

28th February, 1923

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

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(21st February, 1923 to 14th March, 1923.)

THIRD SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1923.



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1923.

Legislative Assembly.

The President :

THE HONOURABLE SIR FREDERICK WHYTE, KT.

Deputy President :

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

Panel of Chairmen :

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SIR CAMPBELL RHODES, KT., C.B.E., M.L.A.

SARDAR BAHADUR GAJJAN SINGH, M.L.A.

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MR. L. GRAHAM, I.C.S.

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

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

Marshal :

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

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LEGISLATIVE ASSEMBLY.

Wednesday, 28th February, 1923.

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

THE PRISONERS (AMENDMENT) BILL.

Secretary of the Assembly: Sir, I lay on the table the Bill to amend section 29 of the Prisoners Act, 1900, as passed by the Council of State.

STATEMENT LAID ON THE TABLE.

The Honourable Sir Malcolm Hailey: Sir, I lay on the table the information promised in reply to a question by Mr. B. N. Misra, asked on the 15th January, 1923, regarding the passed and unpassed candidates of the Staff Selection Board.

Information promised by the Honourable Sir Malcolm Hailey on the 15th January 1923, in reply to Mr. B. N. Misra's starred question No. 14 regarding passed and unpassed candidates of the Staff Selection Board.

(a) No promise was made in the answer to question No. 350 on the 28th March 1922.

(b) A statement giving the required information is being placed in the library.

(c) and (d). The information will be found in the answers given to questions Nos. 86 and 148 on the 7th September 1922.

(e) and (f). Indication of the action taken will be found in the statement mentioned above. Departments are taking action to replace unpassed men by passed men, but the process of elimination will inevitably be gradual so as not to disturb the work and organisation of the Departments.

Statement showing the number of men employed in the Upper and Lower Divisions of the Government of India Secretariat and attached offices who have not passed the Staff Selection Board Examination.

UPPER DIVISION.

Names of Departments and attached offices, if any.	Number of men temporarily employed on 1st January, 1923.	Number of men in column 2 who have not passed the Staff Selection Board's Examination.	Number of men in column 3 whose retention in employment has not been approved by the Staff Selection Board.	Steps which have been or are being taken to replace men in column 4.
1	2	3	4	5
Department of Revenue and Agriculture.	4 (These are all men in permanent employ in the Lower Division and are holding officiating appointments in the Upper Division).	1 (This man was holding a permanent post in the Lower Division at the time of the creation of the Staff Selection Board and was officiating in the Upper Division and was on the recommendation of the Department specially exempted by the Board from passing the Upper Division test.	Nil	Nil
<p><i>Attached Office—</i></p> <p>Inspector General of Forests</p> <p>Finance Department</p>	5	Nil	Nil	Nil

Included in the staff of the Department of Revenue and Agriculture.

<i>Attached Office—</i>					
Board of Inland Revenue . . .	Nil	Nil	Nil	Nil	Nil
Industries Department . . .	1	Nil	Nil	Nil	Nil
Public Works Department . . .	4	Nil	Nil	Nil	Nil
Foreign and Political Department . . .	20 (including 6 who already held substantive Government appointments before institution of the Staff Selection Board).	5 (holding substantive Government appointments before institution of the Staff Selection Board).	Nil	Nil	Nil
<i>Attached Office—</i>					
Military Adviser-in-Chief, Indian State Forces.	Nil	Nil	Nil	Nil	Nil
Legislative Department . . .	9	6	Nil	Nil	Nil
<i>Attached Office—</i>					
Clearing Office (Enemy Debts) . . .	8	2	1	No steps taken as the office is a temporary one.	Nil
Commerce Department . . .	11	Nil	Nil		Nil
Railway Department . . .	4	1	1	This man has been exempted from passing the Staff Selection Board's examination.	Nil
Department of Education and Health	1	1	Nil		Nil
<i>Attached Office—</i>					
Office of the Director General, Indian Medical Service.	Nil	Nil	Nil	Nil	Nil
Office of the Financial Adviser, Military Finance.	1	1	1	No steps have been taken to replace him but he has been warned of the possibility of his services being dispensed with by the 1st March 1923, if he has not already been discharged before that date in the ordinary course.	

Statement showing the number of men employed in the Upper and Lower Divisions of the Government of India Secretariat and attached offices who have not passed the Staff Selection Board Examination—contd.

UPPER DIVISION.—contd.

