Contracts ?

Mr. E. Burdon : The attention of the Honourable Member is invited to the reply given on the 9th February 1922 to part (a) of question No. 255 (unstarred).

METHODS OF PURCHASE.

337. * **Sir Deva Prasad Sarvadhikary :** Is it a fact that (a) purchases are made not direct from the growers or the manufacturers of articles but through the agency of a middleman ?

(b) If so, why ?

(c) Are the Government prepared to consider the desirability of changing this system ?

Mr. E. Burdon : (a) to (c) : In the great majority of cases it is impracticable and would be contrary to business principles to attempt to eliminate the middle-man in the operations of the Controller of Contracts. I may explain that the system of purchase followed by the Controller of Contracts is in close conformity with the principles laid down by the eminent business man who was appointed, during the war, as the first Controller of Contracts and organized the work of the Department.

POSTAL CERTIFICATES AND FINANCIAL RESULTS.

338. * **Sir Deva Prasad Sarvadhikary :** With reference to the recent communiqué regarding introduction of a denomination of Rs. 1,000 postal certificates will the Government be pleased to state its likely financial results in comparison to the results of the various Government loans in existence or floatation ?

The Honourable Sir Basil Blackett : As explained in the communiqué the 1,000 rupee denomination has been introduced for the convenience of the public and to reduce clerical work in post offices and to avoid the unnecessary expense of printing and dealing with a large number of documents. No change has been made in the maximum of Rs. 10,000 for holdings of cash certificates at any time by any one person. The introduction of the new denomination cannot by itself have any appreciable effect on the sales of these certificates.

EXPERIMENTAL PRESS FOR PRINTING G. C. NOTES.

339. * **Sir Deva Prasad Sarvadhikary :** (a) Is it a fact that the Government proposes to establish an experimental press for printing of G. C. notes and stamps at Delhi at an estimated cost of 2½ lakhs or thereabouts ?

(b) If the answer be in the affirmative, are the Government prepared to consider the desirability of establishing such a Press at Bombay or Calcutta in preference to Delhi ?

(c) In view of extensive note forgeries does not the Government consider it necessary to take extra precautions in regard to the proposed experimental Press ?

(d) Is it not a fact that such precautions could be better taken in Bombay or Calcutta than at Delhi ?

The Honourable Sir Basil Blackett : (a) The answer is in the affirmative.

(b) The proposal to establish the experimental press at Delhi is based on grounds of economy and convenience. There is already sufficient

accommodation available for the purpose in the building occupied by the existing press at that place. It will also be possible to utilise existing machines and the electric equipment already installed there without incurring unnecessary expense at the preliminary stage. The ultimate location of the Security Printing Press has not yet been decided, but it is improbable that Delhi will be selected.

(c) Government are fully alive to the necessity of taking precautions.

(d) Government consider that adequate precautions could be taken at any of the places mentioned.

Dr. H. S. Gour : May I inquire from the Finance Member where the new ten-rupee notes were printed and why they do not name the place where they were printed or even the date ?

The Honourable Sir Basil Blackett : I should like notice of that.

TRIAL OF FORGERS OF CURRENCY NOTES.

340. *Sir Deva Prasad Sarvadhikary : (a) Is there any truth in the statement made in the Press that Government has under consideration the appointment of a special magistrate with jurisdiction all over India to try cases arising out of the recent capture of forged currency notes and that the headquarters of this officer will be at Lahore ?

(b) If the answer be in the affirmative, will the Government be pleased to state as to how one special magistrate will be able to exercise jurisdiction all over India and how appeals and revisions provisions are proposed to be worked ?

(c) Would the Government be pleased to state what special reasons exist for selecting Lahore as headquarters of the proposed officer ?

The Honourable Sir Basil Blackett : The answer to (a) being in the negative, (b) and (c) do not arise.

CONSUMPTION OF BEEF IN THE ARMY.

341. *Rai Bahadur Bakshi Sohan Lal : 1. Is it not a fact that the British Army in India is fed on the beef of prime cows thereby contributing towards the deficiency of live-stock ?

2. Are the Government prepared to consider the desirability of introducing Australian beef for the army in order to save prime cows, to generate more cattle to cultivate more land, to produce sufficient milk, to lessen the heavy infant mortality in India even at a higher cost ?

Mr. L. Graham : 1. The answer is in the negative. The attention of the Honourable Member is invited to the reply given on the 15th February 1921 to part (b) of Question No. 68.

2. For the reasons stated in the reply given to part (c) of the question which I have just referred to, Government are unable to adopt the suggestion of the Honourable Member.

Rai Bahadur Bakshi Sohan Lal : Have Government issued any instructions to the Army Department not to kill prime cows for the feeding of the British Army ?

Mr. E. Burdon : No such instructions have been issued. No prime cows are ever tendered.

Rai Bahadur Bakshi Sohan Lal : Has the Government tried to import beef from countries outside India for the use of the British Army ?

Mr. E. Burdon : The possibility of doing so has been very fully explored on more than one occasion.

Baba Ujagar Singh Bedi : Sir, is Government aware that the number of prime cows is diminishing every day, and, if so, what the reason for it is ?

Mr. President : The Army Department is not responsible for that.

Mr. K. Ahmed : Are the Government aware that many people are drinking too much milk on account of which the calves of the prime cows are deprived of their moral and natural right ?

POSTAL SAVINGS BANKS TRANSACTIONS.

342. ***Sir Deva Prasad Sarvadhikary :** Would the Government be pleased to state year by year for the last ten years the amount of—

- (a) deposits in the Postal Savings Bank ;
- (b) withdrawals from the Postal Savings Bank ;
- (c) balance after withdrawal at the end of the year ;
- (d) amount of interest or profits derived by the Government from user of the deposits ;
- (e) amount of working charges ;
- (f) amount of interest paid to the depositors ;
- (g) amount of net profit made by the Government ?

The Honourable Sir Basil Blackett : (a) , (b) , (c) , (e) and (f) . A statement showing the figures required is laid on the table.

In regard to parts (d) and (g) , as the Savings Bank balances form part of the general Government balance, a separate calculation of the gross or net profit on Savings Bank transactions is not possible.

Statement showing the business of Post Office Savings Bank during the last ten years.

Year.	Deposits. A.	Withdrawals. B.	Balance at the end of the year. C.	Amount of working charges E.	Amount of interest paid to the depositors. F.
	Rs.	Rs.	Rs.	Rs.	Rs.
1912-13	11,94,71,064	10,09,62,482	20,61,14,502	4,90,000	56,22,479
1913-14	19,17,94,109	11,24,24,105	23,16,75,467	9,10,000	61,90,960
1914-15	11,62,03,231	20,43,45,882	14,89,66,228	8,59,000	52,98,664
1915-16	9,45,29,361	9,45,63,279	15,32,12,517	5,39,150	48,30,211
1916-17	11,10,23,999	10,28,30,434	16,59,53,401	5,78,30	45,47,314
1917-18	12,08,26,897	12,53,74,146	16,58,46,469	5,49,600	44,40,317
1918-19	15,42,35,551	13,65,34,874	18,22,44,748	5,86,911	46,87,601
1919-20	20,87,91,894	18,41,98,280	21,34,54,628	13,51,600	56,46,113
1920-21	21,65,35,644	20,76,18,395	23,86,31,716	17,30,000	62,19,779
1921-22	20,78,98,248	22,00,59,130	22,26,24,824	18,30,700	61,51,764

Sir Deva Prasad Sarvadhikary : Having regard to the large and steady credit balances shown in the statement, would the Government be prepared to consider the question of raising the interest payable on postal Savings Bank deposits ?

The Honourable Sir Basil Blackett : That question has been examined on several occasions. I should like to say that I am quite sure the present moment is not the proper time to re-examine it.

REPORT OF DECK PASSENGERS COMMITTEE.

343. *Mr. Harchandrai Vishindas : (1) Will Government be pleased to state the cause for the delay in publishing the report of the Deck Passengers Committee appointed two years ago ?

(2) (a) Have the reports of the Local Governments been received ?

(b) If so, why has there been any delay in giving effect to the recommendations made by them ?

(c) If not, will the Government be pleased to expedite such reports ?

The Honourable Mr. C. A. Innes : 1. The Report was published more than a year ago.

2 (a). Yes.

(b) The last reply was received towards the end of the Delhi session and the matter is now under consideration.

(c) Does not arise.

HARDSHIPS OF DECK PASSENGERS.

344. *Mr. Harchandrai Vishindas : (a) Are Government aware of the various hardships suffered by the deck passengers, such as insufficiency of accommodation, inadequate number of privies, overcrowding, lack of sufficient drinking water, regarding which hardships complaints have been made from time to time ?

(b) If so, will the Government be pleased to state what action they propose taking to remove these hardships ?

The Honourable Mr. C. A. Innes : One of the purposes for which the Deck Passenger Committee was appointed was to examine the conditions under which deck passengers are carried.

(b) The opinions of Maritime Local Governments on the recommendations of the Committee have been received and are now being considered.

AMENDED CRIMINAL PROCEDURE CODE.

345. *Mr. Harchandrai Vishindas : Will Government be pleased to state when they will publish the notification in the Gazette bringing into force the amended Criminal Procedure Code ?

The Honourable Sir Malcolm Hailey : Government propose to bring Acts XII and XVIII of 1923 into force with effect from some date in September 1923.

PURCHASE OF SLEEPERS BY NORTH-WESTERN RAILWAY.

46. *Mr. N. M. Samarth : Will Government be pleased to state :

(a) If it is a fact that the North-Western Railway is the sole Agency for purchasing coniferous sleepers required by the Indian Railways ?

- (b) If it is a fact that in the past the North-Western Railway has been purchasing coniferous sleepers required by itself and other Railways in its group from a dozen or more competing firms ?
- (c) If it is a fact that in September 1922 the North-Western Railway issued a call for tenders for the supply of 50 lacs of coniferous sleepers to be supplied during the next five years ?
- (d) If it is a fact that out of the 10 lacs sleepers required annually 4 lacs were to be Deodar, $1\frac{1}{2}$ lacs treated Fir, $1\frac{1}{2}$ lacs untreated Fir and $1\frac{1}{2}$ lacs treated Chil and $1\frac{1}{2}$ lacs untreated Chil ?
- (e) If it is a fact that the call for tenders was issued on the 8th of September 1922 and that the 20th September 1922 was fixed as the latest date for the receipt of tenders ?
- (f) If it is a fact that originally tenders for the supply were called for and it was published that no tender for part supply would be considered ?
- (g) If it is a fact that the North-Western Railway has never before called for tenders for the whole quantity and has always been considering tenders for part supply ?
- (h) If the Government is aware that there is not a single firm in Northern India that can supply 10 lacs of coniferous sleepers annually from its own stock ?

The Honourable Mr. C. A. Innes : (a) to (g). The Honourable Member is referred to the replies given to-day to similar questions by Mr. Neogi on the same subject.

(h) It is believed that this is a fact.

TENDERS FOR SLEEPERS ON NORTH-WESTERN RAILWAY.

347. * **Mr. N. M. Samarth :** (1) Are Government aware that it is generally believed that the calling of tenders for sleepers was a mere formality and that the North-Western Railway had made their arrangements beforehand and that it was to discourage tenderers that they purposely gave a short notice ?

(2) Will Government be pleased to state if it is a fact that the North-Western Railway received several tenders but rejected them all in favour of one particular tender which was higher than almost all the tenders received ?

(3) Will Government call for and lay on the table a statement showing the rates offered in the different tenders ?

The Honourable Mr. C. A. Innes : (1) The reply is in the negative. The North-Western Railway had received an offer for the whole supply, but prior to considering this offer, called for tenders in order to test the market and to give the former suppliers an opportunity of quoting.

(2) The majority of the tenders received were higher than the tender accepted. In the cases where a tender was lower, the difference in price was so small that it was advantageous to accept the offer of a firm of proved reliability.

(3) A Statement is laid on the table.

List of Tenders for B. G. Sleepers for 5 years from 1st April 1923.

Identifi- cation letter.	Deodār.	Kail.	Chir.	Fir.
A	1,00,000 in 5 years = 20,000 a year @ Rs. 8-0-0.	50,000 in 5 years = 10,000 a year @ Rs. 5-4-0.	50,000 in 5 years = 10,000 a year @ Rs. 4-0-0.	1,00,000 in 5 years = 20,000 a year @ Rs. 4-0-0.
B	50,000 yearly @ Rs. 8-0-0.	1,00,000 yearly, viz., Rs. 4-15-0.	1 lakh fir, 1 lakh Rs. 3-15-0.	Kail and Chir @ Rs. 3-14-0.
C	25,000 yearly @ Rs. 8-0-0 for 5 years.	50,000 yearly @ Rs. 4-15-0.	1,00,000 yearly @ Rs. 3-15-0.	50,000 yearly @ Rs. 3-14-0.
D	1,00,000 yearly @ Rs. 8-0-0 for 2 years @ Rs. 8-8-0 for 3 years = Rs. 8-4-8-6 for 5 years.	.....	1,50,000 yearly @ Rs. 4-0-0 for 2 years, @ Rs. 4-1-0 for 3 years, 1,00,000 @ Rs. 3-12-0 for 2 years, @ Rs. 4-0-0 for 3 years.	50,000 yearly @ Rs. 3-12-0 for 2 years, @ Rs. 4-0-0 for 3 years.
E	4,00,000 in 5 years @ Rs. 9-0-0.	6,00,000 treated in 5 years @ Rs. 6-8-0.		
F	4,00,000 yearly @ Rs. 7-14-0.	8,00,000		
G	4,00,000 yearly @ Rs. 7-14-0.	@ Rs. 5-15-0 ... 1 1,50,000 yearly @ Rs. 4-0-0.	@ Rs. 4-0-0 ...	@ Rs. 3-14-0. 1,50,000 yearly @ Rs. 3-12-0.
H	4,00,000 yearly @ Rs. 7-14-0 for 2 years, @ Rs. 8-0-0 for 3 years = Rs. 7-15-2-4 for 5 years; for part con- tract 1,50,000 yearly @ Rs. 7-12-0 for 2 years, @ Rs. 7-14-0 for 3 years = Rs. 7-18-2-4 for 5 years.	3,00,000 yearly @ Rs. 4-12-0 ...	@ Rs. 4-0-0 ...	3,00,000 yearly @ Rs. 3-10-0.
J	1,00,000 yearly @ Rs. 7-10-0 for 2 years, @ Rs. 7-13-0 for 3 years = Rs. 7-11-10 for 5 years.	1,50,000 yearly @ Rs. 4-10-0 ...	@ Rs. 4-0-0 ...	1,00,000 yearly @ Rs. 3-10-0.
K	2,00,000 yearly @ Rs. 8-0-0.	50,000 yearly @ Rs. 5-8-0.	25,000 yearly @ Rs. 4-12-0.	1,00,000 yearly @ Rs. 3-6-0 for 2 years, @ Rs. 3-8-0 for 3 years = Rs. 3-7-2 for 5 years.
L	.....	.....	.....	25,000 yearly @ Rs. 4-0-0.
M	25,000 yearly @ Rs. 8-8-0.	.....	25,000 yearly @ Rs. 4-6-0.	.....
N	4,00,000 @ Rs. 7-12-0 one year only.	3,00,000 @	Rs. 4-12-0.	25,000 yearly @ Rs. 4-5-2.
O	1,50,000 yearly @ Rs. 7-11-0 for 2 years, @ Rs. 7-13-0 for 3 years = Rs. 7-12-2-4 for 5 years.	1,00,000 yearly @ Rs. 4-11-0 ...	@ Rs. 3-15-0 ...	1,50,000 @ Rs. 4-4-0
P	.....	30,000 yearly @ Rs. 4-5-0.	20,000 yearly @ Rs. 3-13-0.	1,00,000 yearly @ Rs. 3-10-0.

Identification letter.	Deodar.	Kail.	Chir.	Fir.
Q	30,000 1st year, 50,000 2nd year, 40,000 3rd year @ Rs. 7-14-0.	...	30,000 1st year, 30,000 2nd year @ Rs. 3-14-0.	...
R	50,000 for 1923 only @ Rs. 7-8-0.	...	...	...
S	.....	25,000 yearly @ Rs. 5-12-6.	1,00,000 yearly @ Rs. 3-12-6.	50,000 for 1923, 50,000 for 1924, 1,00,000 for 3 years @ Rs. 3-11-6.
T	.....	...	...	...
U	4,00,000 yearly @ Rs. 7-15-0.	...	1,50,000 @ Rs. 4-6-0.	1,50,000 @ Rs. 3-12-0
@ Rs. 4-0-0 if taken together equally.				
W	.....	.....	.....	.....
X	2,00,000 yearly @ Rs. 7-15-0, Rs. 8-4-0.*	75,000 yearly @ Rs. 5, Rs. 5-4-0.*	75,000 yearly @ Rs. 3-15-0, Rs. 4-4-0.*	1,50,000 yearly @ Rs. 3-12-0, Rs. 4-4-0.*
Y	.....	...	1,00,000 yearly @ Rs. 3-15-0.	...
Z	Rs. 10	Rs. 7	Rs. 6	Rs. 4.
AA	.....	...	1,50,000 yearly @ Rs. 3-15-0.	...

* If individual inspection.

NORTH-WESTERN RAILWAY CONTRACT FOR SLEEPERS.

348. *Mr. N. M. Samarth : (1) Will Government be pleased to state if it is a fact that subsequent to the receipt of tenders for sleepers, the North-Western Railway changed the following conditions in favour of the firm in whose hands the contract has been placed :

A.—Instead of delivery on trucks, delivery in Railway premises was agreed to, thus saving the loss of loading into trucks to their contractors ?

B.—Originally only first class sleepers were to be taken but subsequently it was agreed that in case 85 per cent. of the sleepers were first class, 15 per cent. of miscellaneous sleepers would also be paid for as first class.

(2) Will Government be pleased to ascertain and state, if it is a fact that these concessions mean payment of about 2½ lacs annually to the said firm in addition to the rates accepted ?

(3) Are Government aware that the firm with whom the contract has been placed does not command the full quantity of sleepers it has contracted to supply from forests under its own control ?

(4) Are Government aware that the said firm is now sub-letting contracts for supply of sleepers at a profit of Re. 1-4-0 to Re. 1-8-0 per sleeper ?

(5) Will Government be pleased to state if it is not a fact—

(a) That this firm can command from its own forests only, about one lac of Deodar sleepers, and 1½ lacs of Fir sleepers, against 4 lacs of Deodar, 1½ lacs of Fir and 1½ lacs of Chil sleepers which it has contracted to supply ?

- (b) That the contract was given to the firm because it made the Railway authorities understand that it had all the supply available from its own forests ?

The Honourable Mr. C. A. Innes : (1) A. The form in which tenders were submitted was an old one and the heading of column 6 required the rates to be given "at which materials were to be supplied free on rail." It had, however, always been the custom for the Railway itself to do the loading and this was known to all contractors. Article 6 of the tender form itself provided that "if the above modes of delivery (that is, the delivery from ship or on rail) are not provided for in the tender, all sleepers shall be stacked or placed by the contractor in such position as may be pointed out to him by the Chief Engineer". Messrs. Spedding and Dinga Singh did not tender for free on rail.

(1) B. Yes. The form of tender gave a specification with regard to Indian sleepers and the standard specification laid down for second class sleepers in the contract differs only very slightly from the specification for first class sleepers in the form of tender.

(2) There is no profit from A. As regards B, the difference is reported to be infinitesimal.

(3) and (4). The Honourable Member is referred to the reply given to-day to a similar question by Mr. Neogi on the same subject.

(5) (a) Government are not aware of the exact output of the forests of the Contractors.

(b) The reply is in the negative.

PRICE OF CHIL SLEEPERS.

349. ***Mr. N. M. Samarth :** Will Government be pleased to state :

(a) If it is a fact that the Chil B. G. sleepers rate up to March 1923, has been Rs. 4 per sleeper ?

(b) If it is a fact that the rate has been increased in favour of the firm to whom the contract has been given recently by the North-Western Railway at Rs. 4-6-0 ?

(c) If so, why ?

The Honourable Mr. C. A. Innes : (a) The rate was about Rs. 4 per sleeper for mixed soft wood timbers

(b) The contract given to the firm provides for a rate of Rs. 4 where equal quantities of Chir and Fir are ordered ; the rates of Rs. 4-6 for Chir and Rs. 3-12 for Fir apply only in cases where specific orders for these particular classes are specified.

(c) The combined rate of Rs. 4 compares favourably with the previous rates and also with the tenders submitted.

Dr. Nand Lal : May I ask if the Honourable Member will enlighten us if these changes in the conditions on which the contract was given were laid down in the first notification ?

Mr. President : Order, order. The conditions of contract do not arise out of this question.

Dr. Nand Lal : It pertains to the same subject.

Mr. President : It does not.

PURCHASE OF SLEEPERS BY NORTH-WESTERN RAILWAY.

350. ***Mr. N. M. Samarth :** (1) Are Government aware that the firm with whom the contract for the supply of Deodar B. G. and Chil B. G.

sleepers at Rs. 7-15-0 and Rs. 4-6-0 has been placed by the North-Western Railway has entered into a contract with the Punjab Government to purchase from them 1 lac B. G. Chil and 1,25,000 broad gauge Deodar sleepers at Rs. 3-3-6 and Rs. 6-8-0 per sleeper ?

(2) If the answer to the above question be in the affirmative, will Government be pleased to state why one Department of the Government has employed the firm as a middleman for passing its sleepers to another Department by paying a commission of Re. 1-7-0 per B. G. Deodar and Re. 1-2-6 per B. G. Chil sleepers ?

(3) Are Government aware that this arrangement causes a loss of Rs. 2,95,312-8-0 to the Public Revenue annually ?

The Honourable Mr. C. A. Innes : (1) The Honourable Member is referred to the reply given to-day to a similar question by Mr. Neogi.

(2) The North-Western Railway has not employed the firm to buy sleepers on a commission basis. The contract to which the Honourable Member refers was an entirely separate contract about which the North-Western Railway was not consulted.

(3) The answer to the question is that the North-Western Railway could only consider the tenders it received in reply to its tender notice, and the Punjab Forest Department did not submit any tender.

Dr. Nand Lal : Sir, may I ask why the Railway Department did not ask the Punjab Government to supply timber direct ?

The Honourable Mr. C. A. Innes : The Railway Department called for tenders and it was open to the Forest Department of the Punjab Government to tender in reply to that call.

Dr. Nand Lal : Is the Government of India aware that all this profit, which is enormous, has gone to the middleman.

The Honourable Mr. C. A. Innes : That is a matter for the Punjab Government.

Mr. N. M. Samarth : Sir, may I know exactly what the answer to clause (3) of my question is—whether the arrangement causes a loss of Rs. 2,95,312-8 to public revenues annually ?

The Honourable Mr. C. A. Innes : I have already said that the answer to that question is that the North-Western Railway could only consider the tenders it received in reply to its tender notice and the Punjab Forest Department did not submit any tender.

Mr. N. M. Samarth : Is that a direct answer, Sir ? My question is a direct one—is it or is it not a fact that this arrangement causes a loss of so many lakhs of rupees to the public revenues ; and I want a categorical answer to that.

The Honourable Mr. C. A. Innes : My answer was given with reference to that part of the question with which this Assembly is concerned, namely, railway expenditure.

Mr. K. B. L. Agnihotri : Is not the Assembly concerned with the loss to the public revenues ?

The Honourable Mr. C. A. Innes : If there is any loss, it is a loss being sustained by the Punjab Government with which this Assembly is not concerned.

ORDERS BY NORTH-WESTERN RAILWAY FOR SLEEPERS.

351. *Mr. N. M. Samarth : (1) Will Government be pleased to state :

(a) If it is a fact that the North-Western Railway had offers in October 1922 of B. G. Deodar sleepers at Rs. 7-11-0 and Rs. 7-12-0 ?

(b) If it is a fact that in spite of this offer the North-Western Railway placed another order for one lac B. G. Deodar sleepers at Rs. 7-15-0 with the firm in whose hands they had placed the previous contract ?

(2) Will Government be pleased to state why no tenders were called for, for this supply ?

The Honourable Mr. C. A. Innes : (1) (a) No offers were made to the North-Western Railway in October 1922 other than those in the tenders mentioned in the statement laid upon the table in reply to another question by the Honourable Member.

(b) An order was placed with Messrs. Spedding and Dinga Singh for an additional lakh of sleepers in the current year, but this order has been deferred owing to the postponement of the work for which the sleepers were required.

(2) It was not considered that there would be any advantage in inviting fresh tenders as the market had been recently tested.

(*An Honourable Member :* "Is Bawa Dinga Singh a broker of Spedding & Co.'s ?")

The Honourable Mr. C. A. Innes : No, he is the second largest contractor in the Punjab.

