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**THIRD SESSION**

**OF THE**

**LEGISLATIVE ASSEMBLY, 1923.**



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# LEGISLATIVE ASSEMBLY.

Thursday, 15th March, 1923.

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

## QUESTIONS AND ANSWERS.

### COST OF INQUIRY INTO ACCOUNTS IN CERTAIN DEPARTMENTS OF GOVERNMENT OF INDIA.

562. **\*Mr. K. C. Neogy:** 1. With reference to the inquiry into the system of accounts in certain departments of the Government of India, by Messrs. Price Waterhouse and Company, of England, will Government be pleased to state the total cost entailed thereby?

- (i) in the shape of remuneration, allowances and other expenses, etc., paid to the said firm and its representatives; and
- (ii) in salaries and allowances, etc., paid to officers of the Government of India who may have been placed on duty in connection with the said inquiry at any stage?

2. (a) To what extent have the recommendations made by the said firm been accepted in the departments concerned, and in what respects has the system of accounts in the said departments been altered as a result of these recommendations?

(b) Is any economy likely to result from the adoption of the said recommendations; if so, to what extent approximately?

**The Honourable Sir Basil Blackett:** The information required by the Honourable Member is being collected and will be furnished to him as soon as possible.

**Mr. Darcy Lindsay:** Will the information contained in the Report be published or made available for Members of the Assembly?

**The Honourable Sir Basil Blackett:** If Members of the Assembly desire it, it can no doubt be published.

**Mr. R. A. Spence:** May I ask that the information be published? I think it would be most interesting.

**The Honourable Sir Basil Blackett:** Possibly it would be better before answering that question to wait and see what the information is.

### TROOPS UNDER DIFFERENT COMMANDS.

563. **\*Mr. Harchandrai Vishindas:** Will Government be pleased to state:

- (a) Whether the troops under the order of the Commander-in-Chief, Western Command, consist as follows:
  - (i) of the Baluchistan District,
  - (ii) of the Sind Rajputana District?

- (b) Whether the Sind Rajputana District consists merely of Nasirabad Brigade, the troops at Karachi and Hyderabad Sind, and small detachments at other cantonments which were formerly under the Mhow Division or the Bombay Brigade?
- (c) Whether approximately three quarters of the area under the Military charge of the Western Command is desert and very sparsely inhabited?
- (d) Whether the only portion of the North-West Frontier under the charge of Western Command is that extending from south, near Wana, to near Duzdap, in addition to the remainder of the frontiers of Sind-Baluchistan?
- (e) Whether under the circumstances, Western Command may not well be abolished?

**Mr. E. Burdon:** (a) Yes; and also Waziristan, which though temporarily under the direct control of Army Headquarters, forms part of the Western Command. I may add that the Baluchistan District includes a very considerable tract in the Zhob area.

(b) The Sind-Rajputana district comprises—

- (1) The defended port of Karachi;
- (2) The troops at Karachi;
- (3) The troops at Hyderabad (Sind); and
- (4) The Nasirabad Brigade area with headquarters, two battalions, and one battery at Nasirabad, and detachments at Ahmedabad, Ajmere, Baroda and Deesa.

(c) A large portion of the area controlled by the Western Command is desert and sparsely inhabited.

(d) The frontier line at present controlled by the Western Command extends from Wana along the Afghan frontier to Chaman, thence to Duzdap, thence southwards to the Persian Gulf, a distance in all of approximately 1,100 miles, or about two-thirds of the total extent of the North-West Frontier of India.

(e) There is no intention at present of abolishing the Western Command.

**Mr. W. M. Hussanally:** May I know, Sir, what is the number of troops stationed at Karachi and Hyderabad, (Sind)?

**Mr. E. Burdon:** I could not give you the exact figure offhand.

#### MR. LALKAKA OF THE KARACHI CUSTOM HOUSE.

564. **\*Mr. Harchandrai Vishindas:** (a) Will Government be pleased to state if Mr. Lalkaka, an Assistant Collector, in the Karachi Custom House, is proceeding on leave shortly?

(b) If so, will Government be pleased to state if they will appoint as his successor an Indian or an Anglo-Indian?

**The Honourable Mr. C. A. Innes:** (a) and (b) Mr. Lalkaka has applied for leave, but his leave has not yet been sanctioned. Government are not in a position to say what arrangements will be made if the leave is granted.

## MESSAGE FROM THE COUNCIL OF STATE.

**Secretary of the Assembly:** Sir, a Message has been received from the Secretary of the Council of State, intimating that, in accordance with Rule 36 (3), of the Indian Legislative Rules, the amendments made by the Legislative Assembly in the Bill further to amend the Code of Criminal Procedure, 1898, and the Court-fees Act, 1870, were taken into consideration by the Council of State at its meeting on the 13th March, 1923, that the Council of State has made certain further amendments to the amendments made by the Legislative Assembly, and that the Council of State has agreed to the remaining amendments made by the Legislative Assembly. A copy of the Bill, as further amended, has been sent along with the Message.

### THE BUDGET—LIST OF DEMANDS.

#### SECOND STAGE—*contd.*

#### DEMAND NO. 14—GENERAL ADMINISTRATION—*contd.*

**Mr. President:** The Assembly will now resume consideration of Demand No. 14; the question put from the Chair having been:

“That a sum not exceeding Rs. 74,00,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1924, in respect of ‘General Administration’.”

*Private Secretary to His Excellency the Viceroy—Postage and Telegram charges.*

**Rao Bahadur T. Rangachariar** (Madras City: Non-Muhammadan Urban): Sir, I beg to move:

“That the provision for Postage and Telegram charges under the sub-head ‘Private Secretary to His Excellency the Viceroy’ be reduced by Rs. 25,000.”

Honourable Members will see this entry at page 37 of the Demand. Last year we voted Rs. 80,000 for this purpose and from the revised statement furnished to us, Honourable Members will find that this vote was exceeded by a sum of Rs. 40,000 and the reason given before the Finance Committee was this—at page 40 of the proceedings of the Standing Finance Committee, dated the 29th January, etc:

“Supplementary grant of Rs. 40,000 required to meet the excess expenditure incurred under the head of Postage and Telegram charges over the budget estimate for the Private Secretary to His Excellency the Viceroy.”

The Committee agreed to the demand being put forward but viewed with anxiety the large increase in expenditure, which was understood to be mainly due to Telegraph charges. The Committee wanted to know if certain economies could not be effected in respect of Express Inland Telegrams by giving priority to ordinary Government telegrams over other telegrams at ordinary rates, and whether foreign cables could not more frequently be sent at Deferred rates; and there were some reasons given for this. Honourable Members will see that in that most eventful year, 1919-20, when Lord Chelmsford was Viceroy, the expenditure on Postage and Telegrams was only Rs. 95,604, and the next year, 1920-21, which was also an eventful year in the country, the expenditure was only Rs. 1,06,444. But in the year 1921-22, after His Excellency Lord Reading assumed charge, the Postage and Telegram charges rose to Rs. 1,87,961, and last year, as I have already said, we voted Rs. 80,000 and they came forward with a demand for a further demand of Rs. 40,000, so that the

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revised estimate stands at Rs. 1,20,000. Sir, this matter was investigated by the Inchcape Committee and Honourable Members will find references to it on pages 128 and 141. I may mention that telegraph charges and postal charges are incurred under the head "General Administration" in various Departments and directly under the control of His Excellency the Viceroy there is the Foreign and Political Department which incurs a very large sum under this head annually. That is, this sum incurred in the Private Secretary's office is in addition to this large sum spent in the Foreign and Political Department. On page 128 of the Inchcape Committee's Report, paragraph 10, it is said :

"The cost of the telegrams despatched by the departments during 1921-22 was approximately Rs. 3,33,000, the heaviest expenditure being incurred by the Foreign and Political Department (Rs. 1,35,000)."

The Army Department comes next and next comes the Home Department :

"We are of the opinion that a large curtailment in the number and length of telegrams could be effected without any loss of efficiency."

Turning to the other side, Sir, from which the wire is pulled—I mean London—on page 141, paragraph 45, it is said :

"There has been a large increase in expenditure on telegrams, contingencies and miscellaneous items."

If Honourable Members will just pause and think over the figure of Rs. 1,00,000 and Rs. 1,80,000 spent on telegrams, it comes to Rs. 300 and odd per diem and nearly Rs. 10,000 per mensem—More than a Governor's pay is sometimes spent in one Department alone on this part of the administration. Sir, we have been told that we are ruled from Whitehall. Yesterday we tried to avoid the reproach that we are ruled from the height of Simla. But I think it is a truth to say that now-a-days the wire is pulled too often from Whitehall and that perhaps accounts for the large expenditure incurred in telegrams, and I am afraid that His Excellency's Government is not allowed that free and full play which they ought to have in the exercise of their responsible duties in this country. That accounts perhaps for the high amounts incurred in these various matters. I do think, Sir, in all conscience, that now-a-days the mails are so rapidly taken from place to place—London is only within about 13 or 14 days' reach,—probably from Delhi it may be about 16 days' reach,—and that being so why this large expenditure should be incurred in telegraph charges is rather difficult to see. We have not increased the cost of telegrams after we came into power here. Any increase there was in the year 1920 before this new Legislature came into existence and therefore that does not account for this increased cost and increased number of telegrams. Mr. Jamnadas Dwarkadas referred us the other day to a passage in the Acworth Committee's Report where they make a reference to the extraordinary control from London over the question—I think it was—of some purchase.

**Mr. Jamnadas Dwarkadas:** (Bombay City: Non-Muhammadan Urban): Foremen's salary and promotion.

**Rao Bahadur T. Rangachariar:** Over the question whether certain foremen should get promotion or not. If in such matters public money is to be spent in this extravagant scale, I think, Sir, the Assembly ought to record its opinion in a matter like that. The Foreign and Political

Department and the Private Secretary's Office being under the control of His Excellency the Viceroy we have to help the Finance Department in this matter. They are rather in a delicate and awkward situation. They cannot exercise that wholesome check which they do exercise over other Departments. Their position is somewhat delicate and awkward, and therefore the Legislature has to come to the aid of the Finance Department in a matter like this, and I think, Sir, it is but proper that we should cut down the vote under this head. I propose that Rs. 75,000 be allowed under this head. That is a very large sum having regard to the fact that it is only for the Private Secretary's Office. Honourable Members will also notice if they turn down the page that there is a sum of Rs. 5,000 and odd which is to be spent by the Military Secretary in telegrams and postal charges, and if Honourable Members will turn over a page or two, they will find the Foreign and Political Department spending nearly Rs. 2,00,000 in postages, telegrams and contingencies, so that it is a very large sum which we are voting really and I do not think we are doing any injustice in this matter by urging this motion. I think we should impress upon those people who are responsible for this expenditure that we, as an Assembly, do insist upon economy in these matters because people are apt to be negligent. It is these small amounts which go to pile up the large amount which the country has to pay and now-a-days I think every pie saved will be to our credit. I do press this motion for the acceptance of the House.

**The Honourable Sir Malcolm Hailey** (Home Member): I had better explain exactly to the House what these postage and telegram charges are. We are of course considering not postal and telegraph charges connected with the Government of India as a whole but those which are despatched from the Private Secretary's Office. Now, these are of three kinds. In the first place there are, of course, a number of telegrams despatched between His Excellency the Viceroy and the various heads of Departments and the like in India. Those are included under this head. Work now-a-days proceeds—though perhaps it is not always admitted I know myself to be right in claiming this—much more rapidly than in the old days. A far greater variety of questions come up. Political situations arise very rapidly and they have to be dealt with with equal rapidity. That is the first class. The second class of telegrams provided for are those between the Viceroy and the Secretary of State. No one would hold that it is advisable that His Excellency the Viceroy should be debarred from constant communication and in the most rapid fashion with the Home Government. There are continually now-a-days questions of Imperial importance—take only such questions as those of Kenya—in which His Excellency's constant intervention is required or such questions, again, as the Turkish peace settlement. Communication on such topics cannot, owing to the rapidity with which events move, be conducted by letter. Everybody must in short agree that it is to the advantage of the State that His Excellency the Viceroy should remain in the closest touch with the Cabinet at Home.

Mr. Rangachariar has suggested that this all tends to regulation from Whitehall. I hope the House will not allow itself to be swayed by a suggestion of this nature. If Whitehall was going to regulate us, they could do so just as easily by letter, and indeed, on the whole, the constant facility of correspondence and of communication between the Home Government and His Excellency the Viceroy is one great means of preventing any such regulation. The Viceroy by means of telegrams can place himself almost in close touch with the Cabinet which is necessary to explain our views and

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position. The third class which contributes very largely to this expenditure is cipher telegrams sent from the Government of India. When our Departments have to send telegrams in cipher and on many occasions they have to do so—they pass through the Private Secretary's Office. That is as a measure of convenience because we can concentrate in one place the coding and de-coding arrangements. As to the cost that has been incurred in the past, Mr. Rangachariar had the figures correctly. In 1920-21 the cost was Rs. 1,06,000. In 1921-22 I admit there was a burst of expenditure (Rs. 1,87,000) but we are proposing in this year only Rs. 1,00,000. Therefore as between 1921-22 and the coming year we shall already be spending less by Rs. 87,000, and as between 1920-21 and the coming year we should be spending less by Rs. 6,000. I am only putting the case on those grounds and I suggest to the House that it is not well to attempt to curtail a communication of this nature between His Excellency the Viceroy and the Home Government.

**Mr. Jamnadas Dwarkadas:** I hope the House will try to look at the question from the point of view of the interests of India in this matter. The Honourable Sir Malcolm Hailey has tried to answer my Honourable friend, Mr. Rangachariar's arguments by saying that on important questions like those of Kenya and the Turkish question the Viceroy has to communicate with the Home Government by means of telegrams. Now, Sir, I believe that the Honourable the Home Member could not have chosen worse instances to strengthen his argument in support of telegrams, for if there are two questions on which a considerable delay and an unjustifiable delay has caused a good deal of inconvenience to this country they are those questions of Kenya and the Turkish question. (*The Honourable Sir Malcolm Hailey:* "Our delay?"). Ever since the beginning of this Session—and I think I myself was instrumental in putting a question or two on this subject—every day we inquired whether any cable had been received and the answer was in the negative. (*The Honourable Sir Malcolm Hailey:* "You are referring to despatches.") On Imperial questions which seemed to be a strong point in the argument of my Honourable friend, Sir Malcolm Hailey, on Imperial questions on which this country no doubt feels very keenly, delay cannot be avoided by the increase in the expenditure on telegrams. Personally I feel that if we had the figures before us, if we had details of telegrams exchanged on Imperial questions and the telegrams on questions in which this House would consider the constant interference of the Secretary of State a most undesirable thing—if we had details of those we would have no difficulty in finding out that the cost of telegrams which come under the latter category is much heavier than the cost of the telegrams exchanged on Imperial questions on which Whitehall does not help us much in solving our problems. I was also anxious to know from the Honourable the Home Member whether the cost of the telegrams exchanged between the Provincial Governors and the Secretary of State was included in this and so far as my recollection goes . . . . (*The Honourable Sir Malcolm Hailey:* "It does not include it.") Then the case is still worse. This does not include the cost of the telegrams which are exchanged between the Provincial Governors and the Secretary of State. Perhaps I do not know whether this is the right time to protest against this practice but look at what this means. The Viceroy has a certain policy. The Provincial Governors have their own views. They communicate direct with the Secretary of State and the Secretary of State in the light of the telegrams received from the Provincial Governors sends his instructions to

the Viceroy. The Viceroy answers and the whole business of sending telegrams from here to Whitehall and from the provinces to Whitehall and back from Whitehall to provinces and back from Whitehall to the Viceroy—the whole business is multiplied. It is high time that we did put a stop to this in the interests of the country itself because the sanctioning of these telegram charges means countenancing and encouraging the continuous interference of the Secretary of State with the carrying on of the Government of India. I strongly support the amendment moved by Mr. Rangachariar.

**Mr. N. M. Joshi** (Nominated: Labour Interests): I only wish to add a few remarks to those that have already been made. Mr. Rangachariar has seen some danger in giving a large amount to His Excellency the Viceroy for his cablegrams, posts and such like communications. But, Sir, I see another constitutional danger in giving large amounts of money to His Excellency the Viceroy. If His Excellency the Viceroy can very easily be in communication with the Secretary of State, to that extent he will begin to depend for advice and guidance upon the Secretary of State more and more than upon his Executive Councillors and the Legislatures. That is, Sir, the greatest danger from my point of view. His Excellency the Viceroy is, after all, a constitutional ruler and we want him to be guided by the Members of His Executive Council and by the Legislatures in India.

**Mr. President:** The Honourable Member cannot go deep into constitutional questions. Telegrams are, after all, only a means of communication.

**Mr. N. M. Joshi:** I do not wish to go deep into the matter. I only wanted to point out the danger of placing a very large sum at the disposal of His Excellency the Viceroy for telegrams.

**Sir Montagu Webb** (Bombay: European): The Honourable the Home Member stated, I think, that a large portion of this expenditure went in the despatch of code telegrams on behalf of the Foreign Office and other Departments. Would it not be better, as a matter of accounting, if, where telegrams are sent on behalf of the various Departments, the charges were debited to those Departments so as not to swell artificially the debit to the Private Secretary to His Excellency the Viceroy?

**The Honourable Sir Malcolm Hailey:** I will examine that point and see whether it would be convenient to adjust the account. As I say, the convenience of the present arrangement is that the coding and decoding staff is kept in one place and we utilise it. I do not want in any way to extend this discussion, for as you, Sir, have said yourself, we seem to be dipping rather deep into constitutional matters on a question of despatch of telegrams. But I must point out to the House that two very opposite views have been put forward to-day, one by Mr. Jamnadas Dwarkadas and by Mr. Rangachariar that the facility of sending telegrams helps the Secretary of State to overrule us; indeed there is a suggestion that the greater part of the telegrams that we despatch from here is by way of protest to the Secretary of State. On the other hand, Mr. Joshi's point of view is that the facility of sending telegrams, the fact that His Excellency the Viceroy knows that there is Rs. 25,000 more or less in the Private Secretary's budget for the purpose, may induce His Excellency to enter into

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an unholy alliance with the Secretary of State against the Members of the Executive Council. Take it one way or the other; but do not combine arguments so opposite as this in swaying your decision on this point.

**Mr. President:** The question is:

"That the provision for Postage and Telegram charges under the sub-head 'Private Secretary to His Excellency the Viceroy' be reduced by Rs. 25,000."

The motion was negatived.

*Staff and Household of the Governor General—Tour expenses.*

**Mr. B. N. Misra** (Orissa Division: Non-Muhammadan): Sir, I beg to move:

"That the provision for Tour expenses under sub-head 'Staff and Household of the Governor General' be reduced by Rs. 20,000."

We find in last year's budget the sum asked for was Rs. 3,65,000. We find that in the revised estimate the sum actually demanded was 4,32,700. Now we have been asked Rs. 4,26,900. We do not know whether when a supplementary budget comes like last year we shall be asked to vote for another Rs. 70,000. However assuming this figure to be correct I submit that the tour expenses form a very large amount. I do not mean to repeat my remarks of last year. I do not mean to say that His Excellency should not take special trains whenever His Excellency thinks this desirable. What I submit to the House is this. What object is gained by these tours of His Excellency. We know in olden times our rulers, the Rajas and Maharajas, used to go in disguise and find out what really the complaint and the grievances of the people were.

**The Honourable Sir Malcolm Hailey:** How do you know that the Viceroy does not?

**Mr. B. N. Misra:** If that be the object even 40 lakhs may be spent to remedy the grievances of the people. We find that His Excellency's tours are either public or private. If it is a private tour, we find it in the papers that His Excellency will arrive on such and such a date at such and such a place and so on. Whether it is public or private, so far as the general public is concerned, they know very well where His Excellency is. Then, Sir, wherever His Excellency goes, we find that interviews are allowed. They are all practically arranged through application to the Private Secretary or whenever he happens to be in a mofussil through the District Magistrate and so on. And who are the persons that are allowed to interview His Excellency? If you will see the list of the interviewers you will find that they are Rai Bahadurs, Rai Sahibs, Khan Sahibs, Khan Bahadurs and so on.

**The Honourable Sir Malcolm Hailey:** You might include Mr. Gandhi.

**Mr. B. N. Misra:** So far as I read the papers, Mahatma Gandhi came to see His Excellency. These men are generally either semi-Government men or demi-officials. I mean Rai Bahadurs and Khan Bahadurs or the officials. Further I do not know if my Honourable friends have read of or come to know of any instances in which His Excellency paid any visit in disguise and learnt from the common people their complaints against his administration or the oppressions of his subordinate officers at any place. I speak subject to correction. But as far as I know the papers say that His Excellency attended a ball, or a dance or gave a party or held a Durbar.

This is all that we find from paper and programmes published in Gazettes, etc. We see after the transfer of the capital to Delhi His Excellency has been invariably going to Calcutta and some other places every Christmas. Of course no other place can provide amusements and other things which Calcutta provides. If really the object is to find out how the people are living and how the administration is going on, His Excellency ought to divert his attention to other directions and I see no reason why he should always go to Calcutta or Burma and not to other parts of the country. We find also that when complaints are made to His Excellency personally, these complaints are sent to be dealt with by the departments and as a matter of practice that is systematically followed. These are forwarded to the local Governments who forward it to the Commissioners who forward it to the Collectors and District Magistrates who forward it to the sub-inspector of police and who again makes inquiries from the village chaukidar or dafadar and the complaints are again submitted to the District Magistrate, the Commissioner, the local Government and so on.

**Mr. President:** The Honourable Member cannot embark on a discussion on the entire administration on a vote for tour expenses.

**Mr. B. N. Misra:** My object is to show that the grievances of the people are not taken into consideration by His Excellency in his tour programmes. Many of these tours are made to the States, from which the British tax payers do not really derive any benefit. Most of these tours and tour expenses consist in visiting big States . . . .

(Cries of "Withdraw.")

Well, I do not mind withdrawing, if you think it is such a small matter. You propose to impose an additional tax on salt on the poor people and spend lakhs here. If that be the object, then I withdraw.

**Mr. P. P. Ginwala** (Burma: Non-European): Sir, before the motion is withdrawn . . . .

**Mr. President:** The motion cannot be withdrawn without the leave of the House.

**Mr. P. P. Ginwala:** Sir, I could not hear or follow the arguments of my Honourable friend on the opposite side. But whatever those arguments may be, I strongly oppose any reduction of this vote. I think the complaint is not that His Excellency the Viceroy and the Members of His Council, do too much touring but that they do not tour the country enough. If His Excellency the Viceroy does really wish to get acquainted with the country and wants to break away from the bureaucratic notions which he is bound to imbibe from the Government Benches, the safest thing he can do is to get away from both Delhi and Simla as often as he can and have a look at the outside Indian world. The immediate reason, however, why I got up to speak was with reference to my own province. During the last 22 years I believe only two Viceroys have visited that province, and I really do wish to know whether His Excellency is going to visit our province at all. When on former occasions a Viceroy did come, if he came during the first year of his office, and if we asked him to do anything he replied that he had not been long enough in the country: he must take time to consider and when he got back to Calcutta he forgot all about it. If a Viceroy came at the end of his term of office he said he was very sympathetic but he had no time left in which to give attention to our needs. Sir, I hope that on the present occasion the necessity of either kind of reply will be avoided by His Excellency the Viceroy coming to our province during the middle of his term of office.

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intend to give us a visit, and whether it is going to be those American tourist visits of three days after which they will write their impressions in official documents and go entirely wrong, or whether there is going to be a really genuine visit which will give them some indication of our requirements. I move my motion.

**Mr. President:** The question is:

"That the Demand for Tour Expenses under sub-head 'Executive Council' be reduced by Rs. 100."