Names of Departments and attached offices, if any.	Number of men temporarily employed on 1st January, 1923.	Number of men in column 2 who have not passed the Staff Selection Board's Examination.	Number of men in column 3 whose retention in employment has not been approved by the Staff Selection Board.	Steps which have been or are being taken to replace men in column 4.
1	2	3	4	5
Home Department	6	Nil	Nil	Nil
<i>Attached Offices—</i>				
(1) Office of the Director, Intelligence Bureau.	3	Nil	Nil	Nil
(2) Office of the Director, Central Bureau of Information ; temporary Office.	8	5	...	Of these 5 men, the Superintendent is a retired servant of Government who has been re-employed and 3 have technical qualifications as Translators and 1 as a Photographer.
Army Department	17 (One of these assistants holds a permanent 1st Division appointment in the Military Secretary's Branch, Army Headquarters. He was promoted to the 1st Division prior to the constitution of the Staff Selection Board).	Nil	Nil	Nil

Statement showing the number of men employed in the Upper and Lower Divisions of the Government of India Secretariat and attached offices who have not passed the Staff Selection Board Examination—contd.

LOWER DIVISION—contd.

Names of Departments and attached offices, if any.	Number of men temporarily employed on 1st January, 1928.	Number of men in column 2 who have not passed the Staff Selection Board's Examination.	Number of men in column 3 whose retention in employment has not been approved by the Staff Selection Board.	Steps which have been or are being taken to replace men in column 4.
1	2	3	4	5
Industries Department	18 6	2 2	1	<p>One of the men in column 3 appeared for the first time at the last examination and failed. The Staff Selection Board has decided to permit him to appear at the next examination. The other has passed the test for typist for Attached Offices but the Staff Selection Board has agreed to his employment in the Secretariat as a typist.</p> <p>These are men on fixed rates of pay. Of these two men who have not passed the Board's examination the retention of one of them in employment has not been approved by the Staff Selection Board. The question of asking the Staff Selection Board to allow him to continue in employment till the next examination is held has been taken up as he has been employed continuously under Government since 1916. The other one is employed as a Librarian and has been exempted from the Staff Selection Board's test so long as he is employed as such.</p>

Public Works Department	17	7	Nil	These seven men appeared at the last examination of the Staff Selection Board the results of which have recently been received. The Board is being addressed in the matter.
Foreign and Political Department	20 (including 6 who already held substantive Government appointments before institution of the Staff Selection Board).	6 (including 5 who held substantive Government appointments before institution of the Staff Selection Board).	Nil	Nil
Attached Office— Military Adviser-in-Chief, Indian States Forces.	2	1	Nil	Staff Selection Board not addressed re retention in employment. Should Government decide to sanction the appointment permanently a qualified man will be engaged.
Legislative Department	8	2	1	Services to be terminated from 31st March 1928.
Attached Office— Local Clearing Office (Enemy Debts).	3	2	2	No steps taken as the office is a temporary one.
Commerce Department	16	Nil	Nil	Nil
Railway Department	24	9	8* 1†	*Exempted from passing the examination. †This man failed to pass at the first attempt and has been kept on pending his appearance at the examination once more which has been permitted.
Department of Education and Health	2	Nil	Nil	Nil

Statement showing the number of men employed in the Upper and Lower Divisions of the Government of India Secretariat and attached offices who have not passed the Staff Selection Board Examination—concl'd.

LOWER DIVISION—concl'd.

Names of Departments and attached offices, if any.	Number of men temporarily employed on 1st January, 1923.	Number of men in column 2 who have not passed the Staff Selection Board's Examination.	Number of men in column 3 whose retention in employment has not been approved by the Staff Selection Board.	Steps which have been or are being taken to replace men in column 4.
1	2	3	4	5
Attached Office— Office of the Director General, Indian Medical Service. Office of the Financial Adviser, Military Finance.	3 13	Nil 6	Nil 6	Nil No steps have been taken to replace men in column 4. They have all been warned of the possibility of their services being dispensed with by the 1st March 1923 if they have not already been discharged before that date in the ordinary course.
Home Department Attached Office— (1) Office of the Director, Intelligence Bureau.	11 (includes 10 Lower Division clerks and 1 stenographer). 3+1 stenographer	Nil 2 1	Nil 2 1	Nil Failed to pass but held by the Board to be eligible to appear at the next examination. Their services have accordingly been temporarily retained subject to their passing.

(3) Director, Central Bureau of Information, Temporary Office.	1*	Nil	*This man has technical qualifications.
Army Department	7	3	Steps are being taken to replace these men by passed candidates.
<i>Attached Offices—</i>			
(1) General Staff Branch	9	4	One has already been replaced and one is about to be replaced. The remaining two will be displaced shortly.
(2) Adjutant General's Branch (includes the Medical Directorate and the office of the Judge Advocate General).	15	13	Ten men are under orders for discharge. The others will go as opportunity offers.
(3) Quartermaster General's Branch (includes the Military Works Directorate).	17	7	3 men are being replaced by passed candidates. 4 men will shortly be discharged on termination of their appointments.
(4) Military Secretary's Branch .	2	1	His appointment in the Military Secretary's Branch has terminated on 28th February 1928 on reduction of establishment.
(5) Ordnance Branch	1	Nil	Nil
(6) Assistant Military Secretary (Personal) to His Excellency the Commander-in-Chief.	Nil	Nil	Nil

RESOLUTION RE SEPARATION OF THE RAILWAY FROM GENERAL FINANCE.