Dr. Nand Lal : Is the Government of India aware that the giving of this contract to one firm for 50 lakhs of sleepers for 5 years has thrown a number of timber merchants out of employment and some have been reduced to poverty ?

The Honourable Mr. C. A. Innes : I am not aware of that.

Dr. Nand Lal : Is it not true that the Secretary of the Punjab Sleepers' Association wrote to the Government saying that the sleepers could be had at much lower rates ?

The Honourable Mr. C. A. Innes : I am not aware of any such representation, Sir.

Dr. Nand Lal : Will the Government of India be kind enough to make inquiry into whether the successful firm with whom this contract has been placed has got leases of some forests, and secondly, whether the giving of this big contract to one firm has reduced a number of timber merchants to poverty ?

Mr. President : Order, order. The Honourable Member has had answers to both of those questions already.

NORTH-WESTERN 5 YEARS CONTRACT FOR SLEEPERS.

352. *Mr. N. M. Samarth : (1) Are Government aware that since the time when the 5 years contract for the supply of sleepers in October

1922 was given. there has been a great slump in the timber market, of which, owing to the placing of 5 years contract by the North-Western Railway, the Railways are unable to take advantage ?

(2) Are Government aware that the result of the North-Western Railway's creating this monopoly is to firmly establish one European firm in the market at the expense of the competing Indian firms ?

(3) If the reply to the above question be in the affirmative, will Government be pleased to state if they approve of this policy of the North-Western Railway ?

(4) Are Government aware of the serious loss which the Forest Revenue would suffer in case the policy adopted by the North-Western Railway is allowed to continue ?

(5) Will Government be pleased to state :

(a) If they are prepared to appoint a Committee of inquiry to investigate and report on all the circumstances connected with the aforesaid contract for five years given by the North-Western Railway to the European firm in question ?

(b) If not, what other steps they intend to take in this matter ?

The Honourable Mr. C. A. Innes : (1) Before the contract was placed, the Railway authorities were advised that the supply of Deodar sleepers was likely to contract and that a long term contract at current price would be advantageous.

(2) The Honourable Member is mistaken. The contract was secured by Messrs. Spedding and Company and Bawa Dinga Singh in partnership.

(3) Therefore does not arise.

(4) It is not understood how forest revenue can suffer from this contract.

(5) (a) Government do not consider it necessary to appoint any committee of inquiry.

(b) The manner of placing contracts for the supply of sleepers will be re-examined in the light of the contract and all the facts will be placed before the Central Advisory Committee.

HIGH POWER WIRELESS STATION.

353. ***Mr. N. M. Samarth :** 1. Will Government be pleased to state if the Indian Telegraph Department is considering any application for the grant of a license for a high power wireless station in British India for direct communication with England ?

2. If the answer to the above question be in the affirmative, will Government be pleased to state :

(a) the name of the applicant ;

(b) whether the applicant proposes to float a Company in India with a rupee capital ; and

(c) whether the applicant wants merely to exploit the license and sell the same to a foreign wireless company ?

3. Will Government be pleased to say whether it is proposed to grant the said license ?

4. If the answer to the above question be in the affirmative, will Government state the conditions which they propose to lay down regarding—

(a) the question of a monopoly ;

- (b) the rates to be charged by the applicant for private and Government radiograms ;
- (c) the provision to be made by the applicant for proper training and adequate employment of Indians in his wireless station ;
- (d) the facilities for other competitors, should one or more come forward, for installing a similar high power station after the grant of the above license.

5. Are Government aware of the decision of the Postmaster-General of the United Kingdom that in the matter of granting a license to private enterprise for high power long distance wireless stations, no licensee will be permitted to have a monopoly ?

6. In view of the above decision, will Government be pleased to state whether a similar safeguard, in the public interest, has been or will be embodied in the license to be given for high power wireless stations in British India ?

Mr. G. R. Clarke : 1. Two such applications have been received. They have not yet been specifically considered, as the general question of the terms and conditions on which licenses for high power wireless stations should be granted is still under the consideration of the Government of India.

Paragraphs 2, 3 and 4 of the question do not, therefore, arise.

5. Yes.

6. Government consider that in the event of a license being granted for the erection and operation of a high power station in India a similar safeguard will be desirable.

APPOINTMENTS IN MEDICAL DEPARTMENT.

354. ***Mr. N. M. Samarth :** 1. Will Government be pleased to state :

- (a) the number of staff appointments on the military side in the Medical Department, i.e.,
 - (i) Deputy Director of Medical Services, Army Headquarters and Commands ;
 - (ii) Assistant Director of Medical Services, Divisions, brigades and districts ;
 - (iii) Deputy Assistant Director of Medical Services, District, Sanitary and mobilisation.
- (b) How many of these appointments are held by the Royal Army Medical Corps and the Indian Medical Service, respectively ?
- (c) How many of the appointments held by the I.M.S. are held by Europeans and how many by Indian members of the Service ?
- (d) What is the percentage of Indians in the I.M.S. ?

2. Will Government state the reason why the percentage of Indians in the case of staff appointments is not raised to the level of the percentage of Indians in the I.M.S. ?

3. Will Government be pleased to state which of the following considerations govern staff appointments ; Race, Seniority or Confidential reports ?

Mr. E. Burdon : 1. (a), (b) and (c). A statement is laid on the table which gives the information desired.

(d) 22 per cent. Approximately.

2. As in the case of all staff appointments, candidates for staff appointments in the military medical services must ordinarily have a certain prescribed rank. For the most junior staff appointment in the medical services, the rank of Major is prescribed and there are only 3 Indian officers of the I.M.S. serving on the military side who have attained that rank, the great majority of the Indian officers being junior officers. Apart from this circumstance, however—which time will alter—it is not intended to allot staff appointments on a percentage basis determined by racial considerations.

3. None of the three. Selection for staff appointments is governed by the relative merits of the officer eligible.

State showing the number of staff appointments, etc., on the military side in the Medical Department.

			Total.
Director of Medical Services	1 (late R. A. M. C.)		1
Deputy Directors of Medical Services.	2 (R. A. M. C.)	8 (I. M. S.)	5
Assistant Directors of Medical Services.	12 (R. A. M. C.)	11 (I. M. S.)	23
Deputy Assistant Directors of Medical Services.	18 (R. A. M. C.)	7 (I. M. S.)	25
Totals	33 (R. A. M. C.)	21 (I. M. S.)	54
Temporary appointments of Deputy Assistant Directors of Medical Services for W. F. F. Embarkation Bombay and Razmak Force.	8 (R. A. M. C.)	..	3
Totals	36 (R. A. M. C.)	21 (I. M. S.)	57

Of the above, one appointment is held by an Indian officer of the Indian Medical Service (Assistant Director of Medical Services, Allahabad Brigade Area).

SPECIALISTS IN MEDICAL DEPARTMENT.

355. *Mr. N. M. Samarth : Will Government be pleased to state :

- The number of specialists appointments on the military side of the Medical Department ;
- How many of these specialists appointments are held by the R.A.M.C. and the I.M.S., respectively ;
- Out of the I.M.S. appointments, how many are held by Indian members and how many by European members of the Service ?

Mr. E. Burdon : (a) 93.

(b) 55 are held by officers of the Royal Army Medical Corps and 20 by officers of the Indian Medical Service. The remaining 18 appointments are at present vacant.

(c) Of the appointments at present held by officers of the Indian Medical Service, 9 are held by Indians, and the remainder by Europeans.

APPOINTMENT OF D.D.M.C., ARMY HEADQUARTERS.

356. *Mr. N. M. Samarth : Will Government be pleased to state --

- If it is a fact that in the case of a recent appointment of D.D.M.C., Army Headquarters, the claims of a very senior

- Indian I.M.S. officer, with a very distinguished career have been set aside in favour of a junior European I.M.S. Officer ;
- (b) If it is also a fact that in the case of a recent civil administrative appointment, the claims of the same Indian Officer have been set aside in favour of a much junior European I.M.S. Officer ?

Mr. E. Burdon : (a) Yes. It is relevant to state at the same time, however, that the junior European I.M.S. officer mentioned was also preferred to 5 European I.M.S. officers who are senior to him in service.

(b) The claims of the officer referred to were considered along with those of a European officer senior to him in service, and certain other European officers senior to the officer selected. The officer referred to could have held the appointment, under the rules, only for a few months, and was not recommended by the Local Government. The officer appointed had officiated in the appointment before and was recommended by the Local Government.

REGISTRATION OF TRADES UNIONS.

357. ***Mr. J. N. Basu :** (a) Will the Government be pleased to state whether they intend to introduce a Bill for Registration of Trade Unions in India ? If so, when ?

(b) Whether any steps have been taken since March 1921, to collect opinions of Local Governments and Commercial Bodies ? If so, whether the Government will be pleased to publish them on their receipt ?

The Honourable Mr. A. C. Chatterjee : (a) The attention of the Honourable Member is drawn to the reply given to a similar unstarred question by Mr. N. M. Joshi on the 2nd July 1923.

(b) The Government of India addressed the Local Governments and Administrations on this subject in September 1921. The replies have now been received and are being examined, and the suggestion of the Honourable Member to publish them will be considered in due course.

INVESTMENT OF INDIAN GOLD.

358. ***Mr. J. N. Basu :** Will the Government be pleased to state whether the Indian gold that is locked up in England if invested here, will fetch interest at 6 per cent. yielding Rs. 1,35,00,000 per year ?

The Honourable Sir Basil Blackett : The answer is in the negative. The Government of India has no Indian gold locked up in England. The question is not however fully understood.

ABOLITION OF FLOGGING.

359. ***Mr. J. N. Basu :** What steps have been taken to abolish flogging ?

The Honourable Sir Malcolm Hailey : The Honourable Member is referred to the question asked by and the answer given to Mr. K. C. Neogy on the 17th July 1923.

ASSESSMENT OF PARCELS, KARACHI.

360. ***Mr. Harchandrai Vishindas :** Will Government be pleased to state—

- (a) What was the income from the assessment of parcels at Karachi received from the United Kingdom and foreign ports in the years 1920, 1921 and 1922 ?

(b) How many Customs Appraisers were working in the Karachi Post Office in 1920 and how many are working at present ?

The Honourable Sir Basil Blackett : (a) The customs duty receipts from postal parcels assessed at Karachi during the three calendar years 1920, 1921 and 1922 were respectively Rs. 1,96,869, Rs. 2,36,312 and Rs. 2,43,462.

(b) One whole-time Appraiser was employed at the Post Office in 1920 and there has been no increase since. The whole-time officer is now however assisted by another Appraiser for 2 or more days a week.

INCREASE OF APPRAISERS.

361. ***Mr. Harchandrai Vishindas :** Will Government be pleased to inquire from the Local Government if they have received any representation from the Chief Collector of Customs, Karachi, regarding the increase in the number of Appraisers ?

The Honourable Sir Basil Blackett : The Government of India see no necessity for taking the action proposed. If the Local Government receive any such representation and consider that it merits attention, they will no doubt forward it in due course.

EXAMINERS AND APPRAISERS, KARACHI.

362. ***Mr. Harchandrai Vishindas :** Will Government be pleased to inquire from the Local Government what percentage of promotion has been given to Examiners and Appraisers of the Karachi Customs House ?

The Honourable Sir Basil Blackett : I am not quite sure what the Honourable Member means by "percentage of promotion". If he is referring to the increases of emoluments recently granted, the reply is that the Government of India gave full discretion to the Local Government to fix the initial pay of the existing incumbents on the new scales as they thought fit, subject to the maximum of a 50 per cent. increase in each case. The Government of India see no necessity for making the enquiry suggested.

INCOME-TAX WORK IN SIND.

363. ***Mr. Harchandrai Vishindas :** With reference to the answer given on page 2948, to Question No. 443, by Rai T. P. Mukherjee Bahadur, Volume III, No. 49, regarding income-tax establishment, will Government be pleased to state why in Sind the income-tax work is still being done through the agency of the Provincial Government ?

The Honourable Sir Basil Blackett : Save for minor exceptions the assessment of income-tax in Sind is being done by the special staff.

INCOME-TAX OFFICERS IN BOMBAY AND SIND.

364. ***Mr. Harchandrai Vishindas :** Will Government be pleased to state when whole-time Income-Tax Officers sanctioned for Bombay Presidency including Sind will be appointed ?

The Honourable Sir Basil Blackett : The special scheme is being gradually introduced as trained officers become available.

PASSPORTS FOR PASSENGERS FROM INDIA.

365. ***Rao Bahadur C. S. Subrahmanayam** : 1. Is it a fact that persons proceeding from British Indian ports to Penang and Singapore were required to take out passports and has that rule been since cancelled and such passengers are entitled to sail without passports ? When was this change effected ?

2. Is it a fact that persons proceeding to the islands of Mauritius and Seychelles have to take out passports before they embark ?

3. Will the Government be pleased to state why passports are required to be taken from such persons ?

4. Do the Government propose to withdraw the rule regarding the taking out of passports in view of the delay and other inconveniences caused to such persons in the matter of obtaining passports ?

Mr. Denys Bray : (1) Yes, except that the exemption from passports granted by the Government of the Straits Settlements in January 1921 was a concession specifically restricted to *Indian* British subjects and is not of general application to travellers from India.

(2) Yes.

(3) Because the laws of the Colonies in question demand passports on entry from everybody.

(4) It is not within the power of the Government of India to do so.

UNSTARRED QUESTIONS AND ANSWERS.

PAHARPUR CANAL, DERA ISMAIL KHAN.

113. **Baba Ujagar Singh Bedi** : Is it a fact that Paharpur inundation canal, Dera Ismail Khan, has been transferred from the control of the Irrigation Department of the N. W. F. Province to that of the District authorities ? If so, will the Government be pleased to state the reasons for this change of control ?

The Honourable Mr. A. O. Chatterjee : The transfer has been sanctioned in the interests of economy, as under the present system of working a heavy annual loss is inevitable.

CANAL FOR DERA ISMAIL KHAN DISTRICT.

114. **Baba Ujagar Singh Bedi** : (1) Is it a fact that in 1912, plans and estimates of a perennial canal for irrigating the District of D. I. Khan, to be taken off from the right bank of River Indus at Kalabagh, were undertaken when the Irrigation Department was under the Punjab Government ? Will the Government be pleased to state the reasons which led it to give up the scheme ?

(2) Is it a fact that the Irrigation Department, North-West Frontier Province has been contemplating during the last three or four years the conversion of the Paharpur inundation canal into a perennial one ? If so, what led the Government to give up the scheme ?

(3) Is it a fact that the Zemindars of the Dera Ismail Khan Tahsil memorialized the Secretary to the Local Government, Irrigation Department, through the Deputy Commissioner, Dera Ismail Khan, in 1920, requesting for the conversion of the Paharpur canal into a perennial one ?

(4) Is it a fact the financial considerations alone have stood in the way of the Government to prepare the canal project ?

(5) Have the Government ever inquired from the Zemindars of the Dera Ismail Khan Tahsil that a project for converting the Paharpur canal into a perennial one, can be executed provided they are prepared to pay water rate in the same scale as obtains in canals in the Punjab ?

The Honourable Mr. A. C. Chatterjee : (1) The answer to the first part of the question is in the negative. As regards the second part, a canal from Kalabagh on the right bank of the river Indus will become a practical proposition only if and when the Punjab project for the irrigation of the Thal on the left bank is constructed. The idea of a right bank canal from this point has not been finally abandoned, but it is realized that, even should the Thal project mature, the engineering difficulties involved in the construction of a right bank canal would be very great.

(2) The conversion of the Paharpur canal into a perennial one has been carefully considered, but the scheme has been abandoned owing to the great engineering difficulties involved, the cost of overcoming which would be prohibitive.

(3) Yes.

(4) No. As stated under (2) above, there are very grave constructional difficulties to be faced, more-especially in regard to the obtaining of a perennial supply and to the safe passage across the canal of floods from the numerous torrential drainages which traverse the alignment.

(5) Yes. But, as explained above, it has been found that the conversion of the canal into a perennial one is not a practical proposition.

IRRIGATION DEPARTMENT, NORTH-WEST FRONTIER PROVINCE.

115 **Baba Ujagar Singh Bedi :** Will the Government be pleased to give the revenue and the expenditure of the Irrigation Department of North-West Frontier Province for the years 1921-23, showing the deficit, if any ?

The Honourable Mr. A. C. Chatterjee : A statement giving the information is laid on the table.

Statement showing the expenditure on and revenue from works in charge of the Irrigation Branch of the Public Works Department in the North-West Frontier Province during the years 1921-23 and 1922-23.

Year.	EXPENDITURE.	REVENUE.				
	Capital expenditure.	Gross Revenue.	Working expenses.	Net Revenue.	Interest.	Profit or Loss.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1921-23 (actuals)	1,18,180	17,27,303	11,26,730	6,00,573	9,50,798	-3,50,225
1922-23. (revised estimates)	2,00,000	20,68,000	10,57,000	10,11,000	9,60,000	+ 51,000

N. B.—The above figures relate to the four major canals, the Upper Swat, Lower Swat, Kabul River and Paharpur Canals. They do not include a few small miscellaneous works constructed partly for irrigation purposes and partly for road protection, which were in charge of the Irrigation Branch during the period in question but are now being handed over to the district authorities, and for which separate figures are not readily available.

EASTERN BENGAL RAILWAY BRANCH LINES.

116. **Mr. J. N. Mukherjee** : 1. Will the Government be pleased to state whether there was any project for a broad-gauge line connecting Birnagore railway station on the Eastern Bengal Railway with Santipore, and was any survey made by Government with a view to carry out the project ? If so, what has become of it ?

2. Are Government aware that the existing narrow-gauge line from Ranaghat to Krishnagore on the Eastern Bengal Railway, *via* Santipore, being discontinued for want of a bridge across the Churni river, fails to serve the public in a satisfactory manner ?

3. If so, do Government propose to carry out the above project of a broad-gauge line connecting Birnagore with Santipore, a distance of about 6 miles only, or to consider any other suitable project calculated to remove the existing inconvenience of passengers bound for Santipore ?

The Honourable Mr. C. A. Innes : 1. Yes. It was eventually decided that the proposed broad gauge railway to Santipur should take off from the main line just on the north side of the Churni bridge and not at Birnagar.

2. Yes.

3. Government are examining the prospects of a broad gauge railway from the Churni bridge to Santipur.

PAY OF CLERICAL STAFF, ARMY HEADQUARTERS.

117. **Mr. K. C. Neogy** : I. Will Government be pleased to state :

- (a) whether it is a fact that the existing rates of pay of the clerical establishments at Army Headquarters are less than those drawn by similar establishments employed in the Government of India Civil Secretariat ;
- (b) whether it is a fact that the Civil Secretariat clerical establishments draw house rent and other allowances in addition to their pay, and if so, whether similar allowances are granted to the clerical establishments at the Army Headquarters ;
- (c) whether it is a fact that the conditions governing the admission of candidates for employment in the clerical establishments of both the Civil Secretariat as well as the Army Headquarters are identical in nature, notwithstanding the difference in their rates of pay ; and
- (d) whether it is a fact that the clerical establishments at the Army Headquarters perform the same class of work as the clerical staff of the Army Department of the Government of India Civil Secretariat ?

II. If the answers to (a), the first part of (b), (c) and (d) above be in the affirmative, what are the reasons for the differential treatment meted out to the Army Headquarters clerical establishments ?

III. Is it a fact that the Esher Committee examined the question of the differential treatment referred to above and recommended that the Army Headquarters clerical establishments should be placed on the same footing as the corresponding establishments of the Civil Secretariat ?

as regards rates of pay, allowances and status ? If so, what action has been taken or is proposed to be taken to give effect to the said recommendation ?

IV. Are Government aware of the existence of a general feeling of growing discontent among the Army Headquarters clerical establishments owing to the continuance of the present differential treatment accorded to them ? If so, what steps do Government propose to take to remove this feeling ?

Mr. E. Burdon : I. (a) Yes.

(b) The answer to the first part is in the affirmative, and to the latter part in the negative.

(c) Yes.

(d) No.

II. The reason for differential treatment is contained in the reply to (d), which I have just given.

III. The answer to the first part is in the affirmative. Government are not prepared to give effect to the recommendations while conditions of work in the Secretariats and at Army Headquarters remain dissimilar.

IV. Government have received information to the effect stated in the first part of the question, but as already stated, they have decided that it would not be justifiable to assimilate the rates of pay in Army Headquarters to those granted to Secretariat establishments, nor do they propose to take any other action in the matter.

INDIGENOUS SYSTEMS OF MEDICINE.

118. **Rai Sahib Lakshmi Narayan Lal :** (a) Have the Government taken any practical steps regarding the indigenous system of medicines for which hopes were held out during the debate on my Resolution regarding the indigenous systems of medicines in January 1922, and in reply to my question regarding the same during the last Simla Session ?

(b) If not, do the Government propose to take any such step in the near future ?

(c) Will the Government be pleased to lay on the table a detailed statement of what has been done and of what is proposed to be done regarding the Central Research Institute, Delhi ?

Mr. M. S. D. Butler : (a) and (b). A copy of the Honourable Member's Resolution of January 1922 was forwarded to all local Governments for information and such action as they might consider necessary.

(c) The scheme for the formation of a Central Research Institute at Delhi has been held in abeyance as a result of the recommendation made by the Retrenchment Committee.

SELECTIONS FOR SANDHURST CANDIDATES.

119. **Mr. Muhammad Faiyaz Khan :** (a) Will the Government be pleased to state the names of the fathers or nearest relatives of all the candidates sent for military training to Sandhurst up to this time ?

(b) Is it true that only the sons or relatives of titleholders and flatterers are selected for Sandhurst ?

(c) If it is true, why does the Government not select from other classes as well ?

Mr. E. Burdon : (a) A statement, which gives the information asked for by the Honourable Member is laid on the table.

(b) No.

(c) This question does not arise.

List of Indian Cadets admitted to the Royal Military College, Sandhurst.

Name of Cadet.	Father's name, etc.
1. Syed Iskander Ali Mirza (Bombay)	Nawab Fateh Ali Mirza of Bombay.
2. Iqbal Ali Beg (Madras)	Nawab Sir Afsar-ul-Mulk, Commander-in-Chief of His Exalted Highness the Nizam's Military Forces.
3. Turan Kumar Sinha (Bengal)	Lord Sinha of Raipur, P.C., K.G.
4. Sirdar Madanjit Singh (Punjab)	Sirdar Partab Singh, C.S.I., of Jullundur (deceased).
5. Lolit Kumar Roy (Bengal)	Pyari Roy, Barrister-at-law, Calcutta.
6. Kumar Shri Himatsinhji (Bombay)	Kumar Shri Narsinhji of Rajpipla State.
7. Nawab Sarwar Ali Khan (Central India).	Nawab of Kurwai (deceased).
8. Sahibzada Faiz Muhammad Khan (North-West Frontier Province).	Khan Mansab Ali Khan, Sherwani Pathan, Zemindar (deceased).
9. Bedi Daya Singh (Punjab)	Bedi Sir Gurbaksh Singh, C.I.E., of Rawalpindi.
10. Kumar Shri Rajendrasinhji (Bombay).	Kumar Shri Davasinhji (Ward of the Jam Sahab of Nawanagar).
11. Edris Yusuf Ali (United Provinces)	Khan Bahadur Abdulla Yusuf Ali, C.B.E., I.C.S., (retired), United Provinces.
12. Promsik Chunder Sen (Bengal)	Profulla Chunder Sen of Cooch Behar (Private Secretary to His Highness the Maharaja of Cooch Behar).
13. Muhammad Nawaz Khan (Punjab)	Sirdar Muhammad Ali Khan of Attock.
14. Tek Bahadur Shah (United Provinces).	Indra Bahadur Shah of Kheri, United Provinces.
15. Pritam Singh Brar (Punjab)	Honorary Captain Hira Singh, Sardar Bahadur, of Ferozepore.
16. Maung Tun Hla Aung (Burma)	U. May Aung, B.L., Rangoon.
17. Sahibzada Muhammad Kurshid (North-West Frontier Province).	Sahibzada Kalil-ul-Rahman (deceased), North-West Frontier Province.
18. Babu Sukumar Sen (Bihar and Orissa).	Rai Balmur Jogendranath Sen, Government Pleader, Bihar and Orissa.
19. Kumar Shri Madhavsinhji Chandrasinhji (Bombay).	Chandrasinhji, Jagirdar, Jannagar, Bombay Presidency.
20. Kunwar Sheodatt Singh (Rajputana)	Thakur Dip Singh of Bikanir.
21. Arthur Rikh (United Provinces)	Kunwar Sheonath Rikh, Rais of Tejjpur, United Provinces.
22. Thakur Nathu Singh (Rajputana)	Thakur Hamir Singh of Gumanpura, Rajputana.
23. Charles Ba Thein (Burma)	Professor Maung Tun Po, Judson College, Rangoon.
24. Kumar Shri Kishersinhji (Bombay)	His Highness Maharana Shri Sir Chhinterasinhji, Raja of Rajpipla—Nandod (deceased).
25. Gurbachan Singh (Punjab)	Risaldar Major Kartar Singh Ladhran, Gurbakhpura, Punjab.
26. Mutaqui Muhammad Ali (United Provinces).	Syed Muhammad Ali, retired District and Sessions Judge, United Provinces.
27. Syed Bad Shah (North-West Frontier Province).	Syed Fatch Shah, B.L., of Peshawar, now practising at Lucknow.
28. Har Bishan Singh Brar (Bihar and Orissa).	Honorary Captain Hira Singh, Sardar Bahadur, of Ferozepore.
29. Satyavant Shrinagule Mallanah	Dr. Shrinagule Mallanah, King Koti, Hyderabad, Deccan.
30. Muhammad Ishfakul Majid (Assam)	Honourable Mr. A. Majid, C.I.E., Member, Executive Council, Assam.