**The Honourable Sir Malcolm Hailey:** I quite recognize Mr. Ginwala's motives, Sir. But it is a queer way to get us to Burma by reducing the travelling expenses which are necessary to carry us there. But that is only incidental, and, of course, it was the only way open to him of approaching the question. When we discussed recently the question of His Excellency the Viceroy's tours, I ventured to suggest to the House that a little delicacy was required in approaching the matter. But when, Sir, you propose to cut the touring or other expenses of Members of the Executive Council, we are ready to admit that no delicacy was required at all, we are lambs ready for slaughter. Instead of that, Mr. Ginwala has extended to us a very charming invitation to his province. Now I believe that there are only two ambitions on the part of Members of the Executive Council. One is to see the end of the sittings of the Legislative Assembly, and the other is to get to Burma. I have again and again seen tours planned for Burma: again and again, unfortunate events have prevented their being carried out. This time, there are indications that at least two Members of Council are attempting to get there. For my own part I can only say that I hope they will be successful. The exact information therefore I cannot give to Mr. Ginwala, though I hope to be able to do so at a later date.

**Mr. P. P. Ginwala:** I ask, Sir, to be allowed to withdraw my motion.

The motion was, by leave withdrawn.

**Munshi Iswar Saran:** In view of the suggestion made by you, I do not move No. 238.\*

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

**Dr. Nand Lal** (West Punjab: Non-Muhammadan): I think, Sir, the provision is rightly demanded; therefore I do not propose to move these amendments. (Nos. 241 and 242).

*Legislative Assembly—Daily allowance of non-official Members.*

**Rao Bahadur T. Rangachariar:** Sir, I beg to move:

"That the provision for Daily Allowance of Non-official Members under sub-head 'Legislative Assembly' be reduced by Rs. 24,000."

†The Rs. 200 is an unnecessary addition. Honourable Members will notice, if they will turn to page 38 of the Demands, that the daily allowance provided for official and non-official Members of the Legislative Assembly for the year 1922-23 amounts to Rs. 95,960, and for the coming

\* "That the provision for travelling and other allowances under sub-head 'Executive Council' be reduced by Re. 1."

† "List of motions,—No. 243, namely:

243. That the provision for daily allowance of non-official Members under the sub-head 'Legislative Assembly' be reduced by Rs. 24,200."

year they will amount to Rs. 1,20,000. I do submit, Sir, that there is a short paragraph in the Retrenchment Committee's Report which I think all of us should read, mark and inwardly digest; that is at page 127.

**Mr. President:** The Honourable Member is moving the reduction of daily allowance or of travelling allowance?

**Rao Bahadur T. Rangachariar:** Daily allowance.

**Mr. President:** Then it is the larger figure.

**Rao Bahadur T. Rangachariar:** I will explain, Sir, how it is possible. I am sorry,—the daily allowance of official and non-official Members amounts to Rs. 2,84,200. At page 127 there is a very short and significant paragraph as regards this: "The large increase which has taken place in expenditure since 1913-14 is due to the appointment of full-time Presidents, since the expansion of the Councils, the longer sittings held under the reformed constitution, and the grant of more liberal allowances to Members present in Delhi and Simla. The bulk of the increase is inevitable, but we feel that the matter of reduction or otherwise in travelling and other allowances is one that should be left to the Legislature." Sir, reading between the lines, the Inchcape Committee, whose members were for the most part, it must be borne in mind, paid, hinted at a reduction. There is one rule to which I would draw particular attention, it seems to be erring on the side of extravagance, and that is this. The rule provides that Members who come here for 7 days before the actual meeting are entitled to draw daily allowance for 7 days, and you are also entitled to draw for seven days after the meeting is over. It seems to me a most extravagant allowance to allow such a long limit. I can understand 2 days, I can understand 3 days; I do not think, Sir, that for any meeting more than three days is really needed for us to come here or for us to stay after the meetings, either before or after the meetings begin. I hope Honourable Members will endorse that view. When we are preaching economy to the Government Benches, let us practise it ourselves and show to the Government that we are prepared to do, to forego extravagance. During the initial stages of the existence of this Assembly the Government were generous enough to make this provision and to make a handsome provision, and we are thankful to them for all the comforts they are providing us, but we do think we are provided with greater comfort than we need be. While we are grateful to them for this provision, we do think it is extravagant, and I therefore ask that the estimates which will be framed for the current year should be on the footing that only three days' allowance is granted either before or after the event. In this way, I have calculated the amount, assuming we have got two Sessions, you get a week beforehand, that is, 4 days beforehand and four days afterwards, that is 9 days, 8 plus 8, 16 days. Putting it at 15 days, and assuming that 50 Members will be drawing this on an average out of 150 Members, I think that it would not be a large sum which I propose to reduce. I have not asked for opinions. I have avoided going into personalities in this matter. If any Honourable Member considers it is a bad principle, do endorse it by your vote emphatically, but I do consider it is a very good principle I advocate and that we should affirm it, and I hope, Sir, the House will cut a fair amount. I should like to be informed, and I am quite prepared to substitute a nominal sum of Rs. 4,000 instead of Rs. 24,200—I am entirely in the hands of the Assembly in that matter, but it is the principle I wish to affirm, which is that this provision for seven days before and seven days after should be done away with. That is the object of my motion.

**Mr. President:** Motion moved :

"That the provision for Daily Allowance of Non-official Members under the sub-head 'Legislative Assembly' be reduced by Rs. 24,200."

**Lala Girdharilal Agarwala** (Agra Division: Non-Muhammadan Rural):

12 noon. Sir, I do not want to give a silent vote on this matter without strongly supporting the motion moved by my Honourable friend, Mr. Rangachariar. It is really very important that we should show some retrenchment in our own allowances and the case which has been rightly put by my Honourable friend appears to me just and proper. It is really not too much to expect Honourable Members to charge at the most for 6 days or 4 days or 3 days, as my Honourable friend says, both times put together. With these observations, I strongly support the motion.

**Mr. R. A. Spence** (Bombay: European): Sir, I should support, as I did before, the motion of my friend, Mr. Rangachariar if it was for the revised amount of Rs. 4,000. I think every one of us is agreed that seven days is far too much, but as was pointed out by Mr. Rangachariar there were very few people who draw that amount and the amount of Rs. 24,200 is therefore far in excess of the amount that would be saved by doing away with three days' allowances; and, therefore, as it is more than would be saved by doing away with the 3 days' allowances is it for us to cut down the allowances for Members of the next Assembly? Two years ago or three years ago, Sir, this Assembly voted this Assembly more money and more allowances—Rs. 20 instead of Rs. 15. Now, this Assembly's life is drawing to a close. Is it for any Member of this Assembly who is not absolutely certain that he is going to be a Member of the next Assembly to cut the allowances of the next Assembly? I say no, it is not. Acting in the interests of economy two years ago a number of us voted to reduce our own allowances and we quite rightly voted, although many of us sacrifice a great deal in coming here, and I suppose there is practically nobody in this Assembly who can say that he makes money out of coming here. But that is a very different matter. We should not cut more than the sum which would be saved by this very reasonable suggestion of my Honourable friend, Mr. Rangachariar, viz., that we should only be paid three days before and three days after we come here. But the sum of money which would be saved is only Rs. 4,000, and yet the motion before the House is to reduce the allowances by Rs. 24,000.

**Rao Bahadur T. Rangachariar:** You move an amendment.

**Mr. R. A. Spence:** If I may move an amendment to substitute the figure Rs. 4,000, I heartily do so. If we are to cut it by Rs. 24,000, I consider we would be in the wrong.

**The Honourable Sir Malcolm Hailey:** We believe it will save about Rs. 10,000.

**Mr. R. A. Spence:** May I move an amendment that the allowances be cut down by Rs. 10,000?

**Rao Bahadur T. Rangachariar:** I accept that amendment, Sir.

**Mr. President:** Further amendment moved :

"Substitute the figures '10,000' for the figures '24,200'."

The same purpose will be served if an assurance is given by Government that the suggested rule will be applied.

**The Honourable Dr. Mian Sir Muhammad Shafi** (Law Member): Sir, in regard to the definite proposal put forward in the amended motion, the position which Government propose to take is this. Should the decision of the Assembly be in favour of the motion as now amended, Government will carry that out in the ordinary way by reducing the demand by an amount which on calculation may be found to be equal to the allowances as now suggested.

**Mr. President:** Amendment moved:

"Substitute the figures '10,000' for the figures '24,200' (in amendment No. 243\*)."

The question is that that amendment be made.

The motion was adopted.

**Mr. President:** The question is:

"That the provision for Daily Allowance of Non-official Members under the sub-head 'Legislative Assembly' (page 38) be reduced by Rs. 10,000."

The motion was adopted.

*Legislative Assembly—Haulage of motor car and Conveyance Allowance.*

**Rao Bahadur C. S. Subrahmanayam** (Madras ceded districts and Chittoor: Non-Muhammadan Rural): Sir, I move:

"That the provision for Haulage of motor car and Conveyance Allowance under the sub-head 'Legislative Assembly' (page 38) be reduced by Rs. 50,000."

The object of this amendment is to do away with the haulage allowances which Members bringing their motor cars to Delhi are entitled to receive now. This stands, Sir, on an altogether different footing from the allowances which seems to be the privilege of Members of this Assembly to draw. It is entirely different from the daily allowance, also from the travelling allowance. Motor cars, I suppose, are contrivances of recent years, and at one time—to answer the argument of my Honourable friend Mr. Spence—at the commencement of this Assembly, when we came to Delhi, it may have been considered that Delhi would not provide the necessary number of conveyances for Members living at a distance from the Assembly Chamber. Probably in order to make up for the lack of conveyance facilities and conveyance equipment in Delhi it may have been necessary to give this allowance for haulage of motor cars. But, now, we find that Delhi can supply all sorts of conveyances, from the high class tip-top motor car to the lowest conveyance of pristine times. So, I think the ground on which solely an allowance like this could be made does not exist now. Then, it might be said that you cannot deprive Members who are accustomed to this means of conveyance, or to their particular conveyance, when they come to Delhi in the service of the country. Motor folk like carriage folk of old are men of means; I assume that and I do not think that assumption will be questioned, and those Members are generally wealthy merchants, or big land-owners or professional men who are in fairly affluent circumstances. It is not everyone that brings his motor

\* Vide page 3448 of these Debates.

[Rao Bahadur C. S. Subrahmanayam.]

car; and to help those Members at the expense of the tax-payer is not fair. While the House has been ringing with cries of economy in regard to extravagant and superfluous allowances to the officials, when we in discussing the allowances of officials declaimed against the extravagant travelling and other allowances, I think we may also bear in mind what our own situation is in regard to these allowances. I think the House must be very much indebted to our Honourable friend, Sir Deva Prasad Sarvadhikary, who had been attacking these large sums of travelling allowances and contingencies in regard to officials. Well, I think a portion of that attack I could use in support of this motion.

Another point is that this haulage allowance has led—I will not enter into details—to certain abuses or misuses, if I may say so. It is so unequal. It benefits in a very inequitable manner the recipient and it throws more inequitable burden upon the revenues of the country. Well, a Member comes here just for a few days, to grace this Assembly with his presence for a few days; he comes from a long distance, draws a large amount of motor haulage allowance and goes back. Another Member who is working here from the beginning to the end, is punctual in attendance and regular in the discharge of his duties in the Assembly also does the same. It is an unequal burden cast upon the tax-payers of the country. Apart from that, another objection, a very serious objection is that you are going to ask the tax-payer to pay those who can well afford to find the means. That is you give money to those who have it. That again is a serious objection to this allowance. Now from the point of view of logic, or justice or equity, I think this particular allowance which stands aloof from the other allowances is indefensible. I think it is time now for the Assembly to look about and set its own house in order. Now Lord Incheape's Committee did not deal with the subject, but brief as the reference is to our allowances, one can read between the lines and draw the moral. They had tackled all Government departments; they were ruthless in cutting down expenditure in the various departments of the Government, but when they came to this matter of the allowances of the Legislative bodies, they said, "We will leave it to their good sense, to their sense of patriotism, their sense of public spirit and their sense of decency."

**Khan Bahadur Abdur Rahim Khan** (North-West Frontier Province: Nominated Non-Official): "Decency," why don't you quote correctly?

**Rao Bahadur C. S. Subrahmanayam**: That is what I understood from that brief reference. A reference was made by the Honourable Mr. Spence that early in the life of this Assembly we were instrumental in modifying the 15-rupee allowance and making it a 20-rupee allowance, but that was not exactly the object. The Assembly thought that the Council of State should not be put on a higher level all along the line and the whole attack was to put the two Chambers on an equal footing. That was the Resolution that was passed, but Government thought for some technical reasons that the prefix of "Honourable" could not be given to this Assembly, nor should it be taken away from the Members of the other body, because this is how it is in the Dominions. But in regard to the rupees, annas and pies, we could have it as equal. That was what occurred. But it was also then thought it would not be very fair to cut down the allowance, but if any Honourable Member now proposes to cut down those daily allowances, I don't suppose the Assembly or any section of it would oppose

it, but that is irrelevant. This is a matter which stands on a logical basis. Last year some question was raised, a feeble attempt was made, and the matter was not properly discussed, and since then opinion has gathered against this allowance. Those who are in touch with current public opinion will find that both Indian and English-conducted papers condemn our action or inaction in regard to the cutting down of our allowances. It has always been sarcastically said that the Assembly grabs as much as it can in various forms of allowances, but when it comes to allowances to others in the services and elsewhere, especially to the higher services, it is very stringent. The Indian papers have declaimed against us Members of the Assembly who come here, and have made all sorts of insinuations. Much of it may not be correct, but they make the insinuations and that also must be taken into account. Another argument which has been adduced and may possibly be used is that we are at the end of our term. All legislation is in that fashion; it may not apply at once, but we here cannot shirk our duty in deciding. When the next Assembly comes into being, if it wants more, it is entirely in its power to raise these allowances to double and treble them and get as much as it can. After all a Resolution of this House, or even a piece of legislation passed by this House is only good so long as it is not disturbed, and therefore that argument that we are at the end of our term and therefore we are doing this, would be hardly logical, hardly justifiable. And as I said, the sole ground on which no attempt has been made in the last two years is that in the first year we were quite new to Delhi; we did not know the conditions. The next year we felt our feet, we knew where we were and now we have started. In regard to several other matters I may inform the House that Members of the Local Councils who have been here were very sarcastic in their references to our inconvenience and troubles. A great many of us felt we were put to great inconvenience and trouble coming away long distances from our homes, and being put to inconvenience by the weather in the early months of the year which affected us in Delhi; but they were sarcastic; they referred to the magnificent piles of buildings, our hostels, in Raisina and referred to our other amenities, and thought they had come down very much, in the opinion they held of us prior to visiting Delhi. And from that point of view I consider that the reduction as I have proposed must be made. I have taken the figure of Rs. 50,000 and I think I am fairly accurate in the amount of money that is spent on the Members bringing their motor cars to Delhi. That is a rough and ready figure and if that trenches upon the other allowances, it is open to Government to ask for a small supplementary grant. Therefore without a division, without any note of discord, I appeal to every Member of this House, non-official Members especially, to vote for this reduction which I ask for.

**The Honourable Dr. Mian Sir Muhammad Shaif:** Sir, here again the Government are prepared to carry out whatever decision the House may arrive at upon my Honourable friend's motion.

**Mr. P. P. Ginwala:** May I know how much the Government Members will lose if this reduction is made?

**Maulvi Abul Kasem** (Dacca Division: Muhammadan Rural): The Resolution asks for a reduction of the haulage charge for motor cars for the next year's budget, that is 1923-24 and the life of this House does not extend beyond September or October next, and no motor cars are taken to Simla. So, so far as this House is concerned, the question of motor

[Maulvi Abul Kasem.]

car haulage does not arise at all, so this motion ought, I think, to be moved in the next House when it is formed.

**Mr. B. C. Allen** (Assam: Nominated Official): I rise, Sir, to a point of order. Surely this is a case in which we can apply the principle advanced by Mr. Ginwala. Mr. Ginwala explained to us how Viceroys who visited Burma in the first year of their office said that they had no experience and therefore could take no steps to alleviate their grievances. At the conclusion of their terms of office, they had no time to do so. My Honourable friend has objected to this House legislating with regard to motor haulage, but if we don't take action to reduce this allowance, how will it be possible for our successors to do so during the following year?

**Sir Deva Prasad Sarvadhikary** (Calcutta: Non-Muhammadan Urban): Sir, I am much indebted to Mr. Subrahmanayam for his appreciative reference to my efforts to get the travelling and similar other avoidable charges reduced. I desire to assure him that, when I came to move my general motion for a reduction of five lakhs, I was intending to refer to what he has attempted in the motion before the House, and, if he is able to carry this motion, I shall undertake to reduce my demand for reduction by Rs. 50,000 and ask the Honourable the Home Member to accept the lower figure of four lakhs and a half for reduction on General Administration. But, Sir, there are one or two matters about which I think apprehension ought to be removed. In Simla there is no rickshaw allowance and Members do get on without losing efficiency or suffering in any way in health or work. There is a difference in Delhi and that is demonstrated by the Rs. 5 allowance which Members are allowed. People who bring motor cars are allowed only Rs. 2-8 a day (*Dr. H. S. Gour*: "They are not allowed anything at all.") Oh yes, they are allowed Rs. 2-8 a day for petrol in Raisina. Whether therefore there will be a real saving or not if motor cars are not allowed to be brought is a matter that will have to be gone into. Reference has twice been made to the little paragraph in the Retrenchment Committee's Report regarding what is called there the more liberal allowance to Members at Delhi and at Simla than used to prevail before. Well, if both the Houses were agreeable, I am sure the Members of this House would be prepared to accept the lower allowance. It was as a question of principle and prestige that this House voted for a higher allowance. And incidentally I cannot help recalling to mind a somewhat inaccurate statement made by one of the Members of the Inchcape Committee, not in committee but on a convivial occasion. He was complaining that, when he was a Member of the Legislature in the old days, he never got an allowance, like the Members of the present Legislature get. His complaint, Sir, was exactly the complaint of our Delhi colleague here. That Member probably never travelled out of Calcutta. He ought to have known that a three-figure allowance used to be given as a lump grant to Members from outside Calcutta and Simla attending meetings of the Council. Let us have these reductions by all means and I think it is up to the Members of this Legislature to bring forward Resolutions of this kind and the one we have just passed to show that when we want reductions elsewhere we are ourselves prepared to submit to cuts.

**Dr. H. S. Gour** (Nagpur Division: Non-Muhammadan): Sir, last year there was a similar motion for the reduction of the grant under the haulage

of motor cars. This hardy annual has re-appeared again and my friend Mr. Subrahmanayam is the sponsor to this motion. The one question which concerns the Members of this House, and to which the Honourable Mover of this amendment has adverted, is that, if the Members are not allowed haulage for their motor cars in Delhi, how are they to get about? My friend Mr. Subrahmanayam has answered that question for the Members by stating that there is a sufficiency of motor cars and carriages of all descriptions which the Members can engage during their stay in Delhi. That is an invitation which I have no doubt Members of this House will gladly accept, provided my friend the Honourable Mover of this Resolution will foot the Bill; because my friend could not be unaware of the fact that the daily charges for motor cars in Delhi is in the neighbourhood of Rs. 80 to Rs. 100 per diem. Consequently, if my friend allows Members of this House to use motor cars in Delhi and that is a statement with which he opened his speech, I do not know where my friend would economise the Rs. 50,000 which he wishes the reduction to be under this head. And in retrenching Rs. 50,000 on this head, whether he would not swell the expenses of motor cars hired out and placed at the disposal of Members. Now, Sir, the other question which my learned friend raised was a very interesting question. He said Members of this House who bring motor cars to Delhi are all well-to-do people; they can all afford to pay for the haulage of motor cars, and therefore, there is no reason why Government should be made to pay for the haulage. But my friend surely could not have forgotten the fact that, if the wealthier Members of the Assembly possess motor cars which they can bring to Delhi at their own expense, the other Members of the Assembly are wealthy enough to provide their own maintenance when they are in Delhi; and if it be any argument at all that the wealthier Members of the Assembly should pay for their motor cars, is it not equally cogent an argument that the other Members of the Assembly should also pay for their own maintenance? As the one class can afford to pay for their motor cars, the other class can equally afford to pay for their subsistence in Delhi. But my friend could not have forgotten the fact that whether he refers to the one class or to the other, they come at immense sacrifice of time and money and come to Delhi to place their services at the disposal of the State, and, if they are to pay for their motor cars, surely my friend will not grudge them the payment which they would naturally expect for the loss of time which they devote to the service of the State, and what would be its value? Placed at its lowest estimate, I think if you were to value the services of a man like my friend Sir Campbell Rhodes, or my friend, Sir Montagu Webb, or my friend, Rai Bahadur Subrahmanayam, I am perfectly certain that the retrenchment of Rs. 50,000 will be merely a fleabite compared to the expenses which the State will incur in compensating them for the loss of time in coming to Delhi and placing their invaluable services at the disposal of the State. Then, my friend said that Members of the Local Council and the papers made some adverse criticism upon the pile of buildings in Raisina and the comparative ease and luxury in which Members lived there. I am afraid my friend has weakly yielded to these criticisms. He might have paused for a moment to think whether the comfort which he himself enjoys in the hostel at Raisina is anything compared to the comfort to which he is accustomed in the place he hails from, and, if he was to place side by side the comfort and the sacrifice he has made, the time he is spending and the inconvenience he is suffering during his stay in Delhi, I have no doubt that the comforts he speaks of are incomparably small to the service he renders the State and the sacrifice he makes in the name of patriotism.

[Dr. H. S. Gour.]

I am sure, Sir, that my Honourable friend has been unduly moved by the cheap criticisms of the yellow press. I am sure that if the Members of this House were given no allowance at all and if they came in clean clothes to this House, these newspapers will complain that these Members somehow or other are able to live in luxury and comfort. The poor man, Sir, always rails at the rich and when he becomes rich himself he realises that the difference between the poor man and the rich man is at times a lack of effort. Now, Sir, my friend Sir Deva Prasad Sarvadhikary who has pronounced his benediction upon this amendment and come to terms with the Mover of this amendment . . . .

**Sir Deva Prasad Sarvadhikary:** And I hope with the Government Members.

**Dr. H. S. Gour:** . . . . with a promise that he would reduce his demand by Rs. 50,000 if this motion is carried has perhaps not vouchsafed to this House any explanation as to what will be the conduct of this House if you were to deprive it of the ordinary amenities of life, if you were to deprive the Members . . . .

**Rao Bahadur C. S. Subrahmanayam:** Not ordinary.

**Dr. H. S. Gour:** . . . . of the ordinary necessities of life . . . .

**Rao Bahadur C. S. Subrahmanayam:** Extraordinary.

**Dr. H. S. Gour:** . . . . and what would be the position of the future Members of this Assembly who would have to consider that not only would they have to come up to Delhi but they would be provided with no conveyance or haulage allowance which their predecessors had, thanks to the motion of the Honourable Mr. Subrahmanayam. I therefore submit, Sir, that my friend could not have seriously intended this House to commit itself to a proposal which, as my Honourable friend Maulvi Abul Kasem has pointed out, would not affect the sitting Members but is likely to prejudice the Members to come. One more word in connection with the cost of the haulage, and the daily allowance given to the Raisina residents. I have heard from some Members that Members in addition to the actual haulage allowance for motor cars receive, some say Rs. 5, some say Rs. 2-8-0, per diem. Well, Sir, I do not know what Members are the fortunate recipients of these *douceurs*. It may be that those who live 8 miles away in the wilds of Raisina are paid these small amounts by way of solatium. I do not grudge it to them. I am perfectly certain, Sir, that so far as the haulage of motors is concerned, this House will signify its views in the manner in which it did last year when a similar question was debated in this Assembly.