Mr. T. V. Seshagiri Ayyar (Madras: Nominated Non-Official): I am sorry I have to make this application. I ask that this motion standing in the name of the Honourable Mr. Innes be not taken up to-day. The reasons are these. It is true that the papers have been in the hands of the Members for a long time. Still in consequence of the other more important matter which came up yesterday, this has not been attended to as fully as it ought to have been. Moreover we want to know what the Budget for the coming year will be. We also want to know what the Inchcape Committee has to say with regard to the working expenses of the railway. Before we make up our mind as to whether the Standing Finance Committee's report should be adhered to or whether the Acworth Committee's report should be given effect to, it is desirable that we should have a little more information than we have at present. Therefore it is the general desire of Members on this side of the House that the matter should not be hurried through, especially having regard to the fact that the motion which is standing in the name of the Honourable the Commerce Member, only wants the *status quo ante* to be maintained and if the motion is not discussed still the *status quo ante* will be maintained. If we want to make any change then it would be desirable to bring the matter before the House and take the decision of the House and as the motion is only for continuing the existing state of things there is no hurry about it. Under these circumstances I am very reluctantly obliged to ask the House to consent to the matter not being discussed to-day.

The Honourable Sir Malcolm Hailey (Home Member): As Mr. Seshagiri Ayyar says, this matter has been before the House and before the public for a very long time, I think since January, 1922. It is true that we desire no more than to obtain the assent of this House to the conclusions of the Railway Finance Committee on which this and the other House were largely represented; but we should have been glad of a discussion of this question in view of the fact that the matter has been widely discussed in the Press and has been referred to on different occasions since it first arose in this Assembly both in the course of the Budget debates and otherwise. I would remind the House that we were pressed to give a date for the discussion before the Budget and did so at the expense of other Government business. It is only at this moment that a suggestion is made that the discussion could be deferred. If it is now deferred, I cannot undertake to give any other date this Session. That, I think, must be clearly understood. If on that understanding the House generally desires that the matter should be adjourned, then we are not in a position to contest its wish in that respect.

Sir Montagu Webb (Bombay: European): I oppose the proposal to adjourn the discussion of this subject. The Resolution put forward by Government involves a very important matter of principle upon which I think, this House should give its opinion. The Acworth Committee made certain recommendations which on the financial side met with the approval, I think, of the whole country. A Joint Committee of both Houses met together a year ago and in effect threw one of the most important of those recommendations into the waste paper basket and suggested that instead of the Railway finances being separated from the general finances they should be all lumped together as hitherto. This recommendation of

that Committee was disapproved of by, I believe, all the leading commercial bodies in the country. I think, therefore, that now that this subject has come before this House, it should be thoroughly discussed and the House should give its decision as to whether the recommendations of the Acworth Committee should be accepted, or whether the recommendations of the Joint Committee who considered one or two paragraphs of the Acworth Committee's report should be accepted. I urge therefore that this Resolution should be taken to-day.

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): As a Member of the Railway Finance Committee I wish to bring to the notice of this House a few points which might have otherwise escaped its notice. As the Honourable Sir Montagu Webb has pointed out, the Acworth Committee have taken a definite line of action as regards the separation of the Railway budget from the general budget of the country. That question was referred to the Railway Finance Committee and the Railway Finance Committee have embodied their recommendations, which Honourable Members will find on pages 3 and 4 of the Indian Railways Administration Report, Volume I. The Railway Finance Committee have modified the recommendations of the Acworth Committee and they have recommended a different line of action to that recommended in the Acworth report. These are the two questions therefore which must be debated in this House. I should have been very willing to accede to the request of my Honourable friend, Mr. Seshagiri Ayyar, if there was any possibility of discussing this matter some time during the present Session but the matter cannot wait and if no other date is possible, as has been very clearly indicated by the Honourable the Home Member, we shall be losing time and whichever way this House decides, whether in favour of the proposals embodied in the Acworth report or in favour of the recommendations made by the Railway Finance Committee, I do not see how we can profitably postpone this discussion. As regards the Budget and the report of the Inchcape Committee, I do not think that they would vitally trench upon the discussion upon which we are to embark to-day. Honourable Members have got the definite instructions or recommendations of the Acworth report. They have also got the definite recommendations of the Railway Finance Committee and it is for the Members to choose either the one or the other or part of one and part of the other. I think that the discussion should proceed and if hereafter a case is made out for the postponement of this discussion in view of the coming Budget, then I think it will be time for my Honourable friend to renew his request, but as at present advised I think we shall be throwing away a day allotted to us for the discussion of this very important question if we do not allow the Honourable Mr. Innes to make his statement and to initiate the discussion.

