

8th March, 1923

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

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THIRD SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1923.



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1923.**

Legislative Assembly.

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Deputy President :

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

Marshal :

CAPTAIN SURAJ SINGH, BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Thursday, 8th March, 1923.

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

DRAFT NOTIFICATION *RE* EMIGRATION OF UNSKILLED LABOUR TO MAURITIUS.

Mr. J. Hullah (Revenue and Agriculture Secretary): Sir, I lay on the table in pursuance of the provisions of sub-section (2) of section 10 of the Indian Emigration Act, 1922, a draft notification specifying the terms and conditions on which emigration for the purpose of unskilled work shall be lawful to Mauritius.

No.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

EMIGRATION.

Delhi, the March 1923.

NOTIFICATION.

In exercise of the powers conferred by section 10 of the Indian Emigration Act, 1922 (VII of 1922), hereinafter referred to "as the Act", the Governor General in Council is pleased to issue the following Notification in the form in which it has been approved by both Chambers of the Indian Legislature:—

Emigration to Mauritius for the purpose of unskilled work shall be lawful for a period of one year with effect from a date to be notified in the *Gazette of India* by the Governor General in Council after the matters requiring determination under clause 10 of this notification shall first have been determined subject to the following terms, and conditions, namely:—

- (1) The number of adult male labourers which may be recruited within the period shall be limited to 1,500.
- (2) The emigrant shall
 - (a) have been recruited by a person licensed for that purpose by and responsible to an officer (hereinafter called the Emigration Commissioner) appointed by the Government of Mauritius, or
 - (b) have applied direct to the Emigration Commissioner for an assisted passage and have been accepted by him.
- (3) The emigrant shall not, before leaving British India, have entered into any engagement to labour for a period exceeding one month.
- (4) Engagements to labour entered into by an emigrant in Mauritius for a period exceeding one month shall be void.
- (5) The Government of Mauritius shall, at any time when so desired by the Governor General in Council, admit and give all facilities to an Agent appointed under section 7 of the Act.
- (6) No part of the cost of his recruitment, subsistence during transport or transport, shall be recoverable from any emigrant, and all expenses in this connection shall be defrayed from the fund created by the Government of Mauritius under section 45 of the Labour Ordinance, 1922.
- (7) Any emigrant shall, if he desires to return to India at any time after two years from the date of his introduction to the Colony, be repatriated at the cost of the Government of Mauritius to the place of his recruitment.

- (8) Any emigrant shall, at any time within the period of two years from the date of his introduction to the Colony, be entitled to be repatriated at the cost of the Government of Mauritius to the place of his recruitment if he satisfies the Agent appointed under section 7 of the Act that his return to his home is desirable either on the ground of the state of his health or on the ground that the work which he is required to do is unsuitable to his capacity or that he has been unjustly treated by his employer or for any other sufficient reason.
- (9) If any emigrant at any time within the period of two years from the date of his introduction to the Colony satisfies the Agent appointed under section 7 of the Act that he is unable to obtain a wage which will provide the cost of living for a man with a wife and three children and also a reasonable margin for savings, sickness and old age, he shall be entitled to be repatriated at the cost of the Government of Mauritius to the place of his recruitment.
- (10) The Government of Mauritius, in consultation with the Government of India or the Agent appointed under section 7 of the Act, shall from time to time determine the amount of wage which is sufficient to meet the requirements laid down in clause 9 of this notification.
- (11) If at any time there is no Agent appointed under section 7 of the Act the Government of Mauritius shall appoint a person to perform the duties of the Agent as set forth in clause 8.
- (12) The Government of Mauritius shall furnish such periodical reports and returns as may be required from time to time by the Government of India in respect of the welfare of the persons emigrating to the Colony in accordance with this notification.

QUESTIONS AND ANSWERS.

CONVICTION OF PANDIT KIRPA RAM.

482. ***Dr. Nand Lal:** (1) Is the Government of India aware that one Pandit Kirpa Ram was convicted, on 27th July, 1916, by a Special Tribunal, constituted under the defence of the Government of India Act, 1915, at Port Dufferin, Mandalay, under sections 121 and 121A, I. P. C.?

(2) Is Government of India aware that the Commissioners constituting the aforesaid Tribunal mentioned in their judgment that the aforesaid Pandit Kirpa Ram was subsequently seduced to join the party in August, 1915?

(3) Is Government of India aware that no overt act of the positive kind was alleged against him and that according to the very prosecution he was more or less a passive member of the conspiracy?