**Mr. W. M. Hussanally** (Sind: Muhammadan Rural): Sir, I rise to oppose the motion brought by my friend Mr. Subrahmanayam. Before I begin, Sir, I must make it clear that I have no motor car and I do not charge for haulage allowance. Therefore, whatever I say does not apply in my case. Sir, a motor car for those who reside in Raisina is a *sine qua non*, for one reason, Sir, it takes my carriage nearly one hour to come here from Raisina in the morning and one hour more

in the evening to go back. We are kept here very often after 5-30 P.M. and sometimes even up to 6 P.M. Last night we were kept till 6-30 P.M. by a Select Committee, going home after that time and taking an hour more to reach our home, if home it can be called, furnishing for a cup of tea on the way before you get home to have one. Is that the way, Sir, in which the Assembly should treat those Members who come here to devote their time and energy for the work of the country? Whereas a motor car will take you home within about 10 or 15 minutes. On the other hand, Sir, there is another difficulty so far as carriages are concerned. You have to keep the carriage here the whole day. The horses will have to remain without any food or water perhaps. You don't know what time you are going to get off from the Assembly. Sometimes we get up early, sometimes late, so that every gentleman who brings his carriage or motor here has to keep it waiting nearly the whole day, as I suppose every one of us will bear testimony to. Therefore, Sir, bringing a motor car, for those who possess one is necessary though it is a little costly affair. I know a friend of mine has hired a motor for himself in Delhi and he pays Rs. 350 a month besides the cost of petrol and the pay of the chauffeur, if I mistake not. Thus it will appear that it is a very costly affair to hire a motor. But if you keep it for the day, the charges are much more heavy, as has been pointed out by Dr. Gour. Thus it is almost impossible to get on without a motor for those gentlemen who have got any value for time and to expect them to pay for the motor out of their own pocket and come and reside here for three months in the cold weather and a month in Simla is certainly more than what the Assembly can expect. I know, Sir, so far as the Bombay Council is concerned, there are several Members who do not attend regularly because they find the expenses too heavy in Bombay and Poona and the allowances they draw are not sufficient. This was the complaint made to His Excellency the Governor of Bombay only a few days ago so far as Sind Members were concerned during a visit which he paid to Karachi recently. Mr. Subrahmanayam thinks that the gentlemen who are residing in Raisina hostels are enjoying all the comforts of life that they possibly can expect at home; and yet, let me inform him that both the hostels are lying empty. There are only a few gentlemen who care to go into those hostels and no more, with the result that one of these hostels has been sold off to the Telegraph Department. That does not speak for the convenience and comfort of these big piles of buildings with their appendages. I think these hostels afford far less comfort than they ought to, with all the money spent upon them. Compared to these hostels the Windsor Place quarters are a little more comfortable. But you certainly demand a certain amount of comfort and convenience when you have to come and reside here nearly for three months. You cannot stay without convenience and comfort if you have to make a long stay. Gentlemen who go to the Provincial Councils have only to stay for 10 or 15 days at a time and they can go back home, so that their case is quite different from ours. We come all the way from our homes and stay here at a stretch for 2 or 3 months. Naturally therefore we expect rather better comfort than what the Members of the Provincial Councils have. I hope the House will not carry this motion.

One more reason that occurs to me is this that we cannot afford to be generous at the cost of other people. What does the motion as it is brought mean? It means cutting down the allowances of our successors.

[Mr. W. M. Hussanally.]

It is very easy to be generous at the cost of our successors. If Mr. Subrahmanayam was serious he ought to have moved his motion last year and touched his own pocket.

**Sir Campbell Rhodes** (Bengal: European): My Honourable friend Mr. Subrahmanayam seems to have so little support in this House that I am glad of the opportunity of taking my stand beside him on this occasion. My reason for supporting this motion is simply this. I am strongly in favour of following the precedent of other countries of the payment of Members in order to allow Members who could not otherwise afford to enter on a political career to do so. But I am not in favour of paying the rich man more than his poor neighbour and that is, in effect, what this Resolution means. (*Cries of "No, no."*) It means in fact that the man who has a motor car and therefore is able to afford some of the amenities of life is paid haulage of his motor car whereas a man without a motor car does not get that money and if he lives on this side of Delhi he gets nothing, but if he lives on the other side he gets an amount which as Dr. Gour has pointed out is hardly sufficient. I presume that all these allowances will be stopped as soon as we all get to Raisina. I do not share the pessimism of some Members of this House about not coming back next time and I cordially agree with what Mr. Allen said that we have the right to settle the budget for this year. I have not heard it suggested in the votes of grants in general that we should only budget up to the 1st November or whatever date the dissolution occurs, and having voted for this Resolution last year I feel I am perfectly consistent in voting for it again this year.

**Bhai Man Singh** (East Punjab: Sikh): I have to oppose this amendment. I have not got a motor car and so I have never brought one here and I cannot say whether I will do so in the near future, and even if I bring it I do not think I will be a loser if this amendment is passed for I think the haulage from Lahore to this place is less than the daily conveyance allowance for the Session. So far as I am personally concerned, I am not at all touched by the proposal or by the grant of motor haulage. But the main question is this. Delhi is not one city, but if I may say so, is a group of two or three towns. There is Raisina, there is this part of Delhi and then there is the big main city and it is not very easy to go from place to place without having a conveyance at your hands. Those gentlemen who at their own places are habituated to the use of motor cars—I cannot say why we should force them not to have the use of a car at Delhi when they come to discharge their public duties here. Moreover, it is quite easy to say that such and such a person being a rich man should pay from his own pocket. If that argument holds good, then if a man wants to come and live in Delhi he should pay from his own pocket for his living too. The question is whether a motor car is or is not a necessity or well-nigh a necessity. Of course, so far as I am concerned, I have never felt a motor car a necessity at my original place, Ambala, I have felt it rather as some necessity at Lahore, but I think I have always felt a motor car an absolute necessity at Delhi I have always felt great difficulty without having a conveyance at my disposal at Delhi. I know that many of my friends had to walk actually from this place for some distance before getting a *tonga* and whenever you phone from the hostel to a *tonga* stand they sometimes say "No *tonga* is available"; another time they say, "*Tonga* coming" and you have to wait half an hour and

again you phone up and they say, " We have just sent a *tonga* and it may come in ten minutes." I think some may feel inclined to dispense with coming to the meeting altogether if they cannot get a *tonga* just in time. Suppose a man who is living in the Raisina Hostel is delayed half an hour after 11 o'clock it is practically impossible for him to get any conveyance from that place to this place. It is not only that we have to come here 4 or 5 days a week but we have got many other things also to do. We are not supposed to come here—only to come here in this Chamber, attend the Assembly and go back. Of course, as social men we have to move in the social life of Delhi. Not only that. I think there are many matters which we cannot always discuss on the floor of this House but in connection with which we should try to see Members of the Government or other officials in charge and bring to their notice the defects in the working of the several departments. There is therefore much more need for moving about in Delhi on our part than appears to be on the face of it. I therefore think that it is an absolute necessity that those who can at all afford to keep a motor car must bring their cars. If I can legislate I would say that every Member who has got a motor car must bring it up to Delhi not only that he may use it himself but also that he may give a lift to a poor man like myself now and then. I am really astonished at the remarks about the more liberal allowances given to Members of the Legislative Assembly. I shall feel obliged to any gentleman of the Assembly who can show how the Members of this Assembly or of the Council of State are given a more liberal allowance than their predecessors. I think that statement is based upon some misconception. No doubt, some people in the past have criticised our Resolution of 1921. But are we always to follow what the Press say whether it is reasonable or unreasonable? One word more. My friend Mr. Subrahmanayam grudges the little haulage allowance that is given to the Members but he forgets that Members of the Legislature in India are the lowest paid throughout the world, even as compared with the smallest colonies and the smallest countries, if not the lowest, well nigh the lowest as compared with all the countries. I remember to have compared the figures last year and if my memory does not fail me there is not a single instance where such allowances are less. I cannot understand why the country and the tax-payer should grudge a gentleman bringing his motor car to Delhi when he is using that car in his own place. It is said that it is simply giving an extra advantage to the rich man who can keep a motor car, but I submit that the rules allow a Member to bring a pair of horses also to Delhi if he wants to do so. I think a good many of us have got our horses. They can bring them here if they choose to, but I may remind my Honourable friends that the distances in Delhi are so great that even a pair of horses if used regularly are bound to grow much thinner though I would not say die. I have seldom seen any good horse in Delhi which is put to any great use. With these remarks I oppose the amendment.

1 P.M. (Voices: " The question may be put.")

**Mr. President:** The question is that the question may be put.

The motion was adopted.

**Mr. President:** The question is:

" That the provision for haulage of motor car and conveyance allowance under sub-head ' Legislative Assembly ' be reduced by Rs. 50,000."

The Assembly divided:

AYES—34.

Abdul Rahman, Munshi.  
Abul Kasem, Maulvi.  
Achariyar, Rao Bahadur P. T. Srinivasa.  
Agarwala, Lala Girdharilal.  
Allen, Mr. B. C.  
Amjad Ali, Maulvi.  
Asjad-ul-lah, Maulvi Miyan.  
Ayyar, Mr. T. V. Seshagiri.  
Basu, Mr. J. N.  
Chaudhuri, Mr. J.  
Clark, Mr. G. S.  
Faridoonji, Mr. R.  
Iswar Saran, Munshi.  
Jamall, Mr. A. O.  
Jatkar, Mr. B. H. R.  
Joshi, Mr. N. M.  
Lakshmi Narayan Lal, Mr.

Mitter, Mr. K. N.  
Mukherjee, Mr. T. P.  
Nabi Hadi, Mr. S. M.  
Nag, Mr. G. C.  
Neogy, Mr. K. C.  
Percival, Mr. P. E.  
Pyari Lal, Mr.  
Ramayya Pantulu, Mr. J.  
Rangachariar, Mr. T.  
Rhodes, Sir Campbell.  
Sarvadhikary, Sir Deva Prasad.  
Sassoon, Capt. E. V.  
Schamnad, Mr. Mahmood.  
Sinha, Beohar Raghubir.  
Subrahmanayam, Mr. C. S.  
Venkatapattiraju, Mr. B.  
Willson, Mr. W. S. J.

NOES—45.

Abdul Quadir, Maulvi.  
Al-dul Rahim Khan, Mr.  
Ashan Khan, Mr. M.  
Aiyer, Sir P. S. Sivaswamy.  
Ayyangar, Mr. M. G. M.  
Bagde, Mr. K. G.  
Barodawalla, Mr. S. K.  
Barua, Mr. D. C.  
Bishambhar Nath, Mr.  
Bradley-Birt, Mr. F. B.  
Bridge, Mr. G.  
Burdon, Mr. E.  
Cabell, Mr. W. H. L.  
Cotelingam, Mr. J. P.  
Dalal, Sardar B. A.  
Das, Babu B. S.  
Gajjan Singh, Sardar Bahadur.  
Gidney, Lieut.-Col. H. A. J.  
Ginwala, Mr. P. P.  
Gour, Dr. H. S.  
Gulab Singh, Sardar.  
Haigh, Mr. P. B.  
Holme, Mr. H. E.

Hussanally, Mr. W. M.  
Ikramullah Khan, Raja Mohd.  
Jejeebhoy, Sir Jamsetjee.  
Kamat, Mr. B. S.  
Lindsay, Mr. Darcy.  
Man Singh, Bhai.  
Misra, Mr. B. N.  
Moir, Mr. T. E.  
Muhammad Hussain, Mr. T.  
Muhammad Ismail, Mr. S.  
Mukherjee, Mr. J. N.  
Ramji, Mr. Manmohandas.  
Reddi, Mr. M. K.  
Samarth, Mr. N. M.  
Sams, Mr. H. A.  
Sarfaraz Hussain Khan, Mr.  
Shahab-ud-Din, Chaudhri.  
Sinha, Babu L. P.  
Spence, Mr. R. A.  
Townsend, Mr. C. A. H.  
Vishindas, Mr. H.  
Webb, Sir Montagu.

The motion was negatived.

**Mr. P. P. Ginwala:** I move:

"That the demand under the sub-head 'Legislative Assembly' be reduced by Rs. 100."

Sir, in moving this reduction I wish to draw attention to two or three outstanding facts. First of all, I will draw the attention of the Assembly itself to the fact that in these last  $3\frac{1}{2}$  days we have gone through five demands, and that in the remaining  $2\frac{1}{2}$  days we have 60 odd demands to deal with. If we go on at this rate I fear that at 5 o'clock on the last day the President will find that the whole burden of the Assembly will be thrown on himself of moving one demand after another until all the demands are finished. Now, Sir, the Assembly this morning showed rather a close-fisted patriotism in regard to money; but I think that if it had got close-fisted with regard to the use of our time when these demands are being discussed, there would be more national economy in the end. I know that this is the most unsuitable day for me of all the days in the

year, for making remarks of this description because on this day the General Administration demand comes on and I have to make three or four speeches. But I have limited myself to my ordinary proportion for there are 710 amendments on the notice paper and if we divide that by 143 you get 5 and I have given notice exactly of 5 amendments. I may draw the attention of Honourable Members to the fact that there are important questions coming up even to-day on the General Administration demand, and if we do not perform our duty of speaking so strenuously we might be able to further the ends we have in view much better.

The second thing to which I wish to draw the attention of the Assembly and of the public at large is the fact that though I am guilty of drawing a motor car allowance I have attended practically every meeting of the Assembly from the beginning and I propose to do so to the end. There are a number of Members of this House who have not put in even one appearance, not only this Session but for two Sessions. It is imperative for the public to know, especially on the eve of the elections, how they have been treated by their representatives whom they have sent up to this House. I leave the matter at that.

The third point is that I want to know from the Honourable the Law Member how the position stands in regard to the separation of establishments. This question was raised by me during the last budget discussion in which I raised the point that the President should have a separate establishment, a separate Secretariat, and my friend, Mr. Subrahmanayam, brought up a Resolution to that effect during the Simla Session. The temperature of the Assembly, however, got so high then that we thought it best to adjourn further debate until, as the Law Member stated, the Inchcape Committee had sent in its report. The Inchcape Committee has come and gone, the report has been published, and I believe the Honourable the Law Member then gave us an undertaking that if this principle was accepted and if it did not involve any extra expenditure, he would be in favour of giving effect to it. And if I recollect rightly, Sir, you also admitted that the principle was a good one and that when the time came it should be given effect to. I would like to know from the Honourable the Law Member now, since the Inchcape Committee have already recommended a reduction of one lakh and some odd thousand rupees in the Legislative Department, whether he is in a position to carry out this principle, which in substance was accepted by the Assembly on more than one occasion. I move my amendment.

**The Honourable Dr. Mian Sir Muhammad Shafi:** Sir, my Honourable friend, Mr. Ginwala, has referred to three points during the course of his speech. In so far as the first two points are concerned, I do not think that either he or the House expect any observations from me upon those points. With regard to the third point mentioned by him he has called upon me to make a statement as to the position at this moment with regard to a separate establishment for this House. Well, Sir, if I may venture to correct him in regard to one statement which he made, I would point out that in the debate which took place on Mr. Subrahmanayam's Resolution in connection with this matter, my predecessor the Honourable Dr. Tej Bahadur Sapru did not give the undertaking that my learned friend mentioned in his speech. What he did say was that as a matter of principle he was in sympathy with the theoretical proposition enunciated in that Resolution; but when coming to the practical aspect of the question, he pointed out that the proposal would undoubtedly involve additional expenditure and mentioned that in view of the fact that the Inchcape

[Dr. Mian Sir Muhammad Shafi.]

Committee was going to inquire into the expenditure of the Government of India in all their Departments, it would be wiser on the part of the House to postpone a discussion of this matter until after the Inchcape Committee had reported. It was in view of the advice, if I may so characterize it, given by my predecessor that the House adjourned the discussion on this matter. Honourable Members will remember that in his speech on that occasion Dr. Tej Bahadur Sapru pointed out that the work in his Department was so voluminous that the staff at present employed in the Secretariat of the Legislative Department was just sufficient to cope with that work and that the proposal put forward by my Honourable friend, Mr. Subrahmanayam, that the existing staff in that Department could be apportioned between the establishment which he was advocating and the Department itself was not at all feasible. Now, my short experience of a little over two months compels me to endorse that particular statement made by Sir Tej Bahadur Sapru in this House to its fullest extent. It therefore follows that a separate establishment will mean additional expense. Now Honourable Members will have noticed that the Inchcape Committee in their Report have said nothing one way or the other about a separate establishment for the Legislative Assembly.

**Sir Deva Prasad Sarvadhikary:** But they proposed a cut in your Department.

**The Honourable Dr. Mian Sir Muhammad Shafi:** That is only one Additional Deputy Secretary and one of the three Solicitors. They realized, I have no doubt, that the work in the Legislative Department was so heavy that the staff of that Department was really barely enough to cope with it, and therefore their recommendations are as I have mentioned just now only those two recommendations. Well, Sir, I understand that the matter was discussed before the Inchcape Committee, but they left it alone. The only inference that I can draw from that fact is that, without incurring additional expenditure, the Inchcape Committee realized that such an undertaking could not be made by the Government of India. That is exactly the position at present. I myself have not had time to look into this matter, to examine what the exact position will be if the proposal for a separate establishment is actually carried out. I am sure Honourable Members realize that soon after I assumed charge of the Law Membership, came the Legislative Council Session, and that the Department has been so busy in connection with various matters concerning the Legislative session that, so far as I am concerned, I had no time to examine this matter. Sir, in the few observations which you were pleased to make when this matter was last discussed this is what you observed, if I may venture to quote from what you said on that occasion:

"I should have been glad to have on the records of the Assembly the explicit judgment of the House in favour of a separate establishment; but the reasons given by the Honourable the Law Member for the postponement of the consideration of that proposal seems to me to be cogent, and, therefore, I think the course which Mr. Rangachariar proposes is reasonable and proper. The only thing that makes me regret that we should have to adopt that course is that the next time we take up this subject we may have to deal with a different Law Member."

Well, Sir, I venture to take the liberty of assuring you that although it is a different Law Member with whom you have to deal in connection with this matter, he fully realizes the difficulties of the existing situation, and, in theory, he agrees with his predecessor that the change of form which Honourable Members opposite seek to introduce is one which is

logical. I am sure the House will realize that I have not had an opportunity of examining this matter; I am not in a position just at this moment to give any undertaking on behalf of the Government of India, but I assure the House that as soon as the legislative session is over, I shall myself carefully examine the whole question, and whatever conclusions I may be able to arrive at will be carried out hereafter.

**Mr. T. V. Seshagiri Ayyar** (Madras: Nominated Non-Official): Sir, I rise to say two words upon this matter. The one relates to the actual subject-matter, the other relates to the appeal made by my friend, Mr. Ginwala. Sir, as regards the actual question before the House, I am unable to understand why there should be any difficulty in dividing the Department into two Branches and placing one under your control. Sir, I take it that the work is being done by the Department, both as regards the Executive Branch of it and as regards the Legislative Branch of it. If the work is being done by a number of people pooled together, looking into the work from these two standpoints, it should be an easy thing to divide the work among a certain number of clerks and the Superintendents, and to place one set of clerks and certain Superintendents under the control of the President, so that there may be no mixing up of the two classes of work, and I think that that ought to have been done long ago; I am rather surprised to hear from the Honourable the Law Member that he has not been able to give time to the consideration of a subject which was moved a year ago and upon which I think the House expressed fully and clearly its sentiments. So, Sir, I hope that before long he will take into careful consideration the desirability of dividing the two Departments. Sir, upon the other matter I hope my friends in this part of the House will pardon my saying a few words. We have got very important things coming up. I do not object to Members placing their views before the House, and putting them to the vote, but if we would put some restraint upon our speeches, I think we will be able to make a great deal more progress than we have been able to do hitherto. It is absolutely necessary that some of the very important matters which are coming on hereafter should also be placed before the House. If we go on at the rate at which we have been going on this morning and since yesterday, the result will be that a large number of important subjects will have to be given up, and they will be put *en bloc* by the President, and there will be no discussion whatever; we have got only six days—I think we ought to have longer time,—and I hope the Honourable the Leader of the House will hereafter consider the desirability of giving us more days. There are some Members on this side of the House who say that they ought to have longer time, and I agree with them. It has been decided that we shall have time only up to Saturday, and the question before us is,—are we going to have the same kind of consideration given to very unimportant matter as we have been doing hitherto, and leaving altogether to chance, when the time comes for the closure being applied, of important matters being put *en bloc* to vote? Are we prepared to contemplate a contingency of that kind? I appeal to my friends to put some restraint upon themselves in speaking upon the various matters that may come up.

**The Honourable Dr. Mian Sir Muhammad Shafi:** Sir, I should like, with your permission, to make one observation. My respected friend, the Honourable Mr. Seshagiri Ayyar, expressed his surprise that I had not had time to look into this matter. May I remind him that I was not a Member of this House when the discussion on Mr. Subrahmanayam's Resolution took place. I was not even present.

**Mr. T. V. Seshagiri Ayyar:** I spoke of the Law Member, not of Sir Tej Bahadur Sapru or Sir Muhammad Shafi.

**The Honourable Dr. Mian Sir Muhammad Shafi:** And it was not until notice of this motion, which is now before the House, was received in the Department that I had an opportunity of looking into the literature connected with this matter. Before that, having assumed charge of the office only recently, I naturally did not know anything.

**Mr. President:** On that point, an attack should not be made on the Law Member but on me. I gave two undertakings to the Assembly,—the first, this time last year and the second, in September. Nothing has been done in this matter because, on a preliminary examination, it became clear to myself and to Sir Tej Bahadur Sapru, the then Law Member, that if any action were taken, it would inevitably create an additional charge on the revenues of the country and neither he nor I were prepared to make any proposals of that kind at that time. I will now add a further undertaking to what has been said by the Honourable the Law Member, that before the Assembly meets again for its final session in Simla in July, we shall examine the question in greater detail than we have hitherto done, and I hope we shall be in a position to place specific proposals before the Legislative Assembly, and possibly, I may inform Members, they may include the placing of similar proposals, linked proposals, before the other Chamber, so that when the time comes, if there is an improvement of our finances, and money is available for the purpose, these proposals may be put into operation at once. I think the Honourable the Law Member, like myself, has accepted the principle that it is desirable that the Indian Legislature should have a separate establishment of its own.

**Mr. P. P. Ginwala:** Sir, I beg leave to withdraw my motion (No. 246).

**Mr. B. S. Kamat** (Bombay Central Division: Non-Muhammadan Rural): Sir, while we are discussing the question of a separate establishment, incidentally, I wish to invite attention of the Members to a want which I, at any rate, have been feeling, namely, the want of newspapers in the reading room of the Honourable Members of this House. I believe, Sir, that legislators while they are in session should be in daily touch with the press and the public opinion of the whole country; it is a necessity that there should be on the table of the reading room newspapers from all parts of the country if we are to formulate our opinion here after taking into consideration the views of various people. To illustrate my point, I may mention I noticed, for instance, in a Bombay paper—I mean the "*Times of India*"—various valuable articles recently on the Budget, regarding the salt duty and on Waziristan or Kenya. If these newspapers are on the reading room table, I do think Members will read such articles and then come to a mature judgment about these questions. I think also that there is a way to meet this convenience without any additional burden on the tax-payer. We have effected this morning a saving of Rs. 10,000 from the daily allowance of Members regarding the 7 days prior to and subsequent to the departure of Members. If we devote a portion of that Rs. 10,000 to the purchase of newspapers while Members are in Sessions here, I believe it will meet a great convenience and also help the deliberations of this Assembly.

**Sir Deva Prasad Sarvadhikary:** Sir, from the point of view that you have been pleased to suggest and which the Honourable the Law Member

has also suggested with regard to the proposed division of establishment, I wish to bring to your attention for consideration the need of seeing that the establishment should not only be self-contained but should have full work during 12 months. This is necessary not only from the financial point of view but also from office management point of view which cannot be overlooked in this connection.

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

**The Honourable Dr. Mian Sir Muhammad Shafi:** Sir, may I be permitted to say that we will take note of the request made by Mr. Kamat and see what can be done in that connection.

*Council of State—Travelling Allowance.*

**Rao Bahadur T. Rangachariar:** I much regret, Sir, that I have to make this motion in this House, but under the constitution as it is, the other House has no vote on the Demands, and, therefore, it is for this House to express its opinion. I move, Sir:

“That the provision for Travelling Allowance under the sub-head ‘Council of State’ (page 38) be reduced by Rs. 30,000.”

Rs. 30,000 is a mere rough guess, but whatever the figure may be, the principle which I wish to emphasise is this, and I hope the Honourable the Finance Member will take note of it for other people. Here in an extravagant scale people are allowed one whole compartment to travel all about the country. I do not know if it is the practice in any other country. Four first class ticket charges are allowed not only to Members of the Council of State but to other officers who are called first class officers. I do not know what they are. But I have seen them occupying a whole compartment to the prejudice of the public and to the prejudice of the tax-payer. I hope my Honourable friends in the other House will not take offence at this motion which I am making, but I do think it is not necessary to provide a whole compartment for Members to travel about. They must mix with people. You come across friends while travelling, and make friendship sometimes everlasting friendship and sometimes otherwise. But, be that as it may, I think the travelling allowance may be cut down conveniently, and I hope, Sir, that it will be accepted by the House.

