

Thursday, 15th September, 1921

THE  
**COUNCIL OF STATE DEBATES**  
(Official Report)

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**SECOND SESSION**

OF THE

**COUNCIL OF STATE, 1921**



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# COUNCIL OF STATE.

*Thursday, 15th September, 1921.*

The Council of State met in the Council Chamber at Eleven of the Clock.  
The Honourable the President was in the Chair.

## QUESTIONS AND ANSWERS.

### REPORT OF MILITARY REQUIREMENTS COMMITTEE.

74. The HONOURABLE MR. G. M. BHURGRI: Will the Government  
11 A.M. be pleased to state, in view of the great public importance and interest involved in the question, whether they intend to publish such parts of the Military Requirements Committee's Report and the evidence tendered thereat, dealing with the question of expenditure and retrenchment, as can be published without prejudicing the necessary secrecy of military plans and organisation?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: The Report is now under the consideration of a Sub-Committee of the Committee of Imperial Defence. The Government of India are not prepared, therefore, to consider the question of its publication at present in whole or in part. In no case could the evidence tendered before the Committee be published, since this evidence was given on the distinct understanding that it would be treated as confidential.

### SUBORDINATE ACCOUNTS DEPARTMENT, STATE RAILWAYS.

75. The HONOURABLE MR. G. M. BHURGRI: Will the Government be pleased to state—

- (1) When the scale of pay and allowance of the Subordinate Accounts Department, State Railways, was originally fixed?
- (2) Whether this scale has since been revised; if so, when?
- (3) Whether the revised scale has been given in consideration of the increase in the cost of living, or of the huge development and progress made by Railways and, consequently the increasing responsibilities and high standard of efficiency required of the Service, and greater care in the selection of candidates of ability and qualifications?
- (4) Whether the minimum and maximum pay and allowances under the revised scale continue to remain the same as devised in the original scale fixed over 50 years ago, and if so, how the Service is benefited by the revision?
- (5) What method was adopted at the time of revision in fixing the initial pay, annual increment and the maximum pay?

- (6) What percentage of pay the increase granted by the revised scale amounts to?
- (7) Whether Government has attempted to go into the adequacy of such an increase, in view of the existing high cost of living, and to know the amount of relief afforded by that increase; if so, with what results?
- (8) Whether it is a fact that the maximum pay of Accountants on the important company-worked railways is Rs. 600, and they have no examination to pass, while the State Railway Accountants have to pass the 2nd grade test and their maximum is Rs. 450?
- (9) Whether Government have received any representations from members of the Service, strongly supported by their superior officers, dealing with the utter inadequacy of the revised scale and praying for a more reasonable scale commensurate with the present day requirements; if so, what action Government propose to take on those representations?

The HONOURABLE MR. E. M. COOK: (1) and (2). The scales of pay for this Department were originally fixed in 1864 and were revised in 1920.

(3) In revising the pay, both the advance in the cost of living and the increasing importance of the duties of the service were taken into account.

(4) Yes. The service has benefited by the reduction in the number of grades to two, thereby ensuring greater continuity of promotion. The increments have been increased in amount, so that, for example, an accountant can reach Rs. 150 in six years as against ten years under the old scale. As existing incumbents were permitted to count previous service in determining their pay under the revised scale, the majority have gained considerably. Those who did not benefit sufficiently by this concession were granted personal allowances varying from 20 to 30 per cent. of their pay on the date of introduction of the new scales.

(5) I am sending to the Honourable Member a statement comparing the old and new scales. The method of calculating initial pay has already been stated.

(6) The revised scale gives an average increase of 12½ per cent.

(7) The adequacy of the pay in accounts offices is now under further consideration.

(8) The maximum pay which can be attained by an employé of this class on a company-worked railway varies from Rs. 360 to Rs. 600, the latter figure being attainable only in one railway. As regards examinations the reply is in the affirmative.

(9) Proposals based on representations from the Railway Accounts Service were received by Government from the officer who was officiating as Auditor General, but it was considered desirable to postpone final decision of this question until the return of the permanent Auditor General, who is now considering the general question of the adequacy of pay in the accounts offices under his control.

ASSISTANT AUDIT OFFICERS, RAILWAY ACCOUNT SERVICE.

76. The HONOURABLE MR. G. M. BHURGRI: Will the Government be pleased to state—

- (1) What gave rise to the creation of the class of officers known as Assistant Audit officers of the Railway Account Service?
- (2) Whether they are intended to be an addition to the existing cadre, thereby giving relief to the lower grades in the matter of promotion, or whether they are promoted from the highest grade of the subordinate service?
- (3) Whether it is a fact that before the creation of this class of officers, promotions used to be made from the subordinate grades into what is known as "Enrolled List of Officers." If so, whether these promotions are open now?
- (4) What is the number of such promotions for the ten years—
  - (i) preceding the creation of the Assistant Audit Officers Class;
  - (ii) following the creation of that Class?
- (5) How many of such promoted persons were Europeans or Anglo-Indians and how many Indians?
- (6) Whether it is true that appointments to the class of Assistant Audit Officers are made by selection from qualified subordinates? If so, whether promotion to the "Enrolled List" is made from the subordinate ranks overlooking this class?
- (7) Whether there is any difference or distinction between the duties performed by this class of officers and those who are in the "Enrolled List." If so, whether there are any junior charges set apart for the former?
- (8) If not, why there is distinction in the cadre and rates of pay of the two classes?
- (9) Whether it is a fact that, in determining the percentage of increases in the revised scales of other Railway Departments, it is a recognised principle that the lower the pay the greater the percentage increase?
- (10) Whether this principle has been adhered to in the case of the Railway Accounts Service? If not, why not?

The HONOURABLE MR. E. M. COOK: (1) and (2) In 1910, it was decided to reduce the number of appointments in the Superior Accounts Service of the Public Works Department (which then included the Railway Accounts) filled by promotion from subordinates from 1/3 to 1/9 (since raised to 1/6). To compensate accountants for their consequent loss of prospects, 13 appointments in the first grade of accountants (the highest grade of the Subordinate Service) were converted into gazetted appointments of Chief Accountants. These officers have since 1917 been known as Assistant Accounts Officers or Assistant Audit Officers, according as they have been borne on the ordinary Public Works list or the Railway list. There is no separate service known as the Railway Accounts Service.

(3) The answer to both parts of the question is in the affirmative.

(4), (5) and (6) The Superior Accounts Service of the Public Works Department (including Railways) was amalgamated in 1910 with the Enrolled List of the Indian Finance Department, and promotion to the General List, as it is now called, is by pure selection, as was also the case with the Superior Accounts Service before that amalgamation. It is quite possible for a subordinate to be selected for promotion to the General List, even though he may not have already been promoted to be an Assistant Accounts Officer. No separate figures, therefore, can be given of promotions from among officers of the Railway list. The total number of promotions to the Superior Accounts Service of the Public Works Department for ten years before the amalgamation (i.e., 1901-1910) was 14, of whom one was an Indian and the rest were Europeans or Anglo-Indians. The total number of promotions to the combined General List from subordinate grades of the Department since the amalgamation (i.e., 1911-1920) has been 18, of whom 7 were Indians and the rest Europeans or Anglo-Indians.

(7) and (8) No definite charges are formally set apart for these officers in the various Audit offices ; but, as a general rule, they are entrusted with the less important charges. Their maximum pay is equal to what an officer of the General List would get in his tenth year of service under the new scale, and officers of the General List of more than ten years' standing are almost always entrusted with more important charges.

(9) Yes.

(10) It is understood that the principle has been adhered to, as far as practicable, in the case of men serving in Railway Accounts offices.

#### SEPARATION OF DISTRICT OF DARJEELING FROM BENGAL.

77. The HONOURABLE RAJA PRAMADA NATH ROY, OF DIGHAPATIA: Would the Government be pleased to state—

- (i) Why was it necessary to separate the District of Darjeeling from the rest of Bengal and place it directly under the control of His Excellency the Governor?
- (ii) Is it contemplated to reunite it and bring it within the jurisdiction of the Reformed Council?
- (iii) If so, when is the amalgamation going to take place and what steps are being taken in the matter?

The HONOURABLE MR. H. D. CRAIK: (i) The district of Darjeeling was considered not to be suitable for the type of government proposed for the province generally, and accordingly it has been treated as a backward tract under section 52A, sub-section (2), of the Government of India Act. The asking of questions on the district is prohibited by clause 3 of the schedule attached to the notification of the Government of India in the Reforms Office, No. 2-G., dated the 3rd January 1921. I may mention that similar questions are also prohibited in the Legislative Council of the Government of Bengal, save with the sanction of the Governor.

(ii) and (iii) The Government of India have not before them at present any proposal to rescind the notification declaring the Darjeeling District to be a backward tract, and they do not propose to take any such action unless and until they are moved thereto by the Government of Bengal. A proposal to amend the schedule to the notification is however under consideration.

RELIGIOUS MINISTRATIONS FOR SOLDIERS.

78. The HONOURABLE RAJA PRAMADA NATH ROY, OF DIGHAPATIA : Do the Government provide religious ministrations for Indian soldiers in the same way as they do for European soldiers? If so, what amount does the Government spend for the religious ministrations of the different denominations for the army in India?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: The answer to the first part of the question is in the affirmative. To the second part, the answer is that religious instructors are provided to minister to the members of every denomination represented in the Indian Army. One or more teachers of each denomination, according to requirements, are allotted to each unit of the Army. The conditions of service are the same for all religious teachers, viz :

Pay at Rs. 25 per mensem, free rations as for combatant soldiers, and gratuity on retirement, calculated at one month's pay for each complete year's service as a religious teacher since the 1st April 1921.

The total annual cost of the service, excluding gratuities, is estimated at Rs. 1,59,750.

RAILWAY FARES, DARJEELING-HIMALAYAN RAILWAY.

79. The HONOURABLE RAJA PRAMADA NATH ROY, OF DIGHAPATIA : (a) Is it a fact that the Railway fares of the Darjeeling-Himalayan Railway were already much higher than those of the other railways in India, distance for distance, and that in spite of the strong protest of the public assembled in a meeting last October, the Darjeeling-Himalayan Railway enhanced the fares still more?

(b) Would the Government consider the desirability of taking over this line under the management of the State in the interest of a large body of people both European and Indian who have to go up to Darjeeling every year?

The HONOURABLE MR. SHAFI: (a) Higher maxima rates and fares than apply on other railways have been sanctioned over the Darjeeling-Himalayan Railway in view of its being a hill railway; within these maxima the Railway has the power to vary its rates and fares. Owing to the heavy increase in working expenses, the Railway was compelled to increase, with effect from 1st October 1920, rates for certain articles within the authorised maxima. From the same date concession fares for 2nd and 3rd class passengers by local and mixed trains were withdrawn.

(b) The right of Government to acquire the line is governed by the terms of the contract under which the earliest date on which the Government can acquire the line from Siliguri to Darjeeling is 4th May 1929.

QUESTION OF CART ROAD IN CONTRACT BETWEEN GOVERNMENT AND THE DARJEELING-HIMALAYAN RAILWAY.

80. The HONOURABLE RAJA PRAMADA NATH ROY, OF DIGHAPATIA : (a) Is it a fact that in the contract between the Government and the Darjeeling-Himalayan Railway it is distinctly stated that the line shall be laid in such a

way so as not to interfere with the safety and security of the passengers and live-stock using the Cart Road?

(b) If so, would the Government consider the desirability, for the safety of the other traffic, either to issue orders to remove the level-crossings immediately or in the event of the Railway's inability to do so, to compel the Railway to construct gates or bars at the level-crossings to prevent accidents, as laid down in the Indian Railways Act?

(c) If so, would the Government consider the fairness of levying either rent or compensation from the Darjeeling-Himalayan Railway for the use of the District Cart Road with retrospective effect in the interest of the public?

(d) Is it a fact that only recently some of the cartmen were killed on the Mahanady bridge between Sukna and Siliguri of the Darjeeling-Himalayan Railway owing to the Railway line being in the middle of the bridge?

(e) If so, would the Government consider the necessity of instructing the said Railway to relay their lines on the bridges in such a manner that sufficient room be left for the motor and cart traffic on the bridge in question?

(f) Is it a fact that the Darjeeling-Himalayan Railway has been offered, free of charge, the land just below their existing goods-shed in the Darjeeling Bazar by the Municipality for the purpose of relaying the line for the goods traffic with a view to do away with the present terrible congestion in the bazar where there are at present three level-crossings within a distance of 200 yards?

(g) If so, do the Government propose to direct the Darjeeling-Himalayan Railway to take up this work without any loss of time for the safety of the public and in preference to any other work that they consider necessary to take up in Darjeeling at the present moment?

The HONOURABLE MR. SHAFI: (a) It is laid down in the contract that the Railway shall be laid so as to interfere, as little as possible, with passengers and live-stock using the cart road, also that it shall be worked in accordance with such regulations as may be considered necessary to safeguard the convenience and security of users of the road.

(b) As many as 25 level-crossings have recently been eliminated and the removal of others is under contemplation.

(c) Under the terms of the contract the use of the cart road in question has been granted free of cost to the Railway Company, and the question of levying rent or compensation cannot therefore be considered.

(d) The accident referred to, took place in March 1918 due to a collision between a train and carts when one cartman was killed.

(e) The re-laying of railway track on the bridge in the manner suggested is structurally impossible, but since the accident referred to above took place, the bridge approaches have been provided with gates and signals, and these arrangements have been approved by the Senior Government Inspector of Railways and the District Magistrate.

(f) The answer is in the affirmative.

(g) The Railway Administration is at present undertaking an extensive scheme for remodelling the Darjeeling passenger station which is greatly congested and is of more importance than the remodelling of the goods yard. Funds for undertaking both the works simultaneously are not available at present.



PROMOTION OF RAILWAY ENTERPRISE.

81. The HONOURABLE SARDAR JOGENDRA SINGH : (a) In what directions does the Railway Board promote Railway enterprise and provide increased facilities to meet new demands?

(b) Has the Board any power, and does it ever use it, in compelling a non-co-operating Railway Company to co-operate with connecting Railways and arrange their time-tables to serve the convenience of the travelling public?

The HONOURABLE MR. SHAFI : (a) The Honourable Member is referred to the following Resolutions, copies of which are laid on the table—

(i) Railway Department (Railway Board) Resolution No. 457-R. P., dated 14th November 1913, and

(ii) Railway Department (Railway Board) Resolution No. 1894-86-P., dated 7th January 1915.

It may be mentioned that the terms offered by Government for the construction of Branch Lines which are contained in these Resolutions are being reconsidered.

(b) The Railway Board have the power under contracts with the Railway Companies to exercise general control over the train service, but they have not had occasion during the last ten years to make use of this power.

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No. 457-R.P. OF 1913.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

*Simla, the 14th November, 1913.*

TERMS ON WHICH THE GOVERNMENT OF INDIA ARE PREPARED TO CONSIDER OFFERS FOR THE CONSTRUCTION BY THE AGENCY OF PRIVATE COMPANIES OF BRANCH LINES FORMING FEEDERS EITHER TO STATE LINES WORKED BY THE STATE OR TO RAILWAYS WORKED BY COMPANIES.

RESOLUTION.—In supersession of all previous orders on the subject, the following information is published detailing the conditions on which the Government of India will be prepared to receive applications for the grant of financial assistance to companies formed to provide capital for the construction of such branch railways as Government may be prepared to entrust to companies. The terms offered have been made considerably more liberal in several respects.

2. No concession can be granted for the construction of a branch line until the line has been surveyed and detailed estimates of its cost and an adequate report on its traffic prospects have been prepared by an agency approved by the Government of India. When promoters are desirous that such a survey should be made, an application should be submitted to the Railway Board in the form prescribed in memorandum B, attached.

3. The conditions on which concessions for the construction of branch lines will be granted are as follows :—

(i) The prospectus of the company to be formed for the purpose of providing capital for the line must be submitted to, and approved by, the Government of India before issue. The capital of the company must be expressed in rupees, and subscription must be invited only in India. The amount of capital to be raised will be subject to the approval of the Government of India, and the construction of the line will not be begun until the Government of India are satisfied that capital sufficient to meet the estimated expenditure has been subscribed.

- (ii) The railway shall be built according to plans and estimates approved by the Government of India, and must conform to the fixed and moving dimensions for the time being prescribed. The gauge of the line, the route followed, the situation of stations, and details of a similar character, shall be subject to the approval of the Government.
- (iii) All land in British territory, which is, in the opinion of the Government of India, required for the construction of the line, will be provided free of charge, including land permanently or temporarily required for quarrying ballast, for brickfields, and similar purposes.
- (iv) The results of existing surveys will be made available to persons applying for concessions under these rules. In cases where this is considered advisable by the Railway Board, fresh surveys will be made at the request of promoters inquiring into the probable prospects of any projected line, on the understanding that no preferential claim to a concession for the construction of the line is thereby established. If permission be eventually given for the construction of any line, the cost of all surveys, whether special surveys or surveys previously made at the cost of, or with the approval of, Government, shall be included in the capital cost of the railway. The Government of India expressly disclaim all responsibility for the accuracy of any survey, plan, estimate, or other information supplied by them.
- (v) Electric telegraphs and telegraphic appliances will be supplied and maintained by the Government of India at the charges and on the conditions in force for the time being for similar services on State railways.
- (vi) Railway materials for the construction of the branch line will be carried over railways owned and worked by the State at the special rates charged for similar materials belonging to State railways.
- (vii) The Government of India will grant financial assistance to approved companies either in the shape of a guarantee of interest, or of a rebate to the branch line company from the net earnings of the main line from traffic interchanged with the branch. Assistance in the latter form can only be promised where the main line is worked by the State; but the Government of India will, in other cases, endeavour to arrange on behalf of the branch line company a similar agreement with the company working the parent line. A rebate and a guarantee of interest cannot be granted simultaneously in respect of the same branch line. In cases where the entire capital is raised by the issue of shares, the following terms will apply :—
  - (a) *Guarantee of interest.*—The Government of India will be prepared to guarantee from the close of the period during which interest is payable out of capital interest at the rate of 3½ per cent. per annum on the approved paid-up share capital of the company to the end of the financial year in respect of which the dividend is declared, subject to the condition that all surplus profits which may be earned by the company after paying interest on the paid-up share capital at the rate of 5 per cent. shall be equally divided between the Government and the company. This guarantee, where given, will remain in force until the line is purchased by the Government. Any sums payable by the Government under the guarantee shall be payable in rupees.
  - (b) *Rebate.*—When the branch line connects with a railway owned and worked by the State, the Government of India will be prepared to allow the company in respect of and at the end of each financial year, by way of rebate, such a sum, not exceeding in any year the net earnings (exclusive of earnings derived from the carriage of revenue stores) from traffic interchanged between such State railway and the branch line as shall, together with the net earnings of the branch line, make up an amount equal to interest at the rate of 5 per cent. per annum on the approved paid-up share capital of the company. This undertaking will be subject to the proviso that, when the net earnings of the company, without the assistance of a rebate, suffice to pay interest at a rate exceeding 5 per cent. on the paid-up share capital, the surplus shall be divided equally between the Government and the company. The payment of rebate shall commence at the close of the period during which interest is payable from capital. Payments on account will, subject to subsequent adjustment, be permissible at the end of each half-year. For the purpose of calculating the rebate, the net

earnings of the main line from traffic interchanged with the branch will be assumed to bear the same proportion to the gross earnings of the main line from such traffic as the net earnings of the whole main line system, including the branch bear to the gross earnings of the whole system.

(viii) (a) If, in the case of a concession granted under either of the conditions of the foregoing paragraph, it be intended by the branch line company to construct and work the branch line itself, the amount to be spent each year on working expenses will be subject to the approval and sanction of the Government of India.

(b) In such cases the Government of India may, from time to time, appoint any one person to be a Director of the branch line company who shall be *ex-officio* a member of all Committees appointed by the Board of Directors of the company or by the company in relation to the undertaking or any other matter connected therewith, and shall have power to exercise at his discretion an absolute veto in all proceedings of the Board of Directors, and shall not be removable except by the Government of India, and may act by a Deputy appointed by the Government of India.

(c) If a branch line company, which has been granted financial assistance under clause vii (a) above and permitted to work the railway by its own agency, be guilty of any breach of contract or of gross mismanagement, or if the working expenses of the railway exceed the gross earnings for six consecutive half-years, the Government of India may at any time, after giving six months' notice, assume the working of the railway by State or any other agency. If the working of the line is so assumed, the terms of working will be fixed by Government.

(ix) Where the main line is a railway owned and worked by the State, the main line administration will, if it is so desired, work the branch line for a percentage of the gross earnings of the branch. When the branch and main line are of the same gauge this percentage will usually be that obtaining on the whole system, including the branch, from time to time, but will not in any case exceed 50 per cent. of the gross earnings of the branch from all sources, and will include all charges on account of the use of the main line rolling-stock, subject to the condition that the company shall, if and when required to do so during the continuance of the working contract, bear the capital portion of the cost as stated by Government of strengthening the permanent-way and bridges of the branch line to enable the rolling-stock for the time being of the working railway to be used on it without restriction. Where the gauges are not the same, special working terms will be fixed in each case. When the main line is not worked by State agency, the Government of India, if desired to do so by the branch line company, will endeavour to negotiate similar terms for working with the main line administration.

(x) No capital expenditure by the branch line company shall be recognised, as between the Government of India and the company, unless the prior sanction of the Government of India to that expenditure has been obtained. The company shall have no power to increase its share or stock capital without the sanction of the Government of India or the Secretary of State, or to borrow money, otherwise than for purely temporary purposes, except on conditions to be specified by these authorities.

(xi) Any unexpended capital which the company may have shall be invested or deposited at interest in a manner to be approved by the Government of India and in the name of the company, not in that of the Managing Agents, and the return therefrom shall be treated as net earnings of the railway.