Captain E. V. Sassoon (Bombay Millowners' Association: Indian Commerce): Sir, the vote on yesterday's debate has made the question of the separation of the Railway from the ordinary Budget an absolute necessity. By that vote this House has swept away any doubts that may have been felt by the Government as to its fitness to run the railways of this country with success. After that vote, this House has given as its considered opinion, its conviction, that the bureaucracy of this country will make a success of what no other bureaucracy in the world has been able to make, and it need not even make any attempt to foster the development of any other system of railway management. I hope that the optimism of this House will be justified. It may be that Members perhaps

[Captain E. V. Sassoon.]

have private knowledge of the capabilities of the Railway Commissioner which will justify them

Mr. President: Order, order. The Honourable Member is not discussing the point before the House, namely, whether this debate should be taken up or not. He is entering into the merits of the question which are not in issue at the moment.

Captain E. V. Sassoon: I am giving my reasons, Sir. Sir, with all deference, I submit that I am entitled to give reasons for submitting that this question is an urgent one and should be decided to-day if possible. I repeat, Sir, that if Honourable Members are correct—and I still have the honour of being a Member of this House—I will be the first publicly to admit the error of my views, but if my pessimism is justified, and if State management proves an increased burden on the people of this country, and it is found necessary to increase the taxes of this country, which it has been said by those very same advocates of State management has reached the limit of taxation, then, Sir, I think this is a proper moment to discuss whether the Government should not be in a position, at least the Honourable the Finance Member in particular should be able, to say,—this increase is due to the policy which was pressed on Government by the Legislative Assembly, a moribund Assembly it is true, but an Assembly the Members of whom, being about to meet their own constituents, could be counted on to express views which in their opinion would find favour in the eyes of their constituents, and the responsibility of any deficit, after the warning words of the Honourable Mr. Innes, will have to be borne by this House, which will then have to agree to the unpleasant necessity of increased taxation; and so, Sir, I think I am right in saying that we should discuss to-day as to whether the question of separating the Budget will enable the Government to say how the deficit has been caused.

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadian Urban): Sir, I am afraid my Honourable friend, Captain Sassoon, wants to test the soundness of the principle adopted by the Assembly yesterday, rather too soon. It is not even a few hours old, and how the capability of the Honourable Finance Member is going to enable him to give his opinion on the result of the principle adopted yesterday evening by 11 o'clock next morning, I fail to see. I am glad that he has had his opportunity to have a fling on the Resolution that was decided on the vote of the Assembly last night, and having succeeded in that, I hope we will agree in saying that he has not given any reason whatever why this debate should not be adjourned. Really, there is no hurry about this. Our finances are in a fluctuating condition. We are passing through a crisis, and I hope we are going through that crisis successfully. Let us see where we are, let us see whether we are really standing on our feet or not, at least next year. In fact, after all the Railway Finance Committee did not throw the substance of the recommendations of the Acworth Committee into the waste paper basket, as Sir Montagu Webb would have it. We have adopted the substance; we have put aside the form, and we have put aside the form for a temporary period of three years. Therefore, it is not at all right to say that the Railway Finance Committee did not agree with the Acworth Committee. The Railway Finance Committee did agree with the Acworth Committee and have provided for a very steady programme

for five years; and they also recommended the taking of steps to ensure revenue expenditure also, so that all the defects which the Acworth Committee found in the railway finance administration have been removed. (*Sir Montagu Webb*: "No, no.") The only thing is that the form remains,—whether the Budget should be separated or not. This is not the time to do it,—that is what we felt, and I am sure the House would endorse that view when it has the materials placed before it, as they were placed before the Railway Finance Committee; and I do not see why my Honourable friends are so anxious—I see that the Honourable Members who oppose State management are the persons who oppose the adjournment, except for my friend, Dr. Gour—I do not know why he is very anxious to oppose it, I know he also opposed it, but unfortunately the Leader of my party had not the time to speak to him beforehand, in which case he would have been able to convince him that there is a desirability in postponing the consideration of this question. There is really nothing lost by this; and after all, our time will be very well spent elsewhere in studying and preparing for the Budget which is coming on to-morrow,—of which we know nothing but still we can guess beforehand and look up what we did last year and the year before, where the shoe pinched last year, and prepare ourselves for the onslaught which will be coming on from Monday next, and therefore the time will not be wasted. I do think, Sir, that there is a great deal in the motion made by the Honourable Mr. Seshagiri Ayyar, and I support it.