**The Honourable Dr. Mian Sir Muhammad Shafi:** Sir, in connection with the motion made by my Honourable friend Mr. Rangachariar, I venture to appeal to the sense of delicacy of Honourable Members opposite. I venture to suggest to them that it is, to say the least inadvisable for this House on its own motion to cut down the privilege at present enjoyed by the members of the other House. (*Rao Bahadur T. Rangachariar:* “Nothing wrong in it. We attack no less a person than His Excellency the Viceroy.”) I do not know whether such a proposal as this is calculated to promote that spirit of good-will and co-operation which ought to exist between the two Houses. What the Government propose to do in this connection is that they will place before the other House a motion for revision of the rules in this connection and if the other House agrees, Government will carry out the decision accordingly. But in any case Government propose to take away this privilege from the official Members. I think the House would be well advised to leave this matter at that.

**Rao Bahadur T. Rangachariar:** On that assurance, Sir, I withdraw my motion.

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

**Dr. H. S. Gour:** Sir, by a curious coincidence I had also given notice of a similar Resolution\*, and I should like to justify the notice I gave with reference to a few facts not adverted to by the Honourable Mover of the last motion. Honourable Members will recall that a motion was brought forward before this House in the first year of its life for equality of status and treatment between the Members of the two Houses, and Honourable Members will also recall, that the Resolution was passed by the vote of this House. Now, equality of treatment and status requires that in the matter of travelling allowance, there must be equality. (*Mr. R. A. Spence:* "Also in voting on the Budget.") Consequently . . . .

**Mr. President:** Does the Honourable Member raise the same question?

**Dr. H. S. Gour:** It is for reduction by Rs. 20,000.

**Mr. President:** It is the same question which Mr. Rangachariar withdrew on the assurance of the Honourable the Law Member. I think in view of that fact and in view of the fact that we have reached that stage at which we should economise time, I think it better that the Honourable Member should let the matter stand where it is.

(*Cries of "Withdraw, withdraw."*)

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

**Rao Bahadur T. Rangachariar:** Sir, this is only the matter which we passed for ourselves as regards one week's stay before and one week's stay after. On the same assurance, I am prepared to withdraw this motion (No. 249)†.

**The Honourable Dr. Mian Sir Muhammad Shafi:** I am prepared to give the same assurance.

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

*Council of State—Conveyance Allowance.*

**Rao Bahadur C. S. Subrahmanayam:** Sir, I move:

"That the provision for Haulage of motor car and Conveyance Allowance under the sub-head 'Council of State' (page 38) be reduced by Rs. 25,000."

**Mr. President:** Before the Honourable Member embarks on arguments, I must warn him and the rest of the Assembly that though they are entitled to a decision on the question, I fail to see the difference between a motor car owned by a Member of the Council of State and a motor car owned by a Member of the Legislative Assembly. Therefore, I think the House must come to a decision on the point without further argument.

**Rao Bahadur C. S. Subrahmanayam:** Am I to understand, Sir, that I should not make a few remarks?

\* "That the provision of Rs. 80,000 for Travelling Allowance of official and non-official Members under sub-head 'Council of State' be reduced by Rs. 20,000."

† "That the provision for Daily Allowance under the sub-head 'Council of State' (page 38) be reduced by Rs. 30,000."

**Mr. President:** The Honourable Member may be more ingenious than I am. The difference is not between a Member of the Council of State and a Member of the Legislative Assembly, but between the cars that they own.

**Rao Bahadur C. S. Subrahmanayam:** Am I to understand that I cannot speak?

**Mr. President:** I will wait and see what the Honourable Member proposes to say.

(Cries of: "Withdraw, withdraw".)

**Rao Bahadur C. S. Subrahmanayam:** Whatever may be the cries of "withdraw", which cannot terrify me, just as the vote of the Assembly on the Haulage allowance of Members of the Assembly has not terrified me, they have simply shown that Members cannot think aright when their own interests are concerned and that they can think very severely and very stringently when the rights of officials are concerned. I find that if it is an allowance for an official, say a motor car allowance for an official of the Council of State, it is said that he ought not to get it. But I cannot understand how it makes any difference. What is the special merit of the work or the quality of the work which a non-official Member does as distinguished from the quality of work which an official Member in this Assembly does. After all what are the arguments which were put against it? They said we want a car to go about and visit the ruins of Delhi. The only business on which we are here is to attend the Legislative Assembly.

**Mr. President:** The Honourable Member is repeating the speeches that were made before.

**Rao Bahadur C. S. Subrahmanayam:** It was said they wanted a car for going about Delhi, never mentioning the object for which the car was needed, namely, to come to the Assembly and go back to our quarters. To that extent any allowance which is given is relevant.

**Dr. H. S. Gour:** I rise to a point of order after the ruling from the Chair . . . .

**Rao Bahadur C. S. Subrahmanayam:** By interrupting me you are not going to effect an economy of time . . . .

**Mr. President:** Order, order. Dr. Gour.

**Dr. H. S. Gour:** Sir, I rise to a point of order. So far as I can see, in spite of the ruling of the Chair, my friend in his motion is repeating himself. He takes the risk of other Members striving to reply to him in case he is allowed to go on.

**Mr. President:** The Honourable Member need not usurp the functions of the Chair.

**Rao Bahadur C. S. Subrahmanayam:** I thought just as much; the Chair was quite competent to take care of itself. I feel considerably strengthened in the view I have taken that this motor car allowance is an illogical and unreasonable one by the number of votes I was able to secure in support of my motion.

**Mr. President:** The Honourable Member knows that he is out of order. Does he wish to proceed? He can move the motion and ask for a decision on it, but it is impossible for him to make a speech without repeating previous arguments.

**Rao Bahadur C. S. Subrahmanayam:** The rules are unreasonable. Some people living in Metcalfe House alongside the Council of State are allowed this privilege. Why should it be allowed?

**Mr. President:** I cannot allow the Honourable Member to continue. If I allow him to continue, I must allow others to do the same. I will put the question and take the decision on it.

The question is :

“ That the provision for Haulage of motor car and Conveyance Allowance under the sub-head ‘ Council of State ’ be reduced by Rs. 25,000.”

The motion was negatived.

**Mr. President:** Mr. Sarfaraz Hussain Khan. The Honourable Member's amendment :

“ That the provision for Travelling Allowances of official and non-official Members under sub-head ‘ Legislative Bodies ’ be reduced by Rs. 25,000.”

is the same question as the previous one. The Honourable Member will remember that Mr. Rangachariar moved a reduction of a similar kind and that the Leader of the House met him on that point saying that the question would be considered, whereupon it was withdrawn. Does not that satisfy the Honourable Member?

**Khan Bahadur Sarfaraz Hussain Khan** (Tirhut Division: Muhamadan): What I mean is that in 1922-23 the grant was Rs. 95,960 and this year, 1923-24, it is Rs. 1,20,000. If I am satisfied in regard to the figures I shall withdraw my motion.

**Mr. President:** More Members of the Assembly are expected to travel.

**Khan Bahadur Sarfaraz Hussain Khan:** Why?

**Mr. President:** More Members are expected to attend the sittings of the Assembly!

**The Honourable Sir Basil Blckett** (Finance Member): Sir, the estimate is based on the latest available details of actual results this year. I have not got them before me, but the figure is based on the experience of the last year. We thought it necessary to make a slight increase in the light of that experience.

(Honourable Members: “ Withdraw ”.)

**Mr. President:** That takes us down to the end of the Legislative Bodies. I think we had better adjourn.

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

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

*Foreign and Political Department—Pay of Officers.*

**Dr. Nand Lal:** My motion runs as follows:

“That the provisions for pay of officers under the sub-head ‘Foreign and Political Department’ be reduced by Rs. 1,000.”

I recognise that the Government of India really means to give training to Indians in various important Departments, but, while conceding that, I feel constrained to submit before this House that they have not very seriously taken any effective step to initiate Indians into the Foreign Department, because my examination of the whole question leads me to believe that the Indian element in this Department is comparatively small, and I would like to suggest that the Government of India will kindly see their way so that Indian grievances in regard to this question particularly may be attended to at the earliest possible date. Sir, I admit that the officers, who are working in the Foreign and Political Department are those who have got great experience and they are such as are really capable of holding that responsible post or those responsible posts in that Department. But, when I go to the budget and I compare it with the expenditure of that Department in 1913-14 and then to subsequent years, then I feel shocked to observe that there is a tremendous and uncalled for increase in it, namely, in the expenditure. And, with a view to support my arguments, Sir, may I invite your kind attention to the opinion which is embodied in the Report of the Indian Retrenchment Committee? One of the Honourable Members wanted to know the page—the page is 129. Sir, in 1913-14, the actual expenditure was Rs. 7,16,900. In 1921-22 it rose, so far as the revised estimate goes, to Rs. 10,40,500. And, again, we find an uncalled for rise when we come to the year 1922-23. What do we find there, Sir? The budget estimate says Rs. 10,12,900. When we come to the year 1923-24, there, of course, we find that the demand is a little less than that which was asked for last year, that is the demand for next year amounts to Rs. 10,36,200. Now, Sir, I submit before this House that they will kindly compare these figures; compare the figure which is demanded for next year with that of 1913-14 and then you will agree with me that this expenditure is too much. It looks too much when we take into consideration the present financial embarrassment of our Indian Government. Then, Sir, after this, may I invite your attention to the demand, page 39? What do we find there? Secretaries—2—Rs. 4,000 a month. May I ask, why 2 Secretaries? Why not one Secretary? I should like to hear the explanation which may come forth. My submission is that one Secretary will be sufficient to cope with the work. What is the opinion of the Retrenchment Committee and what does their Report say? I am not simply making an unsupported assertion before you. I am the last person to put forward an assertion which has not got tangible support. Now let us examine the recommendation of the Retrenchment Committee. They say, on page 129:

“This Department has proposed savings of about Rs. 47,000 for 1923-24. The clerical establishment has increased from 102 before the war to 123 at the present time . . . .”

The Report has, if I mistake not and as it appears to me, proved itself a little hard on the poor clerks only. The Report did not think that there

[Dr. Nand Lal.]

are two Secretaries and if one Secretary may be asked to leave this Department and to go to another Department, and that it would effect a saving of Rs. 48,000 a year more. The learned Members of the Committee did not give consideration to that. But the number of clerks specially occupied their mind. I do not know the reason. It is best known to them. Then they say :

" We have ascertained that the ratio of clerks to receipts and issues is high and we consider that establishment should be reduced to pre-war numbers, saving a further Rs. 50,000. The expenditure in the current year's budget for contingencies, Rs. 1,64,000, includes Rs. 1,00,000 for postage and telegrams . . . . "

and so on. I am skipping over one or two lines to save the time of the House and I come to the conclusion, by which I mean the recommendation in its final shape. They say :

" The total reduction which we recommend together with the saving proposed by the department is therefore Rs. 1,47,000 . . . . "

Has that recommendation been attended to? Has it been brought into practice? Perhaps the Government Benches may say : " We have already issued a statement showing the reduction in various Departments." In order to meet that anticipated answer may I invite your attention to it? There it is given " General Administration—Rs. 7,58,000 ". They have not specified any thing in connection with this Department at all, they have not given any note purporting to show that the reduction which has been recommended by the Committee has been brought into practice, or that they are going to do it in this very Department (Political and Foreign) had they made any note relating to that reduction, I would have been the last person to take even one minute of this Assembly. But since they have not done so, my fear is that perhaps the Department may go scot free which I should not like to see. With these few remarks, in the interest of economy of time I come to the conclusion which is this, that this House will give serious attention to the question which I have raised. So far as the details concerning the Indian element go, Munshi Iswar Saran, I think, will relieve me of that duty. With these remarks I submit my motion\* before the House and I hope they will appreciate it.

**Mr. Denys Bray** (Foreign Secretary): Sir, I had expected my Honourable friend, Dr. Nand Lal, to confine his attack to the Foreign and Political Department, but he has devoted the bulk of his attack to the Inchcape Committee. The Inchcape Committee had very little to say against the Foreign and Political Department, and therefore it has borne the brunt of Dr. Nand Lal's attack. He asked whether we have effected the saving of Rs. 95,000 which is shown in the supplementary statement. We have. The reason why we have not been able so far to effect the full saving recommended by the Inchcape Committee is that we cannot all of a sudden reduce those extra clerks for whom, I am glad to say, Dr. Nand Lal put in a word of sympathy. And I would here ask the House and those commercial Members in the House that may have vacancies in their firms to consider the claims of clerks not only in my Department but in other Departments who are shortly to be thrown forth upon the world. I myself can offer firms clerks tried and trained in the not least efficient—if my friend Munshi Iswar Saran for once will allow me to use the word—tried and trained in the not least efficient Department of the not least efficient bureaucracy in the world. Dr. Nand Lal asked why this Department has two

\* " That the provision for pay of officers under sub-head ' Foreign and Political Department ' (page 39) be reduced by Rs. 1,000."

Secretaries. I feel more inclined myself to ask why there is one Department and not two in charge of these very separate affairs, foreign and political. The relation between the two is of the flimsiest. I would remind Dr. Nand Lal that the combined Foreign and Political Department has not, as other Departments have, a Member in this House or the other. Our Member is His Excellency the Viceroy to whom we cannot turn, as other Secretaries can to their Members, at all hours of the day for advice and instructions and directions.

The only other point, I think, that Dr. Nand Lal brought forward was the question of the Indianization of the Secretariat. Now, among the officers in the Secretariat there is, as a matter of fact, one Indian officer. But he is an officer of comparatively low rank, and therefore, for all practical purposes I admit that the Secretariat of the Foreign and Political Department is not Indianized. But I would ask the House to consider our difficulties. I think the House will admit that in this somewhat technical Department we cannot draw assistance from Indians in the Provincial Secretariats. The work there does not lead on to the work in the Foreign and Political Department. We are therefore thrown back upon what we call the Political Department, that is to say, the Executive officers belonging to the Foreign and Political Department. Now, Sir, up till September, 1921, the doors of the Political Department were to all intents and purposes shut to Indians. True we had had one or two distinguished exceptions, notably that very distinguished frontier officer, Sir Abdul Quayyum, who ended his days as a member of the Political Department. But that was a very rare exception. Now, in September, 1921, we opened our doors wide. We opened our doors to Indians on exactly the same terms as to Europeans. The Department was opened to Indians in the Indian Civil Service and to Indians in the Indian Army holding King's Commissions. We went a step further. We provided for Indians what we have not provided for Europeans—I had almost said a back door, but I do not like the term—a side door, a "private entree" to Indians of the Provincial service who had shown special merit. Let me take the applications we have received from Indians of the Indian Army. Since 1921 there have been two—two men with splendid records, one with a most gallant war record. But the one is in his 40th year, the other in his 43rd or 44th year; and I am a little doubtful myself whether men who have reached that age without training in a civil department are altogether suitable for admission to the Political Department. Let me now turn to the chief avenue that leads to the Indian Political Department and to the Foreign and Political Department Secretariat—the Indian Civil Service. How many applications does the House think that we have received from Indians in the Indian Civil Service for admission to the Political Department since 1921? Not one.

**Mr. K. Ahmed:** Did you advertise that you wanted Indians?

**Mr. Denys Bray:** The announcement was made, I think, in this House. I certainly have referred to it more than once myself. It was issued in the public press and it was sent forth to all Local Governments. If this House can help the Political Department and help Government in bringing forward suitable applicants from the Indian Civil Service for the Political Department, we shall be most grateful. Well, Sir, as the Army has practically failed us, as the Indian Civil Service has failed us hitherto entirely, we have been thrown back upon the Provincial Civil Services. Far be it from me to suggest that we have not secured admirable men from those admirable Services, we have admitted five already. But Provincial Service training is not training for the Secretariat, and even for the

[Mr. Denys Bray.]

executive line. Men of the proper stamp in the Provincial Services are necessarily not as plenty as blackberries. Before long the supply of really suitable men must become exhausted. Moreover, it is of paramount importance in my view that we should not continue indefinitely to confine ourselves to members of the Provincial Civil Services. For there is a great danger that Indians in the Indian Civil Service may come to look upon the Political Department as a service suitable enough for Provincial Civil Services but not quite suitable for themselves. It is therefore that I repeat again that any assistance that this House can give us in inducing Indians in the Indian Civil Service to come forward will be greatly valued. I admit that service in the Political Department is not always and everywhere attractive. We have many stations which are the reverse of attractive. I listened with some amusement yesterday to the discussion of various temperate and salubrious stations in India. I thought of Quetta—a station that I personally value very highly—I thought of Quetta where even at this time of the year I have known icicles hang by the wall, as long as myself. I thought of the barren trade route that leads from Nushki to Seistan. Not all the eloquence of Mr. Chatterjee's picture of the horrors of Khewra can come up to that. (*A Voice*: "That was a fancy picture.") The picture I draw of the Chaghai desert is not a fancy picture at all. I thought of Mekran, that howling desolation of abomination. I thought of those stations on the Persian Gulf which some of my Bombay friends probably know. (*Dr. Nand Lal*: "Is that the only reason why Indians should not be initiated?") I hesitate to follow up my Honourable friend's interruption, because I feel very strongly the force of the appeal made by my Honourable friend, Mr. Seshagiri Ayyar, for despatch of business.

**Munshi Iswar Saran**: An esteemed friend of mine who happens to be a Member of this Honourable House told me this morning that

3 P.M. the discussion of this question is tiring. I have only to add another adjective and then I shall whole-heartedly agree with him, that it is tiring as well as distressing. My Honourable friend, Mr. Bray, has relieved me of the necessity of quoting any figures on the present occasion, for he says, and I hope I am doing him no injustice, in an apologetic tone that up to September, 1921, the door was shut against Indians and since then the door has been opened wide. Those of us who know how careful the Honourable Mr. Bray is in the choice of his language and how his language is not only elegant but also accurate will feel rather surprised that he should call this opening to be a wide opening. Now, we are told that the reason why there are only 5 or 6 Indians in the Foreign and Political Department is that suitable Indian candidates from the Army and the Civil Service are not forthcoming. Sir, this statement is something about which it is very difficult for me to express any opinion as I have no personal knowledge on the subject. By his remarks Mr. Bray wanted to create the impression that the members of the Indian Civil Service or of the Army are not forthcoming—I mean the Indian members—because of those horrible places where they might be posted. But he has forgotten to mention that there are so many attractions in the Political and Foreign Department. What about the Residents of Kashmir and what about the Residents of other equally good places where you can combine pleasure with business to a most perfect degree? Are there not those attractions before them, and are the Indian members of the Indian Civil Service and the Indian officers of the Indian Army so dense, or so unimaginative as not to know the prizes that they can win if they enter this Department? Sir,

I do not wish to question for a moment the statement made by my Honourable friend, Mr. Bray, but I must confess that I do not feel convinced that the sole and only reason why since 1921 only 5 or 6 Indian officers have been taken into this Department is that many candidates have not been forthcoming.

**Mr. Denys Bray:** May I interrupt? If I gave my Honourable friend, Munshi Iswar Saran, the impression that there has been any lack of applications from the Provincial Civil Services I was in great error.

**Munshi Iswar Saran:** I must have been very unfortunate in the choice of my language if I created the impression that there was any dearth of applications from members of the Provincial Civil Services. Mr. Bray made it perfectly clear and I understood him thoroughly. What he complains of is that the Indian members of the Indian Civil Service and the Indian officers of the British Army have not been sending up applications for being taken into this Department. Sir, as I said before, I do not feel convinced by Mr. Bray's explanation that the sole reason why you find so few Indians in this Department is the reason assigned by him. Here is an argument brought forward which at its face value seems to be forceful, but I have some suspicion in my own mind that this is not the sole and only reason of the fact that there are only a few Indians in this service. When I talk of Indians I do mean Indians of all classes, be they Indians or be they Anglo-Indians, be they Hindus or be they Muhammadans—they are all entitled to have their share in the Foreign and Political Department. I hope that some explanation which will convince and satisfy the House will be forthcoming next year and I hope that it will be the good fortune of Mr. Bray to get up in this House and say that the number has increased a very great deal. There can be no doubt that there exists and I hope Government will make a note of it, a great feeling of dissatisfaction in this House as regards the shortness of the number of Indians in the Foreign and Political Department.

There is another reason why I gave notice of the motion standing in my name and it is that I wish to ask this House to consider the question whether the attitude taken and the remarks made by the representative of the Foreign and Political Department in the other Chamber does not necessitate a protest and a very strong protest from the Members of this Assembly. And I wish, Sir, with your permission to refer to that. It will be in the recollection of the House that the Princes Protection Bill was thrown out by us. The question whether that was a wise step or was an unwise step is one with which I am not concerned at this moment. We all know that under the certificate of His Excellency the Governor General this Bill was introduced in the other Chamber and while introducing this Bill and whilst speaking on this question the representative of the Foreign and Political Department permitted himself to make these observations about this House. I shall, Sir, read a few lines from that:

"Surely, Sir, a Bill that comes before either Chamber of the Legislature with credentials of this nature is one which deserves the most earnest and the most serious consideration. And what is the answer that the Legislative Assembly have given? I am willing to believe that when they gave that answer they did not realize all that it implied. But, taken at its face value what does that answer mean? They refused to allow this Bill within the precincts of their House; they have flung it back practically in the face of the Government of India; they have told the head of that Government that his ideas about the interpretation of contracts, his ideas on the subject of honour are less than dust in the balance."

I shall beg the House to carefully mark the following words.

**Mr. Denys Bray:** On a point of order, Sir. Is this really relevant?

**Mr. President:** This is a vote for the Foreign and Political Department and under the arrangement come to,—I would not call it a ruling,—between the Chair and the Honourable the Home Member the action of the Foreign and Political Department is under review. I was waiting to see whether the Honourable Member would remain in order. I admit that he is getting near the border.

**Munshi Iswar Saran:** I shall keep on the right side, Sir.

"But what is more than this is that their decision at its face value means that in their view, contracts and treaties have no meaning, that honour is a plea that they will not discuss and that they recognise none of the agreements which have been concluded by the Executive Government of this country. Surely, Sir, that brings us to the edge of an abyss, and it is only the feeling that the Assembly did not really realize what their action implied that makes it possible for us to take a more optimistic view of the situation than we might otherwise have been able to do."

Sir, not only non-official Members of the other House took exception to these remarks but I am very glad to say that on that occasion the then Home Member raised his voice of protest and this is what he said:

"Sir, I should like to say at the outset that I do not take the same view as the Honourable Mr. Thompson took of the action of the Legislative Assembly in respect to this Bill. I do not believe and I have every authority for what I am saying that they ever intended in any way to flout His Excellency. I do not think that the suggestion that the honour of the Government of India or the honour of the Viceroy has not weighed with them as dust in the balance is correct."

And then he says:

"I believe that the Assembly acted unwisely (a matter of opinion and I join issue with the then Home Member on this question) in rejecting the motion for introduction and I believe that that feeling is shared by many here. But I feel with Mr. Kale that it is neither fair to them to criticise them in the manner adopted, nor do I think it will do this House or the Government any good. I cannot believe that remarks made here in antagonism to the other House can produce good results. I agree that we have been forced by the action of the Assembly into a very unfortunate position."

**Mr. President:** I agree that it is difficult to say whether the Honourable the Home Member was talking of the Political Secretary in his capacity as Political Secretary or a Member of the Council of State. I think the Honourable Member must now come more particularly to the vote to be given to the Foreign and Political Department in the forthcoming year.