Name of Cadet.	Father's name, etc.
31. Thakur Singh Negi (United Provinces).	Thakur Jodh Singh Negi, Ashwal-shyun, Garhwal.
32. Mirza Osman Ali Baig (Bombay) ..	Sir Abbas Ali Baig, K.C.I.E., C.S.I., Panchgani, Bombay.
33. Ajit Kumar Ghosal (Bombay) ..	Mr. Jyotsnanath Ghosal, C.I.E., I.C.S., Bombay.
34. Gurdip Singh Dhillon (Punjab) ..	Late Risaldar Major and Honorary Captain Ram Singh, Sardar Bahadur.
35. Ashghar Ali Khan (Punjab) ..	M. Aziz-ud-Din, Esq., C.V.O., C.I.E., Retired Deputy Commissioner, now Commissioner of Customs, Hyderabad, Deccan.
36. Balwant Singh Lamba (Punjab) ..	S. Tara Singh, Honorary Magistrate, Gujrat, Punjab.
37. Sheikh Muqbul Hussain (Punjab) ..	Khan Bahadur, Sheikh Riaz Hussain, C.I.E., Honorary Assistant Commissioner, Multan.
38. Sahibzada Anis Ahmed Khan (United Provinces).	The Honourable Sahibzada Aftab Ahmed Khan, Bar-at-law, Member, India Council, London.
39. Nirmal Chandra Hoon (Bombay) ..	Balak Ram, I.C.S., District Judge, Bijapur (Bombay).
40. Bakshish Singh Chimni (Punjab) ..	Honorary Lieutenant and Risaldar Major Sardar Sant Singh Chimni Bahadur, Honorary Magistrate, Gujranwala.
41. Thakur Amar Singh (United Provinces).	Naib Commandant Rai Bahadur Thakur Rana Ram Singh Bahadur, O.B.E., Burma Military Police (retired).
42. Satyendranath Sarkar (Bihar and Orissa).	Jadunath Sarkar, I.E.S., Professor, Ravenshaw College, Cuttack.
43. Mirza Rashid Ali Baig ..	.. Sir Abbas Ali Baig, K.C.I.E., C.S.I.
44. Mira Lal Atal (Punjab) ..	.. Late Major F. L. Atal, I.M.S.
45. Ali Asghar Khan (Punjab) ..	.. Nawab Moula Bakhsh Khan, Bahadur, C.I.E. (Woodlands—Simla).
46. Kalwant Singh (Punjab) ..	.. Late Sardar Bahadur Sardar Sant Singh, E.A.C., Punjab.
47. Mehtab Singh (Punjab) ..	.. Sardar Gulab Singh, Government Land Contractor, Gujrat District.
48. Jalal-ud-Din Pirzada (Punjab) ..	.. Mr. Taj-ud-Din, Pir, Bar-at-law, Lahore.
49. Sant Singh (Punjab) ..	.. Ptd. Dafadar Sewa Singh, late 8th Cavalry.

INDIAN MEMBERS OF GOVERNMENT OF INDIA EXECUTIVE COUNCIL.

120. **Mr. Muhammad Faiyaz Khan** : While speaking or replying to questions are the Indian Members of the Executive Council of the Government of India allowed to speak their mind as Indians or they have to speak only as Government servants ?

The Honourable Sir Malcolm Hailey : All Members of the Governor General's Executive Council, whether European or Indian, in answering questions or in speaking in the Indian Legislature express the views of the Government of India. I would remind the Honourable Member that a corporate responsibility is placed upon them.

ANGLO-INDIANS ; WHETHER CONSIDERED AS INDIANS OR EUROPEANS.

121. **Mr. Muhammad Faiyaz Khan** : (a) Are the Anglo-Indians considered as Indians or Europeans in Government service ?

(b) Are the Government aware that some of the dark complexioned Anglo-Indians freely travel in European Compartments while Indians

are refused admission in European compartment, and are even asked to vacate if they are seated there ?

Mr. G. G. Sim : (a) The Honourable Member is referred to the reply given to-day to Lieutenant-Colonel Gidney's starred question No. 315.

(b) The statement made by the Honourable Member is not entirely correct since, on most of the Railways on which reserved compartments for Europeans and Anglo-Indians are provided Indians in European costume are allowed to travel in them.

THE INDIAN PORTS (AMENDMENT) BILL.

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

" That the Bill further to amend the Indian Ports Act, 1908, be taken into consideration."

This is a very little Bill and its objects are fully explained in the Statement of Objects and Reasons appended to the Bill. I also gave some statement of those objects when I introduced the Bill last week. Since then I have received no notice of any amendment, and no criticism or comment. In the circumstances I do not think it necessary to detain the House further and I move that the Bill be taken into consideration.

The motion was adopted.

Clauses 1, 2 and 3 were added to the Bill.

The Title and Preamble were added.

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

The motion was adopted.

THE INDIAN ELECTRICITY (AMENDMENT) BILL.

The Honourable Mr. A. C. Chatterjee (Industries Member) : Sir, I rise to move :

" That the Bill further to amend the Indian Electricity Act, 1910, be taken into consideration."

In this case also, Sir, I gave a brief account of the object of the Bill when moving for leave to introduce it, and there is very little further to state. The Bill arises from a little oversight at the time when the Indian Electricity Act was revised last year and we are attempting to remedy this defect in the interests of railway administrations who are electrifying their suburban lines. I hope that the Assembly will allow the Bill to be taken into consideration without reference for local opinion or without reference to a Select Committee.

The motion was adopted.

Clauses 1 and 2 were added to the Bill.

The Title and Preamble were added.

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

The motion was adopted.

THE LAND ACQUISITION (AMENDMENT) BILL.

Mr. M. S. D. Butler (Secretary, Department of Education, Health and Lands) : Sir, I beg to move :

“ That the Report of the Select Committee on the Bill further to amend the Land Acquisition Act, 1894, for certain purposes, be taken into consideration.”

Sir, when I introduced this Bill I explained that its object was to give those people whose land was about to be acquired an opportunity of objecting in the initial stage. At present there is a preliminary notification under section 4 which is followed at a subsequent date by a notification under section 6, when the Government has decided that land is to be taken. The Bill provides that after notification under section 4 the persons interested shall have an opportunity of putting forward their objections. No objection to the principle of this Bill was taken at the time and none has been taken since. The Bill was referred to a strong Select Committee and certain changes of a minor character have been proposed in it. We have, for example, proposed that in clause 1 there should be a commencement clause. This is a petty matter, but we observe that before this Act is brought into force, it will be necessary to instruct all officers who have to administer it as to the new provisions, and it will be convenient therefore if a breathing space is given before the Act actually comes into operation. If there is not time to instruct officers beforehand it is possible that certain proceedings will be invalidated. Our second amendment has been introduced to make it clear that the Collector shall be entitled to make any further inquiry which he considers necessary after hearing the objector. The third amendment provides for summary proceedings in cases of emergency. None of these changes, as I have said, affects the principle of the Bill, and the only disagreement in the Committee was as to certain details about the inquiry to be carried out by the Collector on receipt of objections. I will not discuss this question at the present moment because it will be more suitable to do so if and when the amendments which have been tabled on this point are before the House. I will, therefore, ask the House at this stage merely to pass this motion and then proceed to the amendments which will be dealt with as they arise.

Mr. J. N. Mukherjee (Calcutta Suburbs : Non-Muhammadan Urban) : Sir, at this stage I should like to ask the Honourable Member in charge of the Bill one question, in order that we may decide upon the advisability of proceeding with certain amendments which I with several other members of the Select Committee have proposed. (A Voice : “ They are for consideration.”) The question that I should like to ask is this. If in consequence of the amendments of which we have given notice, the Government, before proceeding further, decides to collect the opinions of Local Governments with regard to them, what will be the effect of it ? We are now at the close of the present session and there will be a new Assembly some time later on. I should like to know if, in that case, the whole Bill, with the amendments proposed by us, will be shelved, and a new Bill will have to be introduced in the new Assembly without, perhaps, the amendments ?

Dr. H. S. Gour (Nagpur Division : Non-Muhammadan) : Of course.

Mr. J. N. Mukherjee : I want an answer from the Honourable Member in charge of the Bill. On receipt of an answer we can decide as to what course we should follow with reference to the amendments that we have put forward.

Mr. M. S. D. Butler : Sir, the position is that we desire to get this Bill through before this session is prorogued at the end of this week, as otherwise on the dissolution of the Assembly the Bill will be lost and we shall have to proceed *de novo*.

Mr. T. V. Seshagiri Ayyar (Madras : Nominated Non-Official) : Sir, I do not think the Honourable Member in charge of the Bill has given an answer to the question which was put by Mr. Mukherjee. The point is this. There has been a good deal of feeling inside this House and also outside it that the procedure adopted in regard to the acquisition of lands other than for public purposes should be followed also in the case of acquisition of lands for public purposes. I understood the Honourable Member in charge to say that Government is prepared to make some concession on this question, namely, to allow objections to be put forward to the acquisition of land for public purposes before the Collector, but that no attempt will be made at present to enable the party to bring the matter before the civil authorities. Now the question which I ask is this. Supposing this Bill is passed, will the Government take steps to ascertain the opinions of the various Local Governments and other authorities in order that a further change may be made in the Act itself giving power to the person whose land is to be taken, to go before a Civil Court and contest it ? That is the point, I believe, on which Mr. Mukherjee wanted an opinion of the Honourable Member in charge of the Bill.

Dr. H. S. Gour : That is not the point at all.

Mr. T. V. Seshagiri Ayyar : Sir, as Mr. Mukherjee rightly pointed out, we should like to have an opinion from the Government Benches, and not from Dr. Gour. The point is of great importance. We are willing to have half a loaf if we cannot have a full one. Supposing half a loaf is now given, will the Government take steps to see that the full loaf is secured later on, and will they ask the opinions of the Local Governments and of other bodies in order that a further change may be made in the Act ? I should like to have the opinion of the Government Member and not of other people.

Dr. H. S. Gour : Sir, before that question is replied to, may I ask another question. Which is the half loaf presented to the Government, Mr. Mukherjee's or Mr. Seshagiri Ayyar's ? They are entirely two different questions. Mr. Mukherjee raises the question that whenever there is an inquiry as to the acquisition of land, certain assessors should be associated with the inquiry officers. Mr. Seshagiri Ayyar raises an entirely different question, and he fathers it upon Mr. Mukherjee, and the father Mukherjee indignantly repudiates it by a violent shake of the hand. The question that he refers to is that if, supposing after an inquiry is made, the Collector, with or without the aid of the assessors, comes to the conclusion that the land is required for the purposes contemplated by the Land Acquisition Act, will that decision be open to challenge by the aggrieved

[Dr. H. S. Gour.]

party in the Civil Court ? That is the question which Mr. Seshagiri Ayyar raises, and that is an entirely different question to the one raised by Mr. Mukherjee. Consequently, I submit these two questions are not identical as Mr. Seshagiri Ayyar seems to have assumed, and the Government must realise that the two questions are independent, and that in accepting Mr. Mukherjee's suggestion they do not necessarily accept Mr. Seshagiri Ayyar's suggestion.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : Sir, the object of this House is to point out that there is some improvement on the previous Land Acquisition Act and we all like that this Bill should be passed, provided the Honourable Member in charge will give us an undertaking on two points ; firstly, that he will move the Government to put forward another Bill with a view to introduce a change ' that the Collector, after having been assisted by two assessors, may make inquiry into any objection ' ; secondly, ' that if a decision is given by the Collector against the objector in regard to his title to the land and the same report has been adopted by the Local Government, whether it will be competent for the objector to go to the Civil Court and obtain a decree declaring that he is entitled to the land as owner or that he has got interest in that land and that the decision of the Collector as well as that of the Local Government will not affect his title ' . If the Honourable Member in charge of the Bill is prepared to give us an undertaking on these two points, we shall not impede the passage of this Bill, otherwise we shall have to discuss every one of the clauses of the Bill.

Mr. J. Ramayya Pantulu (Godavari *cum* Kistna : Non-Muhammadan Rural) : Sir, it seems to me that the point raised by Mr. Seshagiri Ayyar does not arise out of the Bill before the House. It was embodied in my Bill but that Bill has been scrapped, and the Government has come forward with a smaller Bill. The question of future legislation on the lines of my Bill does not really arise now.

With regard to Mr. Mukherjee's amendment, I think he has raised a very good point, but we should wait to discuss it till the amendment comes to be moved. The question before the House now is whether the Bill should be taken into consideration or not. I do not think that there is any objection to its being taken into consideration. The question of assessors can be considered when the amendment relating to it comes up for consideration. Meanwhile, I think, Sir, that we ought to agree to the Bill being taken into consideration.

The Honourable Sir Narasimha Sarma (Education, Health and Lands Member) : Sir, some of the questions which have been raised do not properly arise out of this particular motion, but I understand that they have been put in order to facilitate the discussion and passage of the Bill. The Government have had long under consideration the question of amending the Land Acquisition Act in this and other particulars and have stated so on previous occasions in this House. The question as to what is to be done with regard to the acquisition of land for industrial and other purposes was referred to Local Governments. We have received the replies and we have circulated the papers amongst the Industries and

Revenue Committees which have been established in accordance with the promise of the Government. But it was impossible for us to undertake any comprehensive legislation during this session, inasmuch as the Government gave their promise to amend the Land Acquisition Act at least in one particular matter, namely, the granting of a statutory right to be heard and to state objections to parties interested in land which is proposed to be acquired, they have felt that it was their duty to fulfil their promise and that is the reason why they have tabled this small Bill which they considered to be non-contentious before the Assembly, and I would request that the House would assist us in getting this Bill passed during this session both here as well as in the Council of State, so that it may become law and may come into operation at the earliest possible date.

With regard to the question which has been raised by Mr. Mukherjee as to whether any further amendments would be undertaken, it is always open to any Member of this House to propose amendments by bringing in a Bill and the question would be decided on its merits. There is nothing, therefore, to prevent any Honourable Member from introducing any private Bill if he thinks that any useful purpose would be served thereby, suggesting such modifications as he considers would be suitable and would be useful in the scheme of the Land Acquisition Act. But I think it would be difficult—may impossible—for us to proceed to a solution of the immediate problem before us if difficult questions of that description are raised for discussion in this House at the present moment.

With regard to the question which has been put by Mr. Seshagiri Ayyar, the procedure which may have to be adopted with regard to the acquisition of land for industrial and other purposes and the modifications which may have to be introduced into the procedure, if further facilities are to be given, is a question which I shall not raise now and the Government are not in a position to answer. But as to whether judicial tribunals would be open to parties who may be aggrieved by the Local Government deciding that particular land should be acquired, so far as the Government are concerned they have clearly stated their attitude during the discussion on Mr. Ramayya Pantulu's Bill and they have no reason whatsoever to depart from the attitude which they adopted at that time. That is the position, so far as the Government are concerned.

With regard to private Members, it is always open to them to move any amendment and to bring in any Bill of any kind whatsoever. I think, therefore, Sir, it would be unnecessary to complicate the situation by taking cognisance of matters which do not really come within the scope of this Bill as to what the procedure of the Government or the Honourable Members may have to be when different questions—questions of a different character arise on a future occasion.

Mr. President: The question is :

“ That the Report of the Select Committee on the Bill further to amend the Land Acquisition Act, 1894, for certain purposes, be taken into consideration.”

The motion was adopted.

Mr. President : We had better postpone Clause one.

The Honourable Sir Malcolm Hailey (Home Member) : Yes.

Mr. President : Clause 2,

Mr. J. Ramayya Pantulu : Sir, before moving the amendment which stands in my name, I wish, if I may, to thank the Government for having brought in this Bill. The Honourable the Revenue Member, in opposing my Bill upon the same subject during the last Delhi session and getting it scrapped, gave the House—I do not say an understanding—but an undertaking that the Government would bring in a Bill of their own at a very early date and they have done so at the earliest opportunity. This Government Bill does not go anything like the length of my Bill but it goes a little way and, if some of the amendments that are to be proposed to-day are to be given effect to in substance though not in the wording in which they are put, I think the Bill can be made to go some way to meet the requirements of the case. I, therefore, Sir, accept the Bill on the principle that “half a loaf is better than no bread,” or, as we put it in our part of the country, “a blind husband is better than no husband.”

My amendment, Sir, is this:

“In clause 2 at the end of sub-section (1) of section 4 of the Act, insert the following, viz.:

‘And shall also cause a similar notice to be served on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue district in which the land is situated.’”

My object in proposing this amendment is that, when the Government publishes a notification in the official Gazette that a particular piece of land or land in a particular locality is required for a public purpose or for a company, a separate notice should also be served on the person whose land is proposed to be acquired. It is the provincial Gazette that these notifications are published and we all know that people in general do not subscribe for the provincial Gazette, and mere publication in the provincial Gazette is really giving no notice to the party that is interested. Therefore, it is necessary, if you want to do justice to the people, not only to publish a notification in the Gazette but also to give some sort of warning, some sort of intimation to the landholder that his land will be acquired. Such a provision is made in section 9, sub-section (3), in regard to the inquiries to be made about the compensation to be awarded after the final notification under section 6 is published. Now, in some respects, it seems to me that the inquiry to be made under the present Bill is even more important than the inquiry that is to be made under section 9, because the inquiry that has to be made under the present Bill is as to whether there is any objection to the acquisition of the land itself, whereas the other inquiry is concerning the amount of compensation that is to be awarded. Very often, a man loses much more by the acquisition of the land than by the compensation being a few rupees less or more. So, it is much more important to him that the land should not be acquired than that he should get a few more rupees on account of that land. I, therefore, think that, if you want to do justice to the people whose land you propose to acquire, you ought to give sufficient notice to them that their land is going to be acquired and mere publication in the provincial Gazette is not sufficient. And, as to the particular man to whom the notice should be served, I borrowed the wording of my amendment from sub-section (3) of section 9.

I am quite willing, if the Government thinks that it is cumbersome, to have that put into a workable form. What I want to be done is that you should give to the party concerned a better notice than mere publication of the notification in the Provincial Gazette. That is my point, Sir. Therefore, I move my amendment.

Mr. M. S. D. Butler : Sir, it is a most unfortunate thing that circumstances prevented my Honourable friend who has just moved this motion from being present at an earlier stage of the Session when this Bill was committed to a Select Committee. Really, he is the father of the Bill, and we hoped to have had the opportunity of consulting him in Committee on the details of the Bill, for he knows a great deal about it. I have no doubt that, had he been here, and been a member of the Select Committee, we might have arrived at a form of wording which would have embodied the substance of the particular amendment now before us. The amendment as actually proposed throws a very heavy burden on the Collector. He has got to find out who is the occupier, and who are "such persons known or believed to be interested therein, or to be entitled to act for persons so interested" and all that within 30 days. This procedure involves very elaborate inquiries and very serious danger of the right people not being discovered and thereby a danger of invalidation. My Honourable friend has himself admitted in his remarks that possibly the procedure he proposes may be a little cumbersome, and he is prepared, he says, to admit of some modification in it which will suit us. But there is no time now to get the clause redrafted if we are to pass the Bill this Session. So, I hope he will be satisfied if we say that we will consider the point, and refer it to Local Governments for their consideration, for, after all, in a matter of this sort, we ought not to rush the Local Governments who are chiefly concerned, and we ought to know what they think about it. I will point out to him that under section 4, as it at present stands, notice has to be given. The Collector is obliged to cause public notice of the substance of such notification to be given at convenient places in the locality of the land which is to be acquired, and therefore, as a practical measure, I do not think any difficulty will arise. The obligation is on the Collector to give public notice in the locality of the land which is to be acquired, and those who have had much dealing with the acquisition of land know that the fact that it is going to be acquired is generally known and gets abroad very quickly, and during the thirty days which are allotted for the preliminary objection I feel sure that there will be very few cases in which there will be any real serious practical difficulty. I hope my Honourable friend will be satisfied with this explanation and will not press this amendment.

Mr. J. Ramayya Pantulu : I did not quite follow the Honourable Member in the concluding portion of his remarks, but considering the fact that we are now very nearly at the end of our life and that if no proper amendment can be drafted and accepted by this House, and if an amendment is to be made in the other House, there will be no time for its being brought again to this House, and so the whole Bill will have to go,—in these circumstances, Sir, I am prepared to withdraw my amendment provided the Government will undertake to invite the attention of

[Mr. J. Ramayya Pantulu.]

the Local Governments to the matter and ask them to frame rules so as to require the Collector to serve individual notices upon persons owning land in cases where particular fields are proposed to be acquired. Of course, I quite recognise that when it is proposed to acquire a large area of land, you do not know exactly what portion of that land you are likely to acquire until you have finished the preliminary investigation under section 4, and it will not be possible to know the owners whose lands will be acquired. But very often it is individual fields that are proposed to be acquired, and all these fields are very often mentioned in the preliminary notification published in the Provincial Gazette under section 4. In such cases, there ought to be no difficulty on the part of the Collector in serving notices upon the owners of those fields. If the Government will ask the Provincial Governments to make provision to this effect in the rules that will be made under this section, I shall, for my part, be quite satisfied with it under the existing circumstances, and withdraw my amendment.

The Honourable Sir Narasimha Sarma : Sir, without proceeding to a discussion as to the merits of the amendment, I may say that Mr. Butler has already promised the Honourable Member that he would invite the attention of Local Governments to this subject and ask them whether they can issue instructions so that the notices that can be legally and statutorily given under section 4 should be so given as to meet the wishes of the Honourable Member by bringing as far as possible to the notice of persons who may be interested the fact that particular lands are to be acquired. We shall have to proceed according to the wording of section 4. We cannot cast upon the Collector any further obligation than is possible. But certainly I think we shall be within our rights and it will be our duty to invite the attention of Local Governments to see that all steps are taken that would render the notice really effectual and that persons whose lands may have to be acquired receive adequate notice of the proposal.

Mr. J. Ramayya Pantulu : Under the circumstances, Sir, I withdraw the amendment with the permission of the House.

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

Clause 2 was added to the Bill.

Mr. J. Ramayya Pantulu : I suppose, Sir, that the above decision disposes of the next amendment† also.

* " In clause 2 at the end of sub-section (1) of section 4 of the Act insert the following, viz. :

' And shall also cause a similar notice to be served on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorized to receive service on their behalf, within the revenue district in which the land is situated '."

† " In clause 3 in sub-section (1) of the proposed new section 5A for the words ' issue of the notification ' substitute the words ' service of the notice referred to in the said sub-section '."

Mr. President : Clause 3.

Mr. J. N. Mukherjee : Sir, after receiving the explanation which the Honourable Member in charge of the Bill and the Honourable Sir Narsimha Sarma have presented to the House, I and my friends who have joined me—

Dr. Nand Lal : I do not agree.

Mr. J. N. Mukherjee :—some of my friends at any rate—four of my friends excepting Dr. Nand Lal—think that we should not press the amendments* which are tabled against the names of five of us. But I should say a word or two by way of explanation as to the line of action we propose to adopt with reference to our amendments. I submit, Sir, that in view of the recommendations of the Industrial Commission, a very important question of principle is going to be raised in the near future, with reference to the acquisition of land for, what may be deemed, a public purpose ; and the fundamental conception underlying the idea of a public purpose is going to be extended a great deal. Even as matters stand now, the Act is interpreted differently by different officers of Government, in different parts of the country and sometimes in the same part of the country and the expression “ public purpose ” has been utilised to serve various ends the propriety of some of which at least may be questioned. In respect of some of these ends, it may be fairly said that the purpose to serve which land is sometimes acquired, is not a public purpose. Therefore, Sir, that is one aspect of the question which requires very careful consideration. Then, again, various incidental questions arise as regards the suitability of the land proposed to be acquired to the purpose put forward in the notification, and as regards other matters, and objections are raised on various grounds which have to be decided at an early stage of the proceedings before a declaration under section 6 of the Act is made. But there is no provision in the present Land Acquisition Act by reference to which these questions can be satisfactorily decided or, for the matter of that, decided at all. It is with a view to meet this want in a larger measure, than what the Bill provides, that myself and some of my friends on the Select Committee decided to have assessors associated with the Collector in this difficult task of deciding as to the existence of a public purpose within the meaning of the Statute as to whose land should be taken, for the public purpose in view, as to what quantity of land should be acquired, and as to whether there is any probability of the land acquired being put to immediate use, for want of money which can be immediately utilised

* “ In clause 3 of the Bill in the proposed new section 5A (2) after the word ‘ and ’ where it occurs for the second time the following words be inserted :

‘ in case of objection, where the objector so applies, the Collector shall hear such objection with the aid of two assessors, one of whom shall be appointed by the Local Government, and the other by the objector, and ’.”