(4) Is Government of India aware that the wife of the aforesaid convict Pandit Kirpa Ram, submitted a memorial to His Excellency the Viceroy and Governor General of India, through the Chief Secretary, Government of Burma?

(5) Will the Government of India be pleased to state as to whether consideration was given to paragraphs four, five, six and seven of the aforesaid memorial, namely, a petition under section 401 of the Criminal Procedure Code?

(6) Will the Government of India be pleased to state whether the Governor General in Council will graciously, in consideration of the aforesaid petition (memorial) for mercy, remit the whole or any part of punishment to which the aforesaid convict was sentenced?

(7) Will the Government of India be pleased to state—

(a) Where the aforesaid convict is now?

(b) Is he in good condition of his health?

The Honourable Sir Malcolm Hailey: (1) Yes.

(2) What the Commissioners actually said was that he was seduced to join the conspiracy by two other conspirators. But as he was in the Military Police, the Honourable Member will recognise the grave nature of his offence.

(3) No. The evidence shows that Kirpa Ram became an active member of the conspiracy, and the Commissioners described his guilt as particularly heinous.

(4) and (5) A memorial from Kirpa Ram's wife was received by the Government of India through the local Government early in the year 1920, and was rejected.

(6) Kirpa Ram's case has been several times considered. The Government of India are not prepared to reconsider it now.

(7) (a) He is in the Andamans.

(b) I will enquire and inform the Honourable Member of the result.

INDIANS AS MINISTERIAL OFFICERS.

483. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased to state the total number of Indians employed at present as Ministerial Officers in all the Departments directly under the control of the Government of India specifying in particular the total number of Hindus and Muhammadans and also specifying in full the Provinces from which they come?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to the statement laid on the table on 15th January 1923. Government are not prepared to obtain the further information now asked for as its collection will entail an amount of work out of all proportion to its utility.

The statement laid on the table was very full in itself.

Mr. K. Ahmed: Is there not a classification list showing the names of those who hold these ministerial posts? From the names is it not possible to say to which class of the people of India the holders of these appointments belong, and the province from which they come? Is that expensive to find out, Sir?

Mr. President: That question has already been answered.

The Honourable Sir Malcolm Hailey: I might ask the Honourable Member if he has seen the statement to which I have just referred, namely, the statement laid on the table on the 15th of January 1923. If he will see that statement, he will be able to ask a more fully informed question on the matter.

RELEASE OF POLITICAL PRISONERS IN THE UNITED PROVINCES.

484. ***Khan Bahadur Saiyid Muhammad Ismail:** Was the action of the United Provinces Government in withdrawing the operation of the Criminal Law Amendment Act and in releasing all the political prisoners soon after the departure from the province of His Excellency Sir Harcourt Butler, G.C.I.E., K.C.S.I., in concurrence with the policy of the Government of India or were the Local Government entitled to exercise their own discretion in the matter?

The Honourable Sir Malcolm Hailey: The remission of sentences and the application or withdrawal of the Criminal Law Amendment Act, Part II are matters within the competence of the Local Governments, subject, in any case where this question arises, to the general control of policy vested in the Government of India. The Honourable Member is no doubt aware that the measures taken by the Government of the United Provinces were more restricted in their scope than his question would suggest, and the Government of India have no reason to suppose that they were not justified by the circumstances of the case.

Khan Bahadur Sarfaraz Hussain Khan: May I ask the Honourable Member what is the general practice in regard to the release of political prisoners. In such cases, do the Local Governments take the permission of the Imperial Government, or can they act independently?

The Honourable Sir Malcolm Hailey: As the Honourable Member is perhaps aware, there is no rule of procedure laid down. I said where the question arises, they are subject to the general control of the Government of India, and, whether the question arises or not depends, of course, on the circumstances and importance of the case.

Mr. N. M. Joshi: Were the Government of India consulted in this matter?

The Honourable Sir Malcolm Hailey: In which matter?

Mr. N. M. Joshi: In the matter of the release of political prisoners?

The Honourable Sir Malcolm Hailey: No, Sir.

Mr. K. Ahmed: If the matter is of any importance at all, why does it not apply, Sir, in the case of the other provinces, but only in the case of one province?

Mr. President: If the Honourable Member wants information in regard to the other provinces, he can put a question about them. This question refers solely to the United Provinces.

MAINTENANCE OF BUILDINGS IN DELHI.

485. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased (a) to lay on the table the list of all the buildings declared under the Ancient Monument Preservation Act, within the Province of Delhi and the amount which they spend in the upkeep and maintenance of each of the ancient buildings and the agency by which they are spent?