(xii) The branch line company, if so required, shall keep accounts in forms approved by the Government of India, and they shall supply, free of charge, all accounts required by the Government. The accounts will be subject to audit by officers appointed by the Government.

(xiii) Funds for the execution of new works chargeable to capital, which may be found to be necessary for the safety, economy, or efficiency of working after the branch railway has been opened to public traffic, shall be provided by the branch line company. Such works, and their cost shall, when the branch railway is worked by the main line administration, be agreed upon between the branch line company and the main line administration before they are undertaken; in the event of any difference of opinion as to the necessity for, or the cost of, any

such work, the matter shall be referred to the Railway Board, whose decision shall be final.

In the event of the branch line company failing to provide, after six months' notice, any additional capital for work required under this condition or conditions (ii) and (ix) above, the Government of India shall be at liberty to supply the necessary funds, and to carry out the work, and shall be entitled to receive from the sums payable to the branch line company, by way of net earnings or rebate, interest at 5 per cent. (or any lower rate that it may in special cases agree to accept) on funds so applied.

- (xiv) Subject to the law for the time being in force, payment out of capital will be sanctioned, during a period which may extend to the close of the half-year in which the railway shall have been opened throughout for public traffic, of such sums as, with the interim net earnings, shall be required to pay interest at a rate to be agreed upon on the paid-up capital of the company.
- (xv) Such expenses on account of administration of the branch line company as the Government of India may sanction may be charged during construction to the capital account of the company, and with effect from the date on which the line is opened for traffic throughout will be charged as follows :—
  - (a) if the branch line company works its own line, as part of the working expenses of the line;
  - (b) if the company's line is worked by the main line administration,
    - (1) when the net earnings do not suffice to pay interest at 5 per cent. (or suffice to pay only 5 per cent) on the paid-up share capital of the company, as part of the working expenses to be met out of the stipulated percentage of the earnings of the branch taken by the working agency;
    - (2) when the net earnings exceed 5 per cent. on the paid-up share capital of the company, as a first charge on surplus profits before division; provided that, if the surplus profits are insufficient to meet the administration charges, the balance will be paid by the working agency out of the stipulated percentage of the earnings of the branch taken by it.
- (xvi) The rates and arrangements in force on State railways as regards services rendered to other departments of State shall apply to the branch line. The branch line company shall also be liable when called on to provide, at such stations as may be ordered by Government, buildings for post office and quarters for post office staff at a charge not exceeding 7½ per cent. per annum on the capital cost of the said buildings and quarters.
- (xvii) The Government of India reserve the right to fix and vary from time to time the classification of goods for tariff purposes, and the maximum and minimum rates for each class of goods and for passengers. They also reserve a general right of control in respect of the number and timing of trains.
- (xviii) During the first year after opening of the branch line, or part thereof, the expenditure incurred on the maintenance of the line may be charged to capital.
- (xix) Notwithstanding anything in the preceding clauses, expenditure due to extraordinary accidents and casualties, or to defects and their consequence in the construction of the line or in any part thereof shall be met by the branch line company, in addition to the percentage of earnings payable to the main line as working expenses, and shall be charged against the branch line net earnings, or against capital, according to circumstances, in accordance with the general usage on Indian railways.
- (xx) All agreements for lines constructed under these terms shall include a special purchase clause permitting the Government of India to purchase the lines at any time, after giving one year's notice, in the following cases :—
  - (1) When the Government of India consider it desirable that the gauge of the branch line should be altered.
  - (2) When it is desired to convert the branch line into a line of through communication.
  - (3) When the Government of India desire to extend the branch line (without altering the gauge or making the line part of a through route), and the

branch line company is unable or unwilling to supply the necessary capital for such extension.

In the event of a line being purchased under this clause, the price payable shall be 25 times the average net earnings (excluding payments on account of guarantee or rebate) during the three years preceding the purchase, or 115 per cent. of the capital expenditure on the line, whichever may be the greater. All payments shall be made on a rupee basis.

(224) The agreements shall also include an ordinary purchase clause permitting the Government of India to purchase the line at the expiry of 30 years from the date on which the railway was declared open for traffic or at subsequent intervals of 10 years, subject to the condition that at least one year's previous notice of the intention to purchase has been given. The price payable on purchase under this clause shall be 25 times the average net annual earnings (excluding payments on account of guarantee or rebate) during the three years preceding the purchase, subject to a maximum of 120 per cent. and a minimum of 100 per cent. of the capital expenditure on the line at the time of purchase. All payments shall be made on a rupee basis.

4. Applications for concessions under these orders should be submitted in the forms prescribed by Memorandum A attached to this Resolution. Copies of the forms may be obtained on application to the Secretary to the Railway Board. Requests from promoters for information as regards existing surveys, or for new surveys—*vide* paragraph 3 (iv)—should be addressed to the Secretary to the Railway Board. Applications for new surveys should contain the information required by Memorandum B hereto attached.

The Secretary to the Government of Madras, Public Works Department, Railways.

The Secretaries to the Governments of Bombay, Bengal, Burma, the United Provinces of Agra and Oudh, the Punjab, and Bihar and Orissa, Public Works Department.

The Honourable the Resident at Hyderabad  
The Honourable the Resident in Mysore and Chief Commissioner, Coorg.

The Honourable the Chief Commissioners of the Central Provinces and Assam.

The Honourable the Agents to the Governor General for Rajputana, Central India and Baluchistan.

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

The Accountant General, Railways.

The Bombay, Bengal, Bengal National, Upper India, Punjab, Karachi, Madras, Burma, Chittagong, Southern India, and Indian Chambers of Commerce and the Indian Merchants' Chamber and Bureau.

ORDER.—Ordered that this Resolu-

tion be forwarded for information to the Local Governments and Administrations, to the officers and to the Chambers of Commerce noted in the margin.

ORDERED also that the Resolution be published for general information in the *Gazette of India*.

T. RYAN,

Secretary to the Railway Board.

*Documents accompanying.*

*Enclosure No. I.*—Memorandum A for the guidance of persons or syndicates desirous of submitting proposals for the construction of branch or feeder railways, with Form A and Appendix A.

*Enclosure No. II.*—Memorandum B for the guidance of persons or syndicates desirous of having surveys made for branch or feeder lines of railway by the Railway Board.

Enclosure No. I (with Form A and Appendix A) to Government of India Resolution No. 457-R.P. of 1913.

#### MEMORANDUM A.

FOR THE GUIDANCE OF PERSONS OR SYNDICATES DESIROUS OF SUBMITTING PROPOSALS FOR THE CONSTRUCTION OF BRANCH RAILWAYS IN INDIA FORMING FEEDERS EITHER TO STATE LINES WORKED BY STATE OR TO RAILWAYS WORKED BY COMPANIES.

1. All applications for leave to construct a branch or feeder railway in any part of British India are to be addressed to the Secretary to the Railway Board.

2. All such applications shall be printed, and shall be drawn up, as far as may be in Form A attached hereto, and shall specify—

- (a) the company, person, or syndicate by whom the application is preferred; the proposed amount of capital, the number of shares and the amount of each share;
- (b) all the termini, together with the names of all the principal towns from, through, into, or near which the railway is intended to be constructed, as well as the names of each civil division and district to be traversed by the proposed alignment;
- (c) the length, so far as known, of the proposed railway;
- (d) the gauge, the weight of rails, etc.;
- (e) motive power to be employed;
- (f) the maximum tolls, rates, and fares proposed to be charged on the projected railway;
- (g) the proposals for working the railway when constructed; and if any agreement is under contemplation, or has been provisionally arranged with any existing Railway Administration under which the proposed line, when constructed, is to be leased out for working by such Railway Administration, the exact nature and terms of such agreement;
- (h) the charges proposed by the applicants for floating the branch company;
- (i) the charges proposed on account of the general administration of the branch company's affairs;
- (j) any further information that may be required to enable Government to thoroughly understand the scope of the proposals.

3. Every such application shall be accompanied by a map to a scale of one mile to one inch, with the line of the proposed railway delineated thereon, so as to show its general course and direction, and also by an estimate as correct as may be of the works proposed to be authorised.

4. When the applicants draw up their own detailed plans and estimates, these documents are invariably to be prepared in strict accordance with the Rules for the preparation of railway projects issued under the authority of the Government of India, of which copies may be obtained on payment from the Superintendent of Government Printing, Calcutta.

5. If Government are prepared to entertain an application put forward in respect of a line that has already been surveyed, permission will be accorded on application to the Secretary to the Railway Board, to inspect, at all reasonable hours, the detailed plans, sections, and estimates at the disposal of Government; and copies of such plans, sections and estimates will be furnished on payment of the cost of copying.

6. But in regard to all such information, statistics plans, sections, or estimates, which may be furnished, it is to be recognised that the information thus offered to any person interested in the matter, is simply the best information of the kind at the disposal of Government, and that Government cannot accept any responsibility whatever in regard to the accuracy of any of the documents.

#### FORM A.

*To accompany all applications for leave to construct a branch or feeder railway in any part of British India.*

Nature of particulars to be specified.	Particulars.
<ol style="list-style-type: none"> <li>1 The name of the company, person or persons by whom the application is preferred; the proposed amount of capital, the number of shares, and the amount of each share.</li> <li>2 The termini, together with the names of all the principal towns from, in, through, or into, or near which the railway is intended to be constructed.</li> </ol>	

Nature of particulars to be specified.	Particulars.
<p>3 The length, as far as known, of the proposed railway.</p> <p>4 The gauge proposed and weight of rails, etc.</p> <p>5 The motive power to be employed.</p> <p>6 The maximum tolls, rates, and fares intended to be charged on the proposed railway.</p> <p>7 Details of any agreement which may have been provisionally arranged, or which it is desired to enter into, under which the proposed line, when constructed, is to be leased out for working to any existing Railway Administration.</p> <p>8 The charges proposed by the applicants for floating the branch company.</p> <p>9 The charges proposed on account of the general administration of the branch company's affairs.</p> <p>10 Any further information that may be required to enable the Government of India to thoroughly understand the scope of the proposals.</p>	<p><i>Reference to an Appendix (vide Appendix A) may be here given, if necessary.</i></p>

APPENDIX A.

*Schedule of maximum and minimum rates and fares intended to be charged on the proposed branch railway.*

<i>Passenger fares —</i>	Maximum. Pies per mile.	Minimum. Pies per mile.
1st class ... ..	...	...
2nd class ... ..	...	...
Intermediate class ... ..	...	...
3rd or lowest class ... ..	...	...
<i>Carriages—</i>	Maximum. Pies per mile.	Minimum. Pies per mile.
Single Carriage ... ..	...	...
<i>Two or more carriages on one truck</i>	Maximum. Pies per truck.	Minimum. Pies per truck.
... ..	...	...
<i>Horses—</i>	Maximum. Pies per mile.	Minimum. Pies per mile.
Single horse ... ..	...	...
<i>Dogs—</i>	Maximum. Pies per 50 miles or portion thereof.	Minimum. Pies per 50 miles or portion thereof.
Each ... ..	...	...
<i>Parcels and luggage —</i>		

If it is proposed to adopt the rates approved by the Indian Railway Conference Association, it will be sufficient to state this fact; otherwise the rates proposed should be stated.

<i>Goods rates—</i>					Maximum. Pies per maund per mile.	Minimum. Pies per maund per mile.
5th class	...	...	...	...	...	...
4th "	...	...	...	...	...	...
3rd "	...	...	...	...	...	...
2nd "	...	...	...	...	...	...
1st "	...	...	...	...	...	...
Special class	...	...	...	...	...	...
X class (Explosives, including dangerous goods)	...	...	...	...	...	...

Enclosure No. II to Government of India Resolution No. 457-R. P. of 1913.

### MEMORANDUM B.

INFORMATION TO BE SUPPLIED BY PERSONS OR SYNDICATES DESIROUS OF HAVING SURVEYS FOR BRANCH OR FEEDER LINES OF RAILWAY IN INDIA CARRIED OUT AT THE COST OF GOVERNMENT.

1. All such applications shall specify—

- (a) the company, person, or syndicate by whom the application is preferred ;
- (b) all the termini, together with the names of all the principal towns from, through, into, or near which the survey is intended to be carried, as well as the names of each civil division and district to be traversed by the proposed alignment ;
- (c) the length, so far as known, of the proposed railway ;
- (d) the gauge and the motive power to be employed ;
- (e) the intentions of the applicants as to the construction and working of the railway. If it is intended that the working shall be leased to any existing Railway Administration, the nature of the contemplated agreement shall be specified.

2. Every such application shall be accompanied by a map to a scale of one mile to one inch, with the line of the proposed survey delineated thereon, so as to show the general course and direction.

No. 960-R.P. of 1914.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

*Simla, the 13th March 1914.*

TERMS ON WHICH THE GOVERNMENT OF INDIA ARE PREPARED TO CONSIDER OFFERS FOR THE CONSTRUCTION BY THE AGENCY OF PRIVATE COMPANIES OF BRANCH LINES FORMING FEEDERS EITHER TO STATE LINES WORKED BY THE STATE OR TO RAILWAYS WORKED BY COMPANIES.

READ—

Railway Department (Railway Board) Resolution No. 457-R.P., dated the 14th November 1913.

OBSERVATIONS.—It has been represented that it will facilitate the raising of capital for the construction of feeder railways under the Resolution cited above if a part of the required capital be provided on guarantee terms and the balance on rebate terms.

The Government of India have accordingly resolved to modify Resolution No. 457-R.P., dated the 14th November 1913, in order to permit of the capital required for feeder lines being raised in the manner proposed.



**RESOLUTION.**—For the sentence "A rebate and a guarantee of interest cannot be granted simultaneously in respect of the same branch line" in clause 3 (vii) of the Resolution of 1913, *substitute* the following :—

"A rebate and a guarantee of interest cannot be granted simultaneously in respect of the same capital; but capital may be raised for the same branch line, partly under the guarantee system and partly under the rebate system."

After clause 3 (vii) (b) of the Resolution *add* the following new clause :—

"(c) *Combination of guarantee and rebate terms.*—When the capital of a branch line has been raised partly on guarantee and partly on rebate terms, the Government of India will allow in respect of the share capital issued on the <sup>guarantee</sup> <sub>rebate</sub> system the amount (if any) which would have been due on such share capital from time to time had the entire capital been raised on <sup>guarantee</sup> <sub>rebate</sub> terms."

The Secretary to the Government of Madras, Public Works Department, Railways.

The Secretaries to the Governments of Bombay, Bengal, Burma, the United Provinces of Agra and Oudh, the Punjab and Bihar and Orissa, Public Works Department.

The Honourable the Resident at Hyderabad.

The Honourable the Resident in Mysore and Chief Commissioner, Coorg.

The Honourable the Chief Commissioners of the Central Provinces and Assam.

The Honourable the Agents to the Governor General for Rajputana, Central India and Baluchistan.

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

The Accountant General, Railways

The Bombay, Bengal, Bengal National, Upper India, Punjab, Karachi, Madras, Burma, Chittagong, Southern India, and Indian Chambers of Commerce and the Indian Merchants' Chamber and Bureau.

**ORDER.**—Ordered that this Resolution be forwarded for information to the Local Governments and Administrations, to the officers and to the Chambers of Commerce noted in the margin.

**ORDERED** also that the Resolution be published for general information in the *Gazette of India*.

T. RYAN,

Secretary to the Railway Board.

Resolution No. 1334-P, of 1915.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

Simla, the 7th January 1915.

GRANT OF SPECIAL CONCESSIONS TO BRANCH LINE COMPANIES FORMED FOR THE CONSTRUCTION OF RAILWAYS IN ASSAM.

**Observations.**—The Government of India have recently had under their consideration the question of adopting further means to encourage the construction of feeder railways in the Province of Assam. It has been recognised that improved means of communication are essential if the material development of which that Province is capable, is to be brought about, but that, in the present partially developed state of large tracts, the immediate financial prospects of branch railways constructed in those tracts are less favourable than are the prospects of similar railways in other Provinces of India. In these circumstances the Government of India consider that, in order to encourage the formation of companies for the construction of feeder railways in partially developed tracts in Assam, some increased measure of financial assistance is required during the early years after the opening of such railways and before the country traversed has attained to that state of development to which the existence of a railway may be expected to conduce. The Government of India have therefore decided, with the approval of His Majesty's Secretary of State in Council of India, that the Assam Administration may in approved cases supplement the financial assistance by way of guarantee, the grant of which at the charge of Imperial revenues is contemplated by the Government of India Resolution No. 457-R.P., dated the 14th November 1913.

**Resolution.**—In the case of branch line companies formed for the construction of railways in partially developed tracts in Assam, the Government of India will be prepared, provided the conditions implied in the foregoing Observations are fulfilled, to sanction an arrangement by which, in addition to the Imperial guarantee of 3½ per cent contemplated in clause 8 (VII) (a) of their Resolution No. 457-R. P., dated 14th November 1913, the Assam Administration shall undertake for a fixed term of years to make good to the branch line company the sum necessary to increase the rate of dividend to 4½ per cent on the paid-up capital of the company when its net earnings are insufficient to admit of the payment of a dividend at this rate. The period during which the Assam Administration will undertake this liability must depend on the circumstances of each individual case and the prospects of early development which it presents. In all other respects the orders for the time being in force regarding the formation of companies for the construction of feeder railways in other parts of India will apply to the formation of companies for a like purpose in the province of Assam.

**ORDER.**—Ordered that this Resolution be forwarded for information to the Government of Assam and that the same be published for general information in the *Gazette of India*.

T. RYAN,

Secretary, Railway Board.

### HINDUS AND MUHAMMADANS IN POST AND TELEGRAPH DEPARTMENTS.

82. The HONOURABLE MR. ALTAF ALI: Will the Government be pleased to lay on the table a statement showing separately the total number of Hindus and Muhammadans in the Post and Telegraph Departments holding the following appointments in each Circle on the 31st December 1920:—

#### *Postal Department.*

- (a) Gazetted officers of each rank.
- (b) Non-gazetted officers of each rank.
- (c) Ministerial officers of each rank, including Inspectors of Post Offices, Head Clerks of the offices of the Superintendents of Post Offices, Clerks, and Head Assistants to the Postmaster General and Deputy Postmaster General and in the Directorate, in the Stock Depôts and the Dead Letter offices.
- (d) Overseers of different ranks and Postmen in each division.

#### *Telegraph Department.*

- (e) Gazetted officers of the Engineering and Traffic branches in each rank.
- (f) Non-gazetted officers of the Engineering and Traffic branches in each rank, including Telegraphists.
- (g) Ministerial officers, including the clerks in the Directorate, offices of the Director of Telegraph, Divisional Engineers, Deputy Assistant Engineers, and Store Yards in each rank.
- (h) Telephone Inspectors and Operators.
- (i) Sub-Inspectors and Linemen?

The HONOURABLE MR. B. N. SARMA: The printed List of officers of the Post and Telegraph corrected up to 15th June 1921 contains full information in respect of clauses (a) and (e) and partial information in respect of (b), (c), (f) and (g), and I shall be glad to hand a copy to the Honourable Member if he so desires. The remaining items of information asked for are not available with the Government of India, who would take this opportunity

to point out that the labour involved in compiling the required statistics would, in their opinion, be incommensurate with the value when compiled.

**POSTS HELD BY HINDUS AND MUHAMMADANS IN THE POSTAL DEPARTMENT, BENGAL AND ASSAM CIRCLES.**

88. The HONOURABLE MR. ALTAF ALI: Will the Government be pleased to—

- (a) lay on the table a statement showing the number of appointments held by Hindus and Muhammadans, respectively, in the Postal Department in Bengal and Assam Circle from the 2nd December, 1919 to the 31st December, 1920; and
- (b) state whether the Postmaster General's Circular letter No. A.-1-42, dated 2nd December, 1919, regarding the recruitment of Muhammadans, has been given effect to by the Superintendents, 1st class, Head Postmasters and the Deputy Postmaster General of different Ranges? If not, why not?

The HONOURABLE MR. B. N. SARMA: (a) It is regretted that the figures are not readily available, but could be compiled and forwarded to the Honourable Member in due course if he presses for the information.

(b) The instructions contained in the Circular letter referred to applied only to the Dacca and Shillong Ranges and not to the whole of Bengal and Assam Postal Circle. A subsequent Circular letter No. A.-1-42, dated the 5th March, 1920, was issued by the Postmaster General, a copy of which is laid on the table. It is being acted upon by Superintendents and first class Postmasters.

*Copy of a letter No. A.-1-42, dated the 5th March 1920, from the Postmaster-General, Bengal and Assam Circle, to the Deputy Postmasters-General, Dacca and Shillong, all Superintendents of Post Offices and 1st Class Postmasters, Bengal and Assam Circle.*

It has been decided that one-third of the ministerial appointments in the Post Office in the Bengal and Assam Circle should ultimately be held by Muhammadans, with a view to secure a fair representation of Muhammadans in the Post Office in this Circle, and to increase the recruitment of Muhammadan candidates for such appointments, the following instructions are issued for the guidance of the recruiting officers :—

- (1) Until the standard mentioned above is reached Muhammadans should, as a rule, be appointed at least in every third vacancy, provided that suitable candidates are available. For this purpose it is not necessary that the appointment should be to the actual vacancy that has occurred, but it should be somewhere in the chain of vacancies caused by the filling of the original vacancy.
- (2) In order to secure suitable Muhammadan candidates, care should be taken to see that timely information of the occurrence of vacancies reaches those who are interested in the matter.
- (3) The assistance of recognised Muhammadan Associations and of the Assistant Director of Public Instruction for Muhammadan Education should be freely asked for to obtain suitable candidates.

**RULES FOR SELECTION OF POSTAL EMPLOYEES.**

84. The HONOURABLE MR. ALTAF ALI: (a) Will the Government be pleased to state whether the Postmaster-General, Bengal's letter No. A.-12-12 (a), dated the 29th January, 1920, regarding the rules for the selection of Postal employees to sit as candidates at the Inspectors' examinations, is being given effect to?