Sir Deva Prasad Sarvadhikary (Calcutta: Nón-Muhammadan Urban): Sir, Mr. Rangachariar is looking for his type of consistency,—and he thinks that those who found it their duty to oppose State management in some shape or other, are bound to oppose the motion for adjournment to-day. I disagree on this point, for I support the motion for adjournment, for reasons other than those that have been adduced. I was unfortunately a little late in coming, but I gather that the Honourable Mr. Innes has not yet made the Government mind quite clear about the matter, and, what could be gathered from the Honourable the Leader of the House is that he cannot give another day. Sir, we are in the position of one of those unfortunate Hindu families who have a strong brother, sometimes strong in rage and, who, without reason, imposes a partition; and that partition was imposed last night in regard to Railway Finance; and to-day we are wanting the weakling who confesses a state of helplessness, almost abject, so that we may arrange for the security of the strong party. Yesterday morning we practically said that we are going to do something definite in the way of a separate Railway account, in the afternoon we imposed something that had not been bargained for, and to-day we want you to start that separate account. (*Mr. J. Chaudhuri*: "No, No.") Sir, some people want it,—unless there was a difference of opinion, this motion for adjournment would not have come and the motion of the Honourable Mr. Innes would have been accepted as a matter of course. Sir, I do not want to take the line that Captain Sassoon has taken. I have the loyalty to accept settled facts so far as this House goes, and we must give whatever the House decides on a fair chance. Having regard to what the House decided, is the Government prepared or not that separation of accounts shall take place? What the effect of that financially will be, we do not know. The figures I quoted indicated yesterday what the railway deficit is likely to be this year; whether, as in the case of the Prodigal Son, we shall have to provide for the deficit or not or whether we merely participate in the profits, if and when they come we do not know yet. All:

[Sir Deva Prasad Sarvadhikary.]

these are considerations that must be carefully looked into and Government will have to decide, having regard to what the vote of the House was yesterday, what line it is going to take. Of course, Government never fails in capacity, and probably if Mr. Innes does move the motion he will tell us that Government has quite made up its mind in spite of what Mr. Rangachariar said, and that he is prepared to take a definite line of action. We are, however, not so very clear in our minds with regard to what ought to be done. There is a distinct cleavage of opinion between the Acworth Committee and the Railway Finance Committee. As has been pointed out a temporary three years programme has been indicated by the latter. But that is not enough for purposes of permanent decision regarding the accounts at all events in outlines. For this reason it strikes me that nothing will be gained by rushing this Resolution and it ought to have more deliberate consideration than less than 24 hours has enabled Members to bestow on it.

Mr. N. M. Samarth (Bombay: Nominated Non-Official): Sir, I am afraid Members who ask for the adjournment of to-day's Resolution are labouring under some delusion. The Resolution of which notice has been given by the Honourable Mr. Innes recommends to the Governor General in Council that the proposals of the Railway Finance Committee in regard to the separation of the railway from general finance be accepted. Now, what are those proposals? Those proposals are given at page 3 of the Administration Report, on Indian Railways for 1921-22, where we find the following:

"After full discussion the Committee came to the conclusion that the question of separating railway finance on the lines laid down by the Acworth Committee was outside the domain of practical politics in the existing state of Indian finance. They recommended, however, that the question should be re-examined three years hence when it might be hoped conditions would be more normal and financial equilibrium would be re-established."

(A Voice: "What is the hurry about it now?") The question is whether you are willing or not willing to accept this recommendation of the Railway Finance Committee, namely, that at present the separation is out of the question and that for three years the matter should remain without separation of the railway budget from the general budget? If that is the recommendation which the Railway Finance Committee made and if that is the recommendation which the Government and you are going to accept, I really do not see why you should object to the proposal being brought forward to-day by the Government. If you now adjourn and there is no date forthcoming, what is the result? The result is that next year, it may be, the Government might bring forward a Resolution in direct opposition to the recommendation of the Railway Finance Committee and ask for the separation of the railway budget from the general budget. If you now accept the Government position that these proposals of the Railway Finance Committee be accepted, Government are committed to a policy of not separating for the present the railway budget from the general budget. It is a desirable thing from my point of view and I take it from the point of view of those who have thought over the subject. If, however, you do not accept the Government proposal, you can vote against it. Those who want it will vote for it. I really do not see what is gained by adjourning.