“ In clause 3 of the Bill in the proposed new section 5A (2) after the word ‘ objections ’ where it occurs for the second time the following words be added :

‘ also the opinion of the Assessors, if any ’.”

“ In clause 3 of the Bill to the proposed new section 5A (2) as amended above the following proviso be added :

‘ Provided that no assessor shall be appointed unless the objector deposits the costs of the assessor to be appointed by him, and that in such event the costs of the other assessor to be appointed by Government as herein provided, shall be paid by Government ’.”

[Mr. J. N. Mukherjee.]

upon taking possession of the land proposed to be acquired, and similar other questions. I may tell the House that it sometimes happens that although Government is not prepared to put the land acquired to some public purpose immediately after acquisition, yet for some extraneous reason,—for instance, the consideration that the value of land might go up if not acquired at once, and other considerations of that kind induce Government to acquire the land and then leave it vacant for many years to come, and I have known from my own experience that such lands have been lying vacant sometimes for 10 or 12 years. All these questions the Collector might lightly brush aside, once he thinks that the land has to be acquired. Some requisition comes from the Railway Department—and the requisition is often passed from one department to another as if from one post office to another—and the land is acquired, although there may be no money in hand to put the land to use at once. The Railway Administrations are often requisitionists of this type. Some acquisitions of land in connection with the Kidderpore Docks is another instance of this kind. The fundamental or incidental questions which arise in connection with acquisition of land at this stage are dealt with rather lightly in this country, and sometimes people think that because public money is spent in acquiring land under the Act, the purpose of the acquisition must necessarily be a public purpose. But this is not the case in other countries. We have hitherto trusted too much in the Central Government who from the positions they occupy see only one side of the question,—the necessity for the acquisition, the advantages it will bring. Therefore I submit that it is a question of supreme importance that the final authority which decides these questions should be in possession of views other than the official and the Collector should be associated with others who can throw upon the whole subject a different light of their own. Of course, if in every case, people want assessors and a somewhat elaborate inquiry has to be always made it may cause some administrative inconvenience. We have considered this aspect of the question also, and in our amendments we have suggested that the man who wants an assessor to be associated with the Collector should pay his costs. This would go to keep down the number of such applications. Then, again, we have also considered that this question of association of assessors with Collectors might not generally speaking, arise with reference to rural areas at all. It might arise only with reference to lands situated in urban areas and commercial centres, growing towns, and the like. Therefore, the practical inconvenience which might possibly be apprehended if assessors were to be associated in every instance with the Collector would not be present when the practice of association of assessors came to be confined in practice only to urban areas. These are some of the grounds which led us to suggest our amendments, but as it has been said by the Honourable Member in charge of the Bill that our amendments will necessitate an inquiry from Local Governments before we proceed any further, which means that if our suggestions find favour with the House and then in that event, if the Bill has to be re-circulated, we fear the Bill as well as our amendments will have no chance of getting through during the present session of the House. With that view I beg to withdraw our amendments.

Mr. P. B. Haigh (Bombay : Nominated Official) : You have not moved it yet. How can you withdraw it ?

Mr. J. N. Mukherjee : I am now on the amendments. The new clause 5-A is the clause with which we are at present dealing. I may put it also that I do not move my amendments.

Dr. Nand Lal : I rise to a point of order. My Honourable friend is not the only author of this amendment. There are a number of authors. Therefore he cannot be given liberty to withdraw.

Mr. J. N. Mukherjee : If I do not move my amendments, some other friend of mine might move them. As it has been pointed out, half a loaf is better than no bread, and if this Bill is passed into law, I am sure, it will be a decided improvement on the existing Act and it will give some relief undoubtedly. The points to which I have referred and the amendments I have proposed, might be left on the record and if any of us comes back to the Assembly, he may put forward our amendments in the shape of an amending Bill, and we might have some chance then of putting through our idea, but until then we might go on with the present Bill which we think is a decided improvement on the existing Act. If I do not move our amendments now, some other friend will be at liberty to move them.

Dr. H. S. Gour : Has my Honourable friend the leave of the House to withdraw ?

Mr. J. N. Mukherjee : So far as I am concerned, I am willing to withdraw, but unfortunately, five of us have signed together the same notice setting forth our amendments.

Dr. H. S. Gour : Ask for leave to withdraw.

Mr. J. N. Mukherjee : The majority of the signatories are with me—I believe four, out of five.

Mr. President : Order, order. The Honourable Member must address the Chair.

Mr. J. N. Mukherjee : I think I may submit to the House that four are on my side. One member, Mr. Hussanally, is not present here, but I have consulted him privately. And we three who are present, are of opinion that in the present circumstances we should not press our amendments now, but may live in the hope that we may do so later on in future when an opportunity will present itself.

Dr. Nand Lal : Sir, while conceding that this Bill is some improvement on the Land Acquisition Act, I may submit that the suggestion which is made in clause 3,—new section 5-A and sub-section (2) of that new section—is as follows :

“ Every objection under sub-section (1) shall be made to the Collector in writing, and the Collector shall give the objector an opportunity of being heard either in person or by pleader and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the Local Government, together with the record of the proceedings held by him and a report containing his recommendations on the objections. The decisions of the Local Government on the objections shall be final.”

What is deduction from this sub-section (2) of new section 5-A ? That the Collector is given the sole charge of making a report and the Local

[Dr. Nand Lal.]

Government on the receipt of that report may give any decision and that decision will be considered final. It is not revisable, it is not appealable. Now, my submission is that it cannot be asserted on behalf of the Local Government that every Collector has got the expert knowledge of the various departments, that he understands various sciences. The Government will accede to this contention that the Collector ought to have some sort of assistance, and the assistance, which is suggested now, is this, that if any objector makes an application to that Collector, saying 'I should like that an assessor should be appointed who may go into my objections along with you' his application ought to be allowed. This application could be made on behalf of the objector but in order to have another assessor on behalf of the Collector or on behalf of the Government, the other assessor may be appointed or selected by the Collector, so that two assessors may help the Collector in making the inquiry and arriving at the correct decision. I think the whole House will be in sympathy with this suggestion which is contemplated in the amendment, which I am going to move and which reads as follows :

"In case of objection, where the objector so applies, the Collector shall hear such objection with the aid of two assessors, one of whom shall be appointed by the Local Government and the other by the objector, and "

I think it is a fair suggestion in order to attain the end which, in reality, is contemplated by this Bill, namely, that justice may be done and the grievance, of the land owner or any person who has got any interest in the land, may be redressed. If this suggestion is not accepted by this House, then I may point out very respectfully that it amounts to this, that the Collector according to his own idiosyncrasies and in some cases according to his own error or judgment may submit any report and the Local Government, as we can infer from the procedure, as laid down in this new subsection, has not got to take evidence of experts, whom they may call and consult. The natural result then will be that in some cases there will be room for a great amount of injustice. In order to obviate this injustice this amendment has been moved and I believe that the whole House will be in sympathy with the terms thereof.

Dr. H. S. Gour : I think this House will be in some perplexity because it does not know whether to follow the lead of my friend Mr. Mukherjee or my friend Dr. Nand Lal. Mr. Mukherjee has pointed out, and I think it is a criticism which is very justly made, that it will be very difficult in the case of rural areas to appoint assessors. Dr. Nand Lal's amendment deals both with urban as well as rural areas. Now, so far as Dr. Nand Lal is concerned, I will very briefly point out to the House that his amendment will not serve the purpose for which it is intended. If the objector is at liberty to appoint one assessor he will naturally appoint an assessor in whom he has confidence and who is likely to support his case. On the other hand the Collector may justifiably appoint an assessor in whom the Collector places implicit confidence. Consequently, these two assessors may be at cross purposes. One may say "I believe this is a public purpose." Another may say, "I believe that this is not a public purpose." Now, I wish to ask Dr. Nand Lal if he is able to formulate a clear and comprehensive definition of what constitutes a public purpose. There is

a definition in the Land Acquisition Act but it is a very meagre definition. The reason is obvious. We have the words 'public purpose' in various Statutes in India and the nature of public purpose is to be defined with reference to a variety of circumstances which it is not possible to categorise, and therefore I submit, that if the Legislature has failed to define exhaustively the meaning of the term 'public purpose', it is not likely that the two assessors, both laymen, not conversant with the technicality of the purpose for which, let us assume, the land is acquired, to say whether it is or is not for a public purpose. That is my first contention. My second objection is this. My friend admits or at any rate he has not denied that the purpose of the Land Acquisition Act is to acquire the land with the least possible delay. Now, I submit, would it be in consonance with expedition and despatch if a quasi-judicial inquiry is embarked upon by the Collector with the aid of assessors? I venture to submit that it will cause delay. Thirdly, I have pointed out elsewhere and I wish to repeat it to the Members of the House that the purpose of the acquisition is varied. It may be that land is required for an aerodrome, for a railway stretching over 500 miles of a narrow strip of land, running through about a dozen or more districts, it may be for the opening of a canal, a mine, for a hostel or a college or a hospital. Now, if the assessors are to be appointed with the Collector, and I assume that in all cases where the owner is unwilling to part with his land he will insist upon the appointment of an assessor, because he thinks that is his only chance of resisting the land acquisition officer, in that case where is the assessor to go? Is he to travel 500 miles of a narrow strip of land which is to be acquired for railway purposes? Is he to be let into the arcana of the scientific department which says that the land is suitable for the purpose for which acquisition has been determined upon? These are very difficult questions upon which, I submit, the assessor with the best intentions can give no assistance to the Collector. That is my third submission. Lastly, I submit that Mr. Mukherjee is perfectly right when he says that if he were to insist upon this amendment it would entail delay and possibly indeed wreck this very Bill. Moved by that sentiment, he and his co-authors of similar amendments have withdrawn this amendment. My friend Dr. Nand Lal is irreconcilable and I therefore ask this House to throw out his amendment.

Mr. J. Ramayya Pantulu : Sir, I have only two remarks to make with reference to this amendment. One is that if we are to associate assessors with the Collector when inquiring into the objection, it is only fair that while one of the assessors is appointed or nominated by the objector, the other should be nominated, not by the Government, but by the company or the local body or the Government Department that applies for the land : because the parties to the proceedings are the objector on the one side and the party that applies for the land on the other. I do not see any propriety in the Government appointing an assessor to sit with the Collector. One should be nominated by the objector and the other by the party that applies for the land. That is one point.

But after all, I do not see that the association of two assessors with the Collector is likely to result in much advantage to the objector ;

[Mr. J. Ramayya Pantulu.]

because, if the assessor appointed by the Department that applies for the land agrees with the Collector, they will overrule the objectors' assessor, and when the papers go to the Government, it will be found that the majority are in favour of acquisition; and how is that any better from the point of view of the objector than that Government should have only one opinion, namely, that of the Collector? In the one case it would be the opinion of one officer and in the other case the opinion of a majority. I do not think that, after all, this amendment if adopted will result in much advantage to the objector. If the Government feels unable to accept it I would advise my friends the authors of this amendment to withdraw it.

Mr. K. Rama Ayyangar (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan) : Sir, I rise to oppose the view put forward by Dr. Gour. The stage at which this is wanted is before the proceedings are taken for acquisition. It may be that there will be an objection with reference to only a portion and not all the land applied for; as for example, we have in one of the villages near Madras a portion of the land through which the line has to run; or it may be that a portion of the land to be acquired for a particular purpose may be so important and essential that it would be better not to proceed with the acquisition. The Collector to whom the application is made may often not fully understand the importance of the spot which is required for the line or the direction in which the line has to run. In such cases, of course, Mr. Ramayya has suggested that the presence of one assessor with the Collector may really be of no advantage, as the majority may hold the view taken by the Collector. We do not say that a Collector is going always to act with prejudice. It may be that the real facts are not brought to his notice. When we appoint assessors the object is more to bring the Government into contact with knowledge that is necessary for consideration of the locality. In such cases it will certainly assist the Collector. I do not think the Collector always means to go against the rights which are put forward. Of course the opinion of an assessor put forward by the party objecting would have the same value, and in such cases the Collector is likely to come to a correct conclusion, more especially in the case of important portions of land to be acquired or where habitations, etc., are affected the provision would be of considerable value, and I think the Government itself would find that it would be of considerable help to it, and I do not think there would be any objection to accepting the amendment.

Dr. Nand Lal : Sir, my learned friend Dr. Gour.....

Dr. H. S. Gour : I rise to a point of order. Is Dr. Nand Lal entitled to reply?

Dr. Nand Lal : You mentioned my name and I must give a personal explanation, in the first place, and in the second place I am entitled.....

Mr. M. S. D. Butler : Sir, if this is in the nature of a reply I must claim the right to speak.

Mr. President : I understand the Honourable Member is giving a personal explanation.

Dr. Nand Lal : Sir, my learned friend says that I have not explained how the assessors will be able to know whether certain land which is going to be acquired is being acquired for a public purpose or not, and what the definition of "public purpose" is. The definition to a certain extent has been given. If not, he should have no quarrel with the suggestion that if two assessors come to the help of the Collector their collective opinion will be better than that of one Collector.

Mr. President : I understood the Honourable Member was going to offer a personal explanation regarding something that Dr. Gour had said. He is not entitled to repeat arguments.

Dr. Nand Lal : Certainly, Sir, I am not entitled to repeat all my arguments. I understand that and I shall eventually refer to the nature of the public purpose, but I had to discuss the previous.....

Mr. President : Order, order. The Honourable Member misunderstands. He must come to the question. If he has any personal explanation to offer he is entitled to offer it. He is not entitled to offer anything else.

Dr. Nand Lal : Well, Sir, I thought that this required personal explanation.

Mr. P. B. Haigh : Sir, I sincerely hope that the House will throw out this amendment, because I think with all due respect to Mr. Mukherjee that it is a most pernicious one. In the first place, it is very desirable when the House is considering any amendment to reflect how it will affect the whole structure of the Bill to which it refers. Now, this amendment attempts to import into the Bill an entirely new principle. The Honourable Member who is in charge of the Bill explained exactly its purport, namely, that when Government has declared that a certain piece of land is wanted for a public purpose, the person who owns or is otherwise interested in that land should have the chance of representing to Government—a chance which he does not at present possess—that the land is not wanted or that the purpose is not public; and Government will then be bound to take his objection into consideration before making a final decision. This amendment, if it is passed, will bring in a sort of quasi-judicial procedure into the investigation which is made by Government. The fact is that at the bottom of the whole thing—and certainly at the bottom, I am sure, of the mind of the Honourable Mover of the amendment—is the idea that the Collector cannot be trusted to make an inquiry properly. I wish to answer the objections that he has put forward to the inquiry being made by the Collector. First of all he told us that a Collector cannot be expected to be an expert on all possible subjects. Well, Sir, I must admit—with reluctance—that this is true. But the Collector is not required to be an expert on all sorts of subjects. Imagine what will take place under this procedure laid down in the Bill. The party aggrieved by the notice of acquisition is to appear before the Collector in person or by pleader and explain exactly what his objections are, and then of course the Collector will hear a representative of the Department which is interested in the acquisition. In 99 cases out of 100 acquisitions of

[Mr. P. B. Haigh.]

land for a public purpose are made, not on behalf of the Revenue Department or any Department with which the Collector is immediately concerned, but on behalf of other public Departments—Forests, Railways, Public Works and so on.

Naturally when the objection has been stated, the Collector will hear a representative of the Department interested who will state the case of that Department, as regards the necessity of the acquisition or the necessity for acquiring that particular piece of land, and having heard the two sides the Collector will make a report to the Government with his opinion and—this is important—all the papers of the case. I would ask the House how will it assist the Collector to have two assessors ? The Collector, if I may say so with all humility, is in the habit of hearing statements made by aggrieved parties. It won't be the first time that he will have to hear the other side. It won't even be the first time that he will have to submit a report to Government. But then the Honourable Member proceeds further and says—the Collector having reported to Government according to his idiosyncrasy the papers will go up to Government, and Government having his report before them and not being experts will not understand anything about the matter but will accept the report of the Collector. Well, I only wish the Honourable Member were right and that Government were always so ready to accept the Collector's report. My experience, Sir, has not been so happy as that.

And then, Sir, the other Honourable Member who spoke last suggested that an assessor was necessary to explain to the Collector the point of view of the objector. Now that does really seem to me rather superfluous. In the first place, the objector can have his own pleader. There is nobody who can state a case better than a pleader, and if he has not got his own pleader, then it will be the duty of the Collector to try and find out as clearly as he can what the objector is driving at. The fact is that what the Honourable Member wants is not an assessor but another advocate, and that is another objection to the whole scheme of assessors. Under the pretext of setting up a sort of judicial inquiry, actually it is attempted to enable the objector to have an advocate sitting by the side of the Collector. But an advocate is already provided by the procedure and another one is quite superfluous.

I must refer to one other point to make—if this amendment is pressed the Bill will of course cease to exist. That point has already been dealt with by the Honourable Member from Nagpur, and I do not wish to repeat it ; but I did think that it was necessary, in view of the line which was taken by the Mover of the Amendment with regard to the position of the Collector in this matter, that one of that " depressed class " should have an opportunity of speaking, of being heard in his defence.

Colonel Sir Henry Stanyon (United Provinces : European) : Sir, my suggestion to this Honourable House is to throw out this amendment with no uncertain voice upon two very short and commonsense grounds. First of all, as pointed out by my friend Dr. Gour who has

had a great deal of experience in these matters, however short it may be of the ideal, the reality will be this—that two assessors appointed in the way suggested by the amendment will in nearly every case constitute a plus and a minus eliminating each other, and the result will be that a decision on the point will still be left in the hands of that Collector who is said to be “not an expert in everything,” and who, according to Dr. Nand Lal, will still be obliged “to make any kind of report he pleases.”

The other and still more solid ground upon which I am opposed to this amendment is this, that it is perfectly obvious that the Government could not possibly accept an amendment of this kind without consulting Local Government ; and if the Government took that course it would mean that this Bill would be wrecked and a very useful advance, a great advantage to the public, would be lost. I think upon these two grounds the amendment should be rejected.

Mr. H. Calvert (Punjab : Nominated Official) : Sir, it is quite probable that in the course of a fairly prolonged career as a land acquisition officer I may have committed many of the atrocities which Honourable Members like to ascribe to us poor depressed Collectors. But from my practical experience I have been trying to imagine what exactly would happen if this amendment were passed and put into practice,—say if I were called upon to acquire land for a new railway line or for a new canal.

Now a new railway line, Sir, as has been pointed out, may extend over a very great length of line running through many districts and many villages and we may have to take up the land of thousands of owners. Now, Sir, presumably when our legal friends really get to work, they would take very good care that every one of those thousands of owners put up an objection and each objection would be supported by an assessor. I would myself of course take very good care to see that the assessor appointed by the Government was a man after my own heart. But what would be the result ? The resulting railway line would zig zag gently over the country, arriving or failing to arrive, as the case may be, at the destination which it was intended to reach when the line was designed. Or, Sir, our railway line might possibly be interspersed with gaps ; where the objections have been upheld, the line will stop, the passengers will have to tranship and go on to the space beyond. Well, Sir, a railway line might or might not succeed under these circumstances. But a further reason why we have to take up land, in the Punjab certainly, is for canals. Now in aligning a canal, the actual engineers have really little option whatever. The alignment of a canal is decided for them by the features of the land ; and, Sir, owing to the peculiar physical defects of nature it will be quite impossible to uphold the objection of an assessor because whatever you do you cannot make water run uphill. You have to take the highest ridge to put your canal through, whether there is an objection or not, and whether your assessor supports it or not. It seems to me, Sir, that the amendment which has been put forward has not been put forward from any experience of the actual methods under which land is acquired. We have not even been told how the assessors will be

[Mr. H. Calvert.]

appointed—whether there will be a panel of assessors kept at the Collector's office and carefully checked by him, or whether each objector will produce from his pocket a list of assessors and we shall have to object to any of them, on the ground that they are not sound of mind or for any of the other reasons usually produced in such cases.

Now, Sir, the main point is this—that in these transactions the Collector is merely an executive officer and is merely carrying out the duty handed over to him by Government on behalf of some Department. In the carrying out of this duty there is only one object—that is, the public object. There is a sort of misunderstanding, I think, between the “official” object and the “public” object. Under this Act, Sir, the only official object can be the public object. That is presumed from the Act itself, and there is really no conflict of opinion between the official aspect of the case and the public aspect, because they are bound to be the same. It is merely a conflict between some private person and a public company or the Department concerned; and as I have pointed out, Sir, the actual option open to the Department or the company is usually very small indeed; people are compelled to buy up certain land not because they like that land but because that particular bit of land is the only land suitable for the purpose they have in view. So it is mere waste of time to have two assessors, it is not likely to be of any benefit to the public and it will certainly add to the expenses and delay of these proceedings. If, Sir, there is any case in which the objector feels aggrieved, he can as the Act as present stands take his whole case to the civil courts where he can get the whole case thrashed out with the help of any number of lawyers he might choose to employ. A gentleman behind me points out that a divisional court cannot take up the case of acquisition. But the point is that in most of these big acquisition cases there is no option at all. In a question like that of canals, for instance, nobody can object at all; we must have the canal along the highest ridge, no matter who objects; the canals either go there or nowhere at all. So in most of these cases, Sir, the present amendment will be perfectly useless.

(*Several Honourable Members* : “I move that the question be now put.”)

Mr. President : The question is that the question be now put.
The motion was adopted.

The amendment was negatived.

Mr. J. Ramayya Pantulu : Sir, I propose

“That in clause 3, in sub-section (2) of the proposed new section 5A, after the word ‘objections’ where it first occurs, the following words should be inserted, *viz.* :
‘and considering such evidence (if any) as may be adduced’.”

The object of my amendment is that a landholder when he makes an objection before the Collector in regard to the proposed acquisition of land, must be able to adduce some evidence to show that the acquisition is really objectionable. If a man merely raise an objection, and adduces no evidence, I think that the Collector will not, in many cases, be in a position to know how far the objection raised is proper or tenable. To enable the Collector to form a proper opinion in the matter, it will

be necessary for the objector to adduce evidence to show that the acquisition will be really objectionable. I think it requires very few words to support that view ; otherwise how can a Collector form an opinion on the objection unless the objector is able to show by evidence that his objection is well-founded ? I, therefore, propose, Sir, that these few words may be inserted in the section so as to enable the objector to adduce some evidence before the Collector to enable that officer to come to a proper decision upon the point.

Mr. M. S. D. Butler : Sir, I do not propose to detain the House very long on this subject ; I think the House wishes to come to a decision on the Bill soon. But I will only say that very much the same remarks apply in the case of this amendment as to the amendment previously moved by my Honourable friend. Had we had this suggestion in Committee we could have gone into it in detail and found out what would be the suitable way of bringing into effect what the Honourable Member's wishes really are ; but now, as the case stands, we have got a procedure by which the Collector has got to hear objections ; he has got to receive them in writing ; they are going to be put to him in writing ; and then he has to hear the person who is objecting and he has to hear his pleader. He has also to make such further inquiry as he thinks necessary ; he has to do all this and then he has got to submit his report in detail together with the record of his proceedings to the Local Government. That, I think, is probably as much as we ought to lay upon him, and I am afraid that if we try to elaborate matters any further we may be directing a procedure which will be too dilatory. Besides we are hardly in a position to accept any definite amendment to this effect without consultation with the Local Governments, and as I have explained before, we do not wish to delay the Bill and refer it again to Local Governments ; the session is ending and we shall lose the Bill. We are, however, quite prepared to bring the suggestion of the Honourable Member together with his previous suggestion to the notice of the Local Governments and I hope that will meet his wishes.

Mr. J. Ramayya Pantulu : In the circumstances, Sir, I beg the permission of the House to withdraw my amendment.

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

Clauses 3, 4, 5, 6, 7, 8, 9 and 10 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added.