(b) If the answer is in the affirmative, will the Government be pleased to state the number of Hindus and Muhammadans who have been appointed as Inspectors, Head Clerks and nominated for the ensuing examination?

The HONOURABLE MR. B. N. SARMA : (a) Yes.

(b) Out of 24 officials nominated from the Dacca Range for the last Inspectors' examination, 2 only were Muhammadans. Altogether 58 officials appeared in that examination including these two Muhammadans who failed to pass. Thus properly qualified Muhammadans are not available.

#### MUHAMMADAN CANDIDATES FOR EMPLOYMENT IN POSTAL DEPARTMENT.

85. The HONOURABLE MR. ALTAF ALI : (a) Will the Government be pleased to state whether the orders about taking the assistance of recognised Muhammadan Associations and the Assistant Director of Public Instruction for Muhammadan Education in obtaining suitable Muhammadan candidates contained in the Postmaster General, Bengal's letter No. A.-1-42, dated the 5th March, 1920, have been given effect to?

(b) Will the Government be pleased to state if any notice regarding the occurrences of vacancies in the Bengal and Assam Circles of the Postal Department was given to recognised Muhammadan Associations and the Assistant Director of Public Instruction for Muhammadan Education as directed in the letter referred to above? If not, why not?

The HONOURABLE MR. B. N. SARMA : (a) Yes.

(b) Government are making inquiries and the result will be communicated to the Honourable Member.

#### CLERKS FOR POSTMASTER-GENERAL'S OFFICE, BENGAL AND ASSAM CIRCLES.

86. The HONOURABLE MR. ALTAF ALI : Will the Government be pleased to lay on the table a statement containing the number of clerks sanctioned for the Postmaster-General's office, Bengal and Assam Circle, including Range officers, and the number of appointments held by the Hindus and Muhammadans, respectively?

The HONOURABLE MR. B. N. SARMA : The information asked for by the Honourable Member is given below :—

Total number of clerks	...	...	...	...	174
Number of Hindus	...	...	...	...	152
Number of Muhammadans	...	...	...	...	7

#### HINDUS AND MUHAMMADANS, POSTAL DEPARTMENT (SUPERINTENDENT'S OFFICE).

87. The HONOURABLE MR. ALTAF ALI : Will the Government be pleased to lay on the table a statement showing the number of clerks employed in each Superintendent's office in the Bengal and Assam Circles of the Postal Department and the number of such posts held by Hindus and Muhammadans, respectively, in each division?

The HONOURABLE MR. B. N. SARMA : The figures are not available. They will be collected and supplied to the Honourable Member in due course.

APPORTIONMENT OF REPARATIONS RECEIPTS.

88. The HONOURABLE SAIYID RAZA ALI : (a) By what standard has the Imperial Conference agreed to apportion the reparations receipts among the various members of the Empire in the manner recently announced by Reuter ?

(b) How is it that India is to receive only 1·2 per cent. of the total receipts, while Canada and Australia and even New Zealand are to receive much more ?

The HONOURABLE MR. H. MONCRIEFF SMITH : The standard of apportionment adopted at the Imperial Conference was based on the actual sums by which it was estimated that the States of the Empire would eventually be out of pocket under the headings for which Germany agreed to pay reparation in the Treaty of Versailles. India is to receive less than Canada, Australia or New Zealand because she will be less out of pocket than those countries under these headings.

The Government of India are not yet in a position to give detailed information of the figures for the various parts of the Empire on which the apportionment was made.

WITHDRAWAL OF PROSECUTION AGAINST KARNANI AND BANNERJI.

89. The HONOURABLE SAIYID RAZA ALI : (a) With reference to the withdrawal of the prosecution against Karnani and Bannerji, in what is commonly known as the Munitions Board case, has the attention of Government been drawn to the Press comments that one of the reasons which led to the withdrawal was a desire " to save some persons in the highest positions from cutting sorry figures in the witness box " ? Is there any truth in the suggestion ?

(b) How much public money has already been spent over the case ?

(c) In his statement before the Presidency Magistrate, did the Advocate-General exceed, and, if so, in what respect, the instructions given to him ? Is there any objection to placing on the table a copy of the communication sent from Simla conveying instructions to the Advocate-General for withdrawing the case ?

(d) Will Government be pleased to publish all the papers which may enlighten the public as to the real cause of the withdrawal, including the replies of the Member of Commerce and Industries to the questions sent by the Secretary of State ?

The HONOURABLE MR. SHAFI : (a) There is no truth whatever in the suggestion made.

(b) I am unable to state the expenses incurred by the Government of India for the conduct of the prosecution in this particular case. It would be extremely difficult and laborious to separate the expenditure on this particular case from the total expenditure on all the criminal prosecutions undertaken in Calcutta with regard to what is known as the Munitions cases, inasmuch as the bills received in the Audit Office at headquarters do not specify the particular case on which each item of expenditure is incurred. Moreover, some of the fees paid to Counsel cover payments for services rendered in connection with all the cases without making distinctions between them ; while it would be impossible in any case to separate in reference to each particular

case, establishment and miscellaneous contingent charges incurred in connection with all of them. I may, however, say that the total expenditure up to the 22nd August 1921, on all these cases, amounted to Rs. 3,26,994-11-6, out of which a sum of Rs. 1,77,349-10-0 was on account of legal fees. A considerable part of this expenditure was incurred in the extradition proceedings in England in the case of the Crown *versus* Waite, Stoddart, Billinghamurst, Blackburn and Michael, and the proportion of the expenditure incurred on the case against Karnani and Bannerji to the whole is relatively small.

(c) and (d) The Honourable Member is referred to the full statement made by the Government of India in their Communiqué published on the 28th August 1921,

#### AMAN SABHAS OR SECURITY LEAGUES.

90. The HONOURABLE SAIYID RAZA ALI : (a) In how many and which of the provinces have *Aman Sabhas* or security leagues been started? Have the Provincial Governments concerned initiated the leagues on their own responsibility, or have they adopted this policy in consultation with the Government of India?

(b) Will Government be pleased to state what object the leagues were intended to serve?

The HONOURABLE MR. H. D. CRAIK : (a) The Government of India are not in a position to give the information asked for. This can more appropriately be obtained from the Local Governments concerned. At least one Local Government initiated the Leagues referred to on its own responsibility, but the Government of India have, on more than one occasion, drawn the attention of Local Governments, to the necessity of counter-propaganda directed against the non-co-operation movement, and have also recently invited the attention of Local Governments, to the possibility of establishing *Aman Sabhas* or similar organisations to combat the movement.

(b) The object of the Leagues appears sufficiently from the answer given to the first part of the Honourable Member's question. The Government of India do not believe that the establishment of these Leagues has in any way given an impetus to the non-co-operation movement. On the contrary, the information in their possession is to the effect that the Leagues have, in several provinces, been supported by a large section of Moderate non-official opinion and have attained a considerable measure of success in counteracting the non-co-operation movement.

#### PASSPORTS FOR MEMBERS OF DEPUTATION TO MESOPOTAMIA.

91. The HONOURABLE SAIYID RAZA ALI : (a) Has the *Anjuman Athab Aliat* of Lucknow (a representative body of Shia Moslems) written to the Government of India asking for passports for members of a deputation that it proposes to send to Mesopotamia to inquire into certain events that are alleged to have taken place there?

(b) In view of the growing excitement produced among the Indian Shias by reports from Mesopotamia, do Government propose to give facilities to the proposed deputation to visit that country, with a view to find out whether there is any truth in the reports that have appeared in the Press in India?

The HONOURABLE MR. DENYS BRAY : (a) No such application has reached the Government of India.

(b) Yes. In this connection the Honourable Member's attention is invited to the reply I gave him on the 24th March last.

TOUR OF LORD LYTTON'S COMMITTEE IN INDIA.

92. The HONOURABLE MR. G. M. BHURGRI : (a) Is it a fact that Lord Lytton's Committee has finished its work in England, and now proposes to tour in India next cold weather ?

(b) What is the information they seek by touring in India ?

(c) Are not the Government of India in a position to supply such information to the Committee without their coming to India ?

(d) What will be the cost of the proposed tour in India ?

The HONOURABLE MR. SHAFI : (a) According to the *Communiqué* issued in England, the Indian Students' Committee are continuing their work in England during the current month and will leave England about the end of October with a view to continuing their investigations in India.

(b) The Committee hope, by means of their tour in India, to co-ordinate arrangements in this country with those in England. They also desire to investigate the reasons which at present induce Indian students to leave India for education or technical training, to examine the existing facilities in India, the equivalence of Indian degrees, the questions connected with State scholars and other cognate matters.

(c) It is considered essential that the Committee, having already gathered a large amount of information in the United Kingdom, should examine the problem on the spot in India also in the light of the information they have collected in the United Kingdom.

(d) The cost of the proposed tour in India has been roughly estimated at Rs. 2 lakhs.

APPOINTMENT OF FISCAL COMMISSION.

93. The HONOURABLE MR. G. M. BHURGRI : With reference to the reply given to Mr. Jamnadas Dwarkadas, M.L.A., in the Legislative Assembly, on the 1st of March last, will Government be pleased to state—

(a) if they have appointed the Fiscal Commission ; if so, what is the personnel of the Commission ?

(b) when the Commission would be in a position to start its work ?

The HONOURABLE MR. SHAFI : (a) The composition of the Commission has not yet been finally settled, but the Government of India hope shortly to be able to make a pronouncement on the subject.

(b) It is hoped that the Commission will begin work towards the end of October.

INDIANS HOLDING GAZETTED APPOINTMENTS IN LOCO. DEPARTMENT, NORTH-WESTERN AND OTHER STATE RAILWAYS.

94. The HONOURABLE SIR ZULFIQAR ALI KHAN : (a) Will Government be pleased to state the number of Indians holding gazetted

appointments in the Loco. Department of the North-Western and other State Railways?

(b) If there are none, will the Government be pleased to consider the desirability of introducing the Indian element?

The HONOURABLE MR. SHAFI : (a) and (b) There is one Indian Locomotive Officer on the Eastern Bengal Railway. The Public Services Commission recommended an increase in the Indian element, and Government are endeavouring to provide for this.

#### RISE OF INDIAN APPRENTICES ON RAILWAYS TO GAZETTED RANK.

95. The HONOURABLE SIR ZULFIQAR ALI KHAN : (a) Do arrangements exist in the North-Western Railway and other State Railways under which educated Indians are entertained as apprentices and given thorough practical training in all branches of the work of the Loco. Department with a view to afford them equal facilities with Europeans and Anglo-Indians to rise to be gazetted Officers in the Department?

(b) Will Government be pleased to supply similar information with regard to the Carriage and Wagon Department?

The HONOURABLE MR. SHAFI : (a) and (b) There are no facilities at present on State Railways for the training of Indian or European apprentices for appointment to the Superior Locomotive and Carriage and Wagon Departments, but considerable progress in the direction of building technical schools or colleges in the neighbourhood of the Central Workshops of the North-Western, Oudh and Rohilkhand and Eastern Bengal Railways is being made. Technical education rests primarily with the Local Governments, but, in co-operation with the civil authorities, Railways generally are taking steps to enlarge the scope of the training and improving facilities at their shops as it is fully recognized that the better training of Indians in mechanical engineering is a most important consideration.

#### INDIANS AND NON-INDIANS HOLDING GAZETTED APPOINTMENTS ON RAILWAYS.

96. The HONOURABLE SIR ZULFIQAR ALI KHAN : Will Government be pleased to lay on the table a statement showing the numbers of Indians and non-Indians separately holding gazetted appointments in each Department of the North-Western Railway and other State Railways?

The HONOURABLE MR. SHAFI : A statement is placed on the table.

*Statement showing the numbers of Indians and Non-Indians holding gazetted appointments on State Railways.*

Department.	Indians.	Non-Indians.	
Engineering	35	160	
Traffic	30	90	
Locomotive	1	74	
Carriage and Wagon	2	12	
Stores	2	23	*Probationers.
Coal Department	...	18	



INTRODUCTION OF INDIANS IN THE SUPERIOR SERVICES OF RAILWAYS.

97. The HONOURABLE SIR ZULFIQAR ALI KHAN : (a) Will the Government be pleased to enlighten the Council as to the causes of absence or great paucity of Indians in the higher ranks of Railway Services, and what remedial measures are under contemplation ?

(b) Are Government prepared to take steps so as to improve matters as regards the introduction of Indians in the service of Railways ?

The HONOURABLE MR. SHAFI : (a) In the superior traffic establishment, State Railways, 25 per cent. of the officers are Indians ; in the Engineering Department, State Railways, 20 per cent. are Indians, in the other departments (the Locomotive, Carriage and Wagon and Stores Departments) the percentage is negligible.

It is intended to recruit in future Indians from the Roorkee and other Engineering and Technical Colleges with a view to raising the number gradually, as qualified men become available, to 50 per cent. of the total in all departments as recommended by the Public Services Commission. I would refer also to my reply to Question No. 15.

The comparative paucity of Indians in the higher ranks of Railway Service is due to the shortage of qualified candidates, and to a certain unwillingness, hitherto, on the part of educated Indians to undergo the training and apprenticeship necessary. The nature of the employment also did not apparently appeal to them.

(b) As just stated it is only of comparatively recent years that the better educated class of Indians has shewn any willingness to come forward with a view to taking up a career on Railways. Civil Engineering Colleges have been in existence for many years, and the question of providing better opportunities of obtaining a good Mechanical Engineering training in this country is receiving the careful consideration of Government.

The Government of India are desirous of obtaining fully qualified Indians for appointment to the Superior Services of the Railway Department, but it will be understood that they must have had some qualifying training.

GAZETTED APPOINTMENTS HELD BY INDIANS IN LOCO. AND CARRIAGE AND WAGON DEPARTMENTS, NORTH WESTERN AND OTHER STATE RAILWAYS.

98. The HONOURABLE SIR ZULFIQAR ALI KHAN : Will the Government be pleased to state if Indians have ever held gazetted appointments in the Loco. and Carriage and Wagon Departments of the North-Western Railway and other State Railways ? If so, will their names and particulars be stated ?

The HONOURABLE MR. SHAFI : Mr. Upendra Nath Bannerjee, appointed by the Secretary of State in 1919, is the first Indian appointed as Assistant Locomotive Superintendent. The particulars of his education and training are—

Educated in Calcutta Technical (Night) School.

Is an A. M. I., Locomotive Engineers, A. M. I. of Engineers and Ship-builders in Scotland. Trained in Locomotive Workshops of North British Locomotive Company, Glasgow.

No Indian has as yet held a gazetted appointment in the Carriage and Wagon Department.

### INDIANS, EUROPEANS AND ANGLO-INDIANS DRAWING RS. 300 AND OVER.

99. The HONOURABLE SIR ZULFIQAR ALI KHAN : Will the Government be pleased to lay on the table a statement showing the numbers of Indians and Europeans and Anglo-Indians drawing Rs. 300 and more in the service of Railways owned by the State and worked by Companies ?

The HONOURABLE MR. SHAFI : The statement asked for is laid on the table.

*Statement showing staff on Company-worked Railways drawing Rs. 300 and over a month.*

Railways.	Indians.	Europeans or Anglo-Indians.
Assam Bengal ... ..	10	93
Bengal Nagpur ... ..	53	370
Bombay, Baroda and Central India ... ..	59	353
East Indian ... ..	66	1,003
Great Indian Peninsula ... ..	(Information will be sent later when received.)	
Madras and Southern Mahratta ... ..	20	236
South Indian ... ..	25	160

### PRIZE POSTS IN THE POST OFFICE.

100. The HONOURABLE SIR ZULFIQAR ALI KHAN : Is it a fact that prize posts in the Post Office, e.g., the post of Postmaster, Simla, the Superintendent of Post Offices, Kashmir Division, are, as a rule, held by Europeans and Anglo-Indians to the exclusion of Indians, who are allowed to act in short temporary vacancies only ?

The HONOURABLE MR. B. N. SARMA : Government are not aware that the appointments in question are prize posts. In fact, Simla and Kashmir in the cold weather season would, it is thought, be considered as anything but "prize posts" by an Indian officer. On account of the large European communities resident in each of these places, it has been considered hitherto desirable to have European officers whenever available.

### CHARGE OF PRESIDENCY POST OFFICES, CALCUTTA AND BOMBAY, UNDER INDIANS.

101. The HONOURABLE SIR ZULFIQAR ALI KHAN : Will the Government be pleased to state if Indian gentlemen have ever held charge of the Presidency Post Offices of Calcutta and Bombay as a permanent measure ? If so, will the Government state the names and particulars ? If not, what is this due to ?

The HONOURABLE MR. B. N. SARMA : No. One Indian gentleman, Mr. Vythialingham Pillai, Presidency Postmaster, Madras, was offered the Presidency Postmastership of Calcutta and he refused it. No other Indian has as yet been found eligible by seniority and qualifications for either of the two appointments named.

APPOINTMENTS OF INSPECTOR-GENERAL, DEPUTY INSPECTOR-GENERAL, ETC.,  
OF RAILWAY MAIL SERVICE HELD BY INDIANS.

102. The HONOURABLE SIR ZULFIQAR ALI KHAN: Will Government be pleased to state if Indian gentlemen have ever held the post of Inspector-General, Deputy Inspector-General, or Deputy Postmaster-General of Railway Mail Service and Sorting. If so, their names and particulars should be stated? If not, what is this due to?

The HONOURABLE MR. B. N. SARMA: The posts of Inspector-General and Deputy Inspector-General of Railway Mail Service for India, which ceased to exist in 1907, were never held by Indians, as no Indian Officer at the time became eligible for promotion to any of these posts by seniority and fitness. There are now three appointments of Deputy Postmasters-General, Railway Mail Service, formerly designated Inspector-General, Railway Mail Service. One of these posts was held by Rai Bahadur Hananta Kumar Raha, M.A., who was Deputy Postmaster-General, Railway Mail Service, Eastern Circle, in 1917. At present two out of the three posts are held by Indians, *i.e.*, Mr. Mahendra Nath Lahiri, B.A., permanent Deputy Postmaster-General, Eastern Circle, and Rai Sahib Jogesh Chandra Bannerji, B.A., under orders of confirmation as Deputy Postmaster-General, Railway Mail Service, Western Circle.

INCREASE OF PAY OF POSTMASTERS.

103. The HONOURABLE SIR ZULFIQAR ALI KHAN: (a) Will Government be pleased to state if postal officers designated Postmasters have as a class ever received an increase of pay in consideration of the abnormal increase in prices during the Viceroyalties of Lords Minto, Hardinge and Chelmsford as officers of the other services have? If so, particulars may be stated. If not, what is this due to?

(b) Is it a fact that there is a widespread discontent among this class of public servants owing to their not having received any increase in the scale of their pay?

The HONOURABLE MR. B. N. SARMA: (a) There are two classes of Postmasters, *viz.*, non-gazetted and gazetted. The pay of both classes was revised in 1907, but the increases were sanctioned mainly in consequence of the withdrawal of the commission on the sale of postage stamps previously paid to them. At the same time, the pay of Postmasters, Deputy Postmasters, and Assistant Postmasters at the Presidency-towns and at Lahore and Rangoon were revised mainly owing to the increase in their responsibilities. The non-gazetted Postmasters, as a class, came within the scope of inquiry of the Postal Committee of 1920 and their pay was increased last year in the general revision sanctioned by Government in connection with the Committee's proposals. Particulars of the revision sanctioned will be found in the Department of Commerce Resolution No. 6458, dated the 23rd September 1920, a copy of which is laid on the table.

The existing scales of pay for gazetted Postmasters are Rs. 300—400, Rs. 400—500, Rs. 500—600, Rs. 600—800, Rs. 800—1,000 and Rs. 1,000—1,200. These scales were sanctioned in 1907, and the Public Services Commission did not think it necessary to recommend any revision. As, however, the highest scale of pay for non-gazetted Postmasters was, by the revision of

1920, raised from Rs. 200—300 to Rs. 250—350, it has been decided to raise the pay of gazetted Postmasters on Rs. 300—400, Rs. 400—500, Rs. 500—600, and Rs. 600—800 to Rs. 350—450, Rs. 450—550, Rs. 550—650 and Rs. 700—800, respectively.

(4) The gazetted Postmasters have memorialised Government for an increase of pay, but they have not been alone in this respect. Government are not aware of any special discontent among these officials.

# DEPARTMENT OF COMMERCE.

## RESOLUTION.

### POST AND TELEGRAPH ESTABLISHMENTS.

No. 6458.

*Simla, the 23rd September, 1920.*

In continuation of the Resolution in the Department of Commerce No. 4787, dated the 30th July 1920, the Government of India, agreeing generally with the recommendations of the Postal Enquiry Committee, are pleased to pass the following orders with regard to the clerical establishments in Post Offices the pay of which does not exceed Rs. 200—20—300 Inspectors of Post Offices, Head clerks to Superintendents of Post Offices, Departmental Branch Postmasters and Overseers.

(1) *Clerical staff in Post Offices.*—Officials of the clerical class employed in Post Offices other than those to be allotted to the selection grades dealt with in the next clause will be on time-scales as shown below :—

- (a) Bombay General Post Office and its town offices, Aden and Rangoon Head Offices and their town offices, and all offices in the Persian Gulf .....Rs. 50—50—60—8—105—5—140.

*Efficiency bars at Rs. 81 and Rs. 165 stages.*

- (b) Calcutta and Madras General Post Offices and their town offices, Akyore, Nowrah, Karachi, Lahore and Delhi Head Offices, and their town offices and all offices in Baluchistan..... Rs. 45—45—50—3—65—4—105—5—140.

*Efficiency bars at Rs. 73 and Rs. 105 stages.*

- (c) 1st class Head Offices (including their town offices) other than those included in categories (a) and (b), all offices in Burma other than the Rangoon Head Office and its town offices, and all offices in Sind other than the Karachi Head Office and its town offices..... Rs. 40—40—45—3—54—4—130.