Mr. R. A. Spence (Bombay: European): Sir, yesterday we dealt with the question of railways according to what some of us thought was not a very commonsense point of view. But that is a matter for debate. But

I do, Sir, ask this House to-day to deal with this question on common-sense lines. The Honourable the Leader of the House has told us that if we do not discuss this question to-day we cannot discuss it on any other day this Session. I therefore, Sir, consider that there is no further need of argument and that we should consider this question to-day.

Mr. B. S. Kamat (Bombay - Central Division: Non-Muhammadan Rural): Sir, I support the motion for adjournment. With reference to the remarks which fell from my friend, Mr. Samarth, I shall give my own reasons why I want to adjourn. This Resolution asks us to confirm or ratify the conclusions to which the Railway Finance Committee came. Our impression is that, whatever the conclusions of the Members of the Railway Finance Committee may be, they were chiefly influenced by the fact that our general finances do not balance, that we are in a state of deficit and not in equilibrium. Now, we are to-day on the eve of the budget presentation and we hope, Sir, owing to Lord Inchcape's Committee having gone into the question of Railway Finance, to see a better state of things in our Budget. This Resolution asks us to vote for the separation of Railway Finance from general finance in a blind way. (*The Honourable Sir Malcolm Hailey*: "It does not.") Whereas, if we wait and see what Lord Inchcape's Committee has been able to suggest with reference to the securing of equilibrium in our Budget, we shall be able to see whether the conclusions of the Railway Finance Committee are sound or unsound. We want to see first of all the budget, before we ratify the conclusions of the Railway Finance Committee. Nothing will be lost if this adjournment is given. On the other hand, if we get a day later on in March, as is possible, I think we shall be able to see precisely where we stand so far as our general and the railway budget are concerned. I therefore think it would be more advantageous to have the adjournment.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, although at one time I was in favour of the adjournment; after hearing some of the speeches I feel there is no necessity for adjournment at all. After all the proposals about separation are to come into existence after three years. (*The Honourable Sir Malcolm Hailey*: "December, 1924.") What we are asked to do to-day is to accept the principle, and if we accept the principle naturally then the separation may come into existence after some time, and certainly not in this budget. This budget is not going to affect the separation, at all.

Mr. Jamnadas Dwarkadas (Bombay City: Non-Muhammadan Urban): Sir, I am afraid I am in the same position as my Honourable friend, Mr. Joshi. Mr. Kamat's argument would be forcible if another date was forthcoming. But we have here a statement made by the Honourable the Leader of the House in which he says that he cannot guarantee any date during this Session. Well, if he cannot guarantee any other date during this Session, are you going to postpone *sine die* the discussion of a most important question like this. If another date is not forthcoming then let us discuss the matter to-day and decide one way or the other.

Mr. J. N. Mukherjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I desire to say a word or two in support of the motion for adjournment. The question stands thus. So far as the view that the present state of things should continue is concerned, it contemplates that there should be no disturbance in the existing arrangement for three years for the present, that is to say, the railway finance should remain amalgamated with the general finance of the country for that period. But the opposite

[Mr. J. N. Mukherjee.]

view suggests that we should at once decide upon the question whether railway finance should be permanently separated from the ordinary general finance of the country, as a separate entity, and that such procedure should introduce the consideration of the larger question whether, in case of good years, the profits derived from the railways should be completely detached from the general exchequer and be devoted entirely to the needs of the railways and to their improvement. It suggests that in case, after meeting all the needs of the railways, there is found to be a surplus that surplus should not be utilized for the purposes of the general administration of the country, and to relieve *pro tanto*, the general exchequer. That is the larger question, Sir, which is involved in this matter, and if in the absence of the necessary facts and figures, if in the absence of the results of the examination made by the Retrenchment Committee, and without due regard to any proposal which may be brought forward, by that Committee a conclusion is arrived at, such a conclusion is likely to prove immature and ill-considered. When introducing this matter in this House on the 27th of March, 1922, the Honourable Mr. Innes, said :

" Lord Meston's Committee proceeded on the assumption that the Central Government would derive a net revenue of Rs. 10½ crores from railways. For the reasons which I have already explained the whole of this revenue could not possibly be surrendered, but it was considered whether a portion of the loss to general revenues involved by the separation could not be avoided on the basis of a composition with the railways; that is to say, whether a sum could not be arrived at which the railways might fairly be expected to contribute to the general exchequer, whether in the form of a surtax or otherwise."

Then he went on to say :

" This suggestion was examined, but we were at once met by the difficulty that it was not possible to calculate a figure on which any reliance could be placed as a basis of a contribution or a surtax."

I need not detain the House with further observations. He went on to calculate the possible benefits that were to be gained from this source of revenue. Then, Sir, in the end, this is how the debate ended. There were two parts to this question. The first part related to the sum of 150 crores of rupees which was to be spread over 5 years at 30 crores a year, on account of capital expenditure for the railways.