Mr. M. S. D. Butler : Sir, I am very much obliged to the House for the consideration they have shown to this little Bill, which I have brought forward, and I do think that it constitutes a very real advance in land acquisition procedure. The Collectors with whom I have discussed it are, I think, somewhat astonished at the magnitude of the advance, and it undoubtedly is a very big advance, and I am sure we shall all watch its working with the greatest of interest. I am especially obliged to my friend, Mr. Pantulu, for having met us in the way he has, for I know how very deep the interest he takes in this matter is ; and he speaks as one who, like myself and others who have spoken, has done

[Mr. M. S. D. Butler.]

a great deal of land acquisition work. He let fall one remark in justification of his not saying much about the Bill in which he said that, as he was at the end of his life here, or rather as we were at the end of our lives here, he would not speak out all that might be spoken on the subject. I am reminded, Sir, of a saying in the Gulistan to the effect that whoever is under sentence of death will speak out without restraint what is in his heart. So I draw the conclusion that we shall meet the Honourable Member here again.

I move, Sir, that the Bill, as amended, be passed.

Mr. J. Ramayya Pantulu : Sir, I heartily support the motion. I welcome the little Bill before us, not because it is all that we desire it should be—it falls very short of what we want it to be—but because we must be thankful to Government even for small mercies ; and such as it is, I welcome the Bill and I thank the Government for the promptitude with which they have carried out the undertaking which they gave the House, during the last Delhi session.

I wish to say one or two words by way of personal explanation. I am very sorry that I could not be here in time to take part in the earlier discussions on the Bill. In fact, I had no idea that the Government was going to bring in this Bill in this session at all. There was my old Bill which was disallowed, but I found it in the list of pending Bills that was sent to me by the Legislative Department. So, I sent a notice to the Legislative Department to the effect that I would make a motion, on the 19th instant, to refer it to a Select Committee again, and I came here in time to do it. In the meantime I found that the President had disallowed my motion on the ground that a similar motion had already been rejected. I was not quite satisfied on the point. Nevertheless, the requirements of the case have, I think, been met for the time being at any rate by the Bill introduced by the Government, and I would therefore ask the House to pass the Bill as it is.

The Honourable Sir Narasimha Sarma : Sir, I wish to make just one or two observations before the motion is finally put to the House. Let me in the first place on behalf of Government tender our congratulations to the House for the ready, speedy and expeditious manner in which Honourable Members have allowed this Bill to pass through the Chamber. The second observation that I should like to make is that Government do not accept the position that this is only half a loaf, that it is a meagre measure or that it could be very much improved upon or improved upon at all. No doubt, it did permit of much discussion ; different views may be held, and possibly some changes, not of a very important character, might have been introduced. But I should think that the Government has gone as far as they could in giving an opportunity to persons whose lands are proposed to be acquired to state their objections so that the Government may have all the proceedings before them before coming to a decision as to whether a particular land should or should not be acquired. I think my Honourable friend Mr. Ramayya Pantulu may have the satisfaction that he

had induced the Government to give a promise on the last occasion to expedite the matter as much as they could, and if we did expedite the matter he cannot very much complain because we did introduce it without a long notice being given. We did feel that we might delay this question, and take up the whole question of the amendment of the Land Acquisition Act along with other proposals we have on hand, but we thought that those proposals may or may not get through and that it is desirable to give the persons whose lands may be acquired an early opportunity of having the satisfaction that justice is done to them after hearing them, rather than postpone indefinitely a question of this character. I think, Sir, there is no dispute now as regards the principle of the Bill. I felt as a non-official when I had to defend persons whose lands were being acquired that there was a defect in the Bill and that something could be done in this direction, and I have now the satisfaction that that defect has been remedied. There is not very much more to be done in the direction of amending the Act because we have gone through it and the report from the Local Governments also have assured us that there is not much more that can be attempted usefully, except on this one question regarding industrial concerns. I have made this observation, because Honourable Members may be under the impression that Government have very wide and extensive proposals before them, and I should not like to disappoint them. The question of the amendment of the Land Acquisition Act has long been under our consideration, and we have arrived at the conclusion that there is not very much to be done except in the one direction I have indicated. I again thank the House for the speedy and expeditious manner in which they have allowed this Bill to pass through it.

The motion that the Bill, as amended, be passed was adopted.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

EXCESS GRANTS FOR 1921-22.

EXPENDITURE ACTUALLY INCURRED IN EXCESS OF VOTED GRANTS.

The Honourable Sir Basil Blackett (Finance Member) : Sir, I beg to move :

“ That an excess grant of Rs. 1,95,00,183 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of voted grants in the year 1921-22.”

Sir, this is the first time that the House is called upon to deal with an excess vote. Under Rule 49 of the Indian Legislative Rules ;

“ When money has been spent on any service for which the vote of the Assembly is necessary during any financial year in excess of the amount granted for that year, a demand for the excess shall be presented to the Assembly by the Finance Member and shall be dealt with in the same way by the Assembly as if it were a demand for a grant.”

[Sir Basil Blackett.]

The number of heads under which excess have occurred is rather strikingly large. The explanation is strikingly simple. The year 1921-22, in which these excesses have occurred, was the first year in which the new system under the Reforms of voting on the demands for grants by the Assembly came into force, and both the Assembly and the Government of India were new to the system. The net result is not quite so bad as the fact that I have to present an excess vote for nearly two crores would suggest. As a matter of fact, the total amount of the voted grants for the year 1921-22 including supplementary grants was something over 134 crores. The total expenditure for the year out of those grants was something over 125 crores, so that there was a saving on the whole of over 9 crores. Though there was a saving on the whole, an excess has occurred under individual heads. This matter has been fully examined in the course of the last month by the Public Accounts Committee, which has had before it the appropriation report for 1921-22 and has examined item by item and head by head the whole of the voted grants. In accordance with its duty, it has examined in particular the cases in which excesses have occurred and has given a full explanation of them in the report which has been presented to the Assembly and has recommended that, in the circumstances explained, this excess grant be voted by the House.

There are three particular reasons why the excesses have occurred.

The first two are given in para. 8 of the interim report of the Public Accounts Committee :

“ A change of classification in the accounts had been introduced after the demands were passed whereby the expenditure was accounted for under a head other than that under which the funds had provided for it. The most striking instance of this is due to the decision to show the losses under Exchange under the various heads of expenditure instead of under the separate head ‘ Exchange ’ where 903 lakhs had been provided for it.”

In going through the appropriation accounts, if we had not been forewarned, we should have been rather surprised to discover that there was a saving of nearly 903 lakhs under the head of exchange. That saving was compensated by an excess under some of the other voted head to which the Exchange item had been transferred.

The second explanation which accounts for several of these excesses is the fact that certain items of expenditure on stores in England could not be adjusted by the High Commissioner under the correct heads for want of full information in England. The expenditure consequently had to be passed on to be adjusted in India under the various heads. Funds had been provided for the purchase of stores under the head Expenditure in England, where as a result, there is a net saving of over 58 and a half lakhs, compensated by increased expenditure under the heads to which this charge has been transferred.

Perhaps I might for a moment illustrate what has happened by taking one particular head. I take the head of Stamps, under which I think the largest excess occurs. The grant as finally voted by the Legislative Assembly was Rs. 3,80,000. The actual expenditure was Rs. 54,98,904. An excess of Rs. 51,18,904 on a total vote of less than 4 lakhs. The

explanation is given on page 14 of the appropriation report for the Central Revenues. This excess is made up of about 33 lakhs transferred from the Home accounts to the India accounts on account of the cost of certain European stores,—(that is the second of the two explanations which I gave just now),—and to the adjustment of about 18 lakhs on account of Exchange. 18 and 33 make 51, which practically accounts for the total of Rs. 51,18,904.

The third cause of excess caused us rather more difficulty. That is referred to in paragraph 12 and the following paragraphs of the Public Accounts Committee's Interim Report. We were struck in going through the Appropriation Accounts—and indeed our attention was drawn to the fact both by the Auditor-General and by the Accountant-General for Central Revenues—that in several cases the expenditure of a Department was in excess of the net grant voted by the Assembly in the revised estimates but was under the total grant voted by the Assembly at the beginning of the year. It transpired that in several cases, the authority directly responsible for expenditure out of the given vote did not discover until April or May after the year had ended that the total amount originally allotted to him, had been reduced in the revised estimate. He had gone along in perfect good faith on the basis of his original grant. He had never been notified that the original grant had been altered, and he was a little bit unwilling—if he has a conscience—to be reported to the Public Accounts Committee for having exceeded his grant. Of course it was quite obviously impossible for him to act otherwise, and indeed if the reduction of the grant had been notified to him on the day on which it was passed by the Assembly, it would still have been impossible for him to live within the original grant. The fact was that the revised estimate was drawn up really for quite a different purpose. The revised estimate was an estimate drawn up on the basis of the actual results of the first 8 or 9 months for the purpose of enabling the Finance Member when he introduces his Budget to give an approximate statement of the outturn of the year that was ending. Taken in gross the result is generally very nearly accurate. But when the results of that revised estimate drawn up without consultation with the administrative officers responsible for the expenditure are used to cut down the original grant for a particular head, a good many inaccuracies naturally crop up. The system, I think, arises partly from a confusion between what is being done when a Budget is being drawn up and what is being done when the House is being asked to vote that certain sums shall be appropriated for expenditure under certain heads. The revised estimate is quite good enough as a statistical basis for a total revised estimate for the year, but it is not good enough for securing that a Department shall in no case exceed the amount voted by the Assembly. The Committee has recommended as a method of getting over this difficulty in future that the revised estimates shall not be used as the basis for reducing at the end of the year the total amount granted to individual Departments. What is required at the end of the year, or before the end of the year, is that if in any cases it is evident that for causes which could not be avoided a given Department will require a larger sum for its voted expenditure than has been voted up to that date, the Government must come to the Assembly,

[Sir Basil Blackett.]

and ask for an additional grant under that head. If there have been savings in other directions, well and good. But without a very complicated machinery you cannot just before the end of the year reappropriate sums from one head to another unless you have spent a good deal of time in making sure that the administrative officer responsible for the expenditure is able to live within the reduced grant. I am afraid this cause of trouble will recur next year in respect of the accounts of 1922-23, but in future we hope by a better system to get over that difficulty. What the House is asked to do, therefore, is to vote an additional grant, or rather an excess grant of Rs. 195 lakhs for the purpose of regularising the expenditure which was incurred in the year 1921-22 under voted heads in excess of the amounts voted under those particular heads by the Assembly. Our system of course is modelled on the system in force in the United Kingdom, and these excess grants are regarded as rather heinous offences unless they occur in very exceptional circumstances such as arose during the war. I have not looked up the figures but I think that there were more years between 1900 and 1914 in which no excess grant was required than years in which an excess grant was required under any head, and the Department that had incurred an excess generally came in for a good deal of criticism. I am afraid we are not yet in a position to take that line (*Rao Bahadur T. Rangachariar* : "Why not" ?) because, as I have explained, the whole machinery of voted expenditure was new in the year to which we are referring.

A good many of these excesses would not have been incurred, I may say for example, if it had not been for reasons which were due to the transfer of Exchange and spreading it over each individual head instead of retaining it under one head Exchange. That was an improvement in our accounts. But when the House has voted money under one head, if an alteration in the form of account is made during the year, that may result in individual grants being exceeded although the total grant has not been exceeded. That sort of change of classification is not desirable in the course of the year and in the Public Accounts Committee Report it has been recommended that it should not be done, if possible, except at the beginning of a financial year. The change was made for perfectly good reasons, valid reasons, reasons which appealed to the House, but its effect on the doctrine of appropriation was not recognised at the time. It will be recognised in future and that sort of thing won't occur. But, as I say, it is not surprising, I think, in the first year of the new system. All the consequences of the rules of appropriation were not fully recognised by the Departments responsible.

I am in a position to give explanations of the excesses under each head, if desired. But they are already fully set out in the report of the Public Accounts Committee. They have been examined by the Public Accounts Committee who have recommended that this grant be given, and I do not, therefore, propose to take up the time of the House by going further into the details.

Mr. N. M. Joshi (Nominated : Labour Interests) : I rise to support the motion made by the Honourable the Finance Member. The excess amounts to one crore and 95 lakhs nearly. It is a large sum no doubt,

but the Honourable the Finance Member has explained the circumstances or the causes which caused this excess. He has also told the House how the departments, this being the first year, could not or did not succeed in keeping their expenditure within the budget grant. Still, Sir, although I support the motion generally, you will allow me to make a few remarks on the accounts of the year 1921-22 which have been presented to this Assembly just now.

My first remark is that these accounts show that in the votable items in the year 1921-22 there was a saving of 9 crores of rupees and more. I think this saving was brought about by a demand for a supplementary grant amounting to Rs. 21 crores. I feel that there is something wrong in the Department of Government which makes estimates of the supplementary budget. When Government ask this House to give a supplementary grant of 21 crores and at the end of the year show a saving of 9 crores—of course, we appreciate the saving—it shows that the method of estimating is certainly very defective. I do not say there may not be a good explanation. Some of the saving may be explained by the reason of the exchange charges on non-votable items being counted among the votable items, but such a large saving cannot be explained by that reason alone. Sir, that is the first remark which I wanted to make on the accounts which have been presented to this House. The second remark that I would like to make is that the time of the year in which this report has been placed before the Assembly is somewhat too late. No doubt, an explanation has been given, that this being the first year the Auditor General could not be ready with his audit and appropriation reports. Sir, I do not want to say anything as regards that explanation. It looks to be a good reason.

Still, I would like Government to make an effort next time to place the report of the Public Accounts Committee before the Assembly some time next January or February. Then, Sir, although the Honourable the Finance Member has already admitted that some of the excesses were no doubt due to what I may say the negligence of the officers, he sought to excuse them on the ground that this was the first year of the new system. I hope the Government of India in the Finance Department will issue strict instructions to their officers not to depend upon the indulgence of the House in regularising the excesses which they may make in future. That instruction, I hope, the Government of India will not fail to give to their officers, for otherwise they would place this House in a very difficult position. Sir, there is another remark which I want to make on the accounts for this year and it is this. The appropriation reports that have been submitted to the House do not contain all the details which the book containing the demands for grants gives. That book gives all the details of every grant in full but when the appropriation reports are submitted, they do not give all those details. They give much fewer details. This makes the comparison of the budget grant and the actual expenditure difficult. The report of the Public Accounts Committee gives some reasons why such a detailed account could not be given. Unfortunately, I cannot agree with some of the reasons given in the report. In the first place, it is said in paragraph 28 :

"The appropriation reports, instead of dealing with only variations in expenditure under minor heads of accounts, should show in detail the various appropriations

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made and the actual expenditure incurred under each detailed head showing the Demand for Grants for the year in which the Assembly sanctioned it. On the other hand, it was pointed out that this procedure would involve still further delay in issuing appropriation reports and would increase considerably the work involved in preparing them."

Sir, I do not think that any additional labour is required to give the accounts in detail. After all, when the Auditor General prepares the accounts he prepares them from the details. Unless he adds up the details, how can he show the accounts in larger sums? Therefore it is the Auditor General who must be preparing the accounts in detail and, so no more labour will be involved in publishing them in the way I suggest. The only other difficulty that may be urged is that the volume of the book will be very large. That may be, but as the Assembly has got the power to go into the accounts of the Government of India, I think it is better that full detailed accounts are placed before the Assembly. At present, the Government of India publishes a big volume about their annual accounts, but that volume contains a mixture of several accounts. Provincial accounts are mixed with the Central accounts and several other things are brought in in that book. I would suggest to the Government of India that if necessary they will publish a separate volume of their accounts showing all the appropriations in as many details as there are given in the Demands for Grants. Then, Sir, it is said that these details are given during the discussion of the budget in the book containing the demands for grants. But, Sir, when the figures about the actuals of the previous year are given in the book of the demands for grants there are no explanations about the variations. What the Assembly cares to know is an explanation of the variations. I therefore feel that, although it may involve a little more trouble or a little more expenditure for the Government, they should publish their accounts in the fullest detail,—at least giving all the details corresponding to the details given in the demands for grants. Then, Sir, there is another point upon which I should like to make a few remarks, and it is this. In paragraph 21 the Public Accounts Committee discusses the *pros* and *cons* of the powers of the Government of India to re-appropriate within the same demand.

Sir, at present the Government of India claims to have the power to reappropriate any sayings which they make in one demand for the purposes of that demand. Sir, I do not question the legal right of the Government of India to do this but I feel as a matter of commonsense that when the Government of India place their budget before the Assembly with the details given in the Book of Demands for Grants and if the Government of India makes variations in those details, it is but fair that this Assembly should know why the reappropriations were made and should have some voice in saying whether the reappropriations were justifiable or not. I again repeat I do not question the legal right of the Government of India to do this but as the Government of India places their budget in full detail before the Assembly I feel it is necessary that the Assembly should have an explanation of the variations made in those details and I also feel that the Government should not object to the Assembly having even a voice in determining whether those

reappropriations were right or wrong. Sir, in the explanation given in this paragraph it is said in justification of the right of Government :

“ At present the Finance Department of the Government exercises in theory absolute powers of re-appropriation and there are various other authorities which have certain restricted powers. We notice however that these powers of re-appropriation are in practice largely modified and controlled by the fact that all important items of new expenditure are placed before the Standing Finance Committee, whether the expenditure can be met by re-appropriation or requires a supplementary grant.”

In this connection I would like the Members to give their attention to the report of the Standing Finance Committee, pages 10 and 11, in which the duties of the Standing Finance Committee are mentioned. In the report it is stated in the first place on page 10, paragraph 5, sub-paragraph 1, last line

“ In such cases a reference to the Standing Finance Committee had not been required as that would defeat the object of the delegation.”

So in the report of the Public Accounts Committee a justification has been given that these items regarding reappropriations are placed before the Standing Finance Committee.

The Honourable Sir Basil Blackett : All important items of new expenditure.

Mr. N. M. Joshi : The Finance Member says all new items. But in the report of the Standing Finance Committee where the duties of the Standing Finance Committee are set forth a large portion of those items are taken away out of the power of the Standing Finance Committee.

The Honourable Sir Basil Blackett : Certain minor items.

Mr. N. M. Joshi : I do not consider that all items in this category are necessarily minor. Then again in the report of the Standing Finance Committee, paragraph 6, the Finance Department considered that it was unnecessary to apply to the Committee merely to secure approval of excess expenditure on a service for which the Assembly has granted a vote, if the excess is not in any way a new departure and the expenditure is clearly within the ambit of the items for which money has been granted. Here there is no mention about important or unimportant. If Government had money within that grant, then Government claims the right of reappropriating it for items for which the Assembly has voted a grant. For instance, if the Assembly has voted a grant for travelling allowance, say a few lakhs of rupees and by some chance that money has been saved and the Assembly also in that demand has granted a certain sum of money, say a few lakhs of rupees for establishment, then Government claims that the amount saved out of the travelling allowances can be spent, without consulting the Standing Finance Committee, on establishment. That is my reading of the duties of the Standing Finance Committee that have been set forth in this report and I think that this power claimed by Government is certainly too much and makes the work of the Standing Finance Committee not much useful. In the same way, the powers of the Standing Finance Committee are restricted by paragraph 5, sub-paragraph 2 :

“ Even where the concurrence of the Finance Department is required to expenditure, the department had used its discretion in deciding that proposals of minor

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importance need not be referred to the committee. No money limit has been laid down as the decision depends not only on the amount but also on the nature of the expenditure involved."

Thus, Sir, the powers of the Standing Finance Committee which have been used as justification in the report of the Public Accounts Committee are too much restricted. I therefore feel that the Assembly will express a very clear opinion on this point and will insist that whenever Government makes a reappropriation even within a grant, those reappropriations should be explained to this Assembly. These are some of the remarks which I wanted to make on this report and with these remarks I again support the motion made by the Honourable the Finance Member.

Mr. B. Venkatapatiraju (Ganjam cum Vizagapatam : Non-Muhamadan Rural) : Sir, in rising to offer a few remarks on the Resolution I may be excused if I go a little further into details than my friend Mr. Joshi. We know pretty well the practical effect of either acceptance or rejection of this proposal. Under ordinary circumstances if this Resolution was rejected, there are only two courses open, one is to recover these amounts from the officers concerned, which is unthinkable. Of course the Treasury Benches may laugh but there will come a day when the officers will be asked to pay if the expenditure resulting in loss is due to their negligence ; and the other thing is that the Viceroy can certify this expenditure. Sir, as was explained by the Honourable the Finance Minister, and his speech is not at all provocative, he made the best of a bad situation by appealing to the House that we should excuse the shortcomings because being first offenders we may leave them with a warning. Therefore I do not think the House will be hard on this occasion but this requires not a casual reference from one Member this side or another that side. This is a fitting occasion for a full dress debate which the Leader of the House is anxious to have on important occasions. This was the first occasion when the whole administration was placed for consideration before the Public Accounts Committee whose report is placed before you for consideration, though you cannot take into consideration every item individually.

We have to see with reference to what matters the officials fail in carrying out their work and do their duties according to rules framed by Government, in what other matters they are culpably negligent and in what other matters liberty taken with Government funds can never be tolerated by this House. For instance, Sir, I may mention one glaring instance which was noticed by the Public Accounts Committee, and I may at the same time say that we are very thankful both to the President and the Members of the Committee for the thorough way in which they have entered into their discussion and, I may also add, for the fearlessness with which Auditors have placed their conclusions in their reports and given explanations satisfactory to the Members with reference to various items, and also to the way in which witnesses have been handled and explanations secured under cross-examination. But one or two points require the serious attention of the Government of India. Though the amounts are not large, the way in which it was done is really objectionable. One is the case where a sum of Rs. 22,000 in all was granted as bonus to 46 officers

and men with reference to the Bombay postal strike without obtaining previous sanction, and afterwards in order to keep up the prestige of Government the authorities concerned had to pass it. On another occasion an officer was promised a gratuity of Rs. 2,000 without any authority and subsequently the Finance Committee had to accept it. Now I submit, whenever the Head of a Department proposes to spend any money of the Government of India, he must obtain previous sanction. And if he places the Government in a delicate and awkward situation so that Government is obliged to accord sanction to it, later on, I submit, that the matter ought to be seriously taken notice of, so that no such mistakes might appear thereafter.

With reference to the reports placed at our disposal I may also request the Finance Member that he may be pleased to supply the Members with the audit reports which were placed before the Public Accounts Committee, because some times you find it difficult and even impossible to understand fully and completely certain matters without having all the papers before you. Sometimes also reference was made to the audit reports in the body of the paper. There are certain things mentioned in the audit reports which require serious notice to be taken of them by this Assembly. It was stated in the Public Accounts Committee's reports that there were frauds, not of very large amounts, and also misappropriations of Government funds. It is true that some persons were convicted. But it seems to me that the mention of frauds year after year does not redound to the credit of the Department concerned and we cannot agree to take it for granted that certain losses must occur year after year on account of fraud on the part of officers.

Another matter in connection with the Postal and Telegraph Department is the mention of irregular advances from the provident funds. If there are rules, how are they observed? Why should there be mistakes in such small matters? In some places accounts are furnished quite contrary to rules framed. Why should this happen? Are there no proper accountants? Is there no proper supervision? There must be something wrong if this sort of thing happens year after year. Another matter involving no great amount of money but very objectionable in principle is the use of state telegrams by officers for private purposes. No one is entitled to do this and we demand that severe notice should be taken of this. All I notice is that the amount concerned is recovered from the officer, instead of which they should be warned that a repetition of the offence will merit severe notice. Similarly we find Form E being used by military officers wrongly, and we are told that the money has been recovered. But that is not sufficient, because these officers, who ought to set an example to their subordinates, ought to be above-board in these matters, and in order to stop the practice, every case which the auditors take notice of should be taken up by the Government of India, especially those in which higher officers are concerned and not only mere petty officers.

Another matter is that the Secretary of State sanctioned a margin of not more than 17 per cent. for Postal staffs on leave. Why has not that been observed in the Postal Department in which a larger proportion of men than 17 per cent. have been on leave? There was extra expenditure of about 50 lakhs this year by this Department. And so far as the

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Postal and Telegraph Department is concerned there is another fact we have to take into consideration. They have dealt with a sum of money aggregating about 97 crores and naturally there must be defects in the handling of so much money, but all the same we hope and expect that the Government of India will insist upon all the officers observing rules and regulations provided for them in the carrying out of their duties. In this connection I find with great pleasure that the President and Members of the Accounts Committee have taken pains to elicit admissions from the heads of Departments with reference to mistakes in procedure and consequent loss to Government.

There was another matter, not only in the Postal and Telegraph Department but in other Departments, which was also brought to light, and that was the rush of expenditure in the month of March. The Committee and the Heads of Departments also realized that if expenditure which should have been spread over the previous 11 months is confined to the last month, there must naturally be great waste of public money. This was specially noticed with reference to the Postal and Telegraph Department, but if we were to scrutinise the accounts of other Departments we would find the same state of things. I suggest for remedying this state of things that if Departments were allowed to spend subsequently what they have not been able to spend till March, there would not be this waste. We know that in small institutions like District Boards and Municipalities, when they have to follow this course all the money would be spent somehow or other usefully or otherwise. Why should this money be wasted in March if it can be usefully spent in the next April.