(b) To specify in particular the amount, if any, paid for the maintenance and the upkeep of the Juma Masjid, Delhi?

The Honourable Mr. A. C. Chatterjee: (a) The preparation of a list of the protected monuments in the Delhi Province has recently been undertaken by the Archaeological Department, and will take time to complete. The amount spent on annual repairs in 1920-21 on these monuments was Rs. 31,052. Details are given in the annual report for that year. The repairs are ordinarily executed by the Public Works Department but some minor works are executed direct by the Archaeological Department.

(b) The Juma Masjid, Delhi, is maintained out of the income from its own endowments and investments and from charitable donations. No subvention is given from public funds, but the local Civil and Public Works officers have given in the past and still give advice and assistance regarding important maintenance works when asked to do so by the Managing Committee.

ART COLLEGES AND SCHOOLS IN DELHI.

486. *Khan Bahadur Saiyid Muhammad Ismail: Will the Government be pleased to state the names of the Art Colleges and Schools, within the Province of Delhi, with the number of students that appeared in the College and matriculation examinations in the year 1922, also to state the grants, if any, made to the Hindu and the St. Stephen's College in Delhi?

The Honourable Mr. A. C. Chatterjee: A tabular statement giving the information required is laid upon the table.

Statement regarding Arts Colleges and High Schools in the Delhi Province.

Arts Colleges, presenting candidates at the Punjab University Examinations in 1922.	INTERMEDIATE.		B. A. & B. Sc.		M. A. & M. Sc.	
	Candidates.	Passed.	Candidates.	Passed.	Candidates.	Passed.
1. St. Stephen's College, Delhi	44	27	59	25	9	8
2. The Hindu College, Delhi	74	49	58	20
3. The Ramjas College, Delhi	23	19	19	10

Schools presenting candidates for the Matriculation and School Leaving Certificate Examinations of the University of the Punjab.

	Candidates.	Passed.
<i>A.—Boys' High Schools.</i>		
1. The Government High School, Delhi	74	45
2. The Anglo-Arabic High School, Delhi	104	86
3. The Anglo-Sanskrit High School, Delhi	45	28
4. St. Stephen's High School, Delhi	51	40
5. The D. A. V. High School, Delhi	39	23
6. The Jain High School, Delhi	11	10
7. The Bengali High School, Delhi	4	1
8. The D. B. High School, Mahrauli	14	8
9. The Ramjas High School, No. 1, Delhi	88	50
10. The Ramjas High School, No. 2, Delhi	37	25
<i>B.—Girls' High Schools.</i>		
1. B. M. Girls High School, Delhi	3	2
2. Queen Mary's High School, Delhi	2	2
3. The Indraprastha Girls High School	4	2

2. The following grants were paid in the year 1922 :—

	Rs.
1. St. Stephen's College	37,550
2. The Hindu College	38,476 including Rs. 7,476 on account of furniture and building grant.

DELHI UNIVERSITY.

487. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased to state the amount which they have sanctioned for the upkeep of the maintenance of the Delhi University with the list of the Members of the Court, the Syndicate and the Executive Council; also to state the total number of the Colleges and the Schools affiliated to it?

The Honourable Mr. A. C. Chatterjee: The Government of India have so far made payments totalling Rs. 30,000 to the Delhi University.

There is no provision for a Syndicate in the constitution of the Delhi University. The lists of members of the Court and the Executive Council as constituted to date will be supplied to the Honourable Member.

The Delhi University has three recognised colleges. The constitution of the University does not provide for the affiliation of schools.

Mr. B. S. Kamat: Has the sanctioned amount for the Delhi University been spent during the year?

The Honourable Mr. A. C. Chatterjee: I have said that Rs. 30,000 have already been paid by Government. I have no further information.

BENARES HINDU AND ALIGARH MUSLIM UNIVERSITIES.

488. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased to state the control, if any, the Government of India exercise over the Benares Hindu University and the Aligarh Muslim University?

The Honourable Mr. A. C. Chatterjee: The Honourable Member is referred to the Acts incorporating the universities to which he refers and to the orders made thereunder. A copy of these will be placed in the Library.

SANITARY COMMISSIONER WITH THE GOVERNMENT OF INDIA.

489. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased to state the functions of the Sanitary Commissioner with the Government of India and also as to what authority do they exercise over Provincial Directors of Public Health?

The Honourable Mr. A. C. Chatterjee: The Public Health Commissioner is the Adviser of the Government of India with respect to matters included in items 2, 8, 39 and 41 in Part I, of Schedule I, of the Devolution Rules. He also advises when references are made to the Government of India with regard to items 3, 22, 26 (g), 28 and 45 in Part II of Schedule I, of the Devolution Rules.