**Munshi Iswar Saran:** I will make one submission, Sir, in regard to this. Mr. Thompson occupies a seat in the Council of State not in his individual capacity. Mr. Thompson occupies a seat in the other House as the representative of the Foreign and Political Department. Any remarks that are made for instance by the Honourable the Home Member here are made by him not, as Sir Malcolm Hailey but as the Honourable the Home Member. So, I submit, with great respect, that Mr. Thompson, when he made these remarks, made them as the representative of the Foreign and Political Department and it is this view I take it that Sir William Vincent took of those remarks. Sir, there were other Members as I have already said who raised their voice of protest, but I need not refer to them owing to the exigencies of our business. What I beg to say here in most clear and most emphatic language is this, that if

is up to this House to enter the strongest protest against the remarks made by the Political Secretary on that occasion. There may be difference of opinion as regards the attitude adopted by this House towards the Princes Protection Bill, but I venture to hope and sincerely trust that there will be no difference of opinion between the various sections in this House that the dignity and the honour of this Assembly should be kept intact and that no official should take advantage of his position and attack us in the manner in which a responsible official of the Government of India has done in the other House. I submit, Sir, that it is up to us by our vote to show that we strongly resent these remarks and indignantly repudiate them and that the Political Secretary should not have attacked us behind our backs. If he wishes to attack us or for the matter of that any other official wishes to attack us, he should do so on the floor of this House.

**Chaudhri Shahab-ud-Din** (East Central Punjab: Muhammadan): Are we not doing the same here?

**Munshi Iswar Saran:** You are forgetting that the Foreign and Political Department is represented here by my Honourable friend Mr. Bray. You forget that the Indian Legislative Assembly is not represented by anybody there.

**Chaudhri Shahab-ud-Din:** For whom did Sir William Vincent speak?

**Mr. President:** My Honourable friend must be aware from these interruptions, that he is leading the debate into a dangerous course. I must ask him to desist now and come to the subject of the vote.

**Munshi Iswar Saran:** I shall say only one word in regard to the interruption of my Honourable friend, Chaudhri Shahab-ud-Din. He seems to be awfully simple; he imagines that some one in that House represents the Assembly. The Honourable the Home Member does not represent there the Legislative Assembly; that is a fact which he ought to understand.

Before I close my remarks, I say with all the earnestness that I can command, that it is up to this House by its vote to-day to show that it will stand no nonsense of this character and no accusation of this character from anybody, be he the Political Secretary or be he even a higher personage.

**The Honourable Sir Malcolm Hailey:** I really do not believe that the House wishes to be led by Mr. Iswar Saran into a discussion on the merits of the speech delivered by a Member of the Council of State. I do not think that it could really desire by a vote given here to canvass a matter which we all know closed last summer. The interruptions which occurred in the course of his speech showed very clearly to me that Munshi Iswar Saran had been led by the fervour of his advocacy into using expressions which were likely in the long run to do little good to the relations between this House and that. Now, let me take his proposition. He proposes this motion for reduction on the ground that Mr. Thompson represented only the Foreign and Political Department in the Council of State. But Mr. Thompson, however, he comes into the Council of State, is just as much a Member of that body as I am, however I come to this Assembly, a Member of this House. As a Member of that body he is entitled to the same rights of free debate as

[Sir Malcolm Hailey.]

any other Member of the Council of State. You cannot give him a dual personality and when what he says pleases you say that he is a Member of the Council, and when it displeases you, say that he is speaking only as a Government official, and is not entitled to the protection which ought to be extended by one House to views expressed in another. Let me go a little further. On that occasion the criticisms delivered by Mr. Thompson regarding the action taken by this House, into the merits of which I do not desire to enter here, were deprecated by Sir William Vincent. Did he do so as a Government officer or did he do so as a Member of this House? Of course he did so entirely as a Member of this House; he, more than anyone else, was affected by the manner in which the Bill was treated in this House, but he thought nevertheless that in the circumstances it was necessary to deprecate any attack on this House or suggestions as to its motives in refusing introduction of the Bill. But his protest was not (like that of Mr. Iswar Saran) against the Department, but against criticisms of the House by a Member of another.

Sir, we all value our position in this Assembly. We come here partly as Government Members to represent the Government view; but while retaining that position we have tried to identify ourselves with our colleagues in the Assembly, just as Government Members in the Council of State do try to identify themselves with the other Members of that body. I deprecate strongly the suggestion that we should, in speaking in either branch of the Legislature, be treated as though we need a position apart from other Members, and we ought, if we have to advert to action taken in another House, to be treated in the same way as non-official Members and not as officers of this or that Department. I agree, of course, that we ought also to follow the general conventions regarding criticism of one body by another. Now, Sir, I would only say I have heard Mr. Iswar Saran himself at times criticise the Council of State; I have heard from other Members of this House descriptions of the Council of State which I was a little sorry afterwards to see in print. Every time I have heard those criticisms, sometimes slighting, I have deprecated them. I hold that it is in the best interests of either body that it should not attack the other, either in the mass or as individuals. (Hear, hear.)

**Munshi Iswar Saran:** On a point of personal explanation, Sir, I wish to know if ever I have said that the other House did not pay due regard to questions of honour, etc., as did Mr. Thompson in the other House?

**The Honourable Sir Malcolm Hailey:** I do not know why he should ask that question from me. I did not put it to him that he had ever said so. I said I had heard him criticise.

**Munshi Iswar Saran:** Criticism is another matter.

**Mr. President:** The question is:

"That the provision for pay of officers under the sub-head 'Foreign and Political Department' be reduced by Rs. 1,000."

The motion was negatived.

**Rao Bahadur T. Rangachariar :** I move: "

"That the provision for Establishment under the sub-head 'Foreign and Political Department' be reduced by Rs. 100."

I framed this motion, Sir, as a protest against the way in which the Foreign and Political Department have behaved in three most important matters. First of all, Sir, in depriving this House of its privilege of voting supplies. In the second place, Sir, in attempting to place us in opposition to Princes of the Realm. In the third place, Sir, in their entire poverty of talent in finding Indians to fill the Foreign and Political Department. Sir, if Honourable Members will turn to page 281, they will find a footnote on an important fact, a political event of great importance, probably a historical event, concealed in a footnote; and this Assembly is taken into its confidence by way of a footnote. Honourable Members will remember that for the last two years we have been discussing the administration of the Bangalore Assigned Tracts, a small area which has been entrusted to His Majesty's Government by the Mysore Darbar. And year after year, in 1921 and 1922 this House examined the demands made and scrutinized the demands made on behalf of that small district. And now, Sir, Honourable Members will find that it "has been decided that the expenditure in the Bangalore Assigned Tracts should be treated as non-voted." What an easy job it is to deprive Honourable Members of their privilege, the small privilege which this House enjoys in the shape of discussing grants. I wonder who is responsible for this. Of course they claim no responsibility. This House need not be consulted in a matter of such great importance! It does not matter whether the people inhabiting that small district have any legitimate source through which they can ventilate their grievances! It does not matter whether, for instance, that small place maintains a costly police establishment! It does not matter how the revenues are extracted, how the income-tax is levied there, it does not matter how the hospitals are run there, whether private patients who resort to the hospitals are made to pay for the doctor's fees or not. Sir, these matters are now placed beyond the pale of criticism by this short foot note which you will find at page 281. Sir, I well remember, as a Member of the Standing Finance Committee, examining the proposals for revision of pay of the establishment in that small tract. We put some very inconvenient questions to the officers on the spot, as to why they maintained such a large number of police in such a small station which is no bigger than a suburb of Madras. We put inconvenient questions as to why clothing should be so largely availed of, more often than in other places, and these questions went in 1921 and 1922 to the Bangalore Administration. His mighty majesty the Resident of Bangalore became annoyed, and here comes the foot note to tell us that it has been put under the non-voted head. Is this Assembly going to allow such an important action to be unnoticed? Are we going to lend ourselves to these transactions? Are such steps to be taken without the consent of the people, without the people being informed, the people who are affected by such an action being even informed? Sir, I have a pile of grievances which I have been asked to ventilate in this House on behalf of the people of Bangalore. Sir, I am shut out altogether by this single entry. How can such an action be taken by any responsible Government I fail to see. Sir, in the next place, on what grounds have they tried to drag us into a quarrel with the mighty and noble Princes of this land? Why have they accused this Assembly of being hostile to the aspirations, to the rights and privileges of the Princes, who are our own blood, who are our own bone—far was it from our intention to put ourselves in opposition. Sir, the Princes are not to be separated from the people whom they govern. This Assembly

[Rao Bahadur T. Rangachariar.]

was anxious, by the vote on the Princes Protection Bill, to tell the Government "we shall not deal with these States piecemeal. If the Princes require protection, the people require protection also; and therefore we said 'don't come to us with these piecemeal measures'." Sir, the rules and the Standing Orders prevent us from putting questions about what takes place inside these territories. Sir, as many Honourable Members will bear me out, by every mail we get complaints from one Resident or other of one Native State or some other . . . .

**Mr. Denys Bray:** I rise to a point of order. "Indian States?"

**Rao Bahadur T. Rangachariar:** Yes, Sir, Indian States. I forgot for the moment; I am sorry—asking us to take up this question and that question. You will remember, Sir, you ruled me out on an interpellation which I asked permission to put to this House about what took place in Hyderabad. You rightly, Sir, did so, I do not complain; this House and the other House are prevented from indulging in questions and Resolutions about what takes place in Indian States. Sir, our plea is, if the people of those States cannot claim protection at the hands of this Assembly, the Princes of these States can no more claim protection at our hands. That was the attitude we emphasised by our votes, that was the attitude which was emphasised by the responsible Committee in which a few Members of the Government took part. That was the attitude which was maintained by the Government of India till the year 1910. It was in the year 1910 for the first time that this Bill or law was enacted in order to give them protection. Having been once put on the Statute Book, within a few years it was repealed, and in 1910 this novel piece of legislation finds a place in the Statute Book of our country,—and it is no wonder that the Committee, the responsible Committee, advised its removal. This Assembly acted on the advice of such a responsible Committee without further examination. Without anybody being taken into confidence, all of a sudden, at the fag end of the session, we were asked to sanction the introduction of a measure which we felt was a piecemeal legislation, which we felt was one we had already advised against, and at that fag end, we said, 'no, you have not appointed another Committee to re-examine the matter.' We said that not on grounds of any hostility to the Princes. They tried to drag us into a quarrel with the Princes; we have no quarrel with the Princes; the people of this country have no quarrel with the Princes; this Legislature has no quarrel with the Princes. I give this assurance on behalf of the non-official Indian Members here in this Assembly to the Princes of this land, that we were not actuated by any motive of hostility. It was a red-herring . . . .

**Mr. President:** The Honourable Member will see that if I allow him to say that, I shall have to allow other Members to say other things. He is in order in discussing the action of the Foreign and Political Department in relation to the matter of the Princes Protection Act, but he must keep off the *territory* of the Princes.

**Rao Bahadur T. Rangachariar:** The subject was so tempting, Sir, that I was rather drawn into it. Sir, the point which we wished to emphasise was that we were unfit to legislate for them so long as we could not discuss them. Give us the power to discuss that, and we will legislate for them. It is no use asking this Assembly merely to record a decree

passed elsewhere and to tell us that we did not observe the honour of contracts. Who made the contracts? When were the contracts published? Were they published? When were they made? By whom were they made? The way they have attempted to go in justification of the measure is rather novel procedure. Sir, the ink on the Resolution was hardly dry: when we passed our Resolution rejecting the motion on Saturday, on the Sunday morning, on the next Sabbath, comes the certification of the Bill! Up it goes to the other House, then to Parliament, and then it is passed: This is the way in which representatives of the people, a responsible Legislature, are treated. I wish to record by means of this vote our emphatic protest against the procedure adopted in respect to this Princes Protection Bill. They tied us down, they have dragged us into a quarrel with the Princes; they have not attached any importance to this Assembly. Sir, the Foreign and Political Department are responsible for that.

Sir, the third point which I wish to raise is the question of what we told to-day about the open door of the Foreign and Political Department. I wish, Sir, it were really open. May I offer a humble suggestion to the Honourable Mr. Bray? Instead of asking for applications from Army officers who hold the King's Commission, why did he not do something else? He complains very old people, people of 40 and 43, applied—you must have anticipated when you pass a rule like that, inviting applications from Army officers who hold the King's Commission, that people do not hold the King's Commission at the age of 25 in this country: and therefore that was merely a blind, merely to appear to satisfy the demand in this Assembly to throw open the Foreign and Political Department. Was it an advertisement this Assembly asked for,—to invite applications from Army officers who hold the King's Commission? Where are they to come from? Where are they? That is the question. This invitation was issued to the Indian Army officers holding the King's Commission,—and the Indian Civil Service while we know perfectly well how few are the Indians in the Indian-Civil Service; you have to go all the way to England to get yourself enlisted in the Indian Civil Service. Lay down any test you want, and hold examinations here, young men will be forthcoming anxious to serve in those unhappy places that Mr. Bray mentioned. I am glad to see Mr. Denys Bray alive in this Assembly after all those unfortunate experiences. Look at his bright face, he delights this Assembly with his eloquence. One of the objects of my motion was to draw him into eloquence. Very seldom we can get him to talk, and when he gets on to his legs, we are simply charmed. Sir, here he is the product of Quetta, the product of the North-West Frontier. How is it impossible for my countrymen to also acquire those things there? Surely, the Assistants and Naib Tahsiidars and others on the Frontier are Indians. There only the big appointments are held by the Civil Service. What about the other fellows who rot there along with the I. C. S. people? Surely, therefore, it is not a question of racial difficulty or racial unfitness. It is really a question of want of opportunities. Be honest, be sincere in your attempt to get Indians. Sir, have you ever walked along the corridor of the Foreign and Political Department? Have you ever glanced at the sign-boards which hang there? Sir, I have walked this side and that side and it is very difficult to find an Indian name in any of the sign-boards there. I am glad to see scattered here and there in this branch to my right some Indian names. Surely, it cannot be said, it cannot honestly be said, that Indians are not fit to enter the portals and keep company with those bright fellows whom I see sitting there working.

[Rao Bahadur T. Rangachariar.]

Sir, it is all an excuse. Let us make an honest and earnest attempt. I move my motion, Sir, as a protest against all these three points which I have mentioned.

**Mr. K. C. Neogy** (Dacca Division: Non-Muhammadan Rural): Sir, Mr. Rangachariar has mentioned that the head "Bangalore" has been transferred from the votable list and has been classed as 'Political' and excluded from our vote to-day. There are two other small items which have been similarly excluded from our vote and included in the Political Department, to which I draw the attention of the House. Honourable Members will find, if they turn to Demand No. 45, adjustments with Provincial Governments, page 153, one is under Burma—Assignment towards the cost of the Burma Military Police, voted. The amount in 1922-23 was Rs. 45,74,000. Under Assam there is another item, Assignment towards the cost of Frontier Military Police, Rs. 14,00,000; and in the footnote you will find that "these assignments have been transferred to political." So, I want to reinforce the arguments which Mr. Rangachariar adduced, and I want an explanation from the Foreign and Political Department as to why this was done. Then, Sir, there is another point to which I wish to draw the attention of the House. It is to the recommendation made by the Inchcape Committee regarding the increase of expenditure in the Political Department. It will be seen, if Honourable Members will turn to page 155 of the Inchcape Committee's Report, that they condemn the lavish proposal of having a Legation built at Kabul at a cost of 16 lakhs of rupees. If Honourable Members will turn to page 152, they would find, moreover, that Kabul, which was responsible in 1913-14 for an expenditure of Rs. 49,000, has gone up in the matter of expenditure to Rs. 5,26,000 in 1922-23. I am perfectly aware of the important change that has been effected in the status of the representatives of the British Government at Kabul, I believe, last year or the year before. But, Sir, now that the representative of the British Government at Kabul is His Majesty's Minister, and is no longer a Resident of the Indian Political Department, it is but proper that the cost of his establishment should be borne by the British Treasury, or at least half of that cost should be borne by the British Treasury on the analogy of the Legation in Persia. Now, coming to Persia, again, we find that the Inchcape Committee have pointed out that though in Persia the total Political expenditure is to be divided equally between the British Government and the Government of India according to the recommendations of the Welby Commission, there are certain items in which this division is not observed, and they urge on the Government of India the necessity of representing matters to the British Treasury in order to secure a more equitable adjustment of the financial responsibility as between the British Treasury and the Government of India. With these words, Sir, I beg to support the motion.

**Mr. Denys Bray**: Sir, not all the eloquence of Mr. Rangachariar will induce me to make a speech. His elaborate reference to Bangalore took me somewhat by surprise, though I must say at the outset that I have to thank Mr. Rangachariar for his courtesy and consideration in warning me beforehand of the three points that he wished to bring forward under the cover of this motion for a reduction. But I little expected to have a full dress debate on the three points. As regards Bangalore, the position is really quite simple, and I think, that if Mr. Rangachariar will carry his

memory back, he will find that he did not discuss last year, and that the House did not raise, motion after motion for a reduction in the Bangalore Demand for Grant.

**Rao Bahadur T. Rangachariar:** I did it in the Finance Committee.

**Mr. Denys Bray:** Oh, I was not there. Bangalore, strictly speaking, is not British territory at all. This would not in itself be a sufficient reason for not submitting the Demand to the vote of the Assembly. The real reason is that Bangalore finances itself, and under an arrangement made with the Mysore Durbar many years ago, the surplus, after the needs of the Civil Station have been met, is handed over to the Mysore Durbar. Hence, if this House were to spend its time in cutting down the Bangalore Demand for Grant, it would not be enriching the Central Revenues; it would in effect be voting money to the Mysore Durbar to the detriment of the development of the Station itself and against the interests of the British subjects resident there.

**Rao Bahadur T. Rangachariar:** Can we discuss the administration?

**Mr. Denys Bray:** As for the grievances that the residents of Bangalore may have, it is perfectly open to any Member of this House to ventilate them at any time.

**Rao Bahadur T. Rangachariar:** You have not placed the Grant before us.

**Mr. Denys Bray:** The Burma and Assam cases which my Honourable friend, Mr. Neogy, referred to have been settled for us over our heads by the Auditor-General. If you will turn to the Notes at the beginning of the Supplementary Statement which was placed before us, you will see it there stated. The matter is automatic. I shall most certainly not follow my Honourable friend, Mr. Rangachariar, in initiating a debate on the Indian States (Protection against Disaffection) Bill. He made a speech to-day, Sir, that he was going to make, had the House allowed the introduction of that Bill. On the subject of Indianisation, I have little to add to what I have already said. The Honourable Mr. Rangachariar has put forward a suggestion that we should open our ranks to direct competition. We may be reduced to this. If we do not get the applications from the Indian Civil Service which I still look for and hope for, then I feel pretty sure that we may have to resort to some such method as this. But I personally think it would be a great mistake, a great pity. With regard to Europeans, we recruit from the Indian Civil Service and the Indian Army. Now, the work in the Political Department is in some ways rather special. Officers—admirable officers—sometimes come to us from the provinces or the army, and find after a time that either they do not suit the work or the work does not suit them, and they go back to the Civil Service or to the Army as the case may be. And it is very advantageous both to Government and to the men themselves that there should be this asylum to which they could go. But under the system Mr. Rangachariar proposes there would be no such asylum. If we had a bad bargain, we would have to keep him; and similarly if a man found that we were a bad bargain, he would have to keep us.

**Mr. J. Chaudhuri** (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): I rise to a point of order with regard to that. I raised the question yesterday whether it was competent for the Government of

[Mr. J. Chaudhuri.]

India or any of its departments to transfer a votable item to a non-votable item and my Honourable friend, Mr. Denys Bray, has to-day mentioned that the items to which my friend, Mr. Neogy, referred have been transferred under the orders of the Auditor-General. Now we understood that under section 67A of the Government of India Act the Governor General was entitled to transfer a votable item to a non-votable head.

**Dr. H. S. Gour:** No, surely not.

**Mr. J. Chaudhuri:** That was the contention put forward. My point of view was that unless that question was raised in this House and we expressed an opinion with regard to it, the Governor General has no power; that is, unless a question is raised and discussed in this House as to whether such a matter is or is not, it is not within the competence of the Governor General, to decide the question under section 67A, clause 4.

**Mr. President:** The Honourable Member is arguing a point of great constitutional and political importance which is too wide for a point of order. The terms of the Act are quite explicit. It speaks in section 67A, sub-section (2), clause (5) of "expenditure classified by the order of the Governor General in Council as:

- (a) Ecclesiastical,
- (b) Political,
- (c) Defence.

I do not find any words there, "by and with the assent of the Indian Legislature."

**Mr. J. Chaudhuri** (the Honourable Sir Malcolm Hailey having also risen to speak): I am putting my point and the Honourable the Home Member may then speak . . . .

**Mr. President:** The Honourable Member asked me for a ruling on a point of order. I was pointing out to him that it is not a point of order; it is not for the Chair to settle. The matter is already, as far as I can judge, settled by the Act.

**The Honourable Sir Malcolm Hailey:** I wish to point out to Mr. Chaudhuri that the point he is on at present does not really arise out of the classification of the Assam Military Police expenditure as Political. That case was dealt with by the Auditor-General as one of ordinary classification of expenditure for accounts purposes and on his classifying the expenditure as Political. It automatically fell under the provision of sub-clause (5) of sub-section 3 of section 67A, which reserves political expenditure from the vote. This was a new question of accounts classification, and as no question arose such as is contemplated in sub-section (4) whether the classification was proper for the purposes of the Act, it was not referred for the views of the Governor General. That sub-section runs as follows:

"If any question arises whether any proposed appropriation of revenue or moneys does or does not relate to the above heads, the decision of the Governor-General on the question shall be final."

That is a different operation. This present case was one of a purely automatic result of a change in accounts classification regarding a particular item.

**Mr. J. Chaudhuri:** I think that when such a change is made on the ground that it comes under the head "Political" it should be mentioned in a note or otherwise to give us an opportunity to discuss.

*Expenditure in Bangalore District—relegation to non-votable list.*

**Mr. T. V. Seshagiri Ayyar:** Sir, the question which was raised by Mr. Rangachariar has not been answered at all by Mr. Bray or the Honourable the Leader of the House. The point is that during the last two years questions relating to expenditure in the Bangalore district were allowed to be discussed in the Standing Committee and also in the Assembly. This year we find a footnote to the effect that it is non-votable. That means that we cannot discuss it. The question on which we want to have a reply from the Leader of the House as well as from the Foreign Secretary is this. Under what authority has this expenditure which has always been open to discussion, been removed from its discussable position and been relegated to the category of non-votable expenditure? That is the point on which we want some explanation, and Mr. Bray, who spoke on this matter, has not given us any explanation. And, Sir, it has been said by the Honourable Mr. Bray that even if we reduced a portion of the expenditure, the result of it would be that the Mysore Government would get the benefit of it. The question is not what Indian Government is going to get the benefit of it, the question is whether we have a right to ventilate the grievances of the people which we have been allowed to ventilate heretofore, but which, without our consent, has been taken away from our cognisance. And that is a question on which we would like to have a fair answer from the Government Benches. Upon one other matter . . . .

**Mr. President:** Before the Honourable Member proceeds, I think we had better deal with that point which is in the nature of a point of order. It is a point of considerable importance and somewhat difficult to elucidate.