It is only by change of procedure we can do that, and therefore I appeal to the Government of India that they do not allow their officers to go on under the impression that rather than lose the grant they should somehow or other spend and utilise it whether usefully or otherwise.

I need not weary the House but if they consider the various items mentioned in the reports they will find not one irregularity but any number of irregularities in every department. Whatever be the defects of the Reforms scheme one advantage is that our Committee has been able to scrutinise the administration throughout the previous year and we have had an opportunity of judging how our representatives have done their duty. This is the first year that the auditor's reports were placed before them, and there are only two years audit reports available dealing with such matters. We expected that these reports would be supplied to us in time so that we should be able to see and examine how the administration has been carried on, whether the amount has been properly spent or not, and so on. We should then be in a better position to judge. So far as the present question is concerned, I do not think it can be anything but an academic discussion because we cannot expect the officers to pay and we do not want the Finance Minister to go to the Viceroy to get it certified, hence I do not oppose this Resolution.

Sir Deva Prasad Sarvadhikary (Calcutta : Non-Muhammadan Urban) : Sir, if I understood the Honourable the Finance Member

aright, he does not propose to take up the position attributed to Government in paragraph 21, page 5, of the Public Accounts Committee's Report with regard to re-appropriations, or the position attributed, in the proceedings of the Standing Finance Committee at pages 10 and 11. If I understood him aright, he was prepared to concede that re-appropriation on a large scale at the end of the year is inexpedient and....

Mr. N. M. Samarth (Bombay : Nominated Non-Official) : Improper.

Sir Deva Prasad Sarvadhikary : I was going to add wrong. That point has been brought out clearly in the course of the debate and I am sure the House will be glad to have a clearing up of the situation and to understand whether the Finance Department agrees with the House that these matters should not be made so much matter of re-appropriation as of grants at some stage or other in the course of the year. I was going to add further that if misapprehensions and mistakes existed in the minds of the Administrative Departments in the earlier stages of our accounting processes it ought to be clearly understood that the Departments ought not to wait for the Auditor to find out those mistakes for them but in the course of their own proceedings they themselves ought to be able to lay their hands, at all events, on those items which by omission did not find a place in the Budget or the estimate. That I think ought to be possible now. Whatever ideas these great Heads of Administrative Departments may have had before will now have to be given the goby, and if for any reason there have been omissions such as have been indicated in the course of the report, that ought to be immediately brought to the notice of the Finance Department and not late in the year in the shape of demands for excess grants.

Although it is a costly experiment, the new Financial Advisers that are being allocated to the different spending departments—departments like the Railway and the Postal Department—where some of the biggest of these items occur, ought by a sort of internal advance audit, or call it by what name you will—to minimise this evil. And if that is so, I believe there will be greater justification for expenditure in that direction than has been appreciated. I have heard remarks to the effect that the provision of these Financial Advisers inside the different Departments, in spite of there being a large and what some call an expansive Audit Department—is a mistake. I myself do not think so. As a matter of fact, I do not think that audit is as close and as comprehensive as it might be, and I believe—I should be glad to be put right if I am wrong—that not more than 10 per cent. of the items can be properly audited by the Auditor General with his existing staff. Therefore the Departments themselves must put themselves right as far as possible, and it would be best for them to do it early in the year immediately after the Budget stage and not wait till a much later stage when it will be practically useless for the Assembly, under its new found rights to try to go into these omissions and commissions—I shall not call them by harder names. In some cases they may be inexcusable omissions ; but if that is done at a sufficiently early stage in the Departments themselves, some of the objectionable features that are noticeable in this demand for Rs. 1,95,000 would disappear.

Sir, I was looking with some care at the 46 items that find place in this paper circulated to us. There must be almost a method—I won't

[Sir Deva Prasad Sarvadhikary.]

call it madness, but a method almost in allowing excess expenditure in some Departments and in keeping down expenditure in the Departments which some of us have called "nation-building"—a phrase to which some others have taken exception. Take, for example, Education, where no more than Rs. 24,000 was spent. Take Irrigation—a very absorbing topic—Rs. 8,000. Take the Administration of Justice—Rs. 39,000.

The Honourable Sir Malcolm Hailey (Home Member) : A well administered Department.

Sir Diva Prasad Sarvadhikary : A well administered Department, no doubt. I am glad to have that conceded. Take again Mines. I do not know how Mr. Chatterjee feels about it ? Rs. 6,679 only is the excess amount. If he had his way and if he knew his own mind, he would have spent a couple of lakhs of rupees upon that Mining College upon which we have all set our hearts, and then come with the suave and sweet innocence of the Honourable Sir Basil Blackett and said "Here is a case where there can be no appeal and the administrative Department misunderstood their right." I should have been glad to support him. Then we come to the scientific Departments where a modest sum of Rs. 17,000 was overspent ; Public Health spent Rs. 18,000. Rs. 18,000 would not have been too much even in the way of misspending in this Department. Therefore one is left with the impression (one would like it corrected) that there are some—I won't call them favourite Departments but powerful Departments of the Government where these things go on with greater freedom than in those more modest and shall I say conscientious Departments like those that I have mentioned. However, Sir, that is by the way.

The Honourable Sir Malcolm Hailey : Powerful departments like Stamps ?

Sir Deva Prasad Sarvadhikary : Well, Stamps I have let alone, because the Honourable the Finance Member has explained and we shall await with some interest, if not anxiety, the explanations with regard to the 50 lakhs on the Post and Telegraph Department to which reference has been made.

Sir, we do realise that we are at the end of a chapter ourselves and the official world, and it is very likely that under misapprehensions as to their own great powers and prestige mistakes may have taken place for which one could not bargain under another regime. Allowances have to be made for that, and I am sure this House will not regard this Demand to-day critically particularly as there is not going to be any extra actual expenditure. Let us now at all events regard this in the light of the heinous offence that such a demand would be in the House of Commons. Sir, I think the general trend of the discussion is that greater care and earlier care is necessary with regard to the accounting, and if that is well understood I do not think the House will think of that ugly expression "certification" in this connection but give the demand its support.

Baba Ujagar Singh Bedi (Punjab : Landholders) : I move that the question be now put.

The Honourable Sir Basil Blackett : Sir, we have had a very interesting discussion on what is a very technical subject. I confess that I did not come down to the House to-day in the anticipation of an incitement to immorality of the kind which the last speaker has addressed to us. Why, he says, did you only overspend Rs. 6,000 under one particular head? Why did you not overspend Rs. 6 crores? I do not think, Sir, that the House votes money under a particular head in the anticipation that the nation-builders will proceed to ignore the House. It was a pretty point which was made by Sir Deva Prasad; but I really think that to go through these items and take up the ones where the excess is small and incite the gentlemen responsible for those particular heads to spend more is not the way to secure that the Government of India shall follow the directions of the House in dealing with voted expenditure. I think that he will find that the main explanation for the fact that the larger excesses occur under other heads than those he mentioned is that one or two of the main causes which I mentioned, namely, exchange and the transfer of charges from home account to the Indian account do not enter into headings like education which have no home expenditure, and, I think, no exchange.

I said that I was prepared to give an explanation under any head on which I was asked for one. The only one that I think I have been asked to give an explanation of is the excess of Rs. 50,36,000 under the head 'Posts and Telegraphs'. This explanation is really a very simple one. Credit of Rs. 97 lakhs was taken for the value of some stores to be issued to capital. That was in the original demand for grant. Owing to the curtailment of the work, that is, owing to an effort at economy, the programme was restricted, and stores worth Rs. 52 lakhs only were issued to capital, so that there was an increase of Rs. 45,11,000 in the net expenditure against a corresponding saving under the capital head, because these stores had been paid for and remained charged to the miscellaneous expenditure head in the Posts and Telegraphs grant, because the capital expenditure was slightly deferred. That accounts for practically the whole of the excess.

The remainder of the excess is, I understand, due to the fact that prices for paper worked out a good deal higher than the prices on which the estimate was framed, and that accounted for an excess of Rs. 9,61,000.

But more interesting, I think, than the specific explanations of individual cases of excess is the general subject with which the House has been dealing, of the control of the House over voted expenditure and in particular the control exercised through the Public Accounts Committee and through the Standing Finance Committee. The Auditor General remarked the other day that he felt very proud to think that the House was going to have a debate on the Public Accounts Committee Report, and he thought that the Public Accounts Committee ought to be proud because he understood that for the last twenty years all the efforts of the Public Accounts Committee in the British Parliament to get a day set apart for the discussion of their Report had failed; the House had refused to take any interest in the subject. I answered that that was so, but I think, if you go back to the seventies,

[Sir Basil Blackett.]

when the Public Accounts Committee and the method of control of expenditure through appropriation was new, they had some very prolonged and very interesting discussions on the Public Accounts Committee Report and the methods of improving control. What is happening here is that the subject is still young enough to excite a certain amount of interest in this House. Obviously a system of control through appropriation does not grow up in a day. It involves a great many complex problems of accounting and administration and it always leads to a very interesting discussion of the limits of executive authority and the limits of Parliamentary interference in the actual work of the executive Government under the guise of control. When I heard Mr. Joshi speaking I almost imagined that Mr. Gibson Bowles had come to life again in this House. Mr. Gibson Bowles was well-known as the sturdy champion of the control of Parliament over the executive and in particular of the control of Parliament and of the Public Accounts Committee over the spending powers of the Government. He was always demanding that the power of re-appropriation within a vote or within a sub-head should be curtailed and he was always inventing some new stick with which to beat the unfortunate executive. Mr. Joshi's first point was, I think, that the Government produced supplementary grants to the extent of over Rs. 21 crores and underspent them by Rs. 9 crores. Now, of course, one of the great difficulties in the system of appropriation is just that, that if the Government is to be quite sure that it is not going to exceed the authority given to it by Parliament to spend money on any given purpose, under any major head as it is called, it must have a margin; it must be sure, when it introduces its estimates that, unless circumstances are exceptional, it will not exceed them. If you have sixty heads and there are sixty margins, there is a tendency to over-estimate. That has to be corrected to the best of your ability. But you find you have under-estimated under some particular head and then Parliament says "Why did you under-estimate this and come to us for a supplementary grant?" You are always in that difficulty. It is inherent in the system. But Mr. Joshi is perfectly right; the executive has to give an explanation of an under-spending as well as of an over-spending; because when it has under-spent, it has to give an answer to the next question "Why did you over-estimate?" That is the difficulty that is inherent, and it can only be avoided by a most careful estimating, in the first instance, and by a little bit of latitude in the matter of supplementary grants.

His next point was about the late date on which the accounts were presented. That is always a difficulty. The system in the United Kingdom is that the appropriation accounts are generally ready by about February or March, following the previous 31st March of the year to which the Accounts relate, and are examined by the Public Accounts Committee from March to June, so that we are not behind-hand as compared with that system. We are, however, in hopes that we may be able at any rate we shall make an effort, to produce the appropriation accounts in future, if it can possibly be done, by about the first of January, so that there will be time during the January to March session for the Public Accounts Committee to examine them

and in particular in the case of an excess grant to bring the excess grant before the Assembly. But there will be difficulties about that, and I cannot absolutely promise that the accounts will be produced very much earlier than they have been this year. Mr. Joshi has given us an extra reason for caution, because he demanded a great deal more of detail in these accounts, which must inevitably tend to delay them.

I think the rest of Mr. Joshi's points all really came down to this one point : he asks that the accounts might contain much more detail ; he asserted the right of the House to an explanation of the variations on the individual items within a given vote. He raised the whole question of the power of the Finance Department to re-appropriate within a vote, and in that connection he quoted passages from the Report of the Standing Finance Committee by which he intended to show that the real effective power of the Standing Finance Committee to control re-appropriation within a vote was limited. The whole of that question is a question of the powers of the executive to re-appropriate within a vote. I agree with him that the House has a constitutional right to an explanation of variations in detail. If it demands an explanation under any head, it has an absolute right to get it. It has an absolute right to ask any question it likes about the voted expenditure of the Government. But it does not sit for 365 days in the year ; even the Public Accounts Committee does not do so. There is the Auditor General whose function is to examine minutely the whole accounts, and to draw the attention of the Assembly to any cases, not only to cases where possibly the directions of the Assembly have not been followed, but to all important cases of variation. He is an officer in this matter, not of the Government of India, but of the Assembly. He is not under the orders of the Government of India in regard to what he does in this matter. He is independent, and the Auditor General's job is to go through these accounts, in fact he has gone through them with a fine tooth-comb, and produce appropriation accounts endeavouring to the best of his ability to draw the attention of the Public Accounts Committee and of the House to all important variations, of which he thinks notice should be taken, and also to all cases of excesses. The Public Accounts Committee then proceeds to take that Report ; it can go behind it and ask other questions if it likes ; but, as a matter of fact, this year and I think for several years to come, it will find that the ground covered by the Auditor General is much more than the Committee can possibly cover within the period at its disposal. The Auditor General has to select important points for the Public Accounts Committee to examine and the Public Accounts Committee has to select important points and important principles from what it has been told by the Auditor. The Public Accounts Committee further supplements its information by asking representatives of the departments to come before it and answer questions. Mr. Joshi wants more. He wants the appropriation accounts to be set out in the same detail as the estimates. I do not think that in the end it would help the Assembly or the Public Accounts Committee to carry through its duty of examining the account of the stewardship of the Government because it would fail to see the wood for the trees. For what it is worth, I may say that it is

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not the system followed in the United Kingdom. To the best of his ability the Auditor General has modelled his Reports on the Reports of the Comptroller and Auditor General in the United Kingdom. He agrees, I know, with the Public Accounts Committee, that those reports can be very considerably improved and he has determined to improve them. In their Report on this subject, the Public Accounts Committee covers this in paragraphs 20 to 24, but they are very careful to say at the end that they have not arrived at any final conclusion, and they think the matter deserves further consideration. I agree that the whole matter does deserve further consideration. I want to give the system a little more trial, and we shall gradually find out what is the information that we really want, what is essential and what is non-essential and what are the important and unimportant points. I give it for what it is worth that in my opinion a big volume showing the expenditure in the same detail as in the original estimates would not in the end be so useful as something more succinct which will be gradually evolved as experience teaches the Auditor General and the departments as to what is really required. However, this is a matter, Sir, on which I do not think any final conclusion can be arrived at at the present moment.

I now take issue with Mr. Joshi in his capacity as Mr. Gibson Bowles. The House grants to the Governor General in Council a sum of money for expenditure under the account head, shall we say, Stamps or Irrigation. It does not grant the Governor General in Council X rupees to pay to stenographers and Y rupees to pay three peons. Those details are for information. They do not bind the Government to any detail and they are not meant to, and after all, if you consider it, they cannot possibly do so. There must be a little latitude to the Executive Government to very minor details, but not to make important variations. The rule is laid down that any important new expenditure must be brought before the Standing Finance Committee. The variations which the Government are authorised, by what I may call constitutional practice, to make are those which come in the course of the year through unforeseen events. The season may be a bad one and officers may travel a little less; or it may be decided that it is undesirable that they should travel because there is an epidemic somewhere or they may have to travel because there is an epidemic somewhere. An opportunity occurs for doing a special bit of work in connection with a department for an officer on special duty, and just because the officers are not travelling, there may be an officer available to do it. It is within the natural functions of the department; it is not a new expenditure. It is something that possibly has been intended to be done in ordinary time, but there has not been time. A little excess expenditure is incurred under the head of "Salaries" and a less expenditure under the head of "Travelling". The Executive Government must have that power. It is a question of limits. They cannot start on a new departure without obtaining, at any rate, the approval of the Standing Finance Committee, and if it is really of major importance, a supplementary vote as well. If it is outside the purposes of the grant, in no circumstances can money be spent from the grant sanctioned. They have to come for a new grant. It is a question of degree on which it is extremely difficult to lay down absolute rules.

The Public Accounts Committee will no doubt in course of years, as has been done in the United Kingdom, evolve something like a volume of case law as to what is and what is not within the normal functions of the Government in the matter of variation of expenditure within a given vote. I would ask the House, therefore, to hesitate before it completely accepts the view put forward by Mr. Joshi. His view, taken in its entirety would, as I said, mean that he would have the right to get up and complain that the Government had used one and half stenographers instead of two in a particular department.

Mr. Venkatapatiraju made an interesting general speech from which I am glad to see that he has studied so carefully the Report of the Public Accounts Committee. I do not want to take up a great deal of time so that I will only say that I was very grateful for his speech just because it showed the amount of study he had given to this matter. I may also add that it suggests to me a feeling that I had already been beginning to harbour that the position of the Finance Member as *ex-officio* Chairman of the Public Accounts Committee is not going to be a very easy one. He will be passing, in his capacity as a Member of the Council of the Governor General in Council, criticisms on the Governor General in Council, which will be rather difficult and I am not sure that as a permanent arrangement it will really work. But I have been very much interested this year, if I may be excused a personal note, in trying to follow through some of the implications of the grant of the power of voting expenditure to this House and establishing the lines along which their control of voted expenditure shall work, and it has been a very interesting bit of experience. Mr. Venkatapatiraju asked that the Audit Reports might be circulated. I was not aware that they had not been circulated. They are available to the public, and, if the House would like them circulated, they can be circulated. They have been, of course, in the hands of all Members of the Public Accounts Committee and I think I am right in saying that they are in the Library.

I have already answered his point about the explanation of the 50 lakhs excess under the head Posts and Telegraphs. As regards expenditure at the end of March, that is a subject that has worried the Government of India for years. It is a very difficult subject, but I think that the extent of the expenditure at the end of March is often very greatly exaggerated, mainly as a result of the form that our accounts take. So far as I can see, in a very great many cases the expenditure has really been incurred at various intervals during the year but it is brought to account in March in a wild effort to clear up. It is very often not so much a question of expenditure in the ordinary sense in which you or I, Sir, spend the rupees out of our pockets, but it is a question of getting our accounts straight at the end of the year. Items appear as expenditure for the first time which have been charged to a suspense account for months. However, it is a subject which I entirely agree requires careful consideration and of course it is absolutely unjustified that, because we choose to take the financial year—an entirely arbitrary period—as the period for our accounts, that we should be spending as fast as we can go in the last month of that period just because we are afraid that we shall not have the money to spend the next month. As I say, I am pretty sure that there is a great deal of exaggeration, partly caused by the form of our accounts itself, as to the amount of spending in that particular month.

[Sir Basil Blackett.]

As regards Sir Deva Prasad Sarvadhikary's remarks, the only one which I need now refer to, I think, is what he said about the Financial Advisers. I was not quite sure what he meant when he said that they were a costly experiment. If he means that they are highly paid officers, I must agree, but I think that it will be found that, so far as we have gone at present, each one of the Financial Advisers is in the habit of saving, some ten-fold, some twenty-fold, some sixty-fold, his salary very quickly in the course of the year. I know that the Honourable Mr. Chatterjee will confirm that fact, that the "costly experiment" of a Financial Adviser in the Post and Telegraphs has enormously simplified labour and already resulted in an actual saving in the sense that the work which used to take a fortnight or three weeks is now got through very often in half an hour.

I think I have answered all the points that have been raised. I thank the House for attending so carefully to a speech from me on a rather technical subject and I hope the House will now pass the motion.

Sir Deva Prasad Sarvadhikary : Sir, as a matter of personal explanation, I believe the Honourable the Finance Member entirely misunderstood me ; probably I was not able to put my point of view in his felicitous language. I said, costly as these appointments are, I believe that they will justify themselves in the way suggested which the questioning public ought to appreciate. Only the Departments themselves ought to have done what the Financial Advisers will have to do for them.

The Honourable Sir Basil Blackett : I apologise if misunderstood in any way.

Mr. President : The question is :

"That an excess grant of Rs. 1,95,00,183 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of voted grants in the year 1921-22."

The motion was adopted.

DISBURSEMENTS OF LOANS AND ADVANCES.

The Honourable Sir Basil Blackett : Sir, I beg to move :

"That an excess grant of Rs. 2,98,32,976 be voted by the Assembly to regularise the excess which has similarly occurred under 'Disbursements of Loans and Advances'."

This, Sir, is part really of the same matter as the vote which we have just passed. The difference is that this is chargeable to capital and the other was chargeable to revenue. The explanation is, as given already, I think, in the Report of the Public Accounts Committee, that under advances repayable an amount of Rs. 2,44,000 is due to the value of military stores issued on payment being credited to the Army by debit in the first instance to advances repayable ; the head being repayable when recoveries have been effected from individuals ; and also to large amounts having been debited to this head in the absence of requisite information.

This is really entirely an accounting excess. It is explained further, I think, in paragraph 7 of the Public Accounts Committee Report :

"The grant voted by the Assembly is a gross grant and takes no account of recoveries. If the Assembly had voted a net grant under these heads, there would have been no excess."

Under the head of Loans and Advances bearing interest, the excess is due to an over-draft by the Punjab Government counterbalanced by a carry-forward in Bombay. In fact, it is due to the Punjab deficit being rather larger than was expected.

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS.

OPIMUM.

The Honourable Sir Basil Blackett (Finance Member) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 77,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of 'Opium'."

Sir, this, unlike the subjects which we have been discussing hitherto, refers to expenditure which has still to be incurred, and not to expenditure which has occurred in the past. We require an additional sum of Rs. 77 lakhs in the year 1923-24 over and above what is provided in the Budget in order to pay to cultivators of opium in the United Provinces for the opium which they have cultivated and to purchase opium from the States of Malwa and Rajputana under contract. The figures in the original Demands for Grants were based, as they have to be, on experience of previous years. Unfortunately, from the point of view of the Finance Department, the former and the latter rains were specially suitable for the production of opium and the cultivators produced more opium than was expected. We are under contract to take it and we have to pay for it. We have not got the money with which to pay for it unless this supplementary grant is granted to us this year. I have looked very carefully into the reasons why our original estimate was not correct, but I have been unable to discover that any improvement on the method of estimating which we followed could be made. We have no knowledge of what the outturn of the crop will be at the time the estimate is framed and we can only go on experience of previous years. The effect of this of course is to add Rs. 77 lakhs to our expenditure for the year. We shall not sell any more opium as a result of this. What will happen is that we shall purchase less opium next year and sell presumably the same amount. It really amounts to an investment of Rs. 77 lakhs in opium for sale next year. We lose the interest on that Rs. 77 lakhs for the year. On the other hand, the cultivators get the benefit of it. This does not in any way mean that there is any increase whatever in the strictly limited quantities of opium which are allowed to be sold under the arrangements which are in force at the present time. I really do not think that I can add more except that I should say that the approval of the Standing Finance Committee has been given to this demand being put forward. I ask the House to grant this Rs. 77 lakhs.

Rao Bahadur T. Rangachariar (Madras City : Non-Muhammadan Urban) : Sir, it is my painful duty to oppose this demand. Sir, this is perhaps the last pilgrimage which many of us in this Assembly make to this white temple in Simla. It may be that a new House will assemble next January under your august presence. Therefore, Sir, the time has come

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for us to review the work we have accomplished and to see whether really they have done anything to justify the continuance of the confidence in the Executive Government which runs the affairs of this country. Sir, you will remember that at the time we assembled at Delhi in or about February 1921, we assembled under a dark cloud which was casting its long shadows over the whole face of the country. We came here in a fit of resentment and anger against the then Government. We came here to see whether justice could not be done, whether the cruel wrongs which had been perpetrated could not be redressed, whether the offenders who were responsible for those offences could not be punished. It is in that spirit of anger and resentment that we came to this Assembly. Sir, after we come here. . . .

Mr. K. Ahmed (Rajshahi Division : Muhanmadan Rural) : What has that got to do with this ?