*Efficiency bars at Rs. 70 and Rs. 102 stages.*

- (d) 2nd class Head Offices and their town offices and all sub-offices other than those which fall under categories (a), (b) or (c) . . . Rs. 35—35—40—3—64—4—120.

*Efficiency bars at Rs. 61 and Rs. 92 stages.*

A local allowance of Rs. 5 will be granted to officials employed in the Nagpur, Wardha and Nimar Districts and in the Berar Districts, with the exception of (1) clerks in the Nagpur Head Office and its town offices, who have been granted a special scale of pay, and (2) the Sub-Postmasters, Chikalda and Dharni who will retain their existing allowances.

The Government of India accept the opinion of the Committee that efficiency bars should be prescribed at suitable stages in the time-scale and that these bars should be rigorously enforced, but the exact tests to be applied will be reserved for further consideration.

Paid probationers as a separate class will be abolished. When a person is selected for employment in the Post Office, he will ordinarily be placed on the minimum pay of the time-scale applicable to the office to which he is attached, and will remain on that pay for a period of 2 years during which he will be regarded as under training and on probation. If the recruit is a man who has passed the Intermediate Examination, his starting pay will be that admissible from the beginning of the 3rd year of service under the appropriate time-scale, while, if he is a graduate, he will start on the pay admissible from the beginning of the 5th year of service under the same time-scale.

Unpaid probationers will, for the time being, be retained for appointment to temporary vacancies.

(2) *Selection grades.*—Grades of Rs. 250—20—350, Rs. 175—10—225 and Rs. 145—5—170, corresponding to the existing grades of Rs. 200—20—300, Rs. 150—10—200 and Rs. 100—10—150, will be introduced for non-gazetted Head Postmasters, Deputy and Assistant Postmasters, Head Clerks of Branches and Senior Accountants in Presidency Post Offices and Sub-Postmasters in charge of offices in which five or more clerks are employed or in which monetary transactions are exceptionally heavy. The appointments which will at the outset be included in these selection grades are those shown in the appended Schedule.

(3) *Inspectors of Post Offices and Head Clerks to Superintendents of Post Offices.*—All these officials will be on a time-scale of Rs. 100—5—175, and the ordinary rate of daily allowance for an Inspector will be increased from Rs. 2 to Rs. 3.

(4) *Departmental Branch Postmasters and Overseers.*—The following time-scale will be sanctioned for Departmental Branch Postmasters and Mail and Cash Overseers:—

*Departmental Branch Postmasters.*

						Rs.
India	...	...	...	...	...	24—1—32
Burma	...	...	...	...	...	25—1—35

Branch Postmasters who are men of the clerical class will be replaced as soon as possible by men of the postmen class, and pending absorption will be given such personal allowance as will raise their emoluments to the pay to which they are entitled on the time-scale for clerks.

*Overseers.*

						Rs.
India	...	...	...	...	...	32—1—40
Burma	...	...	...	...	...	22—1—30
						35—1—45

2. *Entry on the new scales of pay.*—(1) The Government of India accept the Committee's recommendation that in bringing men in the service on to the time-scales shown in paragraph 1 (1) of this Resolution all past permanent service from the date of admittance to the Department substantively as paid probationer should be allowed to count for increments on those scales, subject to the condition that ordinarily no one should be allowed to draw under this rule more than 50 per cent. in excess of the sum of the pay proper *plus* war allowance drawn by him on the date of issue of these orders. The Government of India, however, have decided that the 50 per cent. limit shall be relaxed to the extent that no one shall draw less than the minimum pay of the new scale applicable to him in spite of the fact that such minimum pay may be more than 50 per cent. in excess of the pay *plus* war allowance drawn by him on the date of issue of these orders. In order to provide for graduates and others who on account of special qualifications entered the Department in a grade above the lowest, the rule for determining initial pay on the time-scale will be that such pay should be the pay on which the man was appointed *plus* an increment for every year of service, from the stage on the time-scale in which he is absorbed which is nearest the pay on which he was appointed. When pay calculated under these rules falls between two stages on the progressive scale, the pay admissible shall be that of the next higher stage. The following examples indicate how the rules should be applied:—

**EXAMPLE 1.**—A in the grade of Rs. 70 has on the 1st December 1919 completed 16 years of service since he was confirmed as paid probationer. He is acting in the grade of Rs. 80 and is in receipt of Rs. 10 as acting allowance. He is at a place where the scale Rs. 40—40—45—3—54—4—130 is applicable. His pay on transfer to the time-scale will be Rs. 98.

**EXAMPLE 2.**—B in the grade of Rs. 50 (*plus* 5 war allowance) is in the 19th year of his service on the 1st December 1919 counting from the date of confirmation as a paid probationer and is to be absorbed in the grade Rs. 35—35—40—3—64—4—120. Here the 50 per cent. limiting rule applies and B is entitled on the time-scale to Rs.  $(50 + 5) + \frac{1}{2}(55) = 82\frac{1}{2}$ . But as Rs. 82.8-0 is not a stage of the scale his pay should be fixed at the next higher stage, *viz.*, Rs. 84.

**EXAMPLE 3.**—C a graduate was taken into the Department on Rs. 60 and is now in receipt of Rs. 80 *plus* a war allowance of Rs. 4. He has eighteen years' permanent service on the 1st December 1919 and is at a place where the scale Rs. 45—45—50—3—65—4—105—5—140 is applicable. The nearest stage to

Rs. 60 in the new time-scale is Rs. 59 and the addition of eighteen increments for his permanent service entitles him to Rs. 135. But here the 50 per cent. limiting rule applies and C is entitled to Rs.  $(80 + 4) + \frac{1}{2} (84) = 126$ , which, however, not being a stage of the proposed scale, his pay should be fixed at the next higher stage, viz., Rs. 130.

(2) The officials to be allotted to the new selection grades will enter those grades in accordance with the ordinary rules of the Civil Service Regulations, and the same rule will be followed in respect of Departmental Branch Postmasters and Overseers.

(3) Inspectors and Head Clerks to Superintendents in India will be allowed the benefit of one increment for every two years of service, and those in Burma one increment for every year of service, substantive or acting, as Inspector or Superintendent's Head Clerk or both.

3. *Date of giving effect to the new scales of pay.*—The Committee have recommended that the new scales of pay together with the local allowances proposed in certain districts in the Central Circle should be introduced from the 1st December 1919, in view of the fact that revision of pay of the Telegraph Department was introduced from that date, and the Government of India have decided to accept this proposal. From the arrears of pay which will become due under this order, the advance of one month's pay sanctioned under the orders passed by the Government of India in this Department on the 31st May 1920 shall first be deducted. If the advance already drawn exceeds the total arrears due, if any, the balance shall be recovered from the monthly pay in three equal instalments.

4. *Local and house-rent allowances.*—All existing house rent allowances will be continued. Existing local allowances will also be continued up to 31st December 1920, after which date they will be withdrawn unless on examination they are found to be justified in addition to the enhanced rates of pay now sanctioned. Postmasters-General are being instructed at once to examine all existing local allowances and to submit proposals for the continuance of such as they may consider necessary. This examination should be concluded in time to allow of fresh sanction being given where necessary before 31st December 1920, but if for any reason the fresh sanction cannot be given in time, the allowances when eventually sanctioned will have retrospective effect from 1st January 1921. In the case of local allowances (other than those which are given as compensation for depreciation of currency, for example, the Cutch currency allowance) which have been sanctioned on the basis of a fixed percentage on pay, the allowance to be continued will be the amount which is actually drawn at the date of issue of these orders and not a percentage on pay.

5. *War and grain compensation allowances.*—With the introduction of the revised scales of pay shown in the preceding paragraphs, the war allowances (including those which in the case of certain officials in Bombay and Karachi were substituted for local allowances) and grain compensation allowances hitherto drawn by the staff will be discontinued with effect from the 1st December 1919. The Director-General of Posts and Telegraphs has been authorised to sanction the grant of a personal allowance to any person who may be adversely affected by the revision, so as to protect him from actual loss of emoluments.

6. *Cost of revision.*—The total cost of this revision of pay is estimated at approximately Rs. 54½ lakhs a year.

**ORDER.**—Ordered that a copy of the Resolution be forwarded to the Director-General of Posts and Telegraphs and to the Finance Department.

**ORDERED** also that it be published in the *Gazette of India* for general information.

## SCHEDULE.

### LIST OF SELECTION GRADE APPOINTMENTS.

Rs. 250—20—350. (106).

BENGAL AND ASSAM.

*Postmasters.*—Darjeeling, Alipore, Burdwan, Comilla, Shillong, Barisal, Sylhet, Faridpur, Pabna, Jalgaipuri, Midnapore.

*Deputy Postmaster.*—Dacca.

*Three Assistant Postmasters.*—Calcutta General Post Office.

*Sub-Postmasters.*—Bara Bazar, Bow Bazar, Dharamtalla, Simla (Calcutta), Camac Street, Beadon Square, Amherst Street.

*Accountant.*—Calcutta General Post Office.

*Four Head Clerks.*—Calcutta General Post Office.

*Superintendent.*—Sanitary Department, Calcutta General Post Office.

*Traffic Supervisor.*—Calcutta General Post Office.

**BIHAR AND ORISSA.**

*Postmasters.*—Muzaffarpur, Cuttack, Gaya, Patna, Ranchi, Chapra.

**BOMBAY.**

*Postmasters.*—Surat, Hyderabad (S.), Belgaum, Baroda, Rajkot, Sukkur.

*Deputy Postmasters.*—Karachi and Poona.

*Four Assistant Postmasters.*—Bombay General Post Office.

*Sub-Postmasters.*—Mandvi, Kalbadevi.

*Accountant.*—Bombay General Post Office.

*Five Head Clerks.*—Bombay General Post Office.

**BURMA.**

*Postmasters.*—Pegu, Moulmein, Akyab, Bassein.

*Two Assistant Postmasters.*—Rangoon.

*Two Head Clerks.*—Rangoon Head Post Office.

**CENTRAL.**

*Postmasters.*—Indore, Ajmer, Raipur, Jodhpur.

**MADRAS.**

*Postmasters.*—Dhanushkhodi, Trichinopoly, Calicut, Mysore, Ootacamund, Kumbakonam, Tanjore, Coimbatore, Rajahmundry, Tinnevely and Negapatam.

*Deputy Postmaster.*—Bangalore.

*One Assistant Postmaster.*—Madras General Post Office.

*Sub-Postmaster.*—Mount Road.

*Accountant.*—Madras General Post Office.

*Manager, M. O. and S. B. Department.*—Madras General Post Office.

*One Head Clerk.*—Madras General Post Office.

**PUNJAB AND NORTH-WEST FRONTIER.**

*Postmasters.*—Ludhiana, Sialkot, Srinagar, Gujranwala, Hoshiarpur, Ferozepore, Jhelum, Multan, Lyallpur.

*Deputy Postmasters.*—Delhi, Simla, Rawalpindi.

*One Assistant Postmaster.*—Lahore Head Post Office.

*Sub-Postmaster.*—Chandni Chowk (Delhi).

**UNITED PROVINCES.**

*Postmasters.*—Naini Tal, Mussoorie, Jhansi, Bareilly, Gorakhpur, Moradabad and Muttm.

*Deputy Postmasters.*—Cawnpore, Lucknow.

Rs. 175—10—225. (268).

**BENGAL AND ASSAM.**

*Postmasters.*—Chinsura, Rangpur, Krishnagar, Jessore, Silchar, Berhampore, Dibrugarh, Bankura, Noakhali, Gauhati, Dinajpur, Jorhat, Barrackpore, Rajshahi, Malda, Khulna, Bogra, Cooch Bihar, Dhubri and Tezpur.

*Deputy Postmasters.*—Chittagong, Mymensingh, Howrah.

*Two Assistant Postmasters.*—Dacca Head Post Office.

*Sub-Postmasters.*—Asansol, Hatkhola, Narayanganj, Chandernagore, Raniganj, Diamond Harbour, Entally, Chandpur, Kishanganj.

*Deputy Sub-Postmasters.*—Bara Bazar, Bow Bazar, Dharamtala.

*Eighteen Head Clerks.*—Calcutta General Post Office.

**BIHAR AND ORISSA.**

*Postmasters.*—Arrah, Hazaribagh, Monghyr, Bhagalpur, Lahiria Sarai, Purulia, Puri, Purnea, Jharra, Sambalpur, Balasore and Motihari.

*Sub-Postmasters.*—Patna City, Nepal.

**BOMBAY.**

*Postmasters.*—Ahmednagar, Bhavnagar, Dharwar, Bushire, Nasik, Branch, Dhulia, Ratnagiri, Sholapur, Jalgaon, Satara, Karwar, Bijapur, Thana, Kaira and Bhuj.

*Deputy Postmasters.*—Ahmedabad and Aden.

*Two Assistant Postmasters.*—Karachi Head Post Office.

*Assistant Postmaster.*—Poona Head Post Office.

*Sub-Postmasters.*—Girgaon, Poona City, Umarchadi, Crawford Market, Mumbadevi,

Byulla, Grant Road and Bandar Abbas.

*Assistant Accountant*.—Bombay General Post Office.

*Twenty-four Head Clerks*.—Bombay General Post Office.

#### BURMA.

*Postmasters*.—Tavoy, Toungoo, Prome, Shwabo, Meiktila, Monywa, Mogoke, Port Blair, Bhamo, Taunggyi, Pakokku, Myittha, Mergui, Maubin.

*Deputy Postmasters*.—Mandalay, Moulmein.

*Sub-Postmasters*.—Maymyo, Namtu, Pazundang, Fraser Street, Rangoon Cantonment, East Rangoon.

*Treasurer*.—Rangoon Head Post Office.

*Seven Head Clerks*.—Rangoon Head Post Office.

#### CENTRAL CIRCLE.

*Postmasters*.—Akola, Amraoti, Bhopal, Hoshangabad, Kotah, Jaipur, Bikaner, Neemuch, Saugor Cantonment, Bilaspur, Sambhar Lake and Khandwa.

*Deputy Postmasters*.—Nagpur, Jabulpore.

*Sub-Postmasters*.—Mhow, Jaipur City and Pachmarhi.

#### MADRAS.

*Postmasters*.—Guntur, Vellore, Cocanada, Salem, Vizagapatam, Mangalore, Masulipatnam, Bellary, Chittoor, Shimoga, Nellore, Pondicherry, Cuddalore, Cochin, Berhampur, Trivandrum, Cuddapah, Chingleput, Kurnool.

*Deputy Postmasters*.—Dhanushkodi, Madura, Hyderabad.

*Sub-Postmasters*.—Bangalore City, Secunderabad, Park Town, Sowcarpet, Vepery and Triplicane.

*Five Head Clerks*.—Madras General Post Office.

#### PUNJAB AND NORTH-WEST FRONTIER.

*Postmasters*.—Abbottabad, Dera Ismail Khan, Gujrat, Kohat, Bannu, Sargodha, Gurdaspur, Campbellpur, Jullundur, Jammu, Dharamsala, Dera Ghazi Khan, Rohtak and Hissar.

*Deputy Postmasters*.—Amritsar, Quetta, Peshawar and Ambala.

*Two Assistant Postmasters*.—Simla.

*Two Assistant Postmasters*.—Delhi.

*One Assistant Postmaster*.—Lahore.

*Two Assistant Postmasters*.—Rawalpindi.

*Sub-Postmasters*.—Kohi-Malik-Siah-Ziaret, Simla Secretariat, Murree, Lahore Cantonment, Multan City, Dalhousie, Kasauli, Nowshera, and Fort Sandeman.

#### UNITED PROVINCES.

*Postmasters*.—Muzaffarnagar, Mirzapur, Shahjahanpur, Fatehgarh, Ghazipur, Basti, Rae Bareilly, Bulandshahr, Almorah, Jaunpur, Dehra Dun, Aligarh, Azamgarh, Saharanpur, Fyzabad, Ballia, Sultanpur, Banda, Partabgarh, Etawah, Sitapur and Gonda.

*Deputy Postmasters*.—Agra, Allahabad, Benares City, Meerut.

*Assistant Postmasters*.—Lucknow, Cawnpore.

*Sub-Postmasters*.—Aligarh City and Allahabad City.

Rs. 145—5—170. (440.)

#### BENGAL AND ASSAM.

*Postmasters*.—Nowgong, Bari.

*Deputy Postmasters*.—Alipore, Sylhet, Comilla, Burdwan, Shillong, Dacca, Pabna, Rangpur, Jalpaiguri, Faridpur, Jessore, Midnapore, Krishnagar, Chinsura, Silchar, Cooch Behar, Dhubri and Tezpur.

*Assistant Postmasters*.—Mymensingh, Chittagong.

*Sub-Postmasters*.—Kyd Street, Cossimpo, Ballygunge, Bagh Bazar, Dhawaspur, Kidderpore, Fort William, New Market, Shyam Bazar, Sirajgunj, Madanipur, Jamalpur, Netrokona, Tangail, Munshiganj, Jhalakati, Patuakhali, Manigunj, Goalundo, Bhairab, Fenir, Habiganj, Karimganj, Colokola, Khengrapati, Tirretta Bazar, Ramna, College Street, Nator.

*Deputy Sub-Postmasters*.—Camac Street, Simla (Calcutta).

*Two Assistant Sub-Postmasters*.—Bara Bazar.

*Assistant Postmasters*.—Bow Bazar, Dharamtala.

*Assistant Traffic Supervisor*.—Calcutta General Post Office.

*Twelve Head Clerks*.—Calcutta General Post Office.



BIHAR AND ORISSA.

*Postmasters.*—Daltonganj, Dumka, Chaibassa.

*Deputy Postmasters.*—Gaya, Chapra, Cuttack, Musaffarpur, Ranchi, Monghyr, Masari-bagh, Arrah, Patna, Bhagalpur, Furlia, Purnea, Puri, Jharia, Sambalpur, Balasore, Notulhari.

*Sub-Postmasters.*—Siwan, Jamshedpur, Dinapore Cantonment, Darbhanga, Ranchi Secretariat, Katihar, Sakrigali, Bhagalpur City.

BOMBAY.

*Postmasters.*—Wadhwan Camp, Alibagh.

*Deputy Postmasters.*—Baroda, Belgaum, Nasik, Dharwar, Surat, Bhaynagar, Ahmednagar, Rajkot, Jalgaon, Satara, Ratnagiri, Sholapur, Dhulia, Broach, Sukkur, Karwar, Bijapur, Thana, Kaira, Bhuj, Hyderabad.

*Assistant Postmasters.*—Ahmedabad, Poona, Belgaum, Karachi and Hyderabad.

*Sub-Postmasters.*—Malabar Hill, Navsari, Cutch Mandvi, Ahmedabad-Kalapur, Hubli, Kirkee, Jamnagar, Kalyan, Kolhapur City, Bulsar, Patan, Bhusaval, Amjar, Nadiad, Bagalkot, Chiplun, Godhra, Devlali, Junagad, Shikarpur, Karachi City, Larkana, Aden Camp, Bandra, Parel, Mazgaon, Sangli, Pandharpur, Satara City, Porbandar, Ankleshwar, Dhoraji, Malvan, Virangam, Amreli, Mehsana, Mirpur, Khas, Apollo Street, Veraval.

*Deputy Sub-Postmasters.*—Poona City, Mandvi, Girgaon, Kalbadevi, Mahabaleshwar.

*Assistant Sub-Postmasters.*—Mandvi, Kalbadevi.

*Sixteen Head Clerks.*—Bombay General Post Office.

BURMA.

*Postmasters.*—Mawlaik, Magwe, Kyakpyu.

*Deputy Postmasters.*—Toungoo, Tavoy, Akyah, Pegu, Prome, Mogok, Shwebo, Bassein, Monywa, Mergui, Myitkyina, Maubin, Meiktila, Bhamo.

*Sub-Postmasters.*—Insein, Rangoon Secretariat, Kandawgly, Kemmendine, Myingyan, Henzada, Pyapon, Yenangyaung, Sagaing, Katha, Myaungmya, Pyinmana, Minbu, Thayetmyo.

*Assistant Postmaster.*—Mandalay.

*Assistant Treasurer.*—Rangoon Head Post Office.

CENTRAL.

*Postmasters.*—Udaipur, Buldana, Chanda.

*Deputy Postmasters.*—Ajmer, Indore, Bilaspore, Raipur, Akola, Jodhpore, Amraoti, Bhopal, Hoshangabad, Bikaner, Sangor Cantonment, Jaipur, Kotah, Neemuch, Sambhar Lake, Khadwa.

*Assistant Postmasters.*—Nagpur, Jubbulpore.

*Sub-Postmasters.*—Katni, Chhindwara, Kamptee, Sutra, Rutlam, Nasirabad, Nagpur City, Alwar, Burhanpur, Beawar, Yeotmal, Indore, Sharifa and Gaudia.

*Deputy Sub-Postmasters.*—Mhow.

MADRAS.

*Postmasters.*—Rannad, Hassan, Chikmagalur and Anantpur.

*Deputy Postmasters.*—Calicut, Ootacamund, Mysore, Trichinopoly, Vengalpetam, Negapatam, Kumbakonam, Vellore, Masulipatam, Cocanada, Rajamundry, Salem, Coimbatore, Guntur, Mangalore, Tanjore, Tinnevely, Bellary, Cuddalore, Nellore, Berhampur, Cochin, Shimoga, Chittoor, Pondicherry, Cuddapah, Chingleput, Kurnool.

*Two Assistant Postmasters.*—Hyderabad.

*Two Assistant Postmasters.*—Bangalore.

*Assistant Postmasters.*—Dhanushkodi, Madura, Negapatam.