2. Provincial Directors of Public Health are subordinate to Local Governments.

DIVISIONAL COMMISSIONER, BIHAR AND ORISSA.

490. ***Khan Bahadur Saiyid Muhammad Ismail:** Will the Government be pleased to state if they have received any recommendation from the Government of Bihar and Orissa regarding abolition of the post of the Divisional Commissioner in that Province?

The Honourable Sir Malcolm Halley: No.

Mr. K. Ahmed: Have recommendations been received from the Government of Bengal regarding the abolition of the posts of Divisional Commissioners?

The Honourable Sir Malcolm Halley: I was under the impression that the Government of Bihar and Orissa is now separated from Bengal.

Mr. K. Ahmed: I am asking, Sir, with regard to the abolition of the posts of Divisional Commissioners in Bengal and the abolition of them, if already recommended by the Government of Bengal.

MOSQUES IN VICINITY OF LADY HARDINGE HOSPITAL.

491. ***Haji Wajihuddin:** Is it a fact that (a) at the time of construction of Lady Hardinge Hospital, two old mosques were taken within the boundary wall of the said Hospital, (b) whether one of them is only at a distance of a few yards from the boundary wall on Lady Hardinge Road, (c) whether all the Professor's bungalows have got passages and gates on this road but none has been given for the mosques in question and if so, why? (d) are the muslim public not allowed to enter the said mosque to say prayers, (e) have several representations been made by certain Moslems to the Chief Commissioner, Chief Engineer and the Principal and if so, what fate have they met and what action do the Government propose to take, (f) have the Government any objection to allow repairs of the inner mosque which is badly needed for the use of saying prayers by the Muslim staff of the said Hospital? (g) If the answers are in the affirmative reasons be given?

The Honourable Sir Malcolm Halley: The facts in connection with this are that one old disused mosque has been surrounded with a wall and lies within the boundary wall of the Lady Hardinge Hospital. The other lies on the edge of the compound, and that part of the mosque which has always been in use as such has not been interfered with in any way. The first named mosque had not been in use for many years before the construction of the hospital and it was arranged that it should be enclosed by a wall and saved from further decay. No representations have been received regarding it, and as it lies within the walls of a purdah hospital for women it is not practicable to allow it to be taken again into use by the general public. The question of permitting its use by the Muslim staff of the Hospital will be referred to the Principal.

Several requisitions have been received regarding the mosque on the edge of the compound, which has remained in use continuously. Applications to repair this mosque have been acceded to.

Mr. K. Ahmed: In view of the fact that several representations and memorials have, as admitted by the Honourable the Home Member, been received since last January in this Assembly and as far as we are concerned, Sir, will the Government be pleased to state, what action they have taken and to lay on the table a statement, in regard to any steps that have been taken since January last explaining how they are going to give effect to these grievances?

The Honourable Sir Malcolm Halley: Steps taken in regard to what?

Mr. K. Ahmed: In regard to the removal of the grievances about which the people have submitted memorials to the Government?

The Honourable Sir Malcolm Hailey: We have shown ourselves very willing to give all the information in our power regarding definite cases brought up to us. If the Honourable Member has any case in which we have not given information, if he will mention it to me, I will do my best to give it to him.

Mr. K. Ahmed: My case was put before the Government since last January in the form of supplementary questions.

Mr. President: Did the Honourable Member's question refer to the Lady Hardinge Medical College?

Mr. K. Ahmed: No, but there are many.

Mr. President: Others are not in order.

Mr. W. M. Hussanally: Sir, in regard to the mosque which is going to be walled round, may I ask if there is any possibility of a way being given to Mussalmans to use it by walling a passage through the compound of the Lady Hardinge Hospital, because a Muhammadan mosque can be used at any time even if it has been disused for some time?

The Honourable Sir Malcolm Hailey: I may point out that there is another mosque in close proximity to this mosque which is used by Muhammadans. I would put it to the Honourable Member with regard to his question whether it would not be more suitable if arrangements could be made that this particular mosque, which is inside a purdah hospital, should be used by the Moslem staff of the hospital, as it is not necessary in the general interests of the Muhammadan population, to make it accessible to the outside public in view of the fact that there is another mosque within a few yards distance.

Mr. W. M. Hussanally: Will any steps be taken to see that this mosque is not allowed to go to rack and ruin in course of time and then demolished?