**The Honourable Sir Malcolm Hailey:** I do not know whether I shall be able to elucidate the point fully to the Members of the House at such short notice, though I am the fortunate possessor of a copy of the Government of India Act while they probably have not copies before them. But may I point out the exact operation? In the first place the Act directs that the Governor General in Council shall lay the estimated annual expenditure before the Legislature in the form of a statement; it then goes on to reserve from the vote expenditure classified by the order of the Governor General in Council as Ecclesiastical, Political or Defence. This obviously refers to the primary classification, for instance, Army and Air Force as 'defence' or consular expenditure as 'political.' But there is a good deal of doubt sometimes regarding particular items, whether they should be entered in the accounts as Political or Ecclesiastical or defence. Such doubts frequently arise as a matter of ordinary accounts classification, quite apart from any effect such classification may have as a consequence of the terms of this Act. That is to say that while there is no doubt at all as to the pay of members of the ecclesiastical establishment, there might be some doubt whether, say, graveyards and their maintenance should be entered as ecclesiastical or not. Similar cases of course arise in regard to Political. I have known numerous cases of items of expenditure which are under the general control of the Political Department and which are very nearly akin to true political expenditure but about which a doubt arises as to exactly where they should be classified in the accounts. Shall we say that the Political Department has control over a certain police

[Sir Malcolm Hailey.]

force? Are we to put that down under the head police, or is it to be put down under the head Political? I am speaking here, let me repeat, of questions arising regarding classification for ordinary accounts purposes. When such a question of doubt of mere accounts classification arises, we ordinarily refer to the Auditor General; he, of course, has a statutory position in regard to these matters. If the Auditor General says this particular item is undoubtedly Political, then it goes into the Political head of our accounts, and unless any question arises such as the propriety of its inclusion under that head for the purpose of this Act (and I shall deal subsequently with the method of solving such questions), it would automatically, as being under the Political head, be reserved from the vote. Now, that is what happened in the case of these two police battalions. There are I think three police battalions in Assam as the House no doubt knows. I mention the fact in order that they may have no suspicion that we are doing anything irregular in this case; they are kept there for the protection of that part of our North-Eastern frontier. Incidentally the fact that they are there saves us expenditure on military battalions in that quarter. Under the arrangement come to under the Meston Settlement, we pay for these battalions in a lump sum. Our Auditor General told us that as a matter of accounts classification they ought to go down under the head "Political." They have been entered there and it is simply because of this change in accounts classification that they are automatically excepted from the vote. There are other cases where by a change in accounts classification of a particular item it automatically comes under the vote. But, as I have said, cases sometimes arise not as a mere result of a change in accounts classification, but as the result of a question arising whether a particular item or series of items is correctly classified for purposes of 67A of the Act. Such cases may arise owing to discussions between two departments in the Secretariat; when such a definite question arises, and there is a difference of opinion, the Governor General issues an order on the subject, under sub-section (4) of section 67A, after consideration of the matter on its merits. He definitely, in other words, classifies it as "Ecclesiastical," "Political," "Defence," or otherwise. I do not think there is anything in the Act which at all . . . . .

**Rao Bahadur T. Rangachariar:** May I point out that it must be done by the Governor General in Council?

**The Honourable Sir Malcolm Hailey:** I think that Mr. Rangachariar is looking at the wrong clause. Sub-section 4 says:

"If any question arises as to whether any proposed appropriation of revenue or moneys does or does not relate to the above heads, the decision of the Governor-General—(he may trust my eyes in this matter)—on the question shall be final."

The House will remember that there is exactly the same provision in regard to provincial items, where the decision of the Governor is final. The cases which so arise are few and far between; but I do not think the House will find anything in the Act to support Mr. Chaudhuri's contention that the question can only arise as a result of doubts expressed in the Legislature.

**Mr. J. Chaudhuri:** If it arises before the Governor General in Council, then the Governor General's decision will be final. If it arises out of demands, it should arise in the House and, after we have expressed our opinion, then the Governor General may decide. Our point of view is that it should not be done behind our backs and I also maintain that, if it arises between Members of his Council, the Governor General would

not be justified in deciding it behind the back of the Members of the Council. That is precisely my point.

**The Honourable Sir Malcolm Hailey:** Mr. Chaudhuri says, that it is undesirable to decide the question behind the back of the Legislative Assembly. But I thought that he was speaking on a point of law, and I cannot find anything in the Act myself, which says that it is essential that the Governor General's order on this particular point shall only be taken as the result of a question having arisen in the Assembly,—that was his first point. He further says that the Governor General should not take a decision of this kind in regard to a matter which has come under the consideration of the Governor General in Council behind the back of his Council. May I ask Mr. Chaudhuri in the latter case to allow the Council to look after its own interests? If a case arises in the course of the discussions between Members of the Governor General's Council, the Governor General takes his decision as a result of such discussions. Let me repeat as to the main point which he has made, that there is nothing whatever in the Act which says that the discussion of the Governor General shall not be taken on a point which has been discussed in the Assembly until the views of the Assembly have been placed before the Governor General.

**Mr. J. Chaudhuri:** Sir, may I point out that there are certain matters in which the House has certain privileges. With regard to  
4 P.M. demands we can vote the demands and if any item under the demands is taken away from within our jurisdiction, we are entitled to raise that question. Similarly, with regard to the Governor General in Council, there are certain matters, such as Ordinances, for instance, which are within the exclusive jurisdiction of the Governor General. But there are certain other matters which are within the jurisdiction of the Governor General in Council and, if such questions as we are discussing arise in the Council of the Governor General, as it must under section 67A, clause 3 (v), and if the Home Member says that it would fall under the head "Ecclesiastical" or the Finance Member says that this should not fall under the head of "Ecclesiastical" then it will be quite competent and open to the Governor General to decide under section 67A, clause 4, whether it should or should not fall under the head "Ecclesiastical." That is my simple contention, with regard to our privileges as well.

**Dr. H. S. Gour:** Sir, I rise to a point of order. Lest the House should go astray from what my friend the Honourable Mr. Chaudhuri says, let me point out to the House and point out to you, Sir, that this is not the intention of section 67A of the Government of India Act. A plain reading of that section will disclose the following point . . .

**Mr. J. Chaudhuri:** Sir, I rise to a point of order. I asked for an answer from the Home Member and from the Government Benches,—not from Dr. Gour.

**Dr. H. S. Gour:** Very well, Sir, I shall rise to a point of order upon which I invite your decision,—on a substantial issue which I wish to state before this House. If you turn to 67A of the Government of India Act, paragraph 1, you will find, Sir, the genesis of the budget laid there, namely:

"The estimated annual expenditure and revenue of the Governor General in Council shall be laid in the form of a statement before both Chambers of the Indian Legislature in each year."

[Dr. H. S. Góur.]

This constitutes the proposal of the Government of India, as is clear from paragraphs 2 and 3.

Paragraph 2 says . . . .

**Mr. President:** That is not a point of order.

**Rao Bahadur T. Rangachariar:** May I mention, Sir,—I assume that there was a decision of the Governor General in Council classifying this as "Political." I protest against it. If there was no decision, I am on better ground. If there was a decision, I protest against it. That is my vote.

**The Honourable Sir Malcolm Hailey:** Since the point was raised by Honourable Members, I was endeavouring to explain fully the processes by which a change may be made in the classification of items presented from time to time to the Assembly. I explained the process—it is a purely automatic process—by which a change may be due to a purely accounts classification, also the process by which the Governor General gives a decision when the point arises in connection with a correct classification for the purpose of 67A of the Act. Now let me come to the definite case before the House, that of Bangalore. That case did arise in discussion between the Departments and the Governor General gave his decision. I do not, of course, go into the exact reasons which actuated the Governor General in giving his decision.

**Rao Bahadur T. Rangachariar:** Governor General or Governor General in Council?

**The Honourable Sir Malcolm Hailey:** Governor General.

**Rao Bahadur T. Rangachariar:** Not the Governor General in Council?

**The Honourable Sir Malcolm Hailey:** No, Sir. It is a case under sub-section (4).

**Rao Bahadur T. Rangachariar:** Look at clause (3) (v) please:

"Expenditure classified by the order of the Governor General in Council as—

- (a) ecclesiastical;
- (b) political;
- (c) defence."

Is there an order of the Governor General in Council classifying this as political?

**The Honourable Sir Malcolm Hailey:** The general classifications of expenditure are laid down by the Governor General in Council. When a doubt arises regarding a particular item of expenditure, for the purpose of this section of the Act, then sub-section (4) comes into operation. On this particular question of Bangalore as I say the decision of the Governor General was taken. Bangalore is financed entirely from certain funds, the surplus of which goes to an Indian State. (*Rao Bahadur T. Rangachariar:* "Collected from the people.") As the surplus goes to an Indian State, which is more interested therefore than is the Assembly itself in the amount of the expenditure, the decision was to classify it as "Political." The decision was not taken with a view to closing to discussion the grievances of the inhabitants of Bangalore. The fact that it is not voted and is under the head "Political" does not necessarily close discussion of that nature.

It might have that effect if Bangalore were truly part of a Native State and were not under British Administration. I invite the Honourable Member to say whether we have in the past in any such similar case ever attempted to closure the discussion in regard to Administered Areas. This is not a single instance.

**Rao Bahadur T. Rangachariar:** My point is we cannot discuss it at this date—to-day, whereas if it was a voted head I can reduce the grant under that head. But I cannot do it to-day. I have to adopt this indirect manner.

**Mr. President:** Does the Honourable Member propose to give up the arrangement made yesterday?

**The Honourable Sir Malcolm Hailey:** We have actually been discussing it. It is now only 4 o'clock. Even if the rest of the House would like to go home we are perfectly willing to listen to Mr. Rangachariar's account of the grievances of the inhabitants of Bangalore up to any time this evening, and we are perfectly willing to ask the Governor General to redress these grievances. There is really no bar to a discussion of this nature. As a matter of fact, Mr. Rangachariar knows that quite well.

**Rao Bahadur T. Rangachariar:** Am I to take it, Sir, that I can move to-day a reduction of the pay of the Superintendent of Police, Bangalore district, by Rs. 100? Can I do it to-day?

**The Honourable Sir Malcolm Hailey:** The Honourable Member has already moved for a reduction of Rs. 100 in order to call attention to the alleged grievances. I would now ask him to pursue the enumeration of those grievances of which he speaks and which I confess appear to me somewhat hypothetical.

**Mr. J. Chaudhuri:** With regard to your ruling, Sir, yesterday when this point was raised, the Honourable the Chair said that it was a question of transfer of entry in the books of account. But here it is more than that. Something which was within the scope of our vote has been removed outside that scope. Of course we have had a discussion with regard to that, but I say, very rightly as it is a matter of privilege which we have exercised hitherto and cannot close without giving us an opportunity to discuss it.

**Sir Montagu Webb:** Sir, I move that the question be now put.

**Mr. P. P. Ginyala:** Sir, it is extraordinary how very little progress we make in constitutional matters within a year. Last year this House carried a Resolution that it was within the discretion of the Governor General to abolish this distinction between "votable" and "non-votable" items. The Government . . .

**Mr. President:** I allowed a discussion of that matter on a point of order. The discussion on the point of order developed unfortunately into a debate. That point of order is now disposed of and the Honourable Member will address himself to the Foreign and Political Department.

**Dr. H. S. Gour:** How has it been disposed of, Sir?

**Mr. President:** Because the Chair says so!

**Mr. P. P. Ginwala:** My contention is with regard to the two points that Mr. Rangachariar has raised. First of all, the Political Department has somehow managed to place its expenditure under the non-votable head, and that, I say, shows that we are moving backwards and not forwards. We protested against expenditure which was once treated as votable being this year made non-votable . . .

**Mr. President:** Order, order. The Honourable Member has not understood what the Honourable the Home Member pointed out to the House. The transfer of these matters is done by order of the Governor General in Council on the advice of the Auditor-General who is the officer retained for that purpose amongst other things. It is not done by order, and cannot be done by order, of the Foreign and Political Department. I have allowed the House, as I said, to discuss that point of order at great length. The Honourable Member must now address himself to the Foreign and Political Department vote.

**Mr. P. P. Ginwala:** Yes, Sir. I am not discussing any point of order. What I meant to discuss is the Government method. They say they took the advice of the Auditor-General. We protest against the advice of the Auditor-General. He is not the Legal Adviser of Government. It is a question of law. The Auditor-General cannot decide what is obviously a point of law . . .

**Mr. President:** Order, order. After I have informed the Honourable Member once more what the position is, this discussion must cease. The Governor General in Council classifies expenditure. Whenever a doubt arises, and there is a dispute as regards classification in which the Legislative, Finance and Foreign and Political Departments take opposite views, the Governor General in practice refers it to the Auditor-General and his order is carried out.

**Dr. H. S. Gour:** May I ask, Sir, if the decision of the Governor General on the subject is available to the Members of this House?

**Mr. President:** The Honourable Member knows perfectly well that the decision is carried out in the Demands for Grants presented to the House.

**Dr. H. S. Gour:** I find no decision of the Governor General as contemplated in clause (4) included.

**Mr. President:** The Statute does not authorise or instruct the Governor General in Council to transmit his orders to the House. He transmits it to the Honourable Member concerned in the Department.

**Dr. H. S. Gour:** The Statute compels the Governor General to decide, Sir.

**Mr. President:** The Honourable Member must take it that this was decided.

**Mr. P. P. Ginwala:** I think that in view of your last remark I shall not pursue this point now. I shall find another opportunity later on. I shall confine myself for the present to the Political Department. Now, our grievance against the Political Department is this, that it brought before the House a measure, for its approval which under the rules of debate the House would not have the power to debate properly. When that motion came before the House we could not have discussed the relations of the Indian Princes with the British Government and without a fair and proper

discussion of the relations based upon treaties of the British Government with the Indian Princes we could not have decided whether such legislation was necessary. It was the Political Department . . . .

**Mr. President:** The Honourable Member is trying to deliver a speech which would have been in order when the Bill was presented. I may remind the Honourable Member that it was open to any Member of the Assembly to have asked the Chair when that Bill was presented what the scope of the discussion would be. Had that point been taken then, the information available to the House might have been larger than it was.

**Mr. P. P. Ginwala:** I suppose we are expected to know what the rules of the House are and we anticipate that it would not be permissible for the Chair then to give us that latitude within those rules. That was the reason why this House would have nothing to do with a measure of that description. That was the position that this House took up. At least some of us did so. The rules are so framed that you could not possibly have allowed a discussion of the relations between the Indian Princes and the British Government upon which largely the utility of that measure depended. Therefore this House would have nothing to do whatsoever with a measure of that kind. The position that I take up is that the Political Department has no business to come to this House for legislation which on its merits cannot be discussed within the rules of procedure prescribed for discussion by this House. It is all very well for Honourable gentlemen on the Government Benches to say—as I heard Mr. Denys Bray say—that the debate would have been allowed. How does he know? As we understood the rules, and as we thought the rules would be interpreted by the Chair, such a discussion would not have been allowed. The main reason for the enactment of the Bill, according to the view then put forward and by the Government was that it was required in order to give effect to certain treaties, treaties relating to the relations of the British Government with the Indian Princes. We should have expected the Government to lay those treaties on the table of the House. We should have asked for Government's authority to enter into those treaties and we should have inquired whether Government's contention followed from the treaties. You would have been bound to tell us that according to the rules of business we could not be supplied with such information, and we would have at once been stopped from proceeding further. Did the Government suppose that we were going to give sanction to a measure at any stage of its passage without being placed in possession of all the necessary documents and information? They would never have told us enough of the treaties to enable us to judge of their binding nature with reference to the necessity of the proper legislation. They would have said "No, the rules forbid it." As a matter of fact, Mr. Neogy asked that the papers relating to the treaties should be laid on the table of the House and the question itself was disallowed. How did the Government expect us then to do anything else with a Bill of that description except to reject it the moment it came before us. Then if a question . . . .

**Mr. President:** The Honourable Member cannot proceed with that point. I have pointed out that what Members are entitled to do is to discuss the action of the Political Department in relation to those matters that arose out of the preparation of the measure, such as the appearance of their representative before the Press Committee and so on, but to review now the speeches which were made, or which might have been made on a motion which the House rejected, is not in order.

**Mr. P. P. Ginwala:** I shall close my remarks with this one observation that we shall have nothing to do with the Foreign and Political Department in this House in so far as it has reference to the relations with the Indian Princes, and if it persists in bringing measures before this House in connection with these matters we shall show our disapproval of that Department by the adoption of this motion.

**Khan Bahadur Abdur Rahim Khan:** Sir, I have been listening to the speeches delivered by the Honourable Members on this matter. I will not go into the legal aspect of their speeches, but coming as I do from a part where we have a Resident at Kabul, I think my remarks will be of some use in the consideration of this question. My Honourable friend has said something about the waste of money at Kabul. Well, I am afraid these remarks must be very discouraging to those officers who have got troublesome and painful duties to perform. I am sure in their heart of hearts they must be expecting an expression of thanks and gratitude from us, but when they read in the newspapers the remarks made by a responsible House like this they will feel very disappointed. Now, I assure those gentlemen, coming as I do from the North-West Frontier Province, that it is due to their presence and their personality at Kabul that we have peace on the frontier. But for their diplomacy I am sure this country would have been taxed much more, would have been burdened with a lot of expenditure. It is their presence there that has saved us from a waste of money and it is due to their presence there that we are getting on splendidly with Afghanistan. At present our relations with Afghanistan are very friendly and it is wholly due to their presence and ability.

**Rao Bahadur T. Rangachariar:** May I rise to a point of order? Nobody has attacked those officers, we have not said a single word against those very noble people who are doing their work right loyally.

**Khan Bahadur Abdur Rahim Khan:** Of course, Mr. Rangachariar has been in that part of the country and he has got a very good opinion about them. I mentioned their names because attack is made on the expenditure of the institution of which they form a part. Leaving that aside, I will advise my Honourable friends that if they want to learn anything from the British people they will have to learn from the Foreign and Political Department. The thing is that this is the school where you see the life in practice, this is the school from which you can learn a lot, but if you criticise this Department which has got the interests or the destiny of India in their hands what would be the condition? (*Cries of 'Oh.'*) My Honourable friends say 'Oh!' They do not realise what is going on. If you want to be strong you must have either a strong army to answer blow for blow, but if you cannot have that, you must have diplomacy. And if you are not going to have either a strong army or good diplomacy,—I do not know what will happen, and the speeches that are delivered will have no use and will be ineffective. I would suggest to Honourable Members that when we have got this Department, we should see what they have been doing, whether the work which was entrusted to them is being done faithfully and loyally and whether that has been fruitful. If that be the case, I think it will be unfair to criticise that Department or to drag it in in the newspapers. I would not have got up and said these words but for the fact that certain Honourable Members do not realise the effect of the newspaper attacks on the independent territory whose people do not know what is going on outside. By these attacks you compromise the prestige.

of the Department and belittle their services. I can say that this Department has produced personalities of whom India in general and the Foreign and Political Department in particular should be proud. The other day Mr. Bray mentioned the name of Sir Robert Sandeman, a gentleman who has got a glorious record and for generations he will be remembered. I do not think that there will be any Indian or any Englishman who enters the service of the Foreign and Political Department who will not study his books and profit by his advice. Then I will mention Sir Henry McMahon who followed Sir Sandeman's footsteps, Sir Louis Dane, Sir George Roos-Keppel and we have now Sir John Maffey who has been doing and is still doing wonderful work. (*A Voice*: "Who says they are not?") I do not mean that you blamed them, but I say that to criticise that Department which has produced such giant figures is not good in the interests of India and in the interests of those people who are serving us. (*Dr. Nand Lal*: "None of us has criticised the personality of any officer.") I am glad that my Honourable friend, Dr. Nand Lal did not keep quiet as he used to do. Of course, I agree with my Honourable friend Mr. Rangachariar that this Department should be Indianised. I will be the last man to say that there should be a bar against Indians in this Department. On the other hand I say, this service is a most important service and that it must be Indianised. I will be failing in my duty towards my country or my community if I say that this Department should not be Indianised. What I say is this that this Department expects some consideration and courtesy at our hands and that we should be a little generous towards them. (*Cries of "Let the question be put."*)

**Mr. President:** The question is that the question be put.

The motion was adopted.

**Mr. President:** The question is:

"That the provision for Establishment under the sub-head 'Foreign and Political Department' be reduced by Rs. 100."

The Assembly divided:

AYES—46.

Abdul Rahman, Munshi.  
 Abdulla, Mr. S. M.  
 Abul Kasem, Maulvi.  
 Agarwala, Lala Girdharilal.  
 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.  
 Basu, Mr. J. N.  
 Bhanja Deo, Raja R. N.  
 Bhargava, Pandit J. L.  
 Bishambhar Nath, Mr.  
 Chaudhuri, Mr. J.  
 Das, Babu B. S.  
 Ginwala, Mr. P. P.  
 Girdhardas, Mr. N.  
 Gour, Dr. H. S.  
 Gulab Singh, Sardar.  
 Iswar Saran, Munshi.  
 Jamnadas Dwarkadas, Mr.  
 Jatkar, Mr. B. H. R.

Joshi, Mr. N. M.  
 Kamat, Mr. B. S.  
 Lakshmi Narayan Lal, Mr.  
 Mahadeo Prasad, Munshi.  
 Man Singh, Bhai.  
 Misra, Mr. B. N.  
 Mudaliar, Mr. S.  
 Mukherjee, Mr. J. N.  
 Nag, Mr. G. C.  
 Nand Lal, Dr.  
 Neogy, Mr. K. C.  
 Pyari Lal, Mr.  
 Ramji, Mr. Manmohandas.  
 Rangachariar, Mr. T.  
 Sarfaraz Hussain Khan, Mr.  
 Sarvadhikary, Sir Deva Prasad.  
 Singh, Babu B. P.  
 Sinha, Babu Ambica Prasad.  
 Sinha, Babu L. P.  
 Srinivasa Rao, Mr. P. V.  
 Subrahmanayam, Mr. C. S.  
 Venkatapatiraju, Mr. B.  
 Vishindas, Mr. H.

## NOES—53.

Abdul Quadir, Maulvi.  
 Abdur Rahim, Khan, Mr.  
 Achariyar, Rao Bahadur P. T.  
 Srinivasa.  
 Ahsan Khan, Mr. M.  
 Aiyar, Mr. A. V. V.  
 Aiyer, Sir P. S. Sivaswamy.  
 Akram Hussain, Prince A. M. M.  
 Allen, Mr. B. C.  
 Amjad Ali, Maulvi.  
 Barodawalla, Mr. S. K.  
 Blackett, Sir Basil.  
 Bradley-Birt, Mr. F. B.  
 Bray, Mr. Denys.  
 Brayne, Mr. A. F. L.  
 Bridge, Mr. G.  
 Burdon, Mr. E.  
 Cabell, Mr. W. H. L.  
 Chatterjee, Mr. A. C.  
 Clark, Mr. G. S.  
 Cotelingam, Mr. J. P.  
 Crookshank, Sir Sydney.  
 Dalal, Sardar B. A.  
 Faridooonji, Mr. R.  
 Gidney, Lieut.-Col. H. A. J.  
 Haigh, Mr. P. B.  
 Hailey, the Honourable Sir Malcolm.

Hindley, Mr. C. D. M.  
 Holme, Mr. H. E.  
 Hullab, Mr. J.  
 Hussanally, Mr. W. M.  
 Ikramullah Khan, Raja Mohd.  
 Innes, the Honourable Mr. C. A.  
 Jamall, Mr. A. O.  
 Jejeebhoy, Sir Jamsetjee.  
 Ley, Mr. A. H.  
 Lindsay, Mr. Darcy.  
 Mitter, Mr. K. N.  
 Moir, Mr. T. E.  
 Muhammad Hussain, Mr. T.  
 Muhammad Ismail, Mr. S.  
 Nabi Hadi, Mr. S. M.  
 Percival, Mr. P. E.  
 Ramayya Pantulu, Mr. J.  
 Samarth, Mr. N. M.  
 Sams, Mr. H. A.  
 Sassoon, Capt. E. V.  
 Schammad, Mr. Mahmood.  
 Shahab-ud-Din, Chaudhri.  
 Sircar, Mr. N. C.  
 Spence, Mr. R. A.  
 Townsend, Mr. C. A. H.  
 Webb, Sir Montagu.  
 Willson, Mr. W. S. J.

The motion was negatived.

**Khan Bahadur Sarfaraz Hussain Khan:** I beg to move:

“That the provision for service postage and telegram charges under sub-head ‘Foreign and Political Department’ be reduced by Rs. 20,000.”

In 1922-23 the demand was one lakh and in 1923-24 the demand is 1,20,000 and then below that is another provision for service postage and telegram charges, Rs. 6,230 and the footnote explains “Provision intended for charges on the drop copies of messages intercepted at Karachi, Bombay and Madras for repetition to His Excellency the Viceroy. I do not see why this increase should be made and if I get an explanation which is satisfactory I will not press my motion. In view of the fact that the political atmosphere is better than last year, I do not see why this increase should be made. If I get a satisfactory explanation I will withdraw my motion.

**Mr. Denys Bray:** Sir, I am glad to give my Honourable friend the most satisfactory answer of all: the reduction has already been made—and more also.