Mr. President: This quotation is relevant to the debate on the Resolution, not to this motion. I must ask the Honourable Member to address himself to the motion.

Mr. J. N. Mukherjee: The debate closed thus. For the reason that the question at issue could not be determined at the time, the first part only was passed in this House and the second part, which is the part now before the House relating to the separation of the railway finance from the general finance, was postponed till September last. But the matter was not put up in September. If it had been put up then, perhaps some result could have been achieved upon the figures then available. Now, we are nearing the completion of an inquiry, the inquiry by the Retrenchment Committee, and also nearing the Budget proposals. We are met at this juncture with the serious question as to how this subject is to be decided. If the present state of things continues there will be no harm if the matter be discussed later on. But if an opposite decision is come to, that decision will have to be arrived at upon imperfect materials and without full and adequate consideration of the whole question. That is what concerns the House for the present, not the question of the two

funds remaining united, but the question of one being completely separated from the other and necessarily involving the larger and broader question whether the general exchequer should receive any benefits from any surplus from the railways and whether from that source some benefit should go to the general tax-payer. That is the broader question, Sir, with which the House is now faced. I submit, Sir, the better course would be for the House to take the whole question into consideration, and after having got all the necessary facts, to come to a conclusion instead of deciding the question in the dark.

Colonel Sir Henry Stanyon (United Provinces: European): Sir, the Honourable Mr. Spence has rightly recommended to this House that it should view this proposal to adjourn from the point of commonsense. On the one side, the House is asked not to take a leap in the dark, but to await the light which will be shed by the Budget now impending. The case for the other side is, as I understand it, that a leap in the dark is better than no leap at all. I submit, Sir, it is my humble view that commonsense is on the side of those who say that no leap at all is better than a leap in the dark. I therefore support the motion for adjournment.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Sir, I rise to oppose the view that the Resolution be moved and taken into consideration to-day. I emphatically support the adjournment motion, because of the reason stated by my Honourable friend, Sir Henry Stanyon, that we should not take a jump in the dark. Exactly, Sir, that is the point to be considered. Unfortunately, Sir, some Honourable gentlemen have taken the view, that it is better for this House to jump into the dark. To jump into the dark, Sir, is sometimes very reasonable from the point of view of those who cannot distinguish this side of the House from the other, and the consequence is that the Judges of the Court trying offenders of the kind have no sympathy for the accused persons who take a leap in the dark and commit offence

Mr. President: Order, order. The Honourable Member will very soon be in the position of an accused person himself if he does not speak on the question before the House.

Mr. K. Ahmed: Sir, there are two parties and that is the position of those who do not want an adjournment but who want to take a leap in the dark. Sir, a very strong case has been made out from this side of the House. This Resolution was not ballotted because it is a Government Resolution. It is a Resolution, the particulars of which is not known to this side of the House at all, and my Honourable friend, Mr. Innes, wants us to take a leap in the dark. Without knowing, Sir, all the facts and figures, are we here to give our opinion with regard to the Resolution which is to be considered to-day? It is not at all advisable, Sir, that in an important Resolution like this, the Government should ask us to remain in the dark and say "look here, you have got some important points for the Resolution to be moved to-day and just now and although you may get the full particulars and all the materials for the Resolution later on, you better decide the question on the spur of the moment and accept our views that we have got in support of our Resolution." You want to fetter, you want to tie our hands and compel us to accept your views without giving us an opportunity to understand you. Are you not going to allow us to have our right and liberty? You have got all the materials before you it is true. I daresay you have got everything in your possession. You have been making this preparation in support of your Resolution to defeat

[Mr. K. Ahmed.]

us and contradict our views and arguments. But, certainly, Sir, in all fairness to us, we must be given an opportunity to follow you. You must give us time to study the question. You must give us sufficient notice of the Resolution. I understand, Sir, that the Railway Department is a department that follows the time table properly, and no train starts from any station unless there is some indication at least two or three months previously; and this is, Sir, the principle of the rules that are always followed in the Railway Department. The Railway Department, as far as this morning is concerned, is not acting in accordance with that principle. I hope, Sir, that my Honourable friend, the Home Member, will see his way to allot a day for discussing this question soon after the budget is over. We are not going to disperse before the 26th or 27th March, I understand. Before and after the consideration of the Budget is over, Sir, there will be more than a week's time from now and after the budget and I daresay we will be able to find enough time for a discussion, and I beg to suggest that the proposal for adjournment should be accepted. The other point is that there is no reason why this Resolution should be hurried over and why it should be discussed to-day. I suppose I am quite right in saying that a fair chance should be given to this side of the House to consider a Government Resolution. It is not a Non-Official Resolution for which notice is given and which is admitted by the President within certain time and thereafter there is a ballot, and after that there is sufficient time within which the Governor General or the Viceroy can disallow the Resolution. Sir, you take enough time for a Non-Official Resolution before it comes on for discussion why should not this side of the House get sufficient time to follow a Government Resolution? With these few words I strongly support the motion for adjournment.