The Honourable Sir Malcolm Hailey: I think my answer stated that steps had been taken to prevent further decay in this mosque. I do not think the Honourable Member need have any fear on the subject and, as I say, we are taking steps to see whether it can be made accessible to the Muhammadans resident within the hospital itself.

Mr. K. Ahmed: Do I understand, Sir, that the mosque was used before the building of the hospital and that recently, since the Government have taken it up, it has got into a dilapidated condition?

The Honourable Sir Malcolm Hailey: I am correct, the facts regarding the mosque inside the hospital are as follows. It was originally inside a village which occupied the site on which the hospital is now built. It had for many years, I think, been falling into dilapidation and was not used at the time we took it over. It has not suffered in any way by being enclosed within the walls of the hospital. On the contrary, it has been prevented from falling into further decay.

Mr. K. Ahmed: So it has been forfeited on account of the lapse of time. May I ask for how many generations it had not been taken care of by the Muhammadan population, and the justification for the Government forfeiting it for its own use?

The Honourable Sir Malcolm Hailey: It is not correct to say that it has been forfeited for use by the Government.

Mr. K. Ahmed: Anyhow it has been taken.

The Honourable Sir Malcolm Hailey: It was part of a number of buildings which were acquired at the same time under the Land Acquisition Act. The land surrounding the site on which it stands was given by Government to the Lady Hardinge Hospital. The mosque has not in any sense been forfeited.

FEROZESHAHI MOSQUES ON QUTAB ROAD.

492. ***Haji Wajihuddin:** Is it a fact that the big four-domed Ferozeshahi mosques on Qutab Road, are being used from sometime past as an Infectious Diseases Hospital, by the Delhi Municipality also three small mosques as sweeper and menial quarters and if so, by what authority and whether the Government will take early steps to have them vacated?

MOSQUE USED AS DISPENSARY.

493. ***Haji Wajihuddin:** Is it a fact that a mosque on Qutab Road has been encroached upon and is used as a Dispensary and whether the new road under construction has passed through one of the mosques on that road, if so, will the Government be pleased to have the mosque vacated immediately and to give the road a curve and to pass it behind the *deori* of the mosque?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to the answer already given on the 6th instant to question No. 480 on the same subject put by Mr. Hussanally.

ENCROACHMENT ON MOSQUES.

494. ***Haji Wajihuddin:** Are the Government aware that two mosques have been encroached within the Bungalows Nos. 27 and 9 on Asoka Road (Imperial Delhi), and that no passages were left for them which is causing great discontent throughout the Muslim community at large and whether the Government are prepared to remove the complaint with least delay?

The Honourable Sir Malcolm Hailey: Government are aware that an old praying platform lies partly in the compound of No. 27, Asoka Road, and that a ruin which may have been a mosque lies within the compound of No. 9, Asoka Road. Neither have been used for a number of years and Government sees no reason to deal with these particular remains otherwise than has been done.

ALLEGED DEMOLITION OF MOSQUES.

495. ***Haji Wajihuddin:** Are the Government aware that strong rumours are current among the Muslim public of Delhi that, (a) old mosques, mausoleums and graves near Purana Qila, are being demolished by the Public Works Department contractors and the *chamar* labourers? (b) that sanction to repairs of such old sacred buildings are not granted by the Government? (c) will the Government under the circumstances issue a communique giving general sanction to have such buildings repaired on old grounds, if the Muslims undertake to do so, (d) will the Government be pleased to quote the numbers of applications received to have the mosques

of Raja Bazar, Kalali Bagh and Sonehri Bagh, repaired and orders passed on them?

The Honourable Sir Malcolm Hailey: (a) The question presumably refers to the conservation works in progress at Khair-ul-Manazil, and Sher Shah's gate, opposite the south-west entrance to Purana Kila, which are being carried out at Government expense. It is not correct that demolition is being carried out as suggested.

(b) Government itself repairs many of these buildings.

(c) I should like to have more precise information as to the buildings which are held to need repair.

(d) Government have no knowledge of the actual number of applications made to repair the mosques at Raja Bazar, Kalali Bagh and Sonehri Bagh, but permission has been given to execute repairs which have been effected. Government are themselves engaged in making a small garden round Sonehri Bagh.

STOPPAGE OF REPAIRS OF MOSQUES.

496. ***Haji Wajihuddin:** Is it a fact that the Public Works Department stopped ordinary repairs of certain mosques in New Delhi, known as 'Shah Kamal,' 'Chapar Wali,' 'Raja Bazar' and others and if so, the reference to acts and bye-laws under which this was done may be given and whether Government are prepared to issue necessary instructions and declare its policy regarding the protection of such buildings.