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

**Lieutenant-Colonel H. A. J. Gidney** (Nominated: Anglo-Indians): Sir, my remarks will be brief, I wish to take advantage of this opportunity of approaching the Member in charge of this Department with a view to ascertaining from him an explanation on the administration of this Department. I take my stand on the general question and in doing so I wish to refer particularly to the replies which the Honourable Mr. Bray gave to certain questions that I asked him in September 1922. I approach the matter, Sir, with the same desire as did my Honourable friends, Dr. Nand Lal and Mr. Rangachariar, but from a slightly different angle of vision. He was pressed by these two Honourable Members for an explanation as

to why the Political Department was not being Indianized. I am afraid I have to press him for an explanation as to why the Department is not being Anglo-Indianized and to ask him when replying to kindly reconcile his reply with the replies he gave me in September 1922, as to why members of the domiciled community are being excluded from the Political Department. Sir, when Mr. Jamnadas moved his Resolution on Indianization of the Public Services, he interpreted the word "Indianisation" as including all communities, and I therefore expect the Heads of all Government Departments to take that view, and which view this Honourable House has unanimously accepted. If I am so far right, Sir, then I should like to ask Mr. Denys Bray why he gave the following reply to my question in September 1922, when I asked him why members of my community had not been appointed in the Political Department:

"The appointments in question were made in pursuance of the policy adopted by the Government of India with the approval of the Secretary of State for India of admitting a substantial proportion of Indians in the Political Department. The question of admitting members of the Provincial Civil Service who belong to the domiciled community has not been considered."

I can see my Honourable friend, Munshi Iswar Saran, smiling at me and I feel sure that he will readily agree with me that if my community is included in the term "Indianization," then the Member in charge of this Department as also of all other Departments should give the same privileges and rights to the domiciled community, and if not, then in common with other Indian communities I have the right to ask "why not?"

**Mr. Denys Bray:** Sir, the reply I gave the Honourable Member was to the effect that the question of admitting members of the Provincial Civil Service who belonged to the domiciled community had not been considered. It has not been considered as a general question, for the Indianization that has been effected was put into effect definitely with the object of opening the Political Department to Indians in the strict, or rather the narrow sense of the word. But I can assure the Honourable Member of this, that if a suitable member of the domiciled community belonging to either the Indian Civil Service or to the Indian Army or to the Provincial Civil Service puts in an application for admission to the Political Department, that application will be considered on its merits.

**Sardar Gulab Singh** (West Punjab: Sikh): I move:

"That the provision for Foreign and Political Department under the head 'General Administration' be reduced by Rs. 20,000."

Sir, a comparison of the figures given in the detailed estimates and report of the Inchcape Committee and revised schedule of demands will show that the expenditure under the sub-head "Political and Foreign" has been increased. The recommendation of the Inchcape Committee especially supports my view. Now, Sir, at page 4 of the revised schedule of demands, the reduction recommended by the Retrenchment Committee is 49 lakhs 89 thousands; whereas the reduction made is 36 lakhs 37 thousands. My proposal for reduction, Sir, is very moderate; only Rs. 20,000 for one Departmental sub-head. Sir, it has been very rightly remarked by the Honourable the Finance Member that we have another reason for reductions. The budget is a budget with a deficit of 5 crores, which of course must not be made good by taxing the country which is already over-taxed. And as far as borrowing is concerned, Sir, the Government of India already stands in debt to the extent of Rs. 700 crores and money is scarce in the country and the Imperial Bank interest rate is 8 per cent. . . .

**Mr. President:** I am afraid the Foreign and Political Department are not responsible for the finances of the country.

**Sardar Gulab Singh:** Very good, Sir. Then I move my amendment that the reduction of Rs. 20,000 be made under this sub-head.

The motion was negatived.

**Dr. Nand Lal:** I move that:

“The demand under sub-head ‘Foreign and Political Department’ be reduced by Rs. 5,000.”

Sir, as I have already taken part in the debate and as Mr. Harchandrai Vishindas has not had any opportunity of taking part and he is desirous of dealing with a special point relating to his province, I transfer my right of speaking on this motion to him.

**Mr. Harchandrai Vishindas** (Sind: Non-Muhammadan Rural): Now, Sir, I wish to bring to the notice of the Political Department as a general question of administration of a particular instance in which the Political Department have worked in a manner which is very much to be regretted. I refer to the well-known case of Sher Muhammad Bijoy Ali on the Sind frontier. Now there is a Sind Frontier Regulation which is under the jurisdiction of the Foreign and Political Department which vests summary powers of dealing with certain cases . . .

**The Honourable Sir Malcolm Hailey:** May I point out, that is a matter under the Bombay Government, and the Honourable Member will find that it was dealt with in the Bombay Legislative Council and by the Bombay Government . . .

**Mr. Harchandrai Vishindas:** That may be, but my submission is that it is a branch of the Political Department. I will simply, by unfolding the case, be bringing it to the notice of the Political Department, so that they may take any action they think fit in the interests of punitive administration.

**Mr. T. V. Seshagiri Ayyar:** It was a question of privilege that was discussed in the Bombay Council. This matter is open to us on the vote as regards the Foreign and Political Department. I do not see how this can be ruled out. We are fully entitled to discuss this question when we have to consider a demand relating to the Foreign and Political Department. Whether the Bombay Council was justified or not, that is a different matter. It was a question of privilege which was discussed there, and I do not think we can be shut out from discussing this subject here.

**The Honourable Sir Malcolm Hailey:** I wish to shut out nothing, but I am bound to point out for the information of the President, the final orders are passed by the Governor of Bombay, not by the Governor General in Council; and that the action taken under the Regulations was taken by an officer of the Bombay Government and not of the Government of India.

**Mr. Harchandrai Vishindas:** I may point out for the benefit of the Honourable the Home Member, this Sind Frontier Regulation No. 579 is a Regulation made by the Governor General, not by the Governor of Bombay and therefore, with due submission, it was entirely within the jurisdiction . . .

**Mr. President:** The question is not who made the Regulation, but who is responsible for its administration.

**Mr. Denys Bray:** Certainly not the Foreign and Political Department.

**Mr. President:** The Honourable Member denies all knowledge of it?

**Mr. Denys Bray:** Entirely.

**Mr. P. B. Haigh** (Bombay: Nominated Official): May I ask the Honourable Member if I am not correct in stating that the officer concerned in this case is the Deputy Commissioner in charge of the Upper Sind Frontier, and that that officer is an officer of the Bombay Government?

**Mr. President:** Then I think the point raised by the Honourable the Home Member originally that the Bombay Legislative Council was the proper place in which to raise this question in the first instance is correct; and as the Honourable the Foreign Secretary has said that he has no immediate responsibility in the matter, I am afraid the Honourable Member will only be ventilating a grievance with very little purpose.

**Mr. Harchandrai Vishindas:** After what has been pointed out by Mr. Haigh, I rather thought that this Deputy Commissioner's action that was taken, which is the subject matter of the complaint, was taken by the Deputy Commissioner of Jacobabad; and if Mr. Haigh is right, the Deputy Commissioner comes within the jurisdiction of the Political Department so far as this particular branch of the administration is concerned?

**The Honourable Sir Malcolm Hailey:** He is an officer of the Bombay Government.

**Mr. Harchandrai Vishindas:** So far as the working of that Regulation is concerned, and the Baluchistan Frontier Regulation and other Frontier Regulations are concerned, I think all these are within the cognizance of the Political Department.

**Mr. Denys Bray:** No, Sir.

**Mr. P. B. Haigh:** May I point out that the Upper Sind Frontier Regulation is to the best of my knowledge concerned with one of the districts, the Upper Sind Frontier, which is a part of the Presidency of Bombay. It has nothing to do with the Foreign and Political Department.

**Mr. President:** It is clear now that the arena for this matter is the Legislative Council of the Presidency of Bombay.

**Mr. Harchandrai Vishindas:** May I ask your ruling, Sir, as to whether I can unfold the case here and then leave it to the Political Department eventually to take such action as they think fit, or not?

**Mr. Denys Bray:** That action will be *nil*.

**Mr. Harchandrai Vishindas:** And may I make my remarks . . . .

**Mr. President:** I must assume that the President, Bombay Legislative Council, appreciated the fact and accepted the fact that this matter was within the competence of the Bombay Government and therefore, *mutatis mutandis*, within the competence of the Bombay Legislative Council; and especially in view of the fact that the Government of India Act is based largely upon the extension of the autonomy of the provinces, I think it is the duty of the Chair and this Assembly to respect that. It is the Honourable Member's misfortune that he does not sit in the Bombay Legislative Council.

**Mr. Harchandrai Vishindas:** Then I take it that I cannot make these remarks, and I bow to the ruling of the Chair.

**Mr. B. H. R. Jatkar** (Berar Representative): Sir, I move:

"That the provision for Foreign and Political Department under head 'General Administration' be reduced by Rs. 100,"

as a protest against the action of the Foreign Department. I am not concerned with the Political Department but with the Foreign Department in respect of action about their legislating for Berar. Very recently, Sir, the Foreign Department made an amendment to the Berar Land Revenue Code authorising the Government of the Central Provinces to increase the jaglia cess from 12 pies to 27 pies and the education cess from 6 to 18 pies. This House will be surprised to know that the Foreign Department is the legislative body for Berar which is not British India. It is administered by the Central Provinces Government; Members from Berar are sent to the Central Provinces Council, but they have no power to pass any legislation for Berar. Neither has this Legislative Assembly any such power. It is the privilege of the Foreign Department to legislate for Berar. The feeling in my constituency is very high against this piece of legislation, this amendment, which presses hardly upon the agriculturists in Berar. In fact it raises a cess, double or three times the old one because the Central Provinces Government wants the services of the Mahars in the Province at the cost of the agriculturists and not of the provincial funds. There is a surplus of Berar revenue in the hands of the Central Provinces Government and in spite of that fact they want to raise this cess to such an enormous amount. There is no other province, I believe, in which the cess ranges so high as 27 pies and 18 pies in the rupee of land revenue, and it is against this section of the Foreign Department that I raise a protest. It would have been far better, Sir, if the Berar Members of the Central Provinces Legislative Council or the Berar Members of the Central Legislature could have been consulted before the Foreign Department sanctioned the increase, and I would request the Government of India in the Foreign Department to take some steps in this matter and to lay out a procedure by which the elected representatives of the people would be taken into confidence before sanctioning any future legislation for Berar. The feeling in Berar is very high against this increased cess which was proposed in spite of protest after protest made by the people. The Berar Members in the Central Provinces Legislative Council are powerless, and nothing can be done here also; and hence I request the Government of India to find out some means by which they can take into confidence the Members from Berar while dealing with such matters. With these words, I move this formal amendment.

**Mr. President:** I cannot put this particular question because we have already decided not to do so. The question is:

"That the provision for Foreign and Political Department under the head 'General Administration' be reduced by Rs. 100."

(The Honourable Mr. B. N. Sarma rose to speak.)

**Mr. J. Obaudhuri:** On a point of order. Does the Honourable Mr. Sarma represent the Foreign Office?

**Mr. President:** The Government is entitled to use what mouthpiece it chooses.

**The Honourable Mr. B. N. Sarma** (Revenue and Agriculture Member): Sir, the Government of India fully appreciate the difficulties which have been represented to us by the Honourable Mr. Jatkar. They were faced with this difficult position, mainly, as to whether they were to give effect to the representations, the Resolutions of a duly constituted Legislative Council representing the Central Provinces and Berar, or as to whether they were to come to a judgment different entirely from the one recommended by that legislative body. I may state in a few words that the Central Provinces Government, which recommended the adoption of the measure now under discussion, were reluctant to move in the direction in which they were ultimately prevailed upon to do by the Central Provinces Legislature. The Central Provinces Government pointed out various difficulties in the way of the adoption of certain measures pressed upon them by some of the representatives of the Berar Province. With the assistance of the Members of the Central Provinces Legislative Council, these Berar Members passed a Resolution demanding of the Central Provinces Government to abolish the *Baluta* to raise a cess, if necessary, for the purpose of paying these hereditary service-holders, the Mahars and others in the Berar Province, and consequently the position which the Central Provinces Government were faced with was, 'shall we give effect to this duly constituted Legislative Council's representation, or shall we disregard their recommendation?' Much to the regret of the Honourable Mr. Jatkar, the Central Provinces Government followed the constitutional procedure of giving effect to the recommendations of that body. They brought these rules into operation in some form in order that they may carry out the wishes of those representatives and they came up to the Government of India for sanction. The Government of India, therefore, were faced with a situation in which a Provincial Government which has been given very wide powers have taken definite action in conformity with the wishes of the elected representatives of the people of Berar and the Central Provinces, and they felt that although technically the Foreign and Political Department of the Government of India would have to legislate in the matter, still it was not desirable, although there might be room for a difference of opinion, to veto the action which has been taken in pursuance of the recommendations of that body. I, therefore, think, Sir, that in this matter at any rate the Central Provinces Government and the Government of India have acted in conformity with the wishes of the people as represented in the Council and the grievances of the people, if any, should be directed towards those gentlemen in the Council who have misled the Government—it may be—into taking an action of the kind. If the Berar representatives are able to persuade the Central Provinces Government into considering again the matter, the Government of India may not be unwilling to deal with the position as it may arise hereafter. But I think Honourable Members will appreciate that we should encourage as far as possible the growth of a correct constitutional position and convention as between the Government of India and the Local Governments, and it is, Sir, in order to promote the growth of that Convention, in order to give effect to the wishes of the people, that the Government of India have acted in the way in which they have acted; and I, therefore, think that far from condemning the Foreign and Political Department, Honourable Members of this House who have the future growth of representative institutions in this country at heart ought to welcome the action which the Government have taken after due consideration.

**Mr. B. H. R. Jatkar:** There was no Resolution in the Central Provinces Council to increase the cess.

**The Honourable Mr. B. N. Sarma:** With your permission, Sir, I will say this. Questions relating to revenue do generally come up to the Revenue and Agriculture Department on which we advise the Foreign and Political Department which ordinarily accepts the advice given. That is the reason why I have stood up to-day in order to defend the position of the Government of India in this respect.

**Mr. B. H. R. Jatkar:** I beg to withdraw my motion. (No. 260.)  
The motion was, by leave of the Assembly, withdrawn.

**Maulvi Abul Kasem:** Sir, as a similar motion to mine stands in the name of my Honourable friend, Munshi Iswar Saran, I think  
5 P.M. I shall ask him to move his.

*Home Department—Inspector of Office Procedure.*

**Munshi Iswar Saran:** Language, Sir, has been given to conceal thoughts and motives and intentions. I have the honour, Sir, to move this amendment which stands in my name, namely:

"That the provision for one Inspector of Office Procedure under the sub-head 'Home Department' (page 39) be omitted."

Sir, the House will remember that there was a debate in the year, I think, 1921, about this matter and that debate was more or less a heated debate. As far as I am concerned, I can promise that in a very few cool words, I shall put my position before the House. There are Honourable Members in this House who have all along been of opinion that the utility and the necessity of this appointment is open to serious question. As one might have expected in 1921, there was an attempt made to justify the appointment, but fortunately for those who entertain this opinion, the Inchcape Committee has come to their rescue, and I shall only read the remarks made by the Inchcape Committee about this particular appointment. They say:

"The appointment of Inspector of Office Procedure costing Rs. 30,000 was created on the recommendation of the Llewellyn Smith Committee to re-organise office procedure in the Secretariat with a view to greater efficiency and economy."

I shall request the House to mark these words:

"We understand that very little has so far been done in this direction, the officer having been diverted to miscellaneous duties."

This is again very important, Sir:

"We have had evidence that the present procedure is in many ways defective and that both economy and expedition could be secured by more businesslike methods of disposal of receipts and in other ways. We consider, however, that this matter should be taken up by the heads of the departments concerned in giving effect to our present recommendations, and that subsequently, after a reasonable period, an officer of the Finance Department should be deputed to examine the arrangements in force and the possibilities of effecting further economies in staff and other office expenditure. If this course is adopted the continuance of the appointment of Inspector of Office Procedure under the Home Department will be unnecessary."

I submit, Sir, that I cannot put my own view before the House in clearer and stronger language. In view of these remarks made by the Inchcape Committee, I submit that the position taken up by us that this particular post need no longer remain is perfectly justified. Before I sit

down, Sir, I wish to say that on the last occasion unfortunately, Sir, discussion turned on to the personality of the officer. I have not the slightest intention of saying or suggesting anything about the present incumbent of this office. It is as a matter of principle that I am reluctantly forced to move that this item be omitted.

**Dr. Nand Lal:** Sir, I have got a similar amendment in my name and therefore I desire to take part in this debate. I endorse the view of my Honourable friend, Mr. Iswar Saran, that we have nothing to do with the personality of the officer, who is immediately concerned with this motion; and, as a matter of fact, I do not know who that officer is. We wish to fight against the expenditure only, and that is the main point which has prompted us to place this subject before this House. Sir, it is no less than a wonder to me as to why the Home Department is so anxious to stand decorated by the post of this officer, whereas, the other departments of the Government of India have been deprived thereof. I believe they do not grudge it; and, therefore, there seems to be no occasion why our Home Department should be given this peculiar and special privilege. My Honourable friend, Mr. Iswar Saran, has adverted to the opinion of the Committee—I mean the Retrenchment Committee, but he has—I cannot say designedly but perhaps by oversight—omitted, so far as I can remember, to read the concluding portion of that recommendation. Therefore, I feel bound to invite the attention of this House to those lines alone:

“Its abolition will secure a saving of Rs. 30,000, and we recommend that the budget for 1923-24 should be fixed at a certain amount.”

Now, Sir, this report was before the Honourable the Finance Member. He has very kindly supplied us with a list indicating retrenchments or reductions. There is no note appended to it, no explanation has been given whether the post of this officer, which I have already described, will be abolished or not. If any note were made or some explanation had been given from the Government Benches, I would have felt reluctant to take even one minute on this point. But in the absence of any explanation, in the absence of any note whatsoever pertaining thereto, I invite the House's attention to this specially, and I move this amendment and I hope this House will unanimously agree with me and support this amendment, namely, that this post may be abolished, which will give us a saving of Rs. 30,000 a year. The House will not forget this most important point that we are in financial embarrassment and we should try to see that money may not be spent in these unnecessary decorations. With these few remarks, and in the interests of the economy of time not going into details, I submit the amendment for the disposal of the House.

**Rao Bahadur T. Rangachariar:** Sir, I do not propose to address the House on this question of the recommendation that this office be abolished, but I wish to know this from Government. How long this officer, who may be thrown out of employment, has been in service, and what provision will be made for such people who are thrown into the street as it were after having given their active years of valuable service to Government; what arrangements the Government propose to make in carrying out such recommendations.

**The Honourable Sir Malcolm Hailey** (Home Member): Sir, Dr. Nand Lal said that we had given no indication of how far we intended to comply with the recommendations of the Inchcape Committee. (*Dr. Nand Lal:* “Relating to this particular point and post.”) The Inchcape Committee,

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working on the budget estimate of 1922-23, found the expenditure of the Home Department proper (I use that term as distinguishing it of course from the several attached offices which it superintends), found the expenditure of the Home Department proper to be Rs. 6,41,800, and it recommended that we should effect a saving of Rs. 97,000. Among the savings indicated was that of the post of the Inspector of Office Procedure. Now it will be readily understood that since the issue of the Report of the Inchcape Committee, we have not had time to go into the full details of the reductions which we expect to make in the Department, but we have agreed with the Finance Department that we shall make reduction of Rs. 87,000; that is to say we have allowed only Rs. 10,000 for lag in the present year. That Rs. 87,000 is included on account of general administration. The original demand grant being Rs. 81,58,000 we propose to reduce from that Rs. 7,58,000, and the Demand put to the House is Rs. 74,08,000. The Rs. 87,000 referred to is part of the reduction of Rs. 7,58,000. Considering the difficulty of making reductions of this kind in full immediately, I think the House will agree that we have acted loyally by the Finance Department. Whether the abolition of the post of the Inspector of Office Procedure will be involved in that cut of Rs. 87,000 I am not able to say at the immediate moment. All I can say is that we will make that reduction of Rs. 87,000 and I think that the House will realise that it will be unreasonable to ask us to make a larger cut, as this motion would do, than the Inchcape Committee itself has asked us to make. We are considering the position of the Inspector of Office Procedure. I am not going here into the merits of the question which has been raised by Mr. Iswar Saran. The House debated that point on a previous occasion. All I can say is that we are attempting to give full effect to the cut of the Inchcape Committee, and it is not impossible that this Office will have to go in order to realise that cut. Mr. Rangachariar asked what standing the Officer had and what arrangement would have to be made if an officer of this nature was turned adrift from Government service. I do not remember the exact number of years of service the officer has had, and with regard to the latter part of Mr. Rangachariar's question, he has raised just one of those difficult questions which it is difficult to answer at a moment's notice, though an answer will have to be found to it. Obviously if we are to make, not only here but elsewhere, the cuts which have been demanded by the Inchcape Committee, there will be a considerable number of officers and subordinates who will be deprived of their employment, and I intend to put later to my Honourable friend the Finance Member certain proposals as to the correct method of dealing with these officers and subordinates.

**Mr. President:** The question is:

"That the provision for one Inspector of Office Procedure under the sub-head 'Home Department' be omitted."

**Munshi Iswar Saran:** May I be permitted to withdraw my motion in view of the statement of the Home Member?

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

**Rao Bahadur T. Rangachariar:** With your permission, Sir, I wish to lump together motions 265, 266 and 271 as they all raise points of which I have given notice to the Honourable the Home Member. My first and most important point is the question of when the Government of India

Secretariat,—I mean the Secretaries, the Joint Secretaries, Deputy Secretaries, Under Secretaries and Assistant Secretaries in it,—will take in a large number of Indians. Sir, I may at once say that I have the greatest admiration for the Secretariat people with whom I have come in contact. I have come in contact with several departments of the Government of India, and I cannot find a better lot of people elsewhere. It is to that company, if I were young, I should have aspired to belong. (*Dr. Nana Lal*: "You are not too old yet.") I am too old, I am sorry to say. But I want my countrymen to imbibe that spirit of devotion, that intelligence, that culture which these people bring to bear upon the daily performance of their duties. When I turn to the Legislative Department, when I sat with them, their draftsmen, during the last two weeks, I simply admired their capacity, how they have been able to put into shape Bills which we non-officials bring forward without much thought, which they put into shape, and they oblige us in the kind way in which they put these into shape. When I go to the Finance Department, complex problems are solved in the most easy manner. When I go to the Home and other Departments similar assistance is rendered. And in the Finance Department I am glad to see my countrymen taking their legitimate share, and I hope they add to the improvement of that Department by their presence there. And I do not want to see my countrymen taking their fair share in the Home Department, Sir, under Sir Malcolm Hailey; in the Foreign and Political Department under Mr. Denys Bray, who is eloquent with facts; under Mr. Thompson, who is eloquent but without facts. And I want them also to associate with my Honourable friend, Mr. Burdon, whose office I have seen sometimes—when he was absent—but I have failed to recognise any Indian face, except in the matter of finance; there, of course, he has the competent assistance of my Honourable friend, Mr. Mitra, one of the ablest financiers the country has produced. Sir, this subject is a very thorny subject. It created a scene in the otherwise serene atmosphere of the Upper Chamber, so much so that my Honourable friend the Right Honourable Srinivasa Sastri himself lost his temper and was able to convince the Government Benches that they had a poor case. Sir, there are Indian members of the Indian Civil Service who have undergone experience in the various provincial Secretariats. I know some of them, Sir, for want of a better job in their own line, have distinguished themselves as Dewans of first-class Indian States. Is it not a matter for us to hang down our heads that our servants should be lent to foreign States when there is scope for them here in our own sphere of activities? No doubt, time was when Indians as such were tabooed. That was not so very long ago. But, Sir, since 1908, new days have come into existence. After 1908, at least I had hoped a departure had been made, and the doors of this sacred Secretariat would be thrown open to Indians in larger numbers. Sir, that is my appeal in that direction. I hope the Honourable Member will give us an assurance in this direction that both I. C. S. men and provincial service men will find their due share and I am sure that the men in the Secretariat, as it is, will welcome them as assistants, but I want they should extend that hand also as able lieutenants and as colleagues and sometimes to take their places with distinction.