Mr. R. A. Spence: The question may now be put.

The motion was adopted.

Mr. President: The question is that the Resolution be not considered to-day.

The Assembly divided:

AYES—44.

Agarwala, Lal. Girdharilal.
Agnihotri, Mr. K. B. L.
Ahmed, Mr. K.
Asjad-ul-lah, Maulvi Miyan.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bagde, Mr. K. G.
Barua, Mr. D. C.
Bhargava, Pandit J. L.
Chaudhuri, Mr. J.
Das, Babu B. S.
Faiz Khan, Mr. M.
Ginwala, Mr. P. P.
Gulab Singh, Sardar.
Ibrahim Ali Khan, Col. Nawab Mohd.
Iswar Saran, Munshi.
Jatkar, Mr. B. H. R.
Kamat, Mr. B. S.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Mahadeo Prasad, Munshi.
Man Singh, Bhai.

Misra, Mr. B. N.
Mudaliar, Mr. S.
Muhammad Hussain, Mr. T.
Mukherjee, Mr. J. N.
Nag, Mr. G. C.
Nand Lal, Dr.
Nayar, Mr. K. M.
Neogy, Mr. K. C.
Pyari Lal, Mr.
Ramayya Pantulu, Mr. J.
Ramji, Mr. Manmohandas.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Sarfaraz Hussain Khan, Mr.
Sarvadhikary, Sir Deva Prasad.
Singh, Babu B. P.
Sinha, Babu Ambica Prasad.
Sinha, Babu L. P.
Sohan Lal, Mr. Bakshi.
Stanyon, Col. Sir Henry.
Subrahmanayam, Mr. C. S.
Venkatapatiraju, Mr. B.

NOES—38.

Abdulla, Mr. S. M.
 Abul Kasem, Maulvi.
 Allen, Mr. B. C.
 Asad Ali, Mir.
 Bradley-Birt, Mr. F. B.
 Bray, Mr. Denys.
 Burdon, Mr. E.
 Cabell, Mr. W. H. L.
 Clark, Mr. G. S.
 Cotelingam, Mr. J. P.
 Faridoonji, Mr. R.
 Fraser, Sir Gordon.
 Gour, Dr. H. S.
 Haigh, Mr. P. B.
 Hailey, the Honourable Sir Malcolm.
 Hindley, Mr. C. D. M.
 Holme, Mr. H. E.
 Hullah, Mr. J.
 Innes, the Honourable Mr. C. A.

Jamall, Mr. A. O.
 Jamnadas Dwarkadas, Mr.
 Joshi, Mr. N. M.
 Ley, Mr. A. H.
 Lindsay, Mr. Darcy.
 Mitter, Mr. K. N.
 Mukherjee, Mr. T. P.
 Percival, Mr. P. E.
 Rhodes, Sir Campbell.
 Samarth, Mr. N. M.
 Sams, Mr. H. A.
 Sassoon, Capt. E. V.
 Schamnad, Mr. Mahmood.
 Singh, Mr. S. N.
 Sircar, Mr. N. C.
 Spence, Mr. R. A.
 Tulshan, Mr. Sheopershad.
 Webb, Sir Montagu.
 Willson, Mr. W. S. J.

The motion was adopted.

CONFERENCE RE REGULATIONS UNDER THE ELECTORAL RULES.

The Honourable Sir Malcolm Hailey (Home Member): Sir, with your permission I have a short statement to make for the information of Honourable Members, namely, that a conference of Provincial representatives has been summoned by the Government of India to consider the regulations made under the electoral rules. The Conference will begin its meetings on the 7th of March. As Honourable Members are aware, the power to make regulations under the rules is vested in Local Governments. Some Honourable Members may, however, be interested in the subject and they may wish to make suggestions for the amendment of the regulations. Any such suggestions may be preferably made in writing and addressed to Mr. Hammond, c/o the Home Department.

MEETINGS OF LEGISLATIVE ASSEMBLY.

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): May I ask, Sir, if the Honourable the Leader of the House is able to give us any information as to when this Legislative Assembly is to be dissolved?

The Honourable Sir Malcolm Hailey (Home Member): No, Sir, I have no definite information on the point.

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): May I, Sir, in this connection ask, is there going to be a Simla Session of the Central Legislature, and, if so, when?

The Honourable Sir Malcolm Hailey: I have no information on that point either.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 1st March, 1923.