The Honourable Sir Malcolm Hailey: The Department has not stopped ordinary repairs on any mosque capable of being used as such. Applications for extensions have been refused, and in at least three cases the applicants have been asked to come and discuss a site for a new mosque, but no answer to the invitation has been received.

The policy of Government has already been fully stated by me in answer to a question put on the 6th February, 1923.

MUSLIM CEMETERY, DELHI.

497. ***Haji Wajihuddin:** (a) Is it a fact that the cemetery allotted to the Muslim community in New Delhi is situated at a distance of 7 miles and do the Government know that it is considered generally an unsuitable site?

(b) Are Government prepared to consider the question of allotting a plot behind Syed Hasan, on Ridge Road, where a large number of graves already exist?

The Honourable Sir Malcolm Hailey: The answer to the first part is in the negative. The new cemetery will be within easy distance of residents in the eastern portion of New Delhi, when that is built. Government have always supposed that Muslims living in the New Delhi area would for the most part, use the burial ground lying to the west of the old city, which is at present used by their co-religionists.

CONSTRUCTION OF WALLS AT SHRINES.

498. ***Haji Wajihuddin:** Is it a fact that a new boundary wall of 'Rikabganj Gurdwara' has been constructed and repairs of 'Kadam Sharif' wall was done at the expense of the Government and if so, do the Government propose to make similar treatment in the case of Dargah of Syed Hasan Rasu, Numa on Panch Kuian Road?

The Honourable Sir Malcolm Hailey: A new boundary wall is under construction round the Rukab Ganj Gurdwara, partly at the expense of Government and partly at the expense of the Sikh community. Repairs at "Kadam Sharif" have also been executed by the Archæological Department. Government proposes to repair suitably the walls round the Dargah alluded to in the last part of the question.

DISCUSSION OF RESOLUTIONS.

499. ***Sardar Gulab Singh:** 1. How many non-official Resolutions have been admitted by the Honourable the President, during the past three Sessions?

2. How many such Resolutions have come up for discussion during each Session before this House and how many have been left over for want of time or otherwise?

3. Will the Government be pleased to take steps to give more days for non-official business than has hitherto been done?

4. Is the Government aware that fixing of days for non-official business so much sparingly is the only cause for so great a number of Resolutions not being discussed in this House each Session?

Mr. E. Burdon: The attention of the Honourable Member is invited to Sir Henry Moncrieff Smith's answers to Mr. B. N. Misra's questions Nos. 33 and 34, printed on pages 978-980, of the Legislative Assembly Debates, of the 15th January, 1923 (Vol. III, No. 16).

Mr. K. Ahmed: Will the Government be pleased to state how many Resolutions were not admitted by the President as well as by His Excellency the Viceroy?

Mr. President: That does not arise.

CONTINGENT EXPENDITURE.

500. ***Babu J. N. Mukherjee:** 1. Will Government be pleased to state the total contingent expenditure incurred by the various departments and offices of the Central Government during the last five years, taking each year separately?

2. Has the attention of Government been drawn to the action taken by the Government of Bengal with a view to a detailed examination of the contingent expenditure by that Government with the help of an experienced accounts officer?

3. Will Government be pleased to state if they are prepared to undertake a similar examination of the contingent expenditure of the Central Government?

The Honourable Sir Basil Blackett: (1) Details of expenditure on Contingencies are given in the demand statements placed before this House.

(2) and (3) Government do not consider such action necessary as this item of expenditure has like all other expenditure been fully investigated by the Retrenchment Committee.

REGISTERED ARTICLES, ETC., DEALT WITH BY POST OFFICE.

501. ***Mr. K. C. Neogy:** Will Government be pleased to state—

(a) the number of (i) registered articles of the letter mail, (ii) parcel mail articles, (iii) money orders, and (iv) insured articles, that were dealt with by the Post Office in India in the month of January, 1923; and

(b) the number of unregistered articles of the letter mail so dealt with, as ascertained by the enumeration taken in February, 1923?

Mr. H. A. Sams: (a) and (b) It is regretted that the information asked for is not available at present.

POSTAL DELIVERIES.

502. ***Mr. K. C. Neogy:** (a) Is there any proposal under consideration for curtailing the number of postal deliveries with a view to reduction of postmen staff?

(b) If so, will Government be pleased to state to what extent the deliveries are proposed to be curtailed in the different places, and the percentage of reduction of postmen staff likely to result therefrom?

Mr. H. A. Sams: (a) Yes.

(b) The extent of the proposed curtailment in different places cannot be stated at present, but the general reduction contemplated is one of 3 per cent. of the whole staff of postmen and village postmen, involving 900 men.