*Sub-Postmasters.*—Mylapore, Cannanore, Tuticorin, Elore, Tellicherry, Dindigul, Coonoor, Palghat, Vizianagaram, Palamcottah, Bezvada, Chidambaram, Alleppy, Conjaeragam, Toppakulam, Nayavaram, Erode, Tenali, Vellore Fort, Karur, Mercara, Bangalore Bazar, Periyakulam, Mannady, Flower Bazar, Cuddalore old town.

*Deputy Sub-Postmasters.*—Secunderabad, Bangalore City, Mount Road.

PUNJAB AND NORTH-WEST FRONTIER.

*Postmasters.*—Gurgaon, Mianwali Jhang, Drosh, Karnal, Bahawalpur, Muzaffargarh and Montgomery.

*Deputy Postmasters.*—Ludhiana, Ferozepore, Srinagar, Jhelum, Sialkot, Multan, Dera Ismail Khan, Lyallpur, Abbottabad, Hoshiarpur, Gujranwala, Jammu, Gujrat, Gurdaspur,

Sargodha, Jullundur, Kohat, Campbellpore, Dharamsala, Dera Ghazi Khan, Rohtak, Hissar and Bannu.

*Assistant Postmasters.*—Amritsar, Ambala and Quetta.

*Two Assistant Postmasters.*—Peshawar.

*Sub-Postmasters.*—Chota Simla, Jullundur City, Peshawar City, Sialkot City, Mardan, Ferozepore City, Nathiagali, Ambala City, Sirsa, Bhiwani, Rewari, Batala, Tank, Rawalpindi City, Loralai and Naulakha.

*Deputy Sub-Postmasters.*—Chandni Chowk, Multan City, Secretariat (Simla).

*One Head Clerk.*—Lahore Head Post Office

#### UNITED PROVINCES.

*Postmasters.*—Bijnor, Etah, Mainpuri, Kheri-Lakhimpur, Fatehpur, Unao, Bahraich, Budaun, Pilibhit, Pauri, Bara Banki, Hardoi.

*Deputy Postmasters.*—Jhansi, Mussoorie, Bareilly, Naini Tal, Mirzapur, Jaunpur, Azamgarh, Aligarh, Fyzabad, Muttra, Bulandshahr, Muzaaffarnagar, Gorakhpur, Fatehgarh, Almora, Moradabad, Saharanpur, Shahjahanpur, Rai Bareilly, Dehra Dun, Ballia, Sultanpur, Banda, Partabgarh, Etawah and Sitapur.

*Assistant Postmasters.*—Meerut, Allahabad, Lucknow, Benares City, Cawnpore and Agra.

*Sub-Postmasters.*—Benares Cantonment, Hathras, Kanauj City, Farrukhabad City, Roorkee, Agra City, Rampur State (United Provinces), Ranikhet, Bisheswarganj, Collector-ganj, Generalganj, Chakrata, Lansdowne, Lucknow Chowk, Chandausi, Katra (Allahabad).

C. A. INNES,

*Secretary to the Government of India.*

#### BLACKMAIL BY STATION MASTERS AND GOODS CLERKS, NORTH WESTERN RAILWAY.

104. The HONOURABLE SIR ZULFIQAR ALI KHAN: Is it a fact that Station Masters and Goods Clerks on the North Western Railway levy blackmail on consignees of goods and parcels and refuse to deliver consignments unless and until the blackmail is paid? If so, will Government state what steps they contemplate taking to put a stop to such malpractices?

The HONOURABLE MR. SHAFI: Government are not aware that it is a fact that Station Masters and Goods Clerks on the North Western Railway levy blackmail on consignees of goods and parcels and refuse to deliver consignments unless and until the blackmail is paid. Isolated cases of the kind may possibly occur, but Government are not aware that they are peculiar to the North Western Railway. In the event of any direct charge being brought against a railway employee of the nature referred to, the Railway Administration takes immediate steps to investigate the matter, and, if evidence is forthcoming, he is promptly dealt with. If the Honourable Member is aware of any specific instance of this kind, I have no doubt the Department will take action should the Honourable Member inform them of it.

#### REFUSAL BY STATION MASTERS, PUNJAB, TO SUPPLY WAGONS.

105. The HONOURABLE SIR ZULFIQAR ALI KHAN: Is it a fact that Station Masters in the service of the Railway in the Punjab refuse to supply wagons to intending consignors of merchandise unless certain fixed '*Bakhsheesh*' is paid? If so, do Government propose to investigate the matter through non-official agency and take measures to put an end to this state of affairs?

The HONOURABLE MR. SHAFI: Government are aware that instances have occurred of Station Masters selling wagons. Repeated and continuous efforts have been made to put a stop to this practice, but it is felt that, unless

the public will themselves assist in putting down such practices, it is a very difficult matter for the Railway Authorities to deal with such cases which require due evidence from those who have offered the bribe.

A Conference was recently called by the Punjab Government to consider this question among others and certain suggestions have been put forward which include the assistance of the public themselves and of the Civil Authorities. The Railway Board will cordially co-operate with any such assistance in putting a stop to malpractices of the kind referred to.

#### MEASURES FOR CREATING PASTURES NEAR URBAN AREAS.

106. The HONOURABLE SIR ZULFIQAR ALI KHAN: (a) Do Government contemplate measures :—

- (i) for creating pastures near the urban areas ;
  - (ii) for affording facilities to rural populations for the grazing of their cattle ;
  - (iii) for financing or otherwise encouraging establishment of dairies all over the country ?
- (b) If so, what measures ?

The HONOURABLE MR. B. N. SARMA: The Government of India do not contemplate any action regarding the measures suggested in paragraphs (a) (i) and (a) (ii) of the question, which relate to matters of purely provincial concern. The measure suggested in paragraph (a) (iii) of the question is likewise a matter primarily of provincial concern, but the Government of India are considering the establishment under the Central Government of a dairy at Lucknow for purposes of training students.

#### APPOINTMENTS IN THE IMPERIAL FOREST AND VETERINARY DEPARTMENTS.

107. The HONOURABLE SIR ZULFIQAR ALI KHAN: Will Government be pleased to state :—

- (a) The number of appointments made in the Imperial Forest and Veterinary Departments during the current year ?
- (b) The number of such appointments allotted to different communities in India ?

The HONOURABLE MR. B. N. SARMA: (a) No appointments have been made in the Imperial Forest Service during the current year. Appointments are usually made later in the autumn. If, however, the Honourable Member refers to the appointment of probationers, I may explain that 20 Indian and 10 European probationers have been selected by the Government of India this year. Among these, 4 Indians and all the Europeans were selected under the special regulations for the recruitment of persons who had done military service. In addition, the Secretary of State has selected in England 24 Europeans and 2 Indians.

Three appointments have been made by the Secretary of State to the Civil Veterinary Department. All these are Europeans. So far as is known, no qualified Indian candidate was forthcoming. The Government of India have also selected 5 Indians who have been sent to England as State scholars with a view to their training for the Civil Veterinary Department.

(b) Appointments have not been definitely allotted to the different communities in India; but out of the 20 Indian Forest probationers selected in India, 14 are Hindus, 5 Sikhs and 1 is a Muhammadan. Of the 5 Veterinary State scholars, 3 are Hindus, 1 Sikh and 1 Muhammadan.

#### MOPLAH RIOTS AND CASUALTIES.

108. The HONOURABLE SIR ZULFIQAR ALI KHAN: Will the Government be pleased to state—

- (a) The circumstances which led to excitement among the Moplahs?
- (b) The number of casualties among Moplahs on account of shooting by Government troops?
- (c) The number of officials murdered by Moplahs?
- (d) The amount of damage done to property by the mob?

The HONOURABLE MR. H. D. CRAIK: (a) The Honourable Member is referred to the speech made by the Honourable Sir William Vincent in this Council on the 5th September, 1921, which dealt with the whole subject.

(b) It has not been found possible to arrive at any definite estimate of the number of casualties among the Moplahs; but rough estimates have appeared in the Press.

(c) So far as is known, the answer is 12 killed and 10 wounded. The number killed includes one person not in the employment of Government; while the number of police officials wounded has not yet been reported. In addition to these casualties, unverified reports indicate that a number of Hindus of the civil population have been murdered.

(d) In existing circumstances, it is impossible to collect even approximate particulars of the damage to property in the disturbed area. A statement is laid on the table giving such information as is available.

#### *Statement.*

1. Railway Stations at Kadalandi and Parapangadi attacked and looted. Line for former cut in three places.

2. Post Offices at Parapangadi and Tanur looted.

3. Railway damaged at several places west of Shoranur.

4. Road and telegraphic communications reported interrupted by Sub-divisional Magistrates of Malaparam and Palghat.

5. Police Inspector at Waluvanad reports that two police thanas were attacked, the records burnt and the carbines taken.

6. Manjeri treasury gutted and treasury at Waluvanad looted. (The Accountant-General estimates that the former contained 1 lakh and 30 thousand in cash and 4½ lakhs in notes and the latter, 27 thousand in cash). The District Magistrate reported that other public offices had been destroyed and Manas and Kovilakones (i.e., houses of Nambudris and Rajas) pillaged.

7. Dacoity and looting was reported to be rife in Waluvanad, Ernad and Ponnani taluks also east of Calicut by the District Magistrate, Calicut. Line cut to Kuttippatam, perhaps beyond; bridges broken from 10th mile from Calicut.

8. Forest Officer's bungalow, Nilambur, and Range Officer's quarters and lines gutted.

9. Plundering of houses and liquor shops reported by Sub-divisional Magistrate, Palghat.

10. A telegram from Madras dated 30th August reported that the railway to Calicut had been temporarily repaired and that throughout the affected area Government offices had been wrecked and looted and records destroyed. Communications had been obstructed, all ordinary business was at a stand-still, and famine conditions were imminent in portions of the affected area.

11. Press reports state (1) that Hindu houses at Tirun were plundered, also the Trikan-diur Temple, near Tirur, and the Tanur fishery station sacked, (2) the Keralla rubber estate was attacked, the bungalows, factory and dispensary burnt and cash and property looted.

The HONOURABLE MR. G. S. KHAPARDE : Sir, I do not propose to put the question.

The HONOURABLE THE PRESIDENT : Does the Honourable Member in charge of the Government desire that the answer be given ?

The HONOURABLE MR. SHAFI : No, Sir,

Question No. 109 was therefore withdrawn.

#### ELECTRIFICATION OF SUBURBAN SERVICES OF GREAT INDIAN PENINSULA AND BOMBAY, BARODA AND CENTRAL INDIA RAILWAYS.

110. The HONOURABLE MR. PHIROZE C. SETHNA : Will the Government be pleased to give an indication as to the dates by which they expect at least the suburban services of the Great Indian Peninsula and Bombay, Baroda and Central India Railways from Bombay northwards to be electrified ?

The HONOURABLE MR. SHAFI : It is not possible at present to give any indication as to the dates by which the suburban services of the Great Indian Peninsula and Bombay, Baroda and Central India Railways from Bombay northwards will be electrified, as the question of financing these schemes is still under consideration.

#### REPORT OF RAILWAY COMMITTEE.

111. The HONOURABLE MR. PHIROZE C. SETHNA : Are the Government prepared to give an assurance that they will take no action on the report of the Railway Committee now sitting without first giving an opportunity to the Indian Legislature to express their views on the same ?

The HONOURABLE MR. SHAFI : The Honourable Member is referred to the Resolution moved by Mr. B. S. Kamat at the Delhi Session of the Legislative Assembly on 24th February, 1921, when Government gave an undertaking that, as far as practicable, steps will be taken to ensure that no action, administrative or legislative, be taken on Reports of Commissions or Committees appointed by the Secretary of State for India or the Government of India until an opportunity shall have been given by Government to the Indian Legislature to express its opinion thereon.

#### PROGRESS OF REVENUE AND EXPENDITURE.

112. The HONOURABLE SIR MANECKJI DADABHOY : Are the Government in a position to make any statement regarding the progress of revenue and expenditure in the current financial year, and as to whether the budget expectations regarding a surplus are likely to be realised ?

The HONOURABLE MR. E. M. COOK : The Honourable Member will, I hope, appreciate the difficulty of making any forecast, at this stage in the financial year, as to how far the budget expectations are likely to be realised. The actual figures are available for the revenue and expenditure of the first four months of the financial year, i.e., April to July, and have been published, while for August we have approximate figures. It would not, however, be safe to base thereon any definite estimate of the figures for the full year. The heads of revenue which have been allotted to the Central Government are such as depend almost entirely upon trade conditions, and it follows that the figures for months which, even in a normal year, represent a period of slack trade, cannot give any conclusive indication of the probable revenue receipts during the whole of the year. The conditions of the second half of the year, which is the busy season, are the decisive factor in influencing our revenue. I can therefore only give an indication of the general trend so far of our revenue and expenditure.

It is probable that by the end of August we collected about 13 crores of Customs revenue. Even allowing for a higher scale of receipts during the coming cold weather, it is safe to say that this year's revenue from Customs will fall short, probably by several crores, of the budget figure of 38½ crores. This deterioration is likely to occur in all the important tariff heads except sugar and machinery, the imports of which, if maintained on their present scale, will be in excess of those anticipated. The other important head of revenue is railways. The gross traffic receipts have not fallen off so much as might have been expected when one considers the marked slump in trade. It is certain, however, that the working expenses of the railways will show a considerable excess, much of which will be due to large purchases of foreign coal rendered necessary by the small raisings of Indian coal; the excess expenditure on account of coal alone is likely to amount to at least 3 crores.

On the expenditure side, the interest charges will be larger by about a crore and a half owing to the large loan receipts. There will also be an excess of military expenditure due to the necessity for continuing the occupation of Southern Waziristan and Wana, budget provision having been made for the occupation of Northern Waziristan only. As regards exchange, the budget provided for a debit of 5½ crores on the basis of an average rate of 1s. 8d. If the average rate for the year works out at only 1s. 4d. the extra debit, working on the basis of net expenditure in England as budgeted for, i.e., about £25½ millions, will be about 7½ crores; if at 1s. 5d. the extra debit will be about 5 crores, and if at 1s. 6d. about 3 crores.

These are the more important variations which, so far as can be seen at present, are likely to occur, and I need hardly say that the surplus of 71 lakhs entered in the budget will not be realised.

#### FOREST RESEARCH INSTITUTE AND COLLEGE.

113. The HONOURABLE LALA SUKHBIR SINHA : (a) Is it a fact that all the students of the Ranger Class in the Forest Research Institute and College are Indians?

(b) Is the post of House Tutor filled by an Indian or a non-Indian?

(c) What special qualifications has the present incumbent for this post?

The HONOURABLE MR. B. N. SARMA : (a) The two classes at present under training consist entirely of Indians,

(b) The post is at present filled by the Senior European Instructor.

(c) He is an Imperial Service Officer of 14 years' service on the United Provinces list, who has been specially selected to fill the post of Principal when the College is transferred to the control of the Government of the United Provinces.

PAY, PROSPECTS, ETC., OF POSTMASTERS GENERAL.

114. The HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY, OF KASIMBAZAR : (a) Has the attention of the Government been drawn to a letter from the Secretary, Postal Officers' Association, to the address of the Secretary, Public Works Department, on the subject of the pay, prospects and recruitment of departmental Postmasters-General ?

(b) Is it a fact that different rates of pay have been fixed for I. C. S. Postmasters-General and departmental Postmasters-General ?

(c) Is it a fact that with the new rates of pay, while I. C. S. Postmasters-General will get an increase of pay, some of the departmental Postmasters-General will get less than what they have been drawing ?

(d) If so, do the Government propose to re-examine the whole position and remedy the grievance pointed out by the Postal Officers' Association in their letter referred to in (a) above ?

The HONOURABLE MR. B. N. SARMA : (a) Yes.

(b) Yes. Postmasters-General who are members of the Indian Civil Service draw pay on the time scale of that service *plus* Rs. 250. Departmental Postmasters-General draw pay on time scale of Rs. 1,750—100—2,250 with one selection post on Rs. 2,500.

(c) Yes. Some of the departmental Postmasters-General, if brought on to the time scale under the ordinary rules, would draw less than what they were drawing. This matter is under adjustment.

(d) The representation of the Association is only just to hand and will receive due consideration.

SUCCESSION TO OFFICE OF POSTMASTER-GENERAL, BENGAL AND ASSAM.

115. The HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY, OF KASIMBAZAR : (a) Is it a fact that the present temporary incumbent of the office of the Postmaster-General of Bengal and Assam, who happens to be an Indian gentleman, is about to be succeeded by a junior European officer as a permanent incumbent to that office ?

(b) If so, will the Government be pleased to state the reasons for this ?

The HONOURABLE MR. B. N. SARMA : (a) and (b) The Honourable Member presumably refers to the selection of Mr. G. W. Talbot for permanent transfer to the cadre of Postmaster-General instead of Mr. G. P. Roy. If this is the case the facts are as follows. Both the officers were appointed to the Telegraph Department on the same date and were promoted to administrative rank on the same date. Mr. Talbot was employed as Postmaster-General with effect from the 6th December 1916, and at the end of 1918 expressed his willingness to forego his chances of promotion in the Telegraph branch if he was transferred permanently to the cadre of Postmaster-General. Mr. Roy's appointment as

Postmaster-General dates from the 1st February, 1920. He did not apply for a permanent transfer to the Postmaster-General's cadre until it was declared that such transfer did not involve a renunciation by a telegraph officer of his chances of advancement in his own line. In the circumstances, it was decided that Mr. Talbot had a stronger claim than Mr. Roy for a permanent transfer to the cadre of Postmaster-General. Mr. Roy's pay as Director of Telegraph Engineering is the same as the pay drawn by him as Postmaster-General.

#### INCREASE TO THE NUMBER OF INDIAN APPRAISERS.

116. The HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY, OF KASIMBAZAR : (a) Will the Government be pleased to state if they have issued any instructions to the Collectors of Indian Custom Houses to raise the number of Indian appraisers to half of the total number of appraisers employed under them ?

(b) If so, what action, if any, has been taken so far in the Custom House of Calcutta to give effect to the above instruction ?

(c) What is the total number of appraisers in the Custom House in Calcutta now, and, of these, how many are Indians ?

(d) Is it a fact that in the case of Indians applying for these appointments some kind of commercial training is insisted upon as a general rule, while no such qualification is demanded of applicants who are Europeans or Anglo-Indians ?

The HONOURABLE MR. SHAFI : (a) In matters of this kind the Government of India do not issue instructions direct to Collectors of Customs. In 1900, they asked the Government of Bengal to try the experiment of appointing Indians as Appraisers, and again in 1909 they invited the attention of the Local Government to those orders.

(b) and (c) The total number of Appraisers at present employed in the Calcutta Custom House is 26, of which 8 are Indians.

(d) The Calcutta Custom House is under the administrative control of the Local Government, and the Government of India have no information on the point.

#### IMPERIAL CUSTOM SERVICE.

117. The HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY, OF KASIMBAZAR : (a) Have there been cases of promotion of officers or other employees from the subordinate to the Imperial Custom Service in the Calcutta office ?

(b) If so, of the persons so promoted, how many have been Europeans and Anglo-Indians, how many Bengalis and how many non-Bengali Indians ?

The HONOURABLE MR. SHAFI : (a) No officer of the subordinate service in the Calcutta Custom House has been permanently promoted to the Imperial Customs Service. Arrangements have, however, been made from time to time to fill temporary vacancies in the Imperial Service by acting promotion of subordinates who are specially recommended by the local authorities for such promotion.

(b) The officers so promoted have hitherto been Europeans or Anglo-Indians.



The HONOURABLE THE PRESIDENT : There is one other point. I have received a private notice of a question which, it has been represented to me, it is desirable in the public interest should be answered at an early date. It is a question by the Honourable Sir Zulfiqar Ali Khan, but, as it does not appear in the paper, I would ask the Honourable Member to read the question.

ALLEGED OCCUPATION OF HOLY PLACES OF ISLAM BY BRITISH TROOPS.

The HONOURABLE SIR ZULFIQAR ALI KHAN: I wish to ask the following question:—

"118. (a) Are the Government aware of the dissemination among the Moplahs and other uneducated classes of rumours that the Holy Places of Islam are being occupied and defiled by British troops?

(b) If so, what steps do they propose to take to counteract the dissemination of such falsehoods?"

The HONOURABLE MR. DENYS BRAY : (a) Yes, the Government are aware that the lying slander that the Holy Places of Islam are being occupied and defiled by British troops is still abroad, and the Moplah rising is an illustration of the tragic consequences of this and similar malevolent fabrications among an uneducated people. Its wicked falsity was demonstrated in Lord Chelmsford's message to the Muslim people of India published in the Gazette Extraordinary of May 15th, 1920. Nothing has since occurred to call for any diminution of that solemn assurance. The relevant passage is long, but the gravity of the issue demands its reiteration in full. It runs as follows:—

"In the countries of Arabia, Irak and Palestine are situated the Holy Places of Islam with which all Muslims are profoundly concerned. When the war began the Allies gave a solemn pledge that the Holy Places would remain inviolate. This pledge has been observed in the spirit and in the letter during the actual occupation by His Majesty's forces of the territories in which some of the Holy Places are situated, and steps have been taken to ensure their strict sanctity. The City of Jerusalem was not attacked as has been stated, but surrendered without violence offered or attempted, after it had been isolated in the course of operations against enemies armed in the field. The fullest measures were straight-way taken to preserve the sanctity of the Holy Places within it, and the city, which is in itself as sacred to Christians as to Muslims, was entered by the victorious British General on foot. The Muslim shrines continue as before in the hands of their own Muslim custodians. In Mesopotamia the Holy Places of Kerbala and Najaf were never attacked and no acts of war were committed there by our troops. The scrupulous forbearance of His Majesty's soldiers was gratefully acknowledged by the inhabitants themselves. The unopposed occupation of Baghdad as of Jerusalem involved no attack on the Holy Places, but was an inevitable incident in the field operations of the war. The shrines in these three sacred places of Mesopotamia are now in the custody of a distinguished Muslim whose charge of them is an ample assurance that their sanctity will continue to be fully respected. The British forces have conducted no operations whatever in the Hedjaz, and any reports that Mecca or Medina have been entered by British troops are utterly without foundation. These places are entirely under Arab control."