Rao Bahadur T. Rangachariar : We are so accustomed to the irrelevant interruptions of my Honourable friend that I will not be detracted from the straight path which I have set for myself to-night. Sir, we altogether changed our course of action after a few days in this Assembly, due to the happy spirit of co-operation which we found from the Government Benches both inside and outside the House. Appeals were made to us for co-operation in earnest words, and it was not given to us to have that cruel heart to say "No" to such a request. Sir, almost the first Resolution tabled with reference to the Punjab wrongs contained a clause asking for revengeful action against the officers concerned. This Assembly agreed to expunge that clause. Interpellations which had been put with reference to particular officers who were supposed to be the chief abettors in the drama were withdrawn because we were told not to pursue the officers concerned. Sir, we were willing to forget and forgive as His Royal Highness the Duke of Connaught told us to do, and we were willing to forgive the huge bungling which had been made over the Exchange and the sale of Reverse Council Bills. The financial loss the country had been put to, we forgot and forgave. They came to us with proposals for taxation which we gladly agreed to to the tune of nearly Rs. 19 to 20 crores that year. We marched back to our homes in a spirit of expectation and hope. Sir, the Goddess who invisibly presides—I chose the sex, Sir, so that you may not be confounded with that Goddess—who invisibly presides over the destinies of this House attired herself in her best robes and attracted us to a spirit of co-operation, and we on our part paid cash down. On the part of the Government they drew cheques—very long cheques—on a bank which I may characterise as the bank of hope, faith and expectation, and probably, to end in the words of the Honourable and distinguished Member from Tanjore and Trichinopoly, the word "disillusionment" which was not printed in that cheque book. Apparently it was hidden under some mysterious process. Hope, faith and expectation were writ large in that form, and therefore, when, we were guided by hope, faith and expectation and made the pilgrimage here in September 1921 and came back to this white temple, my Honourable, revered, esteemed and old friend Bai Jadu Nath Majumdar summoned the courage to put forth a Resolution asking for the reforms to be mended and improved upon. Sir, the earnest spirit of co-operation which then prevailed in the Government Benches lent a

helping hand in the actual framing of the Resolution which was carried by this House. My Honourable friend repudiates months and months afterwards—not then—if he had said that in September 1921, if any Member of Government had risen up then and told us “ We do not consent to this Resolution although our hand actually drew it for you ” it would have been something.

Then, though we, some of us, are sixty and beyond sixty, we were children enough to believe that the Government accepted the Resolution. The Honourable Member from Tanjore and Trichinopoly took great pains in the matter of getting the Indianisation of the Army. He thought he was going to get his hopes fulfilled within a year or two, as he told us the other day. He took great trouble on the Committee that sat on the Esher Committee's Report. He gave his best brains, his best thoughts, and acquired the name of the non-official army expert of this House, and, Sir, he helped this House in framing the Resolutions for the Indianisation of the Army and we carried these Resolutions, I believe, unanimously with the consent of the Government Members there. Again there were other Resolutions which we carried, that were of substance, namely, as regards the Indianisation of other Services. We in our fond hope thought that we were.....

Mr. President : I have been waiting for five minutes to see how the Honourable Member proposes to attach this subject to the very narrow issue raised by the supplementary estimate presented by the Honourable the Finance Member. The Honourable Member is perfectly entitled to give general reasons why he proposes to refuse to vote money for the needs of Government, but he is not entitled to review the whole of the situation for the last three years.

Rao Bahadur T. Rangachariar : Then, I will cut short what I have to say. I am only referring to these things in order to show that, whereas on our part we have been behaving most handsomely, co-operating with the Government, giving them whatever money they wanted, they, on their part, when difficult questions arise they appoint Commissions and Committees, as is usual with them. We had the Public Services Commission whose recommendations still remain to be carried out. We had the Indian Industrial Commission whose recommendations still remain to be carried out in substance. We had the Fiscal Commission—that is one of the achievements of this House, of which this House is proud—and their recommendations have still to be carried out. We had the Railway Risk Notes Committee whose recommendations are still under consideration. The recommendations of the Arms Rules Committee have still to be carried out. All these recommendations are being considered, and examined and re-examined. And if Honourable Members will carefully peruse the answers that were given to interpellations on such subjects asked by my assiduous friends, Mr. Venkatapatiraju, Mr. Joshi, the deceased Mr. Misra and others, they will see what little performance there has been on the part of Government. Sir, after this co-operation on our part, if Government can behave in the way in which they have done by flouting this Assembly,—by flouting this Assembly not on a small matter, but on essential matters, matters which affect the well-being of the people, matters which had been

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decided times out of number, matters on which Government had pledged themselves over and over again—I refer to the salt duty—matters on which the Government of India had led the millions of people to hope and expect that they would not enhance the salt duty except in the case of dire necessity—when they choose to flout the opinion of the Assembly,—whereas we are prepared to put up with small failures in the matter of appointments and such other things,—in matters of such substance as affect vitally the well-being of the people of this country, which is a serious departure from the established policy for the last quarter of a century so far as this salt duty is concerned—when they can flout this Assembly, the wishes of the people of the country, and when they can behave in that manner, are we to go on continuing, extending our hand, our kindly hand of co-operation to them ? I say, No. Till they by their conduct show again that they are really in earnest in the matter of co-operation with us, till they show, for instance, as we show, their resentment in the matter of the ill-treatment of Indians abroad, that they are prepared to adopt a policy of retaliation, examine the tariffs of this country in order to see whether retaliatory tariffs could not be imposed on those goods which come from those countries who treat us badly outside, till for instance Government tell us that they are prepared to protect the interests of this country,—then and not till then will the time come for us to extend our hand of friendship with them and comply with this demand. I am not arguing the question of the demand on the merits of the case. . . . (Hear, hear and loud Laughter).

Mr. President : I am glad to have an acknowledgment from the Honourable Member himself that he is out of order. He must either come into order or close his remarks.

Rao Bahadur T. Rangachariar : We have a bundle of grievances, the grievances of the country, the grievances of the nation. Set them right before you come to us again asking for money to spend on purposes on which this Executive Government is bent. Then and then alone will we be prepared to make the grant. Till then, you have got this power, this beautiful power of certification. Use that power and carry on Government. Let it not be pretended to the world that it is on our mandate that expenditure is incurred. Let it not be pretended to the world that it is by our vote that taxation is imposed. Let it not be left to the Honourable Member who uttered certain words to come to the Assembly and say, “ Did I not refer to section 67-A, some previous sentence above—analogueous section ? ” Mandate ! Mandate ! Has it any meaning, has it any qualification ? Why choose that expression, why mislead this House, why mislead this country, why whisper ifs and buts and then draw our attention years afterwards ? When we on our part have performed our bargain, you on your part have not. Yes. If some buts lie concealed and can be turned up afterwards, Sir, I ask in all seriousness—in the matter of the certification of the Princes’ Protection Bill, in the matter of restoration of grant as regards the Royal Commission,—how prompt they are in certain matters which are nearer and dearer to them, and time is not lost. But when there are matters of substance affecting the political advance of this country, if you ask for reforms or an improvement in the constitution itself inside or outside the Act, an emphatic ‘ No ’ comes. Comes when ? Not in 1921

but in 1923. In 1921-22 Oh, yes, round table conferences are encouraged ! We know there are defects ! We are examining them. A report is made to the Home Government. One year is taken in replying to that ! Time is a great healer in these matters ! That has been the course pursued by you. I therefore say I have no confidence in this Government and on that ground I oppose this grant.

Sir Deva Prasad Sarvadhikary (Calcutta : Non-Muhammadan Urban) : Sir, it is not my painful duty but agreeable duty to oppose this grant, but not for the reasons that have been urged by the last speaker. I oppose it, as far as lies in my power, for what he has disclaimed to do, and try and argue the question on its merits. Sir, I hope that it shall never go forth from this House that we do anything except for good and substantial reasons or reasons of merits. My Honourable friend has put forward the old obsolete but time-honoured constitutional plea of redress of grievances before supply. Our grievances are so many, so omnibus, so expansive, that God alone knows when their end will come and how. Till then, however, Government has to go on and supplies have to be voted or certified under the constitution which we have accepted and under which we have agreed to serve. Sir, I should be prepared to go the whole length with my Honourable friend regarding the grievance question—I am glad to see him back after his recent illness—but that must be on another occasion and not when we are called upon to perform a plain and simple duty of which there can be no shirking. For the present we ought not to lend ourselves to anything that will justify the certificate procedure or its continuance which we have so much condemned. Let it be the pride of this House to claim that whenever it has had to oppose Government it has been on solid and good grounds and on merits and not merely in a state of mind that made us oblivious of our obligations to the constitution which we have agreed to serve. Whatever the provocation and grievances, let the Assembly never lose its high sense of restraint. Sir, you have ruled that my friend has no right to go in detail into those matters which he was trying to bring out in this House. I am sure that if the theme so checked was the direct proposition before us he would find nearly every one on this side of the House at one with him. But we must disclaim association with opposition so far as necessary grants are concerned for the reasons put forward by him. We do so not because we do not feel entirely the same way as he feels regarding the matters that he has enumerated but because duty under the constitution points the other way. We came to this Assembly in spite of all the disadvantages and handicaps in our way that one could think of. We have at every turn done the best we could to support the Government, and to our regret when we are dispersing we have to disperse under a feeling that all that the Government could have done to advance our point of view has not been done. I do not want to put matters any higher than that. At the same time as I said on a previous occasion we do not want to say every time that the Viceroy against better judgment thinks fit to certify it is necessarily a constitutional crisis. If that was to be so, we should have constitutional crisis in abundance, at every turn. My friend to-day if successful would merely be lending himself to the creation of another such occasion for constitutional crisis. I do not view the question from that point of view. In the admittedly imperfect state of things with

[Sir Deva Prasad Sarvadhikary.]

which we have got to deal it is up to us to do all that lies in our power and it will be up to those who will come after us to do everything that will lie in their power to counteract that by constitutional fight to get the wrong righted. No doubt one constituent means of getting such wrong righted would be the refusal of supplies if it could be made effectual. But are we quite sure that in the present state of things it would be an appropriate method of fight because we know that the thing will be nullified in no time. I for myself am not prepared to do that which will not be effective and knowing that it will not be effective it is worse than useless to do that which is proposed to be done.

I desire to take the question up to a more prosaic plane, I was almost going to add a more moral plane. People find themselves famous of a morning, sometimes people alas find themselves infamous of an afternoon and the immorality that has been hinted about me earlier this afternoon will have to be atoned for if possible and I want to take this question up to a moral plane if I can. A contract has been pleaded. I do not know what that contract is. We are accustomed to read contracts somewhat rigidly between the lines and not knowing what the terms of the contract are, to which Sir Basil Blackett referred. I am not prepared therefore to say whether this grant that is wanted is at all fit to be voted or not. I am leaving things only at that. Then, Sir, we have been told that the Standing Finance Committee has accepted this. I have been looking at the report of the Standing Finance Committee and I do not find any reference there. Probably what has happened is that they gave their consent after this report was published. My friend behind me tells me that it was sanctioned last Friday, one of the last things, that are rushed, about which one sometimes has great diffidence. Whatever that may be, Sir, I was going to say how greatly we admire the work of the Standing Finance Committee and the Public Accounts Committee. As one belonging to neither of those Committees I think that I should be voicing the opinion of the Non-official Members of this Assembly in regard to the excellent work that they have done, the painstaking trouble that they have bestowed over these questions that come before them and they deserve the approbation of the Assembly publicly. But necessarily the decision of the Standing Finance Committee is not the last word on this or any subject particularly as the reasons upon which they proceeded are not known.

This is the first time I believe that a Finance Member has called copious and bounteous rain, unfortunate at least from certain points of view. I know it used to be one of the anxious cares of every Finance Member either to consult the Meteorological Department or to take a hand in the somewhat obsolete gambling in Burra Bazar known as *pari ka khel* as to what was going to be the rainfall for the season, because the Finance Member's prosperity and the prosperity of the country depended upon that. It so happens that that which is good from other points of view is an evil from this particular point of view, the result of which was that we have got to invest, as it is called 77 lakhs of rupees in that which under the Opium Convention has soon to go out of Indian finance and on the double quick. That position has been accepted. Are we going to contribute to the swelling of that revenue the upward tendency of

which public opinion, not only in India, I am not talking of financial opinion, the moral, social and economic public opinion in India and abroad, has condemned. I do not think that this Assembly ought to lend itself to anything that will aggravate the evil of increasing opium revenue to any extent that can be helped.

The Honourable Sir Malcolm Hailey (Home Member) : Did you object last March ?

Sir Deva Prasad Sarvadhikary : I did not. We were proceeding upon an accepted basis of gradual reduction that was known. I do not think investments of the kind now proposed ought to be supported. For these reasons—moral if you like to call them—I desire to oppose this motion.

Having done that and what I consider to be my duty, I should like to raise my voice again against Mr. Rangachariar's position. If a grant is otherwise unobjectionable I do not think the Assembly would do right by objecting to it or throwing it out because of a sense of grievance under a sense of which we all undoubtedly labour. If, hoping against hope, my objection succeeds, it must not go forth to the world that this grant has been objected to and thrown out on any other than reasons of merit.

Mr. E. C. Ansorge (Finance Department : Nominated Official) : Sir, I welcome the last words of Sir Deva Prasad Sarvadhikary because I think that it will not be over difficult to show that this grant is not objectionable. I am unable to follow Sir Deva Prasad into the question of policy because I think it is unnecessary to do so. This House voted a certain amount for opium and the amount for which Government asks now is to be used for exactly the same purpose and in exactly the same way. The circumstances in which Government have been obliged to ask for this supplementary grant of 77 lakhs were dealt with by the Honourable the Finance Member, but I should explain to the House that the production of opium is very strictly controlled, and with that policy of control I have no doubt from what Sir Deva Prasad has just said that he is in full agreement. If we are to control production a certain area must be settled each year for the cultivation of opium. We arrange the area to be so settled according to what is required for our actual needs on the basis of a normal crop. Supposing, as has happened this year, the crop is an exceptionally good one, obviously the output will be more than we actually require at the moment. On the other hand, we are unable to refuse to purchase that opium, which has been grown under control and under a license given to the cultivators. It cannot be grown otherwise and it cannot be sold privately. If therefore we do not buy it up, the crop is lost and the cultivators have to bear the loss. Obviously, therefore, we are under agreement in granting licenses for the production of opium to purchase the outturn, whatever it may be ; and the only thing to do is to make our estimate of area as near as possible to the amount of opium which is actually required. During this last year the crop was an exceptional one,—nearly double the output of opium obtained from a practically similar area in the year before. Nobody can be blamed that a smaller area was not settled. Obviously the settlement of the area must be made upon the basis of the previous

[Mr. E. C. Ansorge.]

and normal years. The immediate result of this exceptional crop is that our stocks of opium, which were depleted, are being replenished, and Government are now taking steps for the coming year to reduce the area of cultivation to a degree sufficient to reduce the output accordingly. It would be possible to put forward this demand merely as a method of replenishing our depleted stocks during a good year, but as a matter of fact we put it forward purely as a matter of necessity. We are under agreement to buy the crop produced and we must continue to do so so long as the system of control lasts. We must purchase the whole of the output this year. We shall be purchasing a large quantity, but we shall reduce the settlement for the coming year so that, even if the crop is as good as this year's, which is unlikely, the total output of opium will be a great deal less. We are therefore merely anticipating our requirements and replenishing our stocks. But that is not really the point. The point is that it is a necessity. It is inevitable expenditure which cannot be avoided under the present system.

As regards Sir Deva Prasad's remarks as to the Standing Finance Committee, I should explain that at the last meeting, held on Friday, this matter was placed before the Committee. It could not be placed before the Committee earlier for the simple reason that it was unknown in the Finance Department of the Government of India until about ten days ago, and the reason for that again was that the crop is only now beginning to come in and the amount of the crop was unknown until very recently. It was impossible to estimate what excess, if any, there would be.

I think the House will be satisfied from what I have said that in putting forward this demand for a supplementary grant we are not asking for anything in the way of new expenditure. We are only asking for what is necessary in order to be able to carry out our commitments under a system which, as the House is aware, has been long in force and about which there is no question now before us for altering that policy. On account of the especially good crop received this supplementary grant follows automatically upon the original demand.

M. K. Reddi Gari (South Arcot *cum* Chingleput : Non-Muhammadan Rural) : Sir, I would not have taken part in to-day's debate but for the events that are happening on these foggy heights of Simla. I would certainly not be on my legs now had it not been for the fact that some of the great democrats on this side of the House have come with a firm conviction to throw out all the demands for supplementary grants, not on their individual merits but because the national honour has been wounded by the certification of the Finance Bill by the Governor General in Council. So, Sir, as a protest, as a challenge or rather as a retort directed against the recent action of the Viceroy, they are determined to oppose all grants. I am surprised, Sir, to see the great democrats who are to-day to wait on His Excellency the Governor General leading a deputation requesting him to veto a Bill passed in one of the Provincial Legislative Councils by a very large majority. I am surprised to see these patriots now thunder forth on the floor of this House that the Viceroy has vetoed the will of

this Legislature by certifying the Salt Tax and therefore we should oppose all demands for grants. Sir, I am one of those sincere men (*An Honourable Member* : " Very doubtful.") who feels the insult offered to the country by the use of the emergency powers of the Viceroy ; I am one of those who voted for the Resolution to curtail these powers of the Governor General. I am one of those who voted for the censure Resolution in the Alliance Bank case, because the Governor General in Council acted without the advice of this House. I am again one of those who voted for the Resolution of Dr. Gour for the working of the Government of India Act to the fullest possible extent. But now that my friends want me to join them in to-day's crusade against the Government, to throw out all grants as a protest against the certification, I feel highly diffident to join their rank and file ; because these very friends, these great patriots, Sir, are to-day waiting on His Excellency the Viceroy to advise, or rather to invoke him that his extraordinary powers should be used to veto a Bill passed by a very large majority in one of the local Legislative Councils. Mark, Sir, that it is a Bill introduced by one of the Ministers on a transferred subject. It was a Bill passed by an overwhelming majority after a long discussion of nearly a fortnight. It is a Bill given assent to by the Governor in Council of that Province. Sir, note how low these patriots are fallen—these democrats who fought against the Viceroy's intervention on the Princes Protection Bill—these patriots who spoke from a thousand platforms emitting fire and brimstone against the recent action of the Governor General.

Sir, now what happens ? These very gentlemen request the Viceroy on their knees to use these very extraordinary powers, to veto a Bill passed in a Legislature, thus giving a death blow to Provincial Autonomy, which we all covet so dearly. Sir, consistency cannot go further. It is for you to see how easily, like the clouds of Simla, these great patriots change their views and their colour, to suit their convenience or selfish ends. Look how quickly and how sweetly they blow hot and cold in the same breath. (*Mr. K. Ahmed* : " What about the time when you were Secretary of the Democratic Party ? ") What shall we say of the mentality of these so-called Moderates ? How can we trust them and follow their lead ? I leave it to the good sense of this House to walk cautiously when you follow such chameleon-like patriots.

Khan Bahadur Abdur Rahim Khan (North-West Frontier Province : Nominated Non-Official) : Sir, I have been listening to the pathetic speech of my Honourable friend, Mr. Rangachariar, and I must say that the tone of that speech was rather like that of a jilted lover. Now I am one of those who believe in constancy in love, and as one who has co-operated with Government now when we have a few days left to pass with our love with all its faults—with all the faults of the Government of India if it has any—we must be constant to our love. I have got a special reason for doing so because as we are not going to discuss the question on its merits, I come from a community which must be specially grateful to the Government of India as far as the question of Khilafat is concerned. I am grateful to His Excellency the Viceroy and all his colleagues. They did their best to respect our feelings and they did their level best, going out of their province, to help as far as the Khilafat question was concerned. We

[Khan Bahadur Abdur Rahim Khan.]

have to remember that they are not independent in this or any other matter ; but judging as a member of this Assembly I would be false to my duty if I did not express our sense of gratitude for what they have done and as a Muhammadan I think it is my duty in equity, and my duty under a sense of justice to express gratitude to them. We are about to part and a good many of us who now come here as Members of the Legislative Assembly will probably be sitting in the Visitors' Gallery in the future ; but parting as we do I think it would not be nice that we should part with any sense of vengeance or retaliation. I make this appeal to my learned friend Mr. Rangachariar, who, I know, feels very sincerely on this subject—I say that a member would be false to his country and to his community if he would question and doubt the spirit and sincerity of his speech. My friend's speech was very sincere ; but we must make some allowance for the Government too. The Government has got to perform two duties—one is its duty towards us, and the other is its duty towards the Home Government. The Government of India, as I said before, is not altogether independent and I think we must make some allowance for it. We must also give a chance to the newcomers as far as the Government of India is concerned. Let us give them a chance to love the Government of India. Now when the newcomers are coming into this Assembly they should take their warning from us whether the Government of India has ceased to be loved or not.

With these remarks, specially coming from a community and specially coming from a province where there is a majority of Muhammadans, I want to say how grateful we are, as far as the Khilafat question is concerned, to His Excellency the Viceroy and his colleagues. That being so, I have much pleasure in supporting this demand, and I hope all the other Muhammadan members in this Assembly will also support it.

Sir P. S. Sivaswamy Aiyer (Tanjore cum Trichinopoly : Non-Muhammadan Rural) : Sir, I think it my duty to support the Resolution. I differ both from my friend Mr. Rangachariar and from my friend Sir Deva Prasad Sarvadhikary. My friend Mr. Rangachariar has admitted that he has no objections to urge to the Resolution on its merits. The only question which is now before the House is whether or not the Demand for a supplementary grant is justified. My friend Sir Deva Prasad Sarvadhikary had some objections on moral grounds, as he put it, to the granting of this demand.

Sir Deva Prasad Sarvadhikary : On grounds of merit, which are moral.

Sir P. S. Sivaswamy Aiyer : But having regard to the explanation which was given by Mr. Ansorge, I do not think there can be any doubt as to our obligation to pay the sum of 77 lakhs or whatever it may be to the cultivators who have grown opium under certain conditions and to other persons to whom we have come under legal obligations to purchase their opium. I can see no question of morality at all involved in the subject-matter of this Resolution. The only ground on which my friend Mr. Rangachariar objects to this Resolution is that the Government have refused to co-operate with the Assembly in spite of its excellent behaviour

and its attitude of consistent co-operation. It rather seems to me to sound like the dying curse of an expiring Legislature towards an unappreciative Government. Analyzing the attitude it amounts to this : It is one of refusal to co-operate with the Government because their conduct in other matters has not been satisfactory. I was not aware that my friend Mr. Rangachariar was a non-co-operator at heart ; but the arguments with which he supported this Resolution lead me to think that he has now probably turned into a non-co-operator. I do not know whether he has turned a non-co-operator for the nonce or has become a disciple of Mr. C. R. Das and intends to follow his policy. I know that he has announced his candidature for the next election. I do not know whether his object in seeking to come to the Legislature the next time is to follow the policy and the tactics of Mr. Das and wreck the Council from inside. Now, Sir, reference has been made to the old and well known constitutional principle of grievances before supplies. I should like my friends to fully realise the implications of that principle and the bearing of that principle on the present occasion, and to consider how far it can be applied under the present circumstances. Are you going to insist upon the redress of all grievances before supplies, or only of some grievances before supplies ? Are you going to refuse all supplies, or only some of the supplies ? If you are going to refuse some of the demands for supplies, on what grounds are you going to discriminate ? Can it be any other ground than the merits of the particular demands for grants ? I for one fail to see any grounds upon which you can discriminate between one demand for a grant and another except it be the merits of the particular demand.

I would ask the House to remember the advice which was given recently by one of our friends who had the honour of being in the Government sometime ago, and who has now joined the ranks of public workers. I refer to the advice given by Sir Tej Bahadur Sapru, that the attitude of indiscriminate opposition would be a great mistake. Now, Sir, I take it that the policy of refusing particular supplies can only be supported on the ground of some discrimination on the merits. Now, if you are not going to adopt the principle of discriminating between one demand and another on its merits your only alternative is to adopt an attitude of indiscriminate refusal of all supplies. Now this slogan of redress of grievances before supplies was raised in Madras by a very distinguished public worker for whose services I have the greatest respect. But before you take up the slogan and begin to apply it, I would ask you to consider carefully what purpose you mean to serve or hope to serve by its adoption. Is your object merely the manifestation of your displeasure because the Government certified the salt tax ? If that is your object, we have already adopted a much more straightforward means of dealing with it and we have suggested a remedy against the abuse. We have passed a Resolution asking that certain words in section 67B should be expunged and that the powers of the Governor General in regard to certification should be curtailed. That action was perfectly intelligible. But now, having already sufficiently manifested your displeasure, if that be your object, what further gain do you derive by this attitude ? Is it as a means to the end of making a further progress in constitutional reforms ? Now, there can only be two ways of achieving further constitutional reforms either by

[Sir P. S. Sivaswamy Aiyer.]

pursuading Parliament of the reasonableness of our demand and by proof of our achievements under the reforms already granted, or by recourse to other means. If you wish to convince the Parliament that you have made a proper and reasonable use of the reforms and deserve a further big concession or instalment of reforms, is it likely that you will persuade Parliament of the justice of your demands or of the reasonableness of your demands if you unreasonably refuse supplies not on the merits but out of pettish motives. Now, if we want to convince Parliament of the reasonableness of our attitude, or of our sense of responsibility in the exercise of our powers, we should not follow this course which has been suggested of refusing supplies. If we can at any time catch the Government tripping, by all means let us go in for them ; I do not wish to spare the Government when they are really at fault or to support them in any wrong measures which they may take ; but when the Government are manifestly in the right, ~~are~~ putting forward a demand which it is impossible to refuse on the merits as admitted by Mr. Rangachariar, we shall be simply putting ourselves in the wrong and it is not a policy which will pay us with the Parliament. Then, Sir, the only other alternative is this. You may say that by refusing this grant and by following the policy of refusing grants, we shall be driving the Government to make further concessions. It really amounts to the adoption of the policy of the non-co-operators. It is not as non-co-operators that we came into this Assembly, nor have we turned non-co-operators. At any rate, I for one, have not turned a non-co-operator, because the Government may have acted in a manner to cause dissatisfaction on certain occasions. Before you think of applying this old principle of redress of grievances before supplies, I would ask you to remember the conditions under which in the constitutional history of England it was asserted. There is no occasion under the present political conditions of England for applying or acting upon this principle of redress of grievances before supplies. They have a much simpler and more effective means at their disposal under the existing conditions. If the opposition is dissatisfied with the conduct of the Government, they can pass a vote of censure and the result will be they will turn out the Government and put their own party in. We must therefore go back to the old constitutional history of England. What were the times and conditions when this principle was asserted ? It was in the days when the people had to carry on a struggle against the autocracy and oppression of the King that this principle was often resorted to. You may perhaps suggest that we are also labouring under a similar abuse of power by the Government. Even assuming you are right there, it does not show that it is practicable to assert the principle now. When this principle of redress of grievances before supplies was asserted by the Barons in their struggles against the Kings, by the Commons in their struggles against the Stuarts, they did so at times when they were in a position to enforce their resistance to the assertion of autocratic power by recourse to physical force. In the time of the Stuarts we know that that policy was the precursor of a civil war. In the days of the Plantagenets the Barons rode in arms and captured the King or were in a position to bring the King to his knees and dictate terms to him. Now, do you imagine that you are now in a position to dictate

terms or to assume an attitude like that of the old Barons or the Commons in the times of the Stuarts? I can picture to my mind a time when my friend, Mr. Rangachariar, perched on horse back, will probably ride in arms at the head of the embattled hosts to bring the then existing Government to its knees and dictate terms. But I rather fancy that the time is not yet and I do not think that the policy of either non-co-operation or civil disobedience or passive resistance is one for which the country is prepared or that we shall be justified in plunging the country into that ferment which is the herald of a revolution.