CHARGING OF INTEREST ON TELEGRAPH EXPENDITURE.

503. ***Mr. K. C. Neogy:** (a) On what basis was the interest of 60 lakhs charged in 1921-22, against the telegraph revenue for capital expenditure?

(b) Is it a fact that a very large portion of the capital expenditure of the Telegraph Department, prior to 1921-22, was provided out of revenue? If so, what was the aggregate amount thus provided, and what is the justification for charging interest on the said amount?

The Honourable Sir Basil Blackett: (a) The Honourable Member is presumably referring to the revised estimate for 1921-22.

Pending the determination of the actual capital outlay of the postal and telegraph departments in the past after examination of the recommendations of the chartered accountants with regard to the allocation of expenditure between capital and revenue, it was decided, for the purpose of the revised estimates for 1921-22, and subsequent estimates, to treat the total cost of telegraph lines, telegraph buildings and telegraph apparatus and plant as representing capital outlay. The estimate of 60 lakhs in question was made up of 40½ lakhs, being interest at 3.3252 per cent. per annum on the capital expenditure on these objects incurred up to the end of 1916-17, the balance being interest at 5.1979 per cent. on capital outlay from 1917-18 to 1921-22. The rates of interest are the average rates paid on loans raised in the open market during the periods mentioned.

(b) Prior to 1921-22, capital outlay of the nature referred to above was charged to the revenue account of the Department though a *pro forma* account of such outlay was separately maintained.

The aggregate amount of such capital outlay met out of revenue to the end of 1920-21 was 14,42 lakhs.

The practice of charging interest on the total capital outlay on the Telegraph Department up to date irrespective of the source from which the outlay has been met follows that obtaining in the case of other commercial departments, *viz.*, railways and irrigation works, and is necessary if the tax-payer is to be secured against loss on the running of such commercial undertakings.

I may add that the Government are endeavouring to put the accounts of these Commercial Departments on a proper commercial basis at the earliest possible moment.

QUARTERS FOR POSTAL STAFF.

504. ***Mr. K. O. Neogy:** (a) With reference to the statement made by Mr. G. R. Clarke, in this House on the 22nd March, 1922 (at page 357E of the Assembly Debates), about the necessity for providing the staff of the Post Offices with suitable quarters, and the "big building programme" in connection therewith, will Government be pleased to indicate the details of the programme showing particularly how far the Postal staff in the interior will be benefited thereby?

(b) When is the said programme proposed to be undertaken?

Mr. H. A. Sams: (a) The proposal referred to by the Honourable Member is under the consideration of Government and no details can be given at present.

(b) In view of the existing financial stringency, it is not possible to say when the programme will be undertaken.

POST OFFICES IN CALCUTTA.

505. ***Rai Bahadur G. C. Nag:** 1. Are the Government aware (i) that there is a proposal of Government to amalgamate the Simla and Beadon Street Post Offices in the city of Calcutta, and remove the combined office to a building on the Central Avenue Road, and (ii) that this proposal has evoked strong adverse comments in the public Press of the city?

2. Do the Government anticipate any large savings out of the proposed amalgamation, if so, what will be the possible savings, and under what heads the savings will be effected?

3. Is it a fact that the rents paid for the buildings in which the Simla and Beadon Street offices are located together cost Government Rs. 375 only per mensem, while the rent of the building to which the proposed combined office is to be removed will be about Rs. 1,800?

4. If the facts are as stated, do the Government propose to reconsider the proposal of amalgamation and abandon it in interest both of public convenience and economy?

Colonel Sir Sydney Crookshank: 1. (i) Yes.

(ii) Yes, the proposal appears to have been criticised in one or two local papers.

2. It is anticipated that some savings will be effected by the proposed amalgamation, but it is not possible to state at present what the amount will be nor the particular heads under which the savings will be effected.

3. The rent at present paid for the two post offices is Rs. 375 a month. The Simla post office building was, however, considered insanitary and unsuitable, and the matter had also been taken up by the local papers. The District Health Officer and the Corporation of Calcutta were then approached but nothing could be done to improve matters. As for the Beadon Square post office building, apart from its unsuitability for use as such, the landlord was determined to eject the post office. Endeavours were made to secure two separate buildings for the two offices, but nothing suitable could be secured even on a total monthly rental of Rs. 1,000. The rent of the proposed building is Rs. 1,500 and not Rs. 1,800.

4. The new building is under construction and the proposal could not be abandoned even if this course were desirable, which is not the case.