(b) The Honourable Member's question and this answer will be sent at once to each Local Government for widespread publication. In their desire for publicity, Government are assured that they can rely on the invaluable co-operation of the Press.

(1) APPOINTMENT OF RIGHT HONOURABLE SRINIVASA SASTRI TO PRIVY COUNCIL.

(2) MOTION FOR ADJOURNMENT.

(3) PLACING OF ANSWERS ON THE TABLE HALF AN HOUR BEFORE THEY ARE GIVEN.

The HONOURABLE THE PRESIDENT : Before we proceed to the business of the day, I have certain communications to make to the Council.  
11-45 A.M. There is one matter which I particularly desired to mention the last time we met, but which escaped my memory. Even at this late stage, however, I cannot allow the occasion to pass by unnoticed. I refer to the distinguished honour which has been conferred on a Member of this Chamber, by the appointment of the Right Honourable Srinivasa Sastri to be of His Majesty's Privy Council. (Continued Applause.) As appears clearly from the manner in which that announcement has been received by the Council, it is evident that I am unanimously voicing your opinion when I say that we warmly congratulate our Honourable Colleague on this great distinction. (Hear, hear.) We feel that he will worthily maintain before the audiences he is now addressing—larger, but not more dignified, Assemblies (laughter)—the high standard of oratory which has so often charmed our ears. Though we must regret that his pre-occupations have deprived us of his assistance during the current Session, we may congratulate ourselves on the reflected glories which, I am sure, he will confer on this Council.

There is another matter which has been before this Council on several occasions. It is with regard to a motion for adjournment under rule 11 put forward by the Honourable Lala Sukhbir Sinha. I am sure all of us sympathise with the Honourable Lala Sukhbir Sinha in his efforts to raise a discussion on the question of high prices. When this came up in this Council on the last occasion, I was unaware of the fact that at the time there were several Resolutions on the Notice List dealing with the same subject. I really must point out to the Council that the right to move an adjournment under rule 11 is, as I said the other day, not a substitute for procedure by Resolution. A Member cannot obtain priority over another Member who has given notice of a Resolution by proceeding by means of a motion for adjournment. Still less can he not obtain priority over himself. The right to move an adjournment is, by rule 12, subject to five restrictions. I will not read the whole rule, but restriction (iv) is relevant. I will read it to the Council, and will ask them to consider it carefully. It runs as follows :—

'(iv) The motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given.'

That is what is called the rule against anticipation and it is a common-sense rule, for, if you have not a rule of that kind, the House may discuss somewhat infructuously on a motion for adjournment a matter which they would subsequently re-discuss on a formal motion. A motion for adjournment ought to be restricted to a definite urgent matter of public interest, when it is desirable that the Government should have an opportunity of making its position clear. I am perfectly aware there is a strong opinion in the Council that there should be a discussion on this question of high prices, and that Honourable Members wish to express their views on the matter: and therefore I suggested to the Honourable Member in charge (on behalf of Government),

that a day should be allotted for a discussion. This will enable the question to be considered in a more fructuous way than on a motion for adjournment, which in any case in this instance is barred by the rules against anticipation. I understand that the Honourable Member is in consultation with the Honourable Lala Sukhbir Sinha on the matter, and that he will bring forward a Resolution on this subject at our meeting on Saturday. By this means we shall comply with our rules which must be observed, and satisfy the desire of the Council and of the Honourable Lala Sukhbir Sinha to discuss the question.

There is one other matter which I should like to mention before we proceed to business. I have been asked to give a direction that answers to questions should be placed on the desk half an hour before they are given. Well, gentlemen, I am not in a position to do that. The Standing Orders empower me to direct how questions should be put, and answers given, but it does not empower me to direct that answers should be given before questions are put. If the Government desire to lay the answers to questions on the table before the meeting, that is a matter in the hands of the Government. I am not able to make a direction of that kind. But I will make a direction that where answers have been printed, copies of the printed answers should be immediately made available to a Member as soon as the question has been put. These will be on the table.

The Honourable Lala Sukhbir Sinha, I gather, desires to say something.

The HONOURABLE LALA SUKHBIR SINHA : I wish to say, Sir, that my Resolution simply refers to the exports of wheat and flour. My object was to deal with the whole question of high prices of grains and other foodstuffs. But I agree with your ruling, and I will accept it, provided that Mr. Sarma agrees to an amendment I shall propose to him.

The HONOURABLE THE PRESIDENT : I am gratified that the Honourable Member agrees with my ruling.

### RESOLUTION *re* RELIGIOUS AND MORAL EDUCATION.

The HONOURABLE LALA SUKHBIR SINHA : Sir, the Resolution which stands in my name reads :—  
11-49 A.M.

'This Council recommends to the Governor General in Council that he may be pleased to forward to all Provincial Governments the recommendation of this Council that they should take necessary steps for introducing religious and moral education in all aided and Government schools and colleges.'

The Resolution, as it stands, is very moderate. It may be said in some quarters here that it is a Provincial subject and a Transferred subject and, therefore, should not have been taken up in this Council. But I beg leave to point out that it involves a very great question of principle. Up to this time the Government of India and the Local Governments have acted up to the policy of neutrality in all matters of religious and moral education in schools and colleges. But the time has now come when people of almost all sections of opinion agree as to the importance of this question, and say that it is absolutely necessary to have some sort of religious education in our schools and colleges. Recently, the Madras Government have also recognised the importance of the subject, and they have said in a Communiqué that the time has arrived for a partial removal of the embargo which has been placed hitherto on the imparting of religious instruction in schools, and for the complete removal of the minor restrictions which at present are supposed to hamper the imparting of such

[Lala Sukhbir Sinha.]

instruction, so as, at any rate, to remove the impression which is understood to exist that the Government are hostile to the encouragement of religious education.

Remembering the importance of this subject, I have ventured to bring this matter before this Council. The United Provinces Government made some rules on this subject in 1912 and later on in 1916. They appointed Committees also to consider this question and the consensus of opinion was that something should be done, but the rules made there have been found impracticable and not quite suitable to the people. For instance, I may cite an example at my own place where I have started a religious class in the Government High School for the last six or seven years. The difficulties I found in my way I explained to the Director of Public Instruction and also to other officers, but nothing has been done up to this time, simply owing to the fact that Government officers still think it is not for the Government to allow any religious education in schools and colleges, because the Government has from time immemorial maintained a strict policy of religious neutrality. In the Punjab also some rules have been made, but very little has been done. In Madras, they have just started work in their schools and colleges, but I do not know how far they will go, for they have made these rules only tentatively and for public opinion to approve. In Burma, something more has been done. So looking at all these things, I think the time has come for the Government of India to make a statement of their policy on this subject, and I hope the Honourable Member in charge of Education will be able to let us know what Government think on the subject and what they are going to do to have some sort of religious and moral education in schools and colleges.

Sir, in this country great stress is laid on education in religion and morality. If you go to any Hindu *Pathshala*, you will find some kind of religious instruction given there. If you go to any Muhammadan *Muktab*, you will find the same thing. In the *pathshalas* they have to read religious books and recite prayers from beginning to end, and in *muktabas* the same thing is done. Religious instruction is a very useful thing for a man, and there is no reason why some sort of religious instruction should not be provided in Government-aided colleges and schools. I know the difficulties that will arise. I know there are so many religions, so many castes and sub-castes, that great difficulties will arise. But it is for man to overcome these difficulties. It is for the Government and the people to think out some measures, some system, by which we can give some sort of religious education to our students. I think most Honourable Members will agree with me that those students who come from religious *pathshalas* and *muktabas* are much more obedient to their elders and to their God—whatever you may call Him, whether God, or Iswar, or Bhagwan; but those who come out of our modern schools and colleges are of a quite different type and have no respect for their teachers or anybody else. So, I think, the time has come now when some change should be made in this matter, some steps should be taken to give some sort of religious education in our Government schools and colleges. I think this does not require much discussion, and I commend my Resolution to the acceptance of this Honourable Council. I hope the Honourable Member in charge of Education, when he gets up to reply, will be able to let us know what the policy of the Government is or will be on the subject,

**THE HONOURABLE RAJA SIR HARNAM SINGH:** Sir, I am in favour of the introduction of religious education in schools and colleges, 11-55 A.M. and if there still exists any bar, removable only by the Government of India, I would recommend its removal. The details, *e.g.*, the best ways and means, of imparting such education I would leave to the Local Governments and Local Legislatures since they are in touch with local conditions and sentiment, and since education is now a Provincial and Transferred subject. It will be for them to determine how far and by what means it will be practicable to give religious education.

**THE HONOURABLE MR. SHAFI:** Sir, I venture to intervene at this early 11-56 A.M. stage in the hope that the statement which I am about to make on behalf of Government may help to curtail the discussion on my Honourable friend's Resolution. During the earlier stages of British rule the Statesmen at the helm of Government, finding themselves in the midst of a vast population composed of various communities following divers religions, adopted what has been known as a policy of strict religious neutrality. In the circumstances of this country, for a European Christian Government administering the affairs of a Hindu, Muhammadan, Sikh, Buddhist and Parsi population, the adoption of such a policy was undoubtedly based on far-sighted statesmanship. (Hear, hear.) But carried into the realm of education unfortunately this policy resulted in the entire exclusion of religious and moral instruction from our schools. The need for the introduction of such education was, I believe, first felt in the enlightened State of Mysore some time about the year 1908. Subsequently this matter was brought to the notice of the House of Commons by two Honourable Members of Parliament. On the 6th March 1911, Mr. Arnold-Ward, M.P., asked a question in the House of Commons inviting attention to the facilities accorded to the representatives of different religious denominations by the Government of Mysore for giving religious instruction in Government schools and colleges in that State and to the success which had attended the experiment in that State, and inquired if the Government of India would consider the desirability of introducing a similar system in British India. In his reply, the Secretary of State promised that the attention of the Government of India would be drawn to the subject. The matter was again referred to in the House of Commons by Sir John Jardine and Captain Murray in questions put by them to the Secretary of State on 30th March 1911.

The matter was again referred to in the House of Commons by Sir John Jardine and Captain Murray in questions put by them to the Secretary of State on the 30th March 1911. Accordingly, the Government of India took up this question. I do not propose to weary the Council by taking Honourable Members through the multifarious proceedings and references to Local Governments that took place during those years. It is sufficient to mention that, when I assumed charge as Education Member, I found that no definite decision had yet been arrived at. In view of the somewhat strong views held by me on this question, I took up the matter in earnest, and finally, Lord Chelmsford's Government unanimously arrived at the conclusion that the time had arrived when the embargo hitherto imposed upon religious and moral instruction in our schools should be removed, leaving it to the Local Governments to take whatever action was compatible with local conditions in their respective provinces. The intention at that time was to issue a Resolution embodying this new policy of the Government of India. I may here mention

[Mr. Shafi.]

that the Secretary of State expressed his entire sympathy with the object we had in view. But, meanwhile, the Government of India Act, 1919, came into operation on the 1st January of the present year, making education a Transferred Provincial Subject. Education from that moment came under the control of Ministers selected from among the elected representatives of the people and for the administration of their departments responsible to the Provincial Legislative Councils. Indeed, from that moment Education became truly national. In these circumstances, it was out of the question for the Government of India to issue a Resolution giving any directions to the Local Governments. Meanwhile, during the last Session of the Legislative Assembly an Honourable Member, Mr. Mahmood Schamnad Sahib Bahadur, asked a question on the 10th March 1921 in connection with this subject. In reply to that question, the Government of India said that religious instruction had already been allowed in Government or other publicly-managed schools in certain parts of India under certain conditions. They were willing to see further relaxations in this direction and would address the Local Governments in this matter. Accordingly, a Circular letter was issued by the Government of India on the 19th March 1921 to the various Local Governments, a copy of which I now place on the table of this House. As the letter is not very long and embodies a change of policy, so far as the Government of India is concerned, affecting the well-being of millions of Indian people, perhaps the Council will permit me to read one or two important paragraphs out of that letter. After stating that, in compliance with the undertaking given in the Legislative Assembly, the Government of India are circularising the Local Governments in this connection, the letter went on to say :

'The Government of India, so far as they are concerned, have no intention whatever of receding from their attitude of strict religious neutrality or from the principle that Government schools ought not to be used as a means of fostering any one religion at the expense of others. But they are of opinion that the embargo which hitherto has been placed on the introduction of religious instruction in publicly-managed schools may be removed. Accordingly, there would be no objection to the withdrawal of the objections which now exist or are supposed to exist in publicly-managed schools and colleges to—

- (a) the utilization of school premises for religious teaching or simple prayers ;
- (b) the utilization of teachers of the institution for such instruction, etc., where they voluntarily undertake the work ;
- (c) making religious teaching or observance compulsory for the boys whose parents or guardians have expressed a wish that this should be done ;
- (d) deducting the time spent by any boy on religious teaching or observance from the prescribed curriculum period permanently at the beginning or at the end of the school day.'

It will be observed that the policy of the Government of India is a cautious one. It is calculated to remove the minor restrictions which at present hamper or are supposed to hamper the introduction of religious instruction in publicly-managed schools, and thus to obliterate the impression which is understood to exist that Government is hostile to the encouragement of this form of education.

In conclusion, the Secretary to the Education Department said :

'I am to emphasise that the present announcement is not of a mandatory character, nor do the Government of India desire to bind them to a definite line of policy. They seek rather to remove the restrictions which possibly are regarded as hampering the freedom of Local Governments in this respect. The matter is one in which the Local Governments can now adopt such line of action as they think fit.'

Honourable Members will notice that in this Circular letter the Government of India went as far as it was possible for them constitutionally to go. Education, as I said a moment ago, is now a Transferred Provincial Subject, and it is beyond the competence of the Government of India to issue any directions to the Ministers in charge of Education in the various Provinces. All they could do was to remove the embargo imposed on the introduction of religious and moral instruction which hitherto was supposed to exist. They have done that. It is now the business of the Ministers, who represent in the Local Governments the elected representatives of the people, to take such steps as they may deem suitable in each Province, with due regard to local conditions, towards the realisation of the object which my Honourable friend has in view, and which, as I have already said, has the sympathy of both the Secretary of State and the Government of India. Beyond this, neither we, as a Government, nor, I venture to submit, this Council, in the new circumstances which have come into existence, can go. I would, therefore, advise the Council to let the matter rest there, and would appeal to my Honourable friend to withdraw his Resolution.

The HONOURABLE DR. GANGANATH JHA : Sir, as one who has been 12-8 P.M. in very close touch with the subject of religious instruction in schools and colleges in the United Provinces, I join in the appeal which the Honourable the Education Member has made to the Honourable Mover, not to press his Resolution at this stage. In the United Provinces, Sir, we have been considering this subject since 1897. I may state at the very outset that my remarks are confined to the religion of Hinduism alone. In fact, long before 1908,—I believe I shall not be mistaken if I say that it was in 1898 or 1897,—that the matter of religious instruction in schools was taken up at Benares by the people who started the Central Hindu College, and after two or three years of consultation throughout the country, the Managing Committee of that institution evolved a scheme of religious education which was introduced in the Central Hindu College and the school attached to it. The scheme as propounded by them was, as it was bound to be, a compromise, and, like all compromises, it failed to satisfy anybody. The orthodox section of the community thought that it was too radical, and the more advanced section of the community thought that it was too reactionary, and my Honourable friend himself knows what treatment the series of textbooks, composed by the old Board of Trustees of the Central Hindu College, received at the hands of the orthodox community. Since then, Sir, we have had the Benares Hindu University started, and one of the avowed purposes of that University was the introduction, in right earnest, of a regular system of religious instruction.

Nearly five years have passed since that University came into existence, and if I am not mistaken, up to this date, that body also has not succeeded in evolving any definite scheme. In the absence of such a practical scheme, to force anything like religious instruction would, I am afraid, defeat the very purpose which my Honourable friend has in view.

Another important point is, that mere formal religious instruction is, if I may say so, absolutely futile. Throughout the world, wherever religious instruction is imparted in a formal manner, it has, I am sure, proved futile, absolutely useless, and to be useful, religious instruction has got to be imparted by religiously-minded teachers well versed in the scheme that they are issuing instructions upon. At present, I may make bold to say that we have not half

[Dr. Ganganath Jha.]

a dozen teachers in the whole country. Under the circumstances, I am sure the effect of imposing upon our young boys not only in colleges but also in schools a system of instruction with practically no well-considered scheme of religious teaching and no qualified teachers for doing that work, will be quite the reverse of what my Honourable friend has in view, because, as has been remarked, the best way of producing scoffers is to place religious instruction in the hands of duffers. At present, if I may be excused for saying so, from the point of view of Hindu religiousness, I do not know if there are any teachers who will not come under the class of duffers.

Another ground on which I am not inclined to agree with my Honourable friend is a somewhat pedantic one. Paradoxical as it may seem, a proposal to institute religious instruction, I mean doctrinal religious instruction for school boys, is repugnant to the spirit of the Hindu *Sutras*. Apart from the teaching of simple religious practices a Hindu boy should not be given any doctrinal religious teaching before he has completed his study of the *Vedas*, that is to say, before the age of twenty. Before that age he is not supposed to be fit to understand the most abstruse doctrines upon which Hindu religion is based. But that objection, as I said, is a somewhat pedantic one and I shall not press that point.

I do base my objection to the Resolution at the present stage upon two entirely practical considerations. One is, that we have not yet evolved a practical scheme of religious instruction, and the other, that we have not got ready persons qualified enough to impart that religious instruction, and so long as these two things have not been got ready, it would be suicidal to press religious instruction upon our boys in schools or colleges. Of course my friend has remarked that it is for man to overcome difficulties. Well, let man actually overcome the difficulties, let man produce a well-considered scheme of religious instruction, and let man provide duly qualified teachers, then and then alone, will man be justified in seeking to impose religious instruction upon our young boys.

THE HONOURABLE RAJA SIR RAMPAL SINGH : Sir, without meaning in any way to sound a strong discordant note or to minimise the importance of the Resolution, I may be permitted to observe that the question of moral and religious education in Government schools and colleges is beset with many difficulties,—some of them almost insurmountable,—and cannot find an easy solution. Our schools and colleges are not meant for boys of one religion or race or sect, and there is so much diversity of religious beliefs and moral standards, that proper arrangement to minister to the wants and requirements of every section of the inmates of such schools and colleges is not an easy matter. Then, again, the paucity of good and capable religious teachers amongst Hindus especially, whose population is the largest in India, will greatly stand in the way of the development of any scheme of such education. Any attempt to impart such teaching by incapable men with ill-digested ideas of religion and morals will not only be futile, but also harmful. No such education will be worth the name which will not imprint on the hearts of the boys a faith in the teaching never to be effaced thereafter. Then, in the consideration of this question, we cannot lose sight of the fact that the welcome spirit of criticism which the present day secular education engenders, and which unfortunately now and then exceeds the limits and reaches to the extent of carping,



cannot obtain satisfaction at the hands of half-penny two-penny men who may be engaged for this important work. The days are gone, no more to come back again, when the words and the teachings of *Gurus* were taken as immutable truths on which beliefs and faiths had their foundations. I have personal experience of two institutions with which I am closely in touch and in which there is provision for religious instruction, but the results have not been quite satisfactory. However, it is undeniable, and regretfully we have to admit, that the education imparted in our schools and colleges from top to bottom is of a too secular kind which cannot be truly beneficial in the long run from a national point of view. It is a wonder that the drift towards infidelity to religion has not been so marked or rapid as the circumstances warranted, but, on the contrary, of late a most welcome reaction is unmistakably discernible though not in proper form and spirit. I do hold that so far as it may be practicable it is the duty of the State, as well as of the people, to remedy this flaw in the present system of education. To devise a scheme for this purpose will very much exercise the minds and touch the purses of the Local Governments, and so, while supporting the recommendation made in it, I would certainly appeal to the Honourable Mover to withdraw the Resolution and leave the matter to the Local Governments to devise a plan for imparting such education.

There is one more point which, Sir, with your permission I may bring to the notice of the House. The matter treated in this Resolution is not only a Provincial subject but also a Transferred one. It is incomprehensible to me how a Resolution of which I came to know very recently, sent by my Honourable friend Sardar Jogendra Singh in connection with the land-revenue policy which is a reserved subject, should have been disallowed on the ground that the matter dealt with in it was a provincial subject and did not concern this House....

**THE HONOURABLE THE PRESIDENT :** Order, order. The Honourable Member is not at liberty to question the decisions of the Governor General as to the admissibility of Resolutions.

**THE HONOURABLE RAJA SIR RAMPAL SINGH :** If that Resolution had been carried, it would have been not a mandatory but only a recommendatory Resolution.