Now, realise all the consequences clearly. If you feel that you are not in a position to back up your demands by that appeal to physical force, by which it was backed up in the days of the old struggles with the Kings of England, with the Stuarts and the Plantagenets, if you feel that you are not prepared for such an assertion, if in your heart of hearts you know that and you feel that, I ask what is the good of this spasmodic, casual and solitary act of non-co-operation?

I assume that it is to be a solitary act of non-co-operation. If it is to be a systematic course of non-co-operation, I can understand it of the Dasites, but not of any members of the present Assembly. I do hope that members who think of acting upon this slogan which has been preached from the Press and which has been caught up by many people, will realise clearly all the implications and consequences of that principle and then exercise their judgment. I for one think that the only issue before us is whether this demand for a grant is justified on the merits or not. If it is justified, I certainly should not be a party to refusing the demand for a grant. I feel that the application of the principle of redress of grievances before supplies is one which is altogether impracticable and futile. I am sorry to say that it is a most fatuous course to adopt, and I sincerely hope the House will not adopt it.

(Voices : "The question be now put.")

Mr. J. P. Cotelingam (Nominated : Indian Christians) : Sir, I listened with very great interest to the speech that the Honourable Mr. Rangachariar made in his attempt to oppose the supplementary demands for grants, and all the time that he was making his speech I was wondering if it was the voice of that same Mr. Rangachariar that spoke only the day before yesterday so very eloquently on the Kenya question. I was wondering if it was the same Mr. Rangachariar who withdrew his amendment to the main Resolution, with explicit reference to retaliation in the event of that proposition not being accepted. I was wondering, Sir, if it was the same Mr. Rangachariar who spoke so eloquently about his services with reference to the raising of the War Loan in Madras. I was wondering, Sir, if it was the same Mr. Rangachariar who spoke of the yeomen services that he had rendered on that occasion and of his hearty co-operation with Government at that very critical time. I was wondering, Sir, if it was the same Mr. Rangachariar that spoke of partnership with Government and questioned if the partnership that was talked of about the time of the Reforms was a real partnership or a bogus partnership. I came to the only conclusion

[Mr. J. P. Cotelingam.]

that the salt duty certification which had been discussed almost threadbare and which had been disposed of, was still oppressing his brain and that he had availed himself of this opportunity to oppose all Supplementary Grants. To what shall I compare this attitude of Mr. Rangachariar, who has served upon several Committees during the course of the last three years and who has rendered valuable service to the Assembly and to the Government of India. I can only describe it in the words of that inimitable passage in a well known book where reference is made to children in the market place calling one to another and saying, "We piped unto you and ye did not dance; we waited and ye did not weep." What is the matter with Mr. Rangachariar that he should have led the opposition to all Supplementary demands for grants. Well, I regret, it is pure cussedness. Having known him for many years and appreciated his good qualities and the services that he has rendered in this Assembly from the beginning to the closing days of the session, I regret why he should have put on this attitude of opposition. (*A Voice* : "The election is coming on.") That may be so. But I am very sorry that a Member from Madras, the Province I come from, should have led this opposition, and I trust that the Supplementary demands for grants will all the same be passed by the Assembly.

The Honourable Sir Basil Blackett : Sir, this motion was opposed by Sir Deva Prasad Sarvadhikary on merits and by Mr. Rangachariar for other reasons. I have very little to add on the subject of the merits. Our position is that we cannot avoid making these payments, as has been fully explained by Mr. Ansorge. I should like, however, just to say one word about the question of morality which was mentioned by Sir Deva Prasad Sarvadhikary. As is well known, the Government of India has been one of the leaders in the general campaign in reducing to the best of its power the evils of the opium traffic.

Sir Deva Prasad Sarvadhikary : Let it lead on.

The Honourable Sir Basil Blackett : In 1903 the acreage in British territory in India which was sown with poppy for the purpose of opium was 642,000; and in 1920-21 it was 148,000.

Raj J. N. Majumdar Bahadur (Presidency Division : Non-Muhammadan Kural) : It must have been a sacrifice to the Indian revenue.

The Honourable Sir Basil Blackett : It has been a very heavy sacrifice for the Finance Member. In the Indian States towards the end of the 19th century there were over 4,00,000 acres sown. Owing to the policy of the Government of India, this was reduced to 56,000 acres in 1919-20. The income of the Government of India in 1910 from opium was seven million two hundred and forty thousand pounds sterling; in 1920-21 this was less than two million pounds. The motion that has been made to-day has nothing to do with opium policy. It is simply a motion that the Government of India should be granted the money with which to buy the opium which it has contracted to buy which has turned out to be rather more than it expected. It will not increase the amount of opium that will be sold by the Government of India under the exist-

ing policy. That is fixed by the existing policy and has nothing to do with this vote. On merits, therefore, I feel sure that Sir Deva Prasad Sarvadhikary will now vote with the Government in this matter.

I have now to turn to the other question.

Sir, I came down to-day in the anticipation of having to disagree very violently with Mr. Rangachariar, but, after what I have heard, I really feel tempted to take his side. I read in the newspapers some time ago that Mr. Rangachariar was coming up to Simla—all the way from Madras to Simla at great sacrifice to demand redress of grievances before supply. I read that he was choosing his time to come from Adam's Bridge to Eve's Paradise by the date on which the supplementary estimates were to be introduced. And then I heard something about the Madras Hindu Religious Endowments Bill. Well, now, Mr. Rangachariar is a man for whose character I have formed, in the short time I have been here, a very great admiration. He is always sincere, he holds very sincerely what he believes, and he holds strongly to what he believes. I remember, when I was at school, that I was taught what Julius Caesar said of Brutus, that he wanted badly what he wanted; and that is rather Mr. Rangachariar. Therefore, it gives me very great pain that at the end of this third session of an Assembly, of which he has been so distinguished a Member, he should be giving way to what he himself described on Saturday as a spirit of despair and despondency. Now, I agree very largely with a great deal that Sir Sivaswamy Aiyer said. I agreed particularly with his statement that, when the Government are right, the House ought to vote with them. And I wondered in that connection what he meant by his vote on Wednesday last. That however is a by-path. And, after all, last Wednesday, the House was discussing a Resolution. To-day the House is discussing a vote; a case in which it has been given the power of saying "yes" or "no", and enforcing its view, subject only to the exceptional powers of the Governor General or the Governor General in Council. But I should like to modify a little bit the point of view presented by Sir Sivaswamy Aiyer. He said, I think, "You have not got the force to kill your opponents: do what they tell you."

I do not think that is a bit the right point of view. I think that in every vote this House takes, whether it is a Resolution or whether it is a vote on a matter where its will is under the constitution to be given effect to, the question it ought to ask is, "will my vote in this matter hasten or retard the progress of constitutional reform in India?" I think therefore that to vote on this occasion for grievances before supply, to vote that the Government of India ought either to break its contract with the cultivator or take other action which is not such as the House likes is surely not a vote that will hasten the time when constitutional reform in India will take a big step further forward. All of us in this House are Members of this Assembly. All of us are here working with one object. We do not always agree. Some of us thought that by balancing the budget even in the way in which it was balanced we were hastening the progress of reforms in India because we were improving the financial position of India.

[Sir Basil Blackett.]

The House is perfectly entitled to take a different view and I know many Members and my Honourable friend Mr. Rangachariar, did and do take a very different view from that. But they and we are working together with one single object, namely, to hasten the progress of the reforms in India, to hasten the date when we can take another step forward. I do hope therefore that the House will now proceed unanimously to accept this motion not only because on merits it is the only possible decision but in order that we may not begin to think that coming events are casting their shadow before. We had Mr. Devaki Prasad Sinha taking the oath to-day and we had a speech from Mr. Rangachariar which suggests the creeping in of non-co-operation into this House. Let us end this session as we began, in a spirit of co-operation, and the three years that we have been through will be looked back on by the future as years in which tremendous strides were taken amidst tremendous difficulties in the path of progress and constitutional reforms.

Mr. President : The question is :

“ That a supplementary sum not exceeding Rs. 77,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of ‘ Opium ’.”

The Assembly divided :

AYES—57.

Abdul Hamid Khan Khudadad Khan,
Mr.
Abdul Quadir, Maulvi.
Abdur Rahim Khan, Mr.
Abdulla, Mr. S. M.
Abul Kasem, Maulvi.
Ahsan Khan, Mr. M.
Akram Hussain, Prince A. M. M.
Amjad Ali, Maulvi.
Ansorge, Mr. E. C.
Ayyangar, Mr. R. Narasimha.
Bagde, Mr. K. G.
Bardawell, Mr. H. R.
Barnes, Mr. H. C.
Barodawalla, Mr. S. K.
Barua, Mr. D. C.
Bhanja Deo, Raja R. N.
Bhargava, Pandit J. L.
Blackett, Sir Basil.
Bray, Mr. Denys.
Bridge, Mr. G.
Burdon, Mr. E.
Butler, Mr. M. S. D.
Calvert, Mr. H.
Chatarji, Mr. P. C.
Chatterjee, Mr. A. C.
Clarke, Mr. G. R.
Cotelingam, Mr. J. P.
Ebdon, Mr. J. W.

Faridoonji, Mr. R.
Graham, Mr. L.
Gwynne, Mr. C. W.
Haigh, Mr. P. B.
Hailey, the Honourable Sir Malcolm.
Holme, Mr. H. E.
Ikramullah Khan, Raja Mohd.
Innes, the Honourable Mr. C. A.
Jejeebhoy, Sir Jamssetjee.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Majumdar, Mr. J. N.
Misra, Mr. B. N.
Mitter, Mr. K. N.
Mudaliar, Mr. S.
Muhammad Hussain, Mr. T.
Mukherjee, Mr. J. N.
Perceival, Mr. P. E.
Rajan Baksh Shah, Mukhdum S.
Ramayya Pantulu, Mr. J.
Reddi, Mr. M. K.
Richey, Mr. J. A.
Samarth, Mr. N. M.
Shahab-ud-Din, Chaudhri.
Sim, Mr. G. G.
Singh, Mr. S. N.
Sinha, Babu L. P.
Stanyon, Colonel Sir Henry.
Yamin Khan, Mr. M.

NOES—17.

Agarwala, Lala Girdharilal.
 Agnihotri, Mr. K. B. L.
 Asjad-ul-lah, Maulvi Miyan.
 Ayyar, Mr. T. V. Seshagiri.
 Basu, Mr. J. N.
 Jatkari, Mr. B. H. B.
 Mau Singh, Bhai.
 Nag, Mr. G. C.
 Nand Lal, Dr.

Neogy, Mr. K. C.
 Roy Choudhury, Mr. S. C.
 Shukla, Mr. D. P.
 Sinha, Mr. D. P.
 Sohan Lal, Mr. Bakshi.
 Srinivasa Rao, Mr. P. V.
 Venkatapatiraju, Mr. B.
 Vishandas, Mr. H.

The motion was adopted.

MISCELLANEOUS DEPARTMENTS.

The Honourable Mr. A. C. Chatterjee (Industries Member) : Sir, I move :

“ That a supplementary sum not exceeding Rs. 1,41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of ‘ Miscellaneous Departments ’.”

From the papers that have been circulated, Honourable Members must have gathered that this is a supplementary demand on account of the Indian Stores Department. I need hardly remind the House that this item had been included in the Budget which was presented last March, but a lump sum deduction was afterwards made on account of the recommendations of the Retrenchment Committee. My Honourable friend the Finance Member had at that time informed the House that this was one of the items which were still under the consideration of the Government of India, with a view to further examination as to whether the retrenchment should be made or not. I am glad to be able to inform the House that the Government of India did come to the conclusion that the item should be restored and a supplementary grant should be asked for from the House. The object with which this item has been put forward is to expand the activities of the Indian Stores Department. In answer to various questions that have been put in this House I have explained that the Government are carrying out the views which have been enunciated in this House as well as in another place of expanding the work of the Indian Stores Department. Reference was made by my Honourable friend Mr. Rangachariar to the fact that commissions and committees are appointed and he alleged that nothing was done. I claim that in this matter at any rate, we are carrying out the recommendations of the Indian Industrial Commission and the Stores Purchase Committee. At this late hour I do not wish to weary the House with a speech in respect of a measure which, I hope, will receive the unanimous support of the House, and I need only recommend this motion to the House.

Mr. Devaki Prasad Sinha (Chota Nagpur Division : Non-Muhammadan) : Sir, I came to this House to-day in the hope that I would record my vote either for or against the motions as a silent listener. But, Sir, since the Honourable the Finance Member has done me the honour of welcoming me on my first appearance in this hall with a kind reference, I feel that I should explain my attitude in words also. Whether, Sir,

[Mr. Devaki Prasad Sinha.]

I am welcomed as a co-operator—as I was to your knowledge for the last 2½ years in the Bihar Legislative Council—or whether I am branded here as a possible non-co-operator, I want to assure the Government that I am not ashamed of my conduct. I feel that it is everybody's duty here to do what he thinks best in the interests of the country. Sir, in opposing this Demand as well as the previous Demand of Government I feel that I am doing nothing but serving the interests of my country. Sir, the Honourable Sir Sivaswamy Aiyer has said that opposition to these demands smacks of non-co-operation. In the same breath he has referred to the very old principle of demanding redress of grievances before granting supplies. I do not understand how he can reconcile these two views. Is it to be said that when recourse was had to this old principle of constitutional agitation, in other Parliaments, they were non-co-operating with the Government? My answer is this. It is a weapon of constitutional agitation in our hands just as much as the power of certification in the hands of Government is a weapon in their hands to force their will when they believe that we are going wrong.

Well, Sir, my principle has been that we should learn to deal blows for blows. So long as Government respect our wishes, so long as they endeavour to meet our demands, we shall do our best to co-operate with them. But when we find that our sentiments and our feelings are trampled under their feet, we feel it our duty to make use of whatever power we have got in our hands. Sir, I do not want to take the time of this Council any longer. (*Mr. N. M. Samarth* : "This Assembly.") Yes, this Assembly, I beg your pardon. An Honourable Member sitting opposite to me has said that as we have so far been making love to Government, let us make love to Government for a few days more. I want to remind him that love for Government is not like ordinary pre-matrimonial love. It is of a slightly different character. In the words of a poet this love is :

"Like a coy maiden, when courted most farthest retires ;
An idol at whose shrine who oftenest sacrifice are favoured least."

Therefore, to support Government whether they are in the right or in the wrong, does not seem to me to be a correct attitude. In order to show the strength of our resentment at the action taken by Government in the matter of certification of the salt tax, I think it, in my own way, a duty to oppose these demands of Government as a protest. It may not be victory, but certainly it will amount to some kind of revenge which is very often a prelude to victory. With these words I think we ought to oppose this demand also.

Mr. President : The question is :

"That a supplementary sum not exceeding Rs. 1,41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of 'Miscellaneous Departments'."

The motion was adopted.

CAPITAL OUTLAY ON TELEGRAPHS.

The Honourable Mr. A. G. Chatterjee : Sir, I move :

"That a supplementary sum not exceeding Rs. 10,45,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of 'Capital Outlay on Telegraphs'."

Sir, this is the sum that is needed for telegraph and telephone construction in New Delhi during the current year. I admit that it ought to have been put into the budget when it was presented last March, and I do regret that this was not done. But this was due to a certain amount of misconception on the part of the Department of which I am now in charge and I wish again to apologise for the mistake.

As Honourable Members are aware, Government are trying their best to push on with the construction of New Delhi. It is hoped that the Secretariat Buildings and the Legislative Chamber will be ready for occupation during the winter session of 1925-26. The buildings are in a fair state of progress and the roads are very near completion. It is most necessary that the wiring of the buildings and the laying down of the cables along the main roads should be completed as soon as possible. If that is not done, it will mean a good deal of additional expenditure to Government in future years and it will also, probably entail the work being done in a hurry and in a slipshod manner. I hope, therefore, that this motion will also be accepted.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : I rise to oppose this motion, and I propose to deal with the merits of the demand. As the Honourable Mr. Chatterjee has explained, this amount is needed for equipping the new Capital at Delhi with telegraph and telephone facilities, but the Honourable Member did not take the trouble of explaining as to why this has not been charged to the New Delhi capital expenditure. (*An Honourable Member* : "It is charged to capital expenditure.") I find that this is charged against capital outlay on telegraphs, which is No. 60 in the accounts. Sir, we have been told times without number that the postal department is a commercial department of Government. Is it so really ? What do we find in practice ? Here is a proposal for saddling this Department with expenditure that ought to have been charged to another head altogether. (*Mr. K. Ahmed* : "That may be a mistake.") I should have thought that a commercial department of Government would be run on strictly business principles. Now, Sir, what happens in this case ? Can the Honourable Member in charge assure us that this extra expenditure is necessitated by any *bona fide* expansion of business ? Does the Honourable Member expect a fair return on the capital that he wants us to vote to-day ? Is it not that this expenditure is necessitated by the fact that Government have thought it necessary to alter their plans in regard to the location of the new capital at Delhi ? Sir, looking through the details of the expenditure as set out in this demand, we find that they are "required to finance telegraph lines and cables to bring Delhi on to the telegraph system." Would this have been necessary if you were to continue to have the official headquarters just where they are now located ? The

[Mr. K. C. Neogy.]

next item refers to "the diversion of existing telegraph line owing to the diversion of the Great Indian Peninsula Railway." This diversion of the Railway line itself has been necessitated by the new Delhi scheme. I remember to have read the evidence of some directors of the Great Indian Peninsula Railway before the Acworth Committee in which they said that the Government wanted to charge the Railway with a very large amount which would be required to divert the line for the purpose of beautifying the new capital. The Railway authorities protested, with the result that the estimates were cut down, but even now, the amount which is going to be spent for this purpose is wholly unjustifiable and ought not to have been borne on the Railway estimates. Now, Sir, this particular item which is necessitated by the diversion of the Great Indian Peninsula Railway line stands on the same footing. The next item is "first fitting of Government House." I do not know the exact meaning of this expression "first fitting." I do not know for how many times more we will have to deal with the subsequent fittings of the Government House.

The next item relates to the first fitting of the Imperial Secretariat, the next again is about laying underground telephone cables at Raisina. The others relate to similar items. Now, Sir, is it permissible for the Post office to subsidise the construction of new capital at Delhi in this manner? I should expect a direct answer to my question. Sir, I believe my Honourable friend Mr. Clarke will bear me out when I say that in one of his annual reports on the working of the Posts and Telegraphs he mentions the fact that his department has to finance certain non-remunerative post offices that are maintained for military reasons. That is one item of subsidy paid by the post office for a purpose which ought to be financed from the Army budget. Here we find another glaring instance in which this vicious principle is sought to be given effect to. It may be said, that it does not matter very much whether you meet this cost out of the capital expenditure under Telegraphs or under capital expenditure for the new Delhi works, and that this discussion is merely of academic interest. It may be said that it does not very much matter whether you pay this Bill from out of one pocket or from another. This is certainly not the position; for who pays in the end? We have been reminded so often that the Postal department is a commercial department and therefore it must primarily pay its way. That has been the argument trotted out, I do not know how many times, in support of enhancement of the postal rates. Let us have honest accounting at least for once. Why should the postal revenue bear this expenditure? (*The Honourable Sir Basil Blackett* : "Hear, hear.") The Honourable the Finance Member exclaims "Hear, hear." I hope he remembers his own words which he used when we suggested that certain items of railway expenditure should be transferred from revenue to capital. He said that he would not be a party to manipulating accounts in that way. I hope he remembers the words he used on that occasion and I put it to him that he is manipulating accounts to-day by asking us to vote this amount under capital works on telegraphs.

Sir Deva Prasad Sarvadhikary : Is there corresponding revenue derived by the Posts and Telegraphs?

Mr. K. C. Neogy : Yes, they still derive revenue from Government House and other offices and the officials at Delhi. That is exactly the position that I am putting to the Honourable Member in charge as to whether he can assure me that there will be a corresponding increased return on the capital that he proposes to sink in this fashion. This is certainly an item of unproductive expenditure masquerading as a productive item, and I maintain that you will not get any return, a due return on the capital that you propose to spend in this manner. Now, Sir I hope that this House will at least on this occasion vote with me in rejecting this demand.

The Honourable Sir Basil Blackett : Sir, if Mr. Neogy for reasons of his own had not been absent for a certain time from his normal position as a member of the Standing Finance Committee, he would have been able to answer for himself some of the questions which he has put to us to-day. I get up to deal solely with the question of accounting. As I said when I introduced the budget this year, I personally felt considerable doubt whether the capital expenditure of Delhi was capital expenditure at all and whether it ought not to be charged to revenue. I am glad to see that to some extent Mr. Neogy supports that view. It is not the view adopted in the accounts of the Government of India. We did not propose then or do not now propose to make a radical change in the form of Government accounts and in presenting this supplementary estimate as a supplementary estimate for capital expenditure under the head of Posts and Telegraphs we are following a regular and well known procedure. The Posts and Telegraphs Department will in the first instance be the owners of the cable lines and of the wiring and so on that are laid down. They will be the administrative department responsible for the working of the post and telegraphs systems and these will be part of the property of the Posts and Telegraphs Department and worked as part of their whole administration. In the second place this particular expenditure will so far as the posts and telegraphs are concerned earn a large revenue. Indeed it may be a remarkably remunerative investment for the Posts and Telegraphs Department. Whether it will be a remunerative investment for the Government of India is another question. The Government of India will be paying the greater part of the rentals that are charged for the telephone lines in New Delhi. The Government of India will also pay for a good many of the other charges which will appear as part of the postal revenue from New Delhi ; but from the point of view of the capital expenditure of a commercial department this is obviously correctly charged to posts and telegraphs and not to New Delhi. Exactly the same procedure was followed as Mr. Neogy himself points out in regard to the railways, so that although I sympathise with his desire for strict accuracy of accounts and should like to look forward to the time when there is no charge for capital expenditure on New Delhi in the capital budget of India, at the same time I do not think I can support him in his objection to following the correct procedure in this particular case.

Sir Deva Prasad Sarvadhikary : There is a small matter on page 4 of the paper giving details of these Demands that has apparently escaped notice and which if properly brought out would strengthen the case for this demand. The Incharge Committee and the members of this Assembly have been insistently wanting that the incubus of surplus stores should

[Sir Deva Prasad Sarvadhikary.]

be got rid of as quickly as possible and in this demand of 10 lakhs and odd is included Stores for 8 lakhs, 28 thousand, leaving only 2 lakhs 17 thousand as actual cash expenditure. That by itself would be a good reason for acceding to this demand, so that the stores which we do not want to accumulate should be got rid of as quickly as possible.

Mr. President : The question is :

“ That a supplementary sum not exceeding Rs. 10,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1924, in respect of ‘ Capital Outlay on Telegraphs ’.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 24th July, 1923.