Mr. K. Ahmed: Have the Government realised the question of economy and the difference of amount that it costs to Government?

Mr. H. A. Sams: Sir, I am not aware whether the Government have realised it or not.

THE PRISONERS (AMENDMENT) BILL.

The Honourable Sir Malcolm Hailey (Home Member): Sir, I beg to move:

"That the Bill to amend section 29 of the Prisoners Act, 1900, as passed by the Council of State, be taken into consideration."

This is a Bill that is required merely to amend a deficiency in the existing law. Section 29 of the Prisoners Act empowers the Governor General in Council to move any prisoner confined in any prison to any other prison in British India, and sub-section (2) of the same section confers the same powers on the local Government to make transfers within their own jurisdiction. There has been inconvenience experienced in the jails in Berar, which are under the administrative control of the Government of the Central Provinces, because they do not come strictly within the terms of section 29. The situation now is that some of the jails in Berar are partially unoccupied, whereas many of the jails in the Central Provinces proper are unduly congested. We therefore propose to give powers under this amendment to the Government of the Central Provinces to move prisoners freely as between Berar and the Central Provinces, and also to give to the Governor General the same power of moving prisoners to Berar as he would to other provinces in India. As the matter is a formal one I do not delay the House with any further reference to the details of the Bill.

The motion was adopted.

Clauses 1 and 2 were added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Malcolm Hailey: I beg to move, Sir, that the Bill as passed by the Council of State be passed.

The motion was adopted.

ELECTION OF MEMBERS TO PUBLIC ACCOUNTS COMMITTEE.

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

"That this Assembly do proceed to elect 8 Members to be Members of the Committee on Public Accounts."

The motion was adopted.

Mr. President: For the purpose of this election, the office will be open to receive nominations for membership to the Public Accounts Committee up to 4 O'clock in the afternoon of the 12th March 1923, and the procedure for this election will be that laid down by the Chair in the year 1921.

DEMANDS FOR SUPPLEMENTARY GRANTS.

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

"That for the amounts against each head of demand shown in column 3 of the Statement entitled 'Statement comparing the expenditure included in each grant for the current year as modified by the Assembly in September 1922 with that indicated in the revised estimates, 1922-23', be substituted, the amounts shown in column 6 of the same Statement, the savings indicated in column 9 being transferred to the extent necessary to meet excess expenditure shown in the same column."

This is to a large extent a formal motion, and I think the Note which is printed on the outside of the Statement to which I have referred gives sufficient information on the purpose of the motion. The net result is, as explained in my Budget speech last week, a certain saving on expenditure for the whole year.

Mr. T. V. Seshagiri Ayyar (Madras Nominated Non-Official): What is the total due to loss in Exchange?

Mr. A. V. V. Aiyar (Finance Department: Nominated Official): The total adjustment for exchange is Rs. 15,62,00,000.

Mr. T. V. Seshagiri Ayyar: Is that the saving?

Mr. A. V. V. Aiyar: That is the total debit for Exchange.

Mr. T. V. Seshagiri Ayyar: Has there been any saving as compared with last year?

Mr. A. V. V. Aiyar: There has been a saving.

Mr. T. V. Seshagiri Ayyar: Can you give us the figure?

Mr. A. V. V. Aiyar: I think roughly it is something like half a crore.

Mr. T. V. Seshagiri Ayyar: Is it in consequence of the sale of Council Bills?

Mr. A. V. V. Aiyar: It is in consequence of the expenditure in England being less than what we anticipated. The actual expenditure in England has fallen short of the amount which was anticipated in the Budget, and therefore there is a saving in the debit for exchange.

Mr. T. V. Seshagiri Ayyar: Has there been no saving in consequence of the sale of Council Bills?

Mr. A. V. V. Aiyar: The average rate has been slightly lower than 1s. 4d.

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): There is an entry on page 13 "Credit for transfer of the Eastern Hostel, Raisina, to the Telegraph Department". May I know what it means?

Mr. H. A. Sams (Director General, Posts and Telegraphs): The idea was that when the Telegraph Department took over the Eastern Hostel, it transferred as much of the expenditure as possible to the charges for this year. I understood from the Secretary, Public Works Department, that lapses this year will be utilised to that extent for the purchase of the Eastern Hostel.

Rao Bahadur T. Rangachariar: Does it mean that the Eastern Hostel is going to be abandoned as residential quarters?

Mr. H. A. Sams: That, I understand, is the case, because we have already taken it or about to take it to use as the Telegraph Office for New Delhi.

Mr. President: The question is that that motion be adopted.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 9th March, 1923.