**THE HONOURABLE SIR MANECKJI DADABHOY :** I now move, Sir, that the Motion be now put.

**THE HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY :**

12-21 P.M. Mr. President, it affords me very great satisfaction to be able to associate myself with the object of the Resolution which has been moved by my friend, the Honourable Lala Sukhbir Sinha. When the East India Company first initiated the present system of education in this country, they had very good reasons to give moral and religious training a very wide berth. They were perfectly strangers to our habits and thoughts of life, and the ground was so delicate. With a hundred years of a purely secular education now, we have found out its great defects and shortcomings; we realise every day of our life what a godless system of education we have now, and how it has revolutionised all our moral and religious ideas and lowered down the culture of our race. Many people also believe that the present unrest and disaffection in the country, together with the spirit of defiance of law and order, age and authority, that now predominates among us, is due to the absence of an ethical and moral basis in our system of education. The experience of man through

[Maharaja Sir Manindra Chandra Nandy.]

the centuries has taught him that, for a well-regulated life, a certain amount of moral and spiritual training is almost essential. With this view, some of the most important scriptures of the world are prescribed as textbooks in the schools and colleges of all civilized nations. India has been an unfortunate exception to this rule, and, I am afraid, has paid rather dearly for the experiment of divorcing our education from ethics and religion. In Burma and in Ceylon, where the Buddhistic system of education still obtains, some sort of religious training is made practically compulsory by the *phoongies* in all educational institutions. In the *muktabe* and *madrasahs* in this country, the *Koran* is taught everywhere as a matter of course. In the Christian schools is also enjoyed a compulsory study of the Bible. It is only in the case of the vast majority of our general secular schools and colleges that no moral or religious training of any kind is provided for, excepting perhaps in the case of the colleges affiliated to the Benares University. We want our young men to grow with definite moral and religious ideas and shape their conduct according to approved and accepted canons of ethics for their own benefit as much as for the well-being of the body-politic, and, with this view, I would very much like the Government to open facilities for such training in all our schools and colleges and press on all the Provincial Governments the wisdom and desirability of following a uniform standard of instruction in this matter.

But as we have learnt from the Honourable the Education Member that a Circular has been issued long ago on this matter, I think it is needless to discuss it at greater length at this place. We shall try our best now in our Provincial Councils to spread religious and moral education in our schools and colleges.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN : Sir, in reality the motion has been carried in a way because all that was  
12-25 P.M. wanted by the Resolution has been accepted by the Education Member . . . .

The HONOURABLE MR. SHAFI : As much as can be done has been done.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN : If the Resolution is defeated, its effect will be absolutely lost, but if it is withdrawn, I think it would have carried a great deal of weight. Now, Sir, as to religious instruction, I have always been in favour of this, because I think otherwise the ship of learning is without a rudder and without moorings. When I was in the Chiefs' College, I always felt the necessity of this, and, later being on a committee, I asked the other members to see that religious instruction was made absolutely compulsory. Since then we have seen that when all the boys of the other colleges were taken away by the agitators, we found the Chiefs' College boys staunch just as they were before. I think, Sir, that if a person does not learn to know God, he naturally does not know the meaning of government, nor enough of his father and elders. One of the troubles in India now is that these people, who do not know whom to respect, are simply carried away by anyone. I think the Resolution has now carried enough weight, and I will ask the Mover to withdraw it.

The HONOURABLE LALA SUKHBIR SINHA : Sir, I think the statement  
12-28 P.M. made by the Honourable Member in charge of Education is quite satisfactory, and I thank him very much for the action that has been

taken on the subject. Some members have said again that it is a Provincial subject and should not have been taken here; but, as I said in my opening speech, it involves a matter of principle, and therefore I brought it up here. Some members have mentioned difficulties that will take place in imparting religious and moral education. I admit, Sir, there will be difficulties. Difficulties have been experienced by me also, but they can be removed. That is my submission. In Muzaffarnagar, I found there were difficulties about the buildings, and about the time allotted for this education. The question of buildings has been answered by the statement made by the Honourable Member in charge of Education, but the question of time remains, and I may state my experience to this Council. Very few boys attend, and they do not come in time. Most of the boys run away, being tired of five hours' hard work, and therefore they cannot attend the classes. They find it very inconvenient to attend them either before or after school time. Therefore, it is a question for the consideration of local Councils. Well, I will again bring this very important question before the Council. Leaving aside all the difficulties, I think something should be done to give moral and religious education to our boys, so that they may go out of the schools good and religious citizens of the country. Therefore, Sir, with your permission, I would like to withdraw the Resolution, with the request that a copy.....

The HONOURABLE THE PRESIDENT: Order, order. If the Honourable Member withdraws the Resolution, he withdraws it.

The HONOURABLE LALA SUKHBIR SINHA: Sir, the Honourable Member in charge has agreed to send a copy of the Resolution and of the discussion to Provincial Governments, and I therefore .....

The HONOURABLE THE PRESIDENT: If the Honourable Member has agreed, it is quite unnecessary to make any further request.

Is it the pleasure of this Council that leave to withdraw the Resolution be given?

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

#### RESOLUTION *re* REMOVAL OF CENTRALIZED SYSTEM OF ADMINISTRATION.

The HONOURABLE SAIYID RAZA ALI: Sir, I beg leave of the Council 12-30 P.M. to enable me to move the Resolution which stands against my name on Saturday, the 17th of this month, which is a non-official day. I ask you, Sir, very kindly to ask the Council whether it will permit me to do so. I hope the Honourable Member who is to reply on behalf of Government has no objection.

The HONOURABLE THE PRESIDENT: In the first place, I would ask the Honourable Member in charge of the Government to say whether he has any objection?

The HONOURABLE MR. H. D. CRAIK: Sir, I should have preferred this Resolution to be taken up to-day, but at the Honourable Member's request, and with the consent of the Council, I agree that it should be taken up on Saturday.

[The President.]

The HONOURABLE THE PRESIDENT: The request is a somewhat unusual one, and Honourable Members must generally be prepared to take Resolutions on the day for which they are put down. But in view of what has been said by the Honourable Saiyid Raza Ali and the Honourable Member of Government in charge of the Department concerned, I will put it to the Council. Subject to this, I must protect the rights of the Honourable Lala Sukhbir Sinha, and this Resolution must come up after his Resolution on Saturday. I will put the question in this form: Is it the pleasure of this Council that the Honourable Saiyid Raza Ali's Resolution\* which now stands next on the list be taken after the Honourable Lala Sukhbir Sinha's Resolution on Saturday.

The motion was put.

The HONOURABLE THE PRESIDENT: I think the Noes have it.

The HONOURABLE SAIYID RAZA ALI: Sir, I ask for a division.

The HONOURABLE THE PRESIDENT: It is not usual to divide the House on a question of procedure.

(After two minutes.)

The HONOURABLE THE PRESIDENT: I will put the question once again.

Is it the pleasure of this House that the Honourable Saiyid Raza Ali has permission to move the Resolution now standing second on the list, on Saturday?

The motion was adopted.

## RULING OUT OF ORDER ANY REFERENCE TO LEGISLATIVE ASSEMBLY.

The HONOURABLE THE PRESIDENT: Before I call upon the Honourable Sir Maneckji Dadabhoy to move his Resolution, I desire to draw his attention to the fact that I am afraid I must rule out of order any reference therein to the Legislative Assembly. The Legislative Assembly are a body perfectly competent to make their own demands felt, and I think it would be constitutionally wrong for this Council to endeavour to speak in their name. You may be quite sure that they will bring forward their claims and privileges in a forcible manner if they so desire, and I think it would be wrong and liable to be misunderstood if this Council should even appear to attempt to speak for the Legislative Assembly. I, therefore, have to rule any reference to the Legislative Assembly in the Resolution as out of order. I will now ask the Honourable Member to move his Resolution with that restriction.

\* This Council recommends to the Governor General in Council the removal of the highly centralised system of administration that obtains in this country under which many classes of officials, especially District Magistrates and Collectors, have vast powers.

RESOLUTION *RE* COMMITTEE TO INQUIRE INTO GRIEVANCES.

The HONOURABLE SIR MANECKJI DADABHOY : Before I proceed, 12-35 P.M. Sir, I wish to obtain your leave to two slight alterations that I propose to make in my Resolution. I want to limit the scope of my Resolution, as far as possible, and therefore I have decided to remove the word "*personal*" and in place of it to substitute the word "*public*." I also wish to remove the words "*to deal with it in any manner thought desirable*"—that is, to take away the power of dealing with it, and to substitute the words "*to make a report to this Council*."

The HONOURABLE THE PRESIDENT : Would the Honourable Member kindly read out the Resolution as amended ?

The HONOURABLE SIR MANECKJI DADABHOY :

' This Council recommends to the Governor General in Council that this Council be authorised, if necessary by Statute, to receive from the public petitions on all matters relating to *public* wrong, grievance or disability or to any act or acts of public servants or to public policy ; to investigate the complaint and *to make a report to this Council* ; and that a Committee be constituted on public petitions with powers to examine witnesses and record evidence.'

The reasons underlying the motion are obvious. The Councils are destined, sooner or later, rather sooner than later, to discharge Parliamentary functions. It is true the constitution of the Central Government has not been materially changed, but the declared policy of the Imperial Government is that in time, by a process of gradual evolution, the Central Government should be made responsible to the people through the Legislature. The first steps towards the realisation of the ideal thus set before us have not been the same here as in the Provinces, but important reforms have been introduced both in the constitution and functions of the Central Legislature. It is intended that the Central Legislature equally with Provincial Legislatures should be as representative of the people as present conditions would allow. The Electoral Roll has been thoroughly overhauled, and the present electorate, though not as numerous as one might wish, is fairly representative, strong, and capable of taking an intelligent interest in political issues, and of enforcing its will upon Government through the Councils. The elections to the Council of State and the Indian Legislative Assembly have been, within the limitations imposed by cautious advance, fairly satisfactory. There is no reason to believe that the Central Legislature, as re-constructed under the Reform Scheme, is not representative of the best mind of India. That we have not reached a state of perfection is certain. No human institution is perfect. Even the Mother of Parliaments has its shortcomings. That it may be a long time yet before the present Legislature develops into anything like the British Parliament, is equally certain. But the whole point is, with all its imperfections and all its restricted powers, the Central Legislature commands in a far greater measure the confidence of the public than the Executive. From considerations of expediency, therefore, if for nothing else, Government should invest the Central Legislature with adequate powers of dealing with public grievances from the very beginning. That is about the best way of securing the co-operation of the people with Government. People, especially an Eastern people, are usually swayed by emotions in their judgment of Government action. They do not move in the clear light of reason and base their conduct and action by such light. Consequently, it is always wise for Government, never mind what

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its form and character, to allow the people to subject Government action to a fair and reasonable scrutiny based on facts.

Investigation of public grievances by an agency owing its origin to, and deriving its power and authority from, the highest legislative body, is in every way expedient and advisable, and it is essential that it should be one of the primary functions of the re-constituted Councils. The power is inherent in all representative Assemblies wielding real power and responsibility. If Government be answerable to the Legislature for their actions, it would be wisdom for the State to grant to that body one of the most effective instruments to enforce its will. Discussions upon all subjects within certain limitations can even now be raised in the Council of State and the Indian Legislative Assembly by Members. The limitations do not affect public and private grievances. Logically, there would be an act of sagacious statesmanship to allow the two Councils adequate facilities for motions relating to public grievances .....

The HONOURABLE THE PRESIDENT: Order, order. The Honourable Member, I think, is going beyond the scope of his Resolution.

The HONOURABLE SIR MANECKJI DADABHOY: I am only referring to this matter, by the way, Sir. It may be argued that since the Members of the two Councils have already the privilege of moving Resolutions on any public question, the submission of petitions to the Councils, with its corollary the formation of a special Committee to deal with petitions, recommended in the motion now before the Council, is superfluous and unnecessary. But a little consideration will show that the motion covers new ground altogether. Discussions may now undoubtedly be raised by motions regarding any question of public interest or importance not excluded from the purview of the Councils by statutory provisions. But it is extremely doubtful if the power and jurisdiction of the Councils extend to cases of grievances of public bodies or those of quasi-public character. It is consequently desirable in every way for the Councils to have the power to investigate all cases of public importance or interest. Members may be safely trusted to use the power with discretion and moderation.

The position of the Councils with regard to public questions is that at present Members raise discussions on their individual responsibility, at times without anything to show that there is really at the back either public will or even the support of individuals. The submission of petitions, as suggested in the present motion, on the contrary, will enable Members to make out a *prima facie* case for Government action, and will be helpful to a thorough discussion. The Members in charge of a particular petition will come to the Council with their well-considered report based on facts closely sifted. Formal complaints certainly provide surer ground for motions than mere suggestions of individual Members. Government and the Councils will naturally pay greater heed to grievances brought to their notice in due and regular form,

The Councils will by a natural process of evolution have the power to go into Committee on any subject and to take evidence for a proper adjudication upon the points at issue. Parliament has that power, and there is every reason, therefore, to provide similar provision for the Indian Councils intended and designed to develop into full Parliamentary institutions. The old idea was that the Imperial Legislative Council and the Provincial Legislative Councils

could not go into Committee on any subject unconnected with legislation. But we have now travelled far beyond that stage. The principle of Committees of the Councils on other than legislative subjects has now been recognised. The legitimate end of this principle is the gradual adoption of the Parliamentary principle of Select Committees on all important subjects with powers to take evidence. And so far as this particular development is concerned, there is no serious risk in accelerating the pace. But the present recommendation is not for the formation of Select Committees on Parliamentary lines. It is only for the submission of petitions to the Councils and the formation of a Board of Petitions on the model of the Parliamentary Board.

The main idea underlying the Reforms is to profit by the wisdom and experience of the British nation, and to keep, as much as possible, to the Parliamentary model in evolving institutions for the due expression of the public will. And when we find that the extension of power recommended in the motion has been long enjoyed by Parliament, there is no reason to doubt either its need or its wisdom. There is nothing too in Indian conditions to make a similar development specially risky or superfluous.

On the contrary, if ever there was need for the free reception of complaints by the Legislature, it is in India where the action of Government is liable to serious misconstruction, and the political and moral consequences of irresponsible and exaggerated reports in the Press are incalculable. It is impossible to overrate the danger of allowing the public to draw their own inferences from complaints in the Press of the nature of the one addressed to the District Superintendent of Police, containing details of Police oppression by a resident of Sind on 28th February last, published in the papers in the following April. This is only one of the many typical cases. During the past few months there have been disturbances of a more or less serious nature at numerous places, about the incidents of each of which there have been two versions, one official and the other non-official. For reasons we need not stop here to discuss, the official version has not been accepted by the people, and the demand has uniformly been for open inquiry by non-officials. Government have not seen their way to appoint a non-official Committee of inquiry in each case. This has only helped to increase the volume of discontent in the country, and to give a handle to the disaffected. Moreover, it has led to the appointment of non-official Committees by the people themselves, the conclusions of which founded upon evidence untested by cross-examination, always adverse to Government, have been generally and credulously accepted by a large section of the Indian public as gospel truth. This state of matters must be held to be highly unsatisfactory and in no way conducive to the best interests of the Administration. And yet the appointment of a special Committee of inquiry regarding each disturbance cannot be the normal feature of administration. For one thing, the cost will impose an unnecessary and extra heavy burden upon the general tax-payer. Disturbances so common now-a-days may be expected to diminish or decline under my motion if agreed to—a consummation devoutly to be wished by every well-wisher of the country. The moral effect of the suggested additional right of petition will, I venture to forecast, be very great. People will feel that they have not to depend wholly upon executive good-will for the redress of wrongs, real or fancied. Another advantage will be that a good deal of Government's time, which presently is taken up by consideration of memorials, will be saved. On all these grounds I commend the Resolution to the Honourable Members and trust they will accord their support to it.

The HONOURABLE MR. H. D. CRAIK : Sir, I did not raise any objection when the Honourable Mover was allowed to amend his Resolution, 12-49 P. M. partly because I considered that the Resolution would be greatly improved by the Amendment, and partly out of consideration for the Honourable Mover himself. But I think that I am entitled to some consideration when dealing with this question because of the very radical changes which have been made in the Amendment at the last moment. I hope the House will realise that the subject we are now debating is in certain very important respects radically different from that which I expected to have to discuss.

I gladly acknowledge, Sir, the moderation with which the Honourable Mover has stated his case, and I think the Council will be grateful to him for bringing this important question before it. I sympathise with a great deal of what the Honourable Member has said. I sympathise with his wish to do everything to increase the confidence of the public in the Indian Legislatures, or rather, I should say, in this Council, and I also sympathise with his wish that Parliamentary institutions in this country should develop on the lines of those in the United Kingdom.

Although the Government is unable to accept the Resolution, even in its modified form, yet I hope to be able to show the Honourable Member that Government are prepared to deal with the question in a manner which will satisfy him, and perhaps, if I am able to convince him of this, he will agree to withdraw his Resolution.

Sir, the Resolution raises several difficult and interesting constitutional questions. The first of these is that indicated by the words in the Resolution "if necessary by Statute". I think it is a somewhat doubtful point whether the functions of this Council are limited to those which are specifically assigned to it in the Government of India Act, or whether it is competent to exercise any functions which are not definitely withdrawn from it by that Statute. If the former view is correct, that is to say, if the Council's functions are limited to those defined in the Statute, then it obviously will be necessary to legislate to give it the power of receiving petitions or of investigating complaints. If the other view is correct, and I think I may say that the balance of opinion tends that way, then this Council has the inherent power that every independent Legislature has of receiving petitions and of inquiring into them. In that case, all that would be required would be the formulation of rules of procedure or standing orders, to regulate the method in which petitions should be presented and dealt with after presentation.

The next most important question arising out of the Resolution, which requires consideration, seems to me to be, what is the actual practice in Parliament at Home in the matter of petitions? I take it that the Honourable Mover's object is to give this House powers concurrent with those exercised by Parliament. I do not imagine that he wishes to give this House wider powers than those exercised by Parliament, and I hope I may be pardoned for saying that certain passages in his speech indicated that he was under some misapprehension as to the powers Parliament actually does exercise. I trust the Council will forgive me if I go into a brief digression on this point. It is perfectly true that the right of petitioning the Crown and Parliament is acknowledged to be a fundamental principle of the British constitution, and it has been exercised without interruption from very early times, but so far as I have been able to judge in the brief time at my



disposal for looking into this question, the origin of the custom of petitioning Parliament is to be found in the early days when the judicial and legislative functions of Parliament were not very clearly defined. As a consequence of this combination of the two functions in Parliament, it became the custom to address petitions to Parliament on the subject of grievances for which the common law provided no remedy, that is to say, petitions dealt with in the early days presented mainly personal or private grievances, and were then dealt with rather in a judicial than in a legislative way. They were transmitted to persons who were styled Receivers of Petitions, who were usually the Masters in Chancery, and were examined by them. If the Receivers found that the common law provided no remedy, then they referred the matter to Parliament. At a later stage in Parliamentary history, when the Courts of Equity had relieved Parliament of a good many of its judicial functions, petitions became more in the nature of petitions for private legislation, that is to say, for private Bills, than petitions asking for the remedy of grievances. It may not perhaps be known to all the Members of the Council that in the United Kingdom every private Bill is originated by petition, and that private Bill legislation still retains a great many judicial forms. The parties who oppose or support the Bill have the right to be heard and to plead as if before a Court, and the decision to legislate is largely a decision of a judicial character. It was only in comparatively recent years that the habit of presenting petitions to Parliament on matters of general public policy became common, and during the last two or three centuries petitions increased so much in number and the time of the House was so much taken up by these petitions, that special Standing Orders were passed to deal with the matter. The most important of these lays down that no debate is ever allowed on a petition presented to Parliament, with one exception and that is in the case of a petition complaining of a present personal grievance, calling as an urgent necessity for an immediate remedy. . . .

The HONOURABLE SIR MANECKJI DADABHOY : My Resolution only recommends making a report to the Council of State. I have not asked for the right to debate.

The HONOURABLE MR. H. D. CRAIK : I understand the Honourable Member's point. I was merely explaining what is done in Parliament as regards which he is, I think, under some misapprehension. What actually happens in the House of Commons is, that a Member desirous of presenting a petition drops it in a bag behind the Speaker's Chair, or, if it is too big for that to be done, it is carried up to the table of the House. But no debate is allowed, and as a matter of actual practice, I think, I am correct in saying that in 99 cases out of 100 nothing more ever happens at all. The petition is put into the bag and that is the last that is heard of it. All petitions are, as a matter of form, referred to a committee on petitions, and that committee examines them with a view to seeing that there is no flaw in their form, that the signatures are not obviously fabricated, that they contain no disrespectful language and so on. But the committee (this is the important point) the committee on petitions does not investigate. It merely tabulates petitions sent to it, and from time to time issues reports stating the contents of the petitions, by whom they were presented, the number of signatures and so forth. Occasionally, the report prints the petition *in extenso*, but that is the exception rather than the rule. Certainly, I think, I am correct in saying that the committee on petitions of the House of Commons never investigates the petition and never

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records evidence or summons witnesses. In fact, I doubt very much whether the committee has the power to do so. The position then, briefly, is that, though in theory there is this constitutional right to apply to Parliament or to the Crown for the remedy of grievances, in practice the right is largely obsolete, with two exceptions, namely, the petitions from which private Bills originate, which are quite distinct from the kinds of appeals which the Honourable Member contemplates because we have nothing in this Council corresponding to the private Bill procedure in England, and, secondly, petitions on general matters of public policy which, as I say, are merely presented to the House. An instance of those is the monster petitions that were presented during, I think, the course of the Woman Suffrage Bill through Parliament. Honourable Members may remember that there were pictures of two or three lusty policemen staggering up to the table of the House with an enormous petition.

I think I may call this practice an interesting survival, but what I ask Honourable Members to bear in mind is, that as a rule nothing happens on a petition and it is not investigated in any way. It may possibly have a certain influence on the course of the Bill regarding which it is presented; but otherwise it has no practical effect whatever. I should like to make it clear that to that form of petition, that is to petitions on matters actually under the consideration of this Council, I see no objection whatever. The standing orders of one Legislature, *viz.* that of Madras, do in fact provide for the presentation of such petitions. I will give the purport of the standing order, which is very brief:—

‘Petitions to the Council must relate to some matter actually under the consideration of the Council. They must be addressed to the members of the Council, they must be dated and signed and must not contain disrespectful language. The Council shall not receive petitions proposing the expenditure of public monies or the imposition of any charge on public revenues.’

That, of course, is a limitation which reflects the Financial limitation on the powers of Councils imposed by the Government of India Act. Now, Sir, it seems to me that the Honourable Member's Resolution would, if accepted, give this Council very much wider powers in the matter of petitions than are actually enjoyed by either House at Home. I admit that the chief point in the Resolution which I took exception to has been deleted by the amendment which the Honourable Member was allowed to make this morning, that is, by the omission of the words “deal with it in any manner thought desirable”. At the same time, he does give the Council power.—I am not sure if he gives it to the Council or to the committee,—to investigate complaints, and that I take it connotes the power to summon witnesses and record their statements, and possibly even to administer an oath. That is a power that was not in practice exercised by the House of Commons or by its Committee. It seems to me that if the Council is given power in these very wide terms to receive public petitions on all matters relating to personal wrong, grievance or disability or to any act or acts of public servants, there might be a serious encroachment by this Council on the functions of the judiciary. The terms of the Resolution would include the consideration of grievances for which a statutory remedy is provided, and, I think, Honourable Members will agree that it is most undesirable that this Legislature should interfere with the functions of the Courts. Secondly, it would give the Legislature great potentialities for encroaching on the functions of the Executive Government, poten-

tialities for which, it seems to me, at the present stage of development of Parliamentary institutions in this country we are not yet ready. It seems to me that the proper way in which this Council should bring its influence to bear on Government is by the constitutional methods already provided, that is to say, by asking Questions, by moving Resolutions, or, if necessary, by moving the adjournment of the House. That is the way in which the House of Commons brings its influence to bear on the Government at Home, and that, I think, is the proper method for this House to follow.

There is one other point which seems to me to differentiate India from England in this respect. In India, we have all over the country a network of Government officials who are in a position to investigate, and who actually do investigate, complaints presented to them by members of the public, by individuals or by associations or societies, and to a great extent they make those investigations under powers conferred on them by Statute, subject, of course, to the restrictions which the various Statutes impose. In England, there is no such organisation, there is no network of officials. We have here a machinery to investigate personal complaints and even public complaints. That is a facility which does not exist in England, and, I think, that is a point which the House should seriously consider. I do not wish to pronounce any definite or final opinion, but I think it will be better to confine the rights of the Council at the present stage of its development to receiving petitions on matters actually under its consideration, as is the case in the Madras Legislative Council whose standing order I have just read. That would be a development of the existing practice whereby petitions on legislative proposals under the consideration of the House are now presented in large numbers to Government. They are frequently made "papers to the Bill" if of sufficient importance, and are thus available for the use of members of the House. I see no objection to modifying this procedure so as to allow such petitions to be presented direct to the Council, but I am very doubtful if it would be wise to go beyond that.

One objection, not a constitutional but a practical objection, is that if you constitute this committee with power to receive petitions and complaints of any kind, the members of it would be flooded with memorials of all sorts. Everybody knows how addicted the people of this country are to the habit of petitioning. Every District Magistrate, every Commissioner, Judge, every Secretary to Government, every Head of a Government, receives hundreds of petitions during the year. Members of the proposed committee would, I say, be swamped with petitions. Every person with a grievance, real or fancied, would think himself entitled to address them and to the best of his ability would insist on some sort of answer. The appointment of a committee with these unrestricted powers would, it seems to me, seriously handicap not only the business of this House, but the administration of all the Government Departments. Apart from this, it would tend to encroach very seriously on the powers of Local Governments, and, I think I may say, on the powers of Local Councils. If a Committee of this House were entitled to receive and investigate any petition presented to it, it might take many matters out of the hands of the Local Government or Legislature who ought properly to consider it.

Those, Sir, are some of the objections that occur to me in regard to the proposal which is now under our consideration. But I admit that my examination of the question has been cursory owing to the short time at my disposal, and not so nearly detailed as I should have liked. It seems to me that a very important constitutional question of this kind should be considered

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with far greater deliberation than the Council can give to it in the course of a single day's debate,—and it should be considered preferably by a committee composed of persons of far greater legal and constitutional knowledge than I can pretend to. But Government are prepared, if it is the wish of this Council, to appoint a small committee to go into the whole of this very interesting problem, and to consider what powers should be exercised by this Council in regard to petitions, and possibly, whether a standing committee should be appointed, and, if so, what should be its procedure, and what limitations should be imposed on its power. That would seem to be a more satisfactory way of solving this very interesting problem than by debating it here. Much careful deliberation is required and, I think, a considerable amount of historical research. I would suggest to the Honourable Mover, if he accepts my view that that is the best way of disposing of this question, that he should withdraw his Resolution. As I say, I am authorised to give an undertaking that Government will appoint a committee of the nature indicated as soon as possible, and will be careful to include among its members all persons at the disposal of Government who are best qualified to deal with this question and to suggest a satisfactory solution. I hope the Honourable Member will see his way to accept that offer.

THE HONOURABLE SIR B. C. MITTER: Sir, I greatly sympathise with the Honourable the Mover in his Resolution, but the Resolution, as it stands now, presents a good many difficulties. Now, 1.15 P.M. it has been explained to this House what the present position of the Houses of Parliament is with regard to petitions. The right of petitioning Parliament in Great Britain, no doubt, is a fundamental principle of their constitution. It originated many centuries ago. Originally, petitions used to be presented for the redress of private wrongs. That was principally necessary, because the common law as administered was inadequate to give sufficient reliefs for all kinds of personal wrongs, with the result that petitions were often presented to the High Court of Parliament, and there were men who were appointed to form committees of prelates, peers and judges. This practice, after a time, fell into disuse, when Courts of Chancery were appointed, and, as a matter of fact, from the time of Henry IV these petitions were more or less in the nature of petitions for private Bills for equitable remedies for private wrongs. As I said, when the Courts of Chancery were formally established, petitions, so far as they affected private wrongs, fell into disuse, and looking at the present practice, we find that petitions with reference to public wrongs, when they are presented, are simply dealt with in this way. There is a summary made of those petitions, a record kept of the signatures appended to these petitions, and of the prayers of these petitions, and then, ordinarily, they are kept in the records. There is no further debate with regard to that, as the Honourable Member on behalf of Government explained. Therefore, the power that is at present enjoyed or exercised in any way is a very limited power. The question is, is there any great urgency for the passing of this Resolution just now? If we are merely to follow the procedure which obtains in the Houses of Parliament, what particular benefit shall we derive merely by recording these petitions, by keeping a record of the signatures, by keeping a record of the prayers of those petitions? Surely that would not advance matters. If, on the other hand, we are to enjoy powers larger than those exercised by the

Houses of Parliament, then various considerations arise. Now, in the first place, the question is, can we do so except by Statute? No doubt this House may pass a Resolution authorising them to receive petitions, but if their decisions on those petitions are to be binding, the question arises, can that be done except by Statute? I venture to submit that it cannot be so done, except by Statute. I do not desire to be misunderstood. It may be perfectly possible for this House to pass a Resolution authorising it to receive petitions, but if the decision, or the opinions which the House expresses upon it, are to be binding in any way, the question arises, can it be done except by Statute? I venture to submit that this House is a creature of Statute, our powers are circumscribed within that Statute, and therefore, if we desire to have these additional powers, it can only be done by Statute, which means we cannot do it alone, but that it must go to the Legislative Assembly again. Then there are other practical difficulties. I will take an illustration. Supposing a petition is presented against the Magistrate, say, of Rajshahi. This House goes into committee, and another petition is presented to the Provincial Council with regard to it. Very well, if we can claim that power, probably the Provincial Council will claim similar powers. What is the position of the poor unfortunate Magistrate, with the witnesses coming up to Simla and Delhi,—and is the accused person to come up to Simla and Delhi, also? Supposing you come to a decision. The Provincial Council, again, may come to a different decision. Now if complaints of a particular character are to be investigated by a Court of Law, certain sanctions are necessary. That is a protection, and I venture to say a salutary protection enjoined by the law of the land. Now take the recent instance in Rajshahi. Is it a feasible thing that the investigation of matters of that kind, which have taken place thousands of miles away, should be done by a committee of this Legislature? Therefore, I venture to think that there are very grave difficulties if we are to investigate questions that may be raised in the petitions.

I submit that much further discussion is necessary than we can give to-day to this Resolution, before we can accept it. I am in sympathy with it, but I see grave practical difficulties. I, therefore, appeal to the Honourable Member not to press the Resolution in the form that it has been brought to-day. As a matter of fact, a great deal of his argument really applies to the original Resolution.....

**THE HONOURABLE SIR MANECKJI DADABHOY :** No.

**THE HONOURABLE SIR B. C. MITTER :** For instance, the Honourable Member referred to both the Legislatures several times. Now that cannot be done under his present Resolution. If we are to be authorised by Statute, I suppose the other House will claim similar rights.

These are all considerations which may have to be taken into account, and, under these circumstances, I submit that the Resolution, as it stands, ought not to be accepted by this Council, but if the matter is further investigated, something practical may be evolved out of it.

**THE HONOURABLE SAIYID RAZA ALI :** Sir, I must say at the outset that I am not prepared to go into the question of details. 1-23 P.M. It is only the principles that are embodied in the Resolution of the Honourable Mover which I wish to take into consideration in a few words.

Now, Sir, the real question which this House has to consider is, whether it is desirable to have a body which will invite petitions from those persons

[Saiyid Raza Ali.]

who in any way imagine, or as the Honourable Member for Government put it, have actually received any public wrong. That is the really important point. Now I must at once admit that a whole field of difficulties is opened to us as soon as we accept that position. But again on the other side, the question is, whether the present condition of affairs is satisfactory, and whether it does not require a step forward being taken in that direction. These are, I believe, the two propositions which should be taken into consideration. Now the one really vital objection made by the Honourable Member who represents the Government to this proposition, was that the control of this House should be exercised in the form of Questions, Resolutions and Motions for Adjournment. I entirely agree with the Honourable Member that if full responsible government had been granted to this country, and if the Government of the country were responsible to the Legislature, and the Legislature in its turn responsible to the constituents and the public, no doubt that would be an ideal arrangement, and after that it would be absolutely unnecessary to have any Committee to invite these petitions. But as it is, unfortunately full responsible government is yet to come. Take a case in which some person thinks that injustice has been done to him by some Government officer. I will not name any body, and I will not even give a hypothetical case by mentioning this or that Government official. Now supposing one of the Honourable Members of this Council raises the question, either by means of interpellation, by a motion for adjournment or in the form of a Resolution, one may well ask whether the Government are bound to take any notice of it. And if the Government are not so bound, much less are the lower officers. Then the net result is that, in spite of a series of questions being put and a number of Resolutions being moved, it is open to the original wrong-doer—assuming that wrong was done—to sit tight and take no notice of our debates and resolutions or any other part of our activities. So the real proposition before us is, that till full responsible government is granted to this country, is it not worth while to have a committee of this description? I for one am not prepared to minimise the scope of the activities of such a committee. In course of time, if not in its preliminary stage, it can be a sort of a roving commission, and I suppose its activities may include inquiries perhaps into frontier raids, the complaints of the coolies working in Assam tea gardens, the Khilafat movement, the rise in prices, the dismission of certain clerks in the Archaeological Department, and perhaps the improvement of the breed of cattle. All these are very important subjects we must admit. But again the point is, whether we should be so much overwhelmed with a sense of the gravity of the question that we should give up the proposal. I for one certainly believe, Sir, that it will be in the fitness of things to set up a Committee—a small committee—with limited powers to go into important questions where wrong is alleged to have been done. I do not want this Committee, as a matter of fact, to be invested with very great powers, but all the same if it is to be of any use, you will have to give that Committee some powers. I will ask this House not to confine itself to the words of the Resolution, but to address itself to the real question which, as I have stated, is whether it is not desirable to have a committee which will set right the wrongs that are done—I hope unconsciously—by the agents of Government from time to time. That is the real proposition. So far as the procedure is concerned, that can be worked out hereafter, and I believe that it can be worked out in a practical shape. So, if my Honourable friend the Mover will allow me to say so,

I would ask him to be content with the promise made on behalf of Government. I take it that promise was that the Government will take some action in this direction and they will take steps to constitute a committee with certain powers.....

The HONOURABLE Mr. H. D. CRAIK : I am sorry to interrupt the Honourable Member. What I said was that the Government would undertake to appoint a committee to investigate this question and to make recommendations.

The HONOURABLE SAIYID RAZA ALI : Well, Sir, that promise, I must say, does not go a long way. But for the present I should advise the Honourable Mover to be content with that promise. I do not think he should press this Resolution to a division. With these words I support his proposal.

The HONOURABLE Mr. V. G. KALE : Sir, from the speech of the Honourable Member, it was not quite clear what he wanted to be the arrangement that should be established for the purpose of getting redress for the grievances of the public. He made a reference to the system and practice prevailing in England, but, as has been pointed out, that practice and that system do not practically give any redress to the grievances of the public. I want to know whether he wishes to reproduce that system here . . .

The HONOURABLE SIR MANECKJI DADABHOY : Have you studied the English constitutional procedure on the subject ?

The HONOURABLE THE PRESIDENT : Order, order. If the Honourable Member wishes to interrupt, he must stand up. If the other Honourable Member wishes to give way, he must sit down.

The HONOURABLE SIR MANECKJI DADABHOY : May I know from the Honourable Member whether he knows the constitutional practice in England, and whether those petitions are only put on record and no further action taken. I know that the Honourable Mr. Craik made that statement, but I cannot agree with it.

The HONOURABLE Mr. V. G. KALE : I do not know why my Honourable friend wants to inquire from me whether I know a particular subject or not. I may also put the same question to him, and inquire whether he has any real knowledge, any practical knowledge of the British constitution. I might certainly assure him that I know as much of the British constitution as he does, if not more, and I do not know whether it was a very pertinent and a respectful question to put to an Honourable Colleague whether he has studied any subject or not.....

The HONOURABLE THE PRESIDENT : I think the Honourable Mr. Kale might let the matter rest there.

The HONOURABLE Mr. V. G. KALE : However, to resume what I was saying, I do not know whether the Honourable Member wants to reproduce the system that prevails in England, and inasmuch as the Executive Government there is directly and fully responsible to the Legislature, that system does not practically redress the grievances of individuals or institutions. But inasmuch as the Legislature has full control over the Executive Government, many such occasions are not likely to arise and do not in recent times arise. While I was

[Mr. V. G. Kale.]

wading through the proceedings of the Indian Legislative Council of 60 years ago very recently, I noticed that certain petitions were received from the public by the Legislature, and a reference has been made therein to this effect, and Honourable Members on behalf of Government have mentioned the fact that petitions were received at the table of the House and that they should be printed. There was this system in vogue in the Indian Legislature itself of receiving petitions, and I think that if such a practice is revived, it will be a very great assistance to the members of the House. For example, numerous petitions are sent to Government. Questions are raised on those petitions; resolutions are sometimes moved and questions are asked. If Honourable Members were put in possession of the information contained in those petitions, certainly it would go a very long way to assist the members in transacting their business. But if the Honourable Mover of the Resolution wants that this House should be enabled to exercise some control over the Executive, then certainly not only a Statute will have to be passed, but very important modifications in the constitution and governmental practice will have to be effected. How that is to be done, is not made clear by the Honourable Mover, and that is my grievance against him. He has simply said that it is desirable that petitions should be considered and witnesses examined, but how that is to be accomplished is not explained. Various practical difficulties have been pointed out. How they are to be got over, how is a Committee of Enquiry consisting of Members of this House to be appointed, whether that Committee will be in a position to investigate all those petitions which will be received by the House, are matters which have not been made clear. These are really very serious difficulties, and unless we know exactly how the proposed system is going to work, how it is going to exercise any control over the Executive Government, or whether it is intended only to supply information to the Honourable Members of this House and place them in possession of full facts, what are the limitations that are to be imposed, what are the duties and functions which that Committee is to be asked to perform, unless we know all these things, I do not know whether it is possible for us to give any support to the Resolution which has been moved by my Honourable friend.

THE HONOURABLE SARDAR JOGENDRA SINGH: I move, Sir, that the question may now be put.

THE HONOURABLE THE PRESIDENT: I shall now ask the Honourable Mover to reply.

THE HONOURABLE SIR MANECKJI DADABHOY: Sir, I may at once  
1-36 P.M. frankly acknowledge that the question which I have raised is not free from difficulties. It is beset with complexities, more or less of an insurmountable nature in this country, but some of the Honourable Members who followed the Honourable Mr. Craik think—I at least gathered it from their speeches—that in bringing forward a Resolution of this character my aim and object was to obtain immediately from Government what was embodied in the Resolution. Those Members who have been long in this Council will bear me out when I say that the only way in which I could move (and they from their personal experience will agree with me) is by formulating and placing Resolutions in broad terms before this Council, by pressing our demands and forcing the hands of Government to give replies in a definite manner. I never for a moment thought that my Resolution in its present form would be accepted by Government. My object was to open a ground for



debate, and enable Government to take action after due investigation and inquiry which may result in securing for the people of this country greater liberty of discussion and larger facilities for bringing up all important problems in which they differed from the rulers as regards methods of government, as regards the exercise of their scope and power and in many other ways, and in order that the Councils which are now constituted should be living Councils, and not that they may do mere debating and formal work. It was with this object in view that I brought forward this Resolution. I know the difficulties and I am fully conscious of the shortcomings of my Resolution.

Now there are one or two points which my Honourable friend Sir B. C. Mitter specially mentioned, and which require some explanation. He asked what particular advantage would be gained by merely receiving petitions. Surely the scope of my Resolution is not merely to authorise the Council to receive petitions and file them, but the Committee that would be appointed by the Council would consider carefully the scope of the petitions, and if they thought that the matter required fuller and further deliberation by the entire Council, it would be open to the Committee to place the petitions before the Council for their consideration. If the Council as a body thought that the matter was worthy of being considered further, it would take up any such complaint and deal with it in any manner it thinks fit. That is the scope, aim and object of my Resolution.

It was also pointed out by my Honourable friend, Sir Binode Mitter that thousands of petitions would be received and no action would be taken on them. That is quite true. Thousands of memorials are received by the Government of India now from all quarters. Do they take action on all of them? In the same way, when these petitions are received,—this Council,—and I expect that according to my original idea a Joint Committee of both the Houses would be ultimately appointed,—would carefully consider whether a certain petition is worthy of being probed into and fully considered, or whether it should be consigned to the waste-paper basket. I think we could safely leave the Members of this Committee to discriminate what complaints are of such importance as to need a full investigation, and which should be consigned to the waste-paper basket. Of course, my Honourable friend Sir Binode Mitter is perfectly right in stating that it may necessitate fresh legislation. Well, if fresh legislation is necessary in the interests of the country, it will be open to any member hereafter to move in the matter. I did not say that to give effect to my Resolution it will not require fresh legislation. We are a progressive body. Only the first stages of responsible government have been given to us, and it is our duty not only to make the present stage of responsible government a success, but, at the same time, to prepare the ground for further concessions which will safeguard the interests of the people of this country. It was only with that object that I placed my Resolution before the Council. My object has been gained by the Government undertaking to make a full inquiry into the subject, and as any further discussion would not only be superfluous but merely academical, I readily accept the offer given by the Honourable Mr. Craik. I would only request him that in appointing this committee constitutional lawyers of eminence, retired High Court Judges, Indian as well as European, would be placed on it, and if my Honourable friend Mr. Craik can give an undertaking that a proper and well-constituted committee will be appointed to go thoroughly into the whole question, I do not at all desire to press this Resolution. I have explained

[Sir Maneckji Dadabhoi.]

why I brought this Resolution before the Council, and in view of what has fallen from the Honourable Mr. Craik, I now ask your leave, Sir, to withdraw my Resolution.

The Honourable Secretary has drawn my attention to the fact that my Resolution will require some slight modification.

**THE HONOURABLE THE PRESIDENT:** Well, if the Honourable Member is successful in withdrawing his Resolution, that naturally drops. (To the Honourable Mr. Craik.) Does the Honourable Member desire to make any observation?

**THE HONOURABLE MR. H. D. CRAIK:** I only had one observation to make, Sir, relating to a remark by a Member who has left the House, so I shall not make it.

**THE HONOURABLE THE PRESIDENT:** Before I put the question whether leave be given to the Honourable Mover to withdraw his Resolution, I must draw the attention of Members to the common and loose practice, (though it was a general practice in the old Council), of withdrawing Resolutions on an undertaking by Government. That is a course which the Council of State can authorise by agreeing to the withdrawal of a Resolution, but I fear it often fails to elicit the real opinion of the House. It also sometimes fails to present the case to the Council at large in the way that it should be presented. It may well be the Honourable Sir Maneckji Dadabhoi (my remarks are intended to be entirely general and have no bearing on the individual case) it may be that the Honourable Mover of a Resolution is perfectly willing to accept the particular statement of Government. But it may be that there are other Members of Council who, if the undertakings have been the subject-matter of a formal amendment, would have been in a better position to have expressed their views. I am merely pointing out to the Council the danger which the particular precedent is open to. It may deprive individual Members of an opportunity of bringing forward their views.

I will now ask if it is your pleasure that the Honourable Sir Maneckji Dadabhoi have leave to withdraw his Resolution.

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

#### RESOLUTION *RE* APPLICATION TO INDIAN STUDENTS OF THE CECIL RHODES SCHOLARSHIPS.

**THE HONOURABLE THE PRESIDENT:** In order to save the Honourable Mr. Sethna's Resolution I will ask him to rise and read it.

**THE HONOURABLE MR. SETHNA:** Sir, I beg to move that—

'This Council recommends to the Governor General in Council to request the Secretary of State for India to apply to the Trustees of the 'Cecil Rhodes Scholarships Settlement' to transfer to Indian students the scholarships reserved under the settlement for German students which have been discontinued since the war, and further that, in the event of such transfer not being possible for any reason, to apply to the Trustees and, if necessary, to the Executors to create new scholarships for the benefit of Indian students.'

**THE HONOURABLE THE PRESIDENT:** That will enable the Honourable Member to carry his Resolution over. In these circumstances, I adjourn the Council to Saturday, the 17th instant, at 11 o'clock.

The Council adjourned to Saturday, the 17th September, at 11 O'clock.