Another question which I wish to raise is another constitutional question of great importance, which I know has troubled many a Member of Council, both European and Indian. Sir, the question of the direct access of the Secretary over the head of the Member to His Excellency the Viceroy and the Government in the provinces. But here, I confined to the position of

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Secretaries here. I mean it is an unheard of thing in any other constitution that such a thing should remain. It may be the vestige of ancient days when the East India Company ruled this country as Agents on behalf of the Crown. But, after the Crown took charge, why such a state of things should continue I fail to see. Sir, recently I was reading a very interesting book—Sir Guy Fleetwood Wilson's "Letters to Nobody," where he as a Member who was the Finance Member of this Government has written as follows:

(I am referring to pages 116 and 117 of this very interesting book, which I will ask Honourable Members to read.)

"From an Englishman's standpoint the great flaw in the Indian governmental system lies in the fact that Secretaries to Government, the equivalent of our Under-Secretaries of State, take the file papers which are to come under discussion direct to the Viceroy before the Council sits and discusses the question at issue with him in private. There is a two-fold objection to this method. It may in certain conditions enable the Secretary to intrigue against his Chief and it offers him the great temptation of indulging in wholesale agreement with the Viceroy, on whom his advancement depends."

And he adds (and I think we may add our testimony also in that matter—I have not searched the cupboards of the Members but I dare say, there is many a skeleton concealed in these cupboards:)

"Nothing but the conspicuous loyalty of the Indian Civil Servant has obviated a breaking-up of a machinery which combines in a Viceroy the dual functions of a Sovereign and a Prime Minister, and enables a permanent official to influence him, should he wish to do so, against the Minister in charge of the Department concerned."

Sir, that is a system which I think ought to be done away with now that Members are responsible to the Legislature—I hope they are now, and they act as Ministers, and here the Viceroy occupies a dual position. Whatever views the Secretariat have should end with their conference with the Member. They should be able to argue out the matter with the Member in charge and there their position must end. They should not have direct access elsewhere. Oftentime, I understand, the rule enables the Secretary to differ from his Chief and take the matter up and call for a Council meeting if he likes and in that way he is able to spoil the effects which the Minister in charge may be able to produce on the administration. Sir, this matter becomes very important. I do not think I should conceal my thoughts on this position. I have heard very responsible people who have occupied the position of Members, specially in the case of Indians who have been Members with European Secretaries to deal with. And if they want to carry out a particular policy, they find it difficult to carry it out unless of course they come across an amiable Secretary who will put up with it and look at it from his point of view. It appears to be a vicious principle. It has no precedent anywhere and it should not be allowed to continue any longer.

Sir, the third point which I wish to raise is the question turning upon the recommendation of the Inchcape Committee whereby they propose to veto the Resolution passed by this Assembly last September by which we voted the annual grant to this Medical Research Institute. We all had the matter discussed and thought it was going to be a very useful institution. And I hope the Government will not come to a conclusion on that recommendation without giving an opportunity to this Assembly to consider it again. For it has hopes not only for research in western science, I say it has hopes of opportunities for research into the Ayurvedic and Unani systems of medicine. Sir, it was in that view I supported the motion. We

must have a Research Institute of that sort, where both the systems of medicine can be brought into operation and collaboration and therefore it should not be abandoned without further and careful consideration of the question.

**Dr. H. S. Gour:** Is that the Home Department?

**Rao Bahadur T. Rangachariar:** I beg your pardon. All these general questions I think the Honourable the Home Member will take charge of, because they are general questions which arise. No doubt, it pertains to the Medical Department but I believe these general questions arising out of the Inchcape Committee's recommendations are under the Home Department.

**Dr. Nand Lal:** I thought the Medical Department was under Education.

**Rao Bahadur T. Rangachariar:** I think Honourable Members may well leave me to take care of myself. I am not acting without instruction and I am advised that the proper Member to address is the Honourable the Home Member. Sir, I raise these points and make my motion. Not all these three motions. I will move the last, Sir, with your permission.

**Mr. President:** We can take it all on the motion of Mr. Joshi:

"That the provision for Pay of establishment under the sub-head 'Home Department' be reduced by Re. 1."

**Mr. N. M. Joshi:** Sir, there is a mistake in my motion. I wanted to put in the word "Industries" and I put in the word "Home".

**Rao Bahadur T. Rangachariar:** I will move 271:

"That the provision for contingencies under the sub-head 'Home Department' be reduced by Rs. 50."

**The Honourable Sir Malcolm Hailey:** Mr. Rangachariar refers to two points, the first relating to the increase in the number of Indians employed in the higher posts in our Secretariat; he is not I think referring to the ungazetted establishment—he refers entirely to the posts of Secretary, Deputy Secretary and the like. Now, the matter has so recently formed the subject of debate in another House that it is perhaps unnecessary for me to trouble this House with any elaborate display of figures on the subject. But it is within my own recollection that I heard Sir Harcourt Butler in the old Council make a speech congratulating India on the fact that he had in his Department one Indian Assistant Secretary. As the House knows the matter has gone far beyond that now. As Mr. Rangachariar says, he meets Indians everywhere now in the Secretariat and he speaks of their capacity with appreciation. In the other House the difficulty we found was that we were asked to lay down a definite scale for the employment of Indians in the Secretariat.

(At this stage Mr. President vacated and Sir Jamsetjee Jejeebhoy took the Chair.)

I do not think that Mr. Rangachariar is asking for that now, all he is asking for is a guarantee that their claims will not be overlooked in making future appointments in the Secretariat. Of course we make our appointments in the Secretariat mainly from the Provincial Secretariats; it is to our interest to select our men who have had experience of work in the provinces. Obviously they would not be of the fullest use to us if they had no such experience. Now, the number of Indians is growing largely in

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the Provincial Secretariats, 5 out of 71 Secretaries are now Indians; 2 out of 14 Deputy Secretaries, 15 out of 44 Under Secretaries, and 25 out of 44 Assistant Secretaries are Indians. We now, therefore, have there a growing field of recruitment and I think the House may rest assured that we shall not neglect it. We realise as fully as the House does the value of associating Indians with us in our work in the Secretariat. If the cases have not been numerous in the past, and it is so, it has largely been owing to the fact the Provincial Secretariats had not themselves trained up a sufficient number of Indians for us to draw upon. I can say nothing as to a definite ratio of Indians in the Secretariat, because these are selection appointments and it is always difficult to lay down a ratio for purely selection appointments. It is easy enough with regard to recruitment, but not so when you come to selection appointments. But, as I say, the House can rest assured that although we do not wish to bind ourselves to a definite ratio, we shall do our best to obtain recruits to our Secretariat from among Indians employed in the Provincial Secretariats. Now, as regards the second point, that is the position of Secretaries, it will be understood that I speak perhaps with a little delicacy on the subject as a Member in the presence of many Secretaries. But I think I may say with confidence that among the many Members of Councils with whom I have been associated at different times I have not found the feeling expressed in the quotation from Sir Fleetwood Wilson's book, and if I may say so, I am myself a little in doubt as to the experience on which he based his conclusion.

**Mr. Jamnadas Dwarkadas:** Not while they are Members.

**The Honourable Sir Malcolm Hailey:** When I look back on the Secretaries that Sir Guy Fleetwood Wilson had, when I realise that his Secretaries were for the greater part of his tenure Lord Meston and Sir William Meyer, I am astonished to think that he should have concluded that there was any danger in the constitutional position which I am about to discuss.

**Rao Bahadur T. Rangachariar:** With your permission, Sir, I may inform the Honourable Member that for want of time I did not read the last sentence. "Personally," he says, "I readily confess I never experienced a shadow of difficulty. My Secretaries to Government and myself were as one." He says so.

**The Honourable Sir Malcolm Hailey:** I am very glad the Honourable Member has read us that addition, because it solved any doubt that the remarks of the author were drawn from any personal experience. Now, I do not wish unduly to delay the House with another constitutional discussion this afternoon. But the facts are interesting in themselves. I may remind the House that from the time of Warren Hastings and Sir Phillip Francis the Government of India was governed by a committee of which the Governor General was President. Up to about 1857 an individual Member of Council had no power to issue orders in the name of the Government of India on cases which had not been brought before the Council. The Governor General alone had that power and he exercised it on the papers submitted to him by the Secretary. That is clear from Lord Ellenborough's speech on the East India Council Bill in 1861. When Lord Canning made a formal division of business among Honourable Members after the passing of the Councils Act in that year, and they were empowered to issue orders in the name of the Government of India, it was felt essential - to have some effective security against their committing the Government to

important decisions of policy without the knowledge of the Council or the Governor General. Now that position is in essence the same to-day. We are a corporate body; our individual functions are exercised subject to a joint responsibility, and the co-ordinating factor is the Governor General. The Secretary's first task is to bring before the Governor General cases in which it is essential that he should decide whether decisions of a Member or of a Department should be seen by other Members of Council. The Secretary takes them to the Governor General for that purpose and the Governor General then, if he thinks the matter important, orders it to be brought before a full Council. I know of no other method by which the co-ordinating authority would be in a position to exercise his responsibilities. Unless we had this provision it would be possible for an individual Member of Council to issue orders over-ruling a Local Government, to issue orders that might affect largely other Departments and his Colleagues, and for effect to be given to those orders with results which of course would be destructive of the corporate nature of our work. There is of course a second provision in our rules of business, namely, that a Secretary can take any case to the Viceroy and express his opinion upon it. That again, I think, is reasonable, because it must be realised that Members of Council are appointed primarily not as heads of departments but as Members of a Council; they are only placed in charge of a particular subject at the order of the Governor General. Now, there are many technical points concerned in the work of some Departments—and when I say technical, I do not refer only to what is usually included in the term—but many points of specialised knowledge, let us say, relating it may be to educational, or revenue, or medical matters and such like, which require a special experience. I think it is well that there should be an officer possessing such experience who is able to put his views to the Viceroy, in view of the fact that the Member may often not have the same special knowledge. That is the reason for constitutional arrangement. May I add this that there has been one unhappy case in recent years within the Government of India which was entirely due to the breakdown of this constitutional provision, that is to say, orders were issued by a Member without reference to a Secretary; and had the usual Secretariat arrangement been carried out, the trouble which then arose, and which gave all of us so much pain would never have arisen. For my own part I am far from wishing to see this constitutional provision abrogated; I believe that it is a great safeguard to other Departments and to the Local Governments. The Secretary is a Secretary to the Government of India, and responsible not only to his own Departmental Member, but to all of us. The House will remember that when we discussed the Esher Committee Report there was put forward by that body a proposal that we should have a Secretary to the Army Headquarters and not a Secretary to the Government of India in the Army Department. A strong opinion was then expressed that the appointment of a Secretary to Army Headquarters, who was not responsible as Secretary to the other Departments of the Government of India, and who did not have the constitutional power of referring matters to the Viceroy, would constitute a great danger to the Civil Departments of the Government of India. I come to the third point, that is, that relating to the Medical Services. I am sorry if I gave Mr. Rangachariar to understand that I myself would be able to answer this question. I undertook that he should be answered on the point, and I would ask Mr. Chatterjee to do so either now if the Honourable Member so wishes or subsequently when he deals with the particular motion relating to Medical Services. (*Rao Bahadur T. Rangachariar*: "That will suit me all right.")

**Dr. Nand Lal:** Sir, I will make only one observation and that will be relating to a certain suggestion which has been offered by the Honourable the Home Member. He was pleased to remark that so far as recruitment goes he should like that our Secretaries and Assistant Secretaries should be taken from the Provincial Secretariats. My submission before the House is that it will hardly be compatible with justice, so far as the deserving subordinates in the Secretariats of the Government of India are concerned. Of course, there is some force in the suggestion that the Secretaries that we will have from the Provincial Secretariats must have had some sort of experience. But in reply to that I may submit that our own Assistant Secretaries, or those who are fully deserving of being promoted to Secretaryship here in the Government of India have got experience. So, if on the ground of experience Assistant Secretaries in the Provincial Secretariats are to be given promotion or elevation to the Secretariat of the Government of India, the claims of those Assistant Secretaries or such other men, who are entitled to be promoted to the post of Secretary and have been and are working in the Government of India should be given due consideration. I submit that the Honourable the Home Member will give consideration to this suggestion of mine, so that those who are working in the Government of India may not feel discouraged.

**Mr. Deputy President:** The question is:

"That the provision for contingencies under the sub-head 'Home Department' be reduced by Rs. 50."

**Rao Bahadur T. Rangachariar:** I do not press it after the statement made by the Honourable Sir Malcolm Hailey.

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

**The Honourable Sir Malcolm Hailey:** Mr. Chatterjee will deal with the other subject, that is, the one relating to Medical Services when we come to the subsequent grant relating to the Medical Services.

**Rao Bahadur T. Rangachariar:** Amendment No. 269.\* I do not understand what the entry in the demand means. I want information on that point.

**Dr. H. S. Gour:** I raised the same question about two years back. I was informed that there was a very large number of surplus Army Officers. I believe the number was something like 2,800 or thereabouts,—I speak from memory subject to correction. In the speech I delivered last year on the subject of the appointment of a Retrenchment Committee I pointed out that a great many of these surplus Army Officers were employed in doing more or less clerical work. I have been reading in the newspapers an account that the surplus Army Officers are being sent away every week or every month in a certain ratio. I want to know what was the original number of surplus Army Officers, when they were discharged and how many . . . .

**Mr. Darcy Lindsay (Bengal: European):** I want to ask on what particular amendment my Honourable friend, Dr. Gour, is speaking. Has it been moved?

\* "That the provision for Passage of Surplus Indian Army Officers selected for the Indian Civil Service under the sub-head 'Home Department' (page 40) be reduced by Rs. 9,120."

**Dr. H. S. Gour:** I am afraid my Honourable friend must have been engaged otherwise . . .

**Rao Bahadur T. Rangachariar:** It is true I did not formally move it, but I intended to. It runs as follows:

“That the provision for Passage of Surplus Indian Army Officers selected for the Indian Civil Service under the sub-head ‘Home Department’ be reduced by Rs. 9,120.”

**Dr. H. S. Gour:** I should like information as to how many officers now remain, before how long they will be all sent away and what will be the total cost to the State of these Surplus Army Officers.

**Mr. J. P. Cotelingam** (Nominated: Indian Christians): This motion does not refer to the question of the 2,000 and odd surplus officers who have been allowed to relinquish their appointments. Quite recently the Secretary of State issued a notification offering a certain number of appointments to those amongst the surplus officers who have qualifications to enter the Indian Civil Service.

**Dr. H. S. Gour:** I am perfectly aware of what my Honourable friend, Mr. Cotelingam, has said, but I only wanted to enlarge on the question put by Mr. Rangachariar and generally address my inquiry about the surplus Army Officers. If the Honourable Member in charge is unable to give the information to-day I will not press the question.

**The Honourable Sir Malcolm Hailey:** I understand that this definite motion refers to a sum which we have placed in our budget at page 40, “the passage of surplus Indian Army Officers selected for the Indian Civil Service.” The House knows quite well what our arrangements are for recruiting for the Indian Civil Service. We have a progressive rate of recruitment of Indians—33 per cent. rising to 48 per cent. It is now 37½ per cent., the remainder of the recruitment is in Europe. The number of European recruits obtained by the ordinary competitive examination in England has fallen very far indeed below the average. And under the Temporary Provisions Act, which does not expire till 1924, it is open to us to recruit either by competitive examination or by nomination subject to proper tests. During the later stages of the war we recruited under the Temporary Provisions Act by nomination among British Army Officers. Now in order to complete our European recruitment, we have, instead of recruiting from among surplus British Army Officers, decided to take a certain number of Indian Army officers, that is to say, officers who were in the Indian Army, but have been declared surplus to establishment. There were altogether some 1,900, so declared surplus to establishment, and we thought that if possible we would obtain our recruits from this source rather than by nomination in England itself, for they would have some experience of the country and of the language, while there seemed little doubt that we could find from among the large number of surplus officers men who had commenced a university career in England and are well qualified to fulfil the literary tests. I may add that the officers apply in India. They undergo a literary test here and their papers are sent Home to the Civil Service Commissioners who are responsible, of course, for recruitment to the Indian Civil Service. If accepted by them, the officers then go Home to appear before the Civil Service Commissioners and complete their final tests. So far our arrangements contemplate sending 12 officers Home, but it is not known yet whether that number will be worked up to, because we do not know how many will be accepted by the Civil

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Service Commissioners when they see their papers. So it is possible that the full sum placed in the budget may not be required. I would add that it is perhaps purely an accident that the sum finds its place here, because the officers surplus to the Indian Army establishment who are being dispensed with are being given a free passage Home. So these particular officers, it may be 12, in number, would receive that passage Home in any case, but as they are going Home for the particular purpose of appearing before the Civil Service Commissioners, we have made provision for them in the Home Department estimates. I hope that explanation will satisfy my Honourable friend.

**Rao Bahadur T. Rangachariar:** Then I do not press the motion\* and withdraw it.

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

**Mr. K. G. Bagde** (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the provision for other Contingent charges under the sub-head 'Home Department' be reduced by Rs. 5."

By moving this reduction I intend to raise the question regarding the working of the Standing Committee attached to the Home Department. Honourable Members might be remembering that on the 19th of January, 1922, the Honourable Mr. Neogy moved a Resolution recommending to the Governor General that Standing Committees elected by Members of the Legislature be associated with the different departments of the Government of India except the Army and the Foreign and Political Departments. This Resolution at that time was vehemently opposed on behalf of the Government, but it was carried by the House. Then on the 22nd August rules were published in pursuance of that Resolution. For the information of Honourable Members I may just read the rules which were intended to define the scope of the duties of these Committees:

"The following subjects will be laid before the Standing Committees.

1. All Bills introduced or proposed to be introduced by non-official Members of the Legislature and the Legislative proposals which the Department concerned intends to undertake and on which the Member in charge of the Department desires the advice of the Committee.
2. Reports of Committees and Commissions on which the Indian Legislature is not adequately represented and on which the Member in charge of the Department desires the advice of the Committee.
3. Major questions of general policy on which the Member in charge of the Department desires the advice of the Committee.
4. Annual reports."

There is a proviso which lays down certain limitation on this rule but I do not think it necessary for me to read that proviso. Now, Sir, we do not know what help these standing committees have rendered to Government. If we followed the debate on the original Resolution it will be very easy to find that the aim of the Mover was that Members who were on the committee should get experience in the administration of the various departments of the Government of India. I do not know how far that aim has been fulfilled. The rules which I have just read out will

\* "That the provision for Passage of Surplus Indian Army Officers selected for the Indian Civil Service under the sub-head 'Home Department' be reduced by Rs. 9,120."

make it clear to Honourable Members that the functions of these committees are purely advisory. In that debate the present Home Member and his predecessor both made a great point that these committees would hamper and raise difficulties in the way of Government. Sir William Vincent said "Now that would not be the case exactly here because any Committees appointed would be advisory. But at the same time any Member of the Government might be put in a very difficult position by Members of a Committee. They ask for papers and the Government says 'No. They are not going to be put before you.' 'Very well, my friend' the Committee say 'you wait till we get the Assembly down on you; you are not going to accept our views on the subject; we will see what the Assembly has to say on that.'" Now, no member of these committees has come forward before this Assembly at least with such a threat. From that I think that the Honourable Members who are on the committee have not raised any difficulties in the way of the Government. But our experience on the 20th of last month shows that these Committees, at least one of these Committees, has been used by Government as a handle to throttle our freedom of action. On that day Government depended upon the opinions of the Standing Committee attached to the Home Department for throwing out two Bills, one Bill introduced by our friend Dr. Gour, I think the Bill to amend the Legal Practitioners Act, 1879, and the other was the Inter-caste Hindu Marriage Bill of the Honourable Mr. Latthe. Now Sir, I do not think it is desirable on the part of Government to use the opinion of the Standing Committees for curtailing our freedom of action; because the Assembly would then be thrown into a very awkward position. There has been some talk about the Princes Protection Bill to-day and the Honourable Members might be remembering that some section of the press found fault with the fact that the Princes Protection Bill at its first reading was thrown out by the Assembly. Now Sir, Government at the instance of these Committees is laying down precedents by throwing out these Bills at the first reading. What I want to object to is that the Committee at least should be strictly neutral with regard to social legislation in which I am very keen personally. Now we have suffered a good deal from the opinion of this Committee with regard to these two Bills and I do not think there is any probability of our getting those Bills through in the life time of the present Assembly. And the other thing I want to bring to the notice of this House is that these Committees should be given more important work. I would like to know from the Honourable the Home Member what work, especially with reference to the third clause, *i.e.*, major questions of general policy—have been referred to these Committees, and if no such questions are referred to these Committees, then I think the creation of the Committees has not been of any use, or at least has not been of that much use which was expected from their creation. I therefore request the Honourable Member to give me an explanation on this point.

**Mr. J. N. Mukherjee** (Calcutta Suburbs: Non-Muhammadan Urban):

Sir, at this late hour I had no intention of detaining the House, 6 P.M. but owing to certain observations of a very general character which have been made, I feel it my duty to place an aspect of the question which has been held back from the House. The principal complaint of my Honourable friend, if I understand him rightly, was that in matters of social legislation the Committee attached to the Home Department, which is of an advisory character, should not give any opinion which would go to influence the decision of the Governor General or of the Executive-

[Mr. J. N. Mukherjee.]

Government. My Honourable friend forgot that Bills of a certain class have to be introduced into the Assembly with the previous sanction of the Governor General. Now, in matters of social legislation, I must state to the House, that the communities affected by Bills of that character feel it as a grievance that their opinion is never taken before their introduction in the Assembly. The party who is going to be affected, the communities concerned, are kept in the background. Honourable Members in this House will readily see that the House was not constituted on a religious and social basis, but upon an administrative basis. Though, no doubt, under certain circumstances social legislation may be taken up by the Legislature, yet as a rule the Governor General has to inform himself as to the trend of popular opinion with regard to any piece of social legislation and to form his own opinion accordingly. Now, Members do not come to this House with a mandate from their communities. As matters stand now, a community is thrown on its back summarily in this House, and social legislation is attempted to be rammed down its throat. That is the sort of process that is attempted in this House. I for one Sir, protest against such a procedure. The Governor General, before he grants his sanction to any Bill affecting communal laws, should have a full opportunity of knowing the views of the people who are going to be affected by the proposed legislation. The committees, it could be thought, afford some means for conveying the sentiments of the people with reference to social legislation. But that I submit, is unfortunately a view which, in the present state of things does not hold good for all practical purposes. The class of people who are coming into the Assembly have cut themselves adrift, more or less from the great masses of the people in certain respects, and if they take upon themselves the duty of expressing the sentiments of the people in matters of social legislation, I submit they do so on their own responsibility, but certainly without any mandate from the people at large. Therefore Sir, although advisory committees afford some check, that check, I submit, is insufficient. If the Governor General takes advice from these advisory committees, generally speaking he does the very thing he ought to do and what the country expects him to do. I am voicing the opinion of a large class of people with whom I am in touch, when I say that they wish that the Governor General and his Council should inform themselves as to the propriety of any social legislation before its initiation. As regards administrative questions, it does not matter Members of which community in the Legislative Assembly take part in their decision or what sort of religious views they hold. It is a pure question of administration in such cases, and I have nothing to say as to the functions of these advisory councils, in general, except that in administrative matters their advice should be obtained more readily than is the case now. Sir, I oppose the motion, on the whole.

**Rao Bahadur C. S. Subrahmanayam:** Sir, the point is a very narrow one. The question specifically raised is the advice which the Committee is said to have tendered to the Home Department. And only two points relating to that consultation were taken up for discussion. The first was with regard to Dr. Gour's Bill which I presume is a Bill relating to women being admitted to the legal profession. The objection was not on any social ground. There were certain technical difficulties in drafting, and therefore it was said that the drafting should be undertaken by Government, and that the matter should not be left entirely in the hands of a private Member, and Government were agreeable to undertaking legislation

in the direction in which it was desired by the Mover; then the opinion that was given was in consonance with the opinion received from outside competent authorities. On that point I think the Committee, or any individual Member of the Committee, could not be blamed, and there is no element of social or racial or any other consideration governing the advice tendered on that matter. With regard to the other matter, that is, Mr. Latthe's Bill, the opinion was based more upon the convenience of the Members, the convenience of the Assembly, and convenience based upon economy. There was Dr. Gour's Bill, which he had strenuously during the last two years advocated before the Assembly, and it was taken up by a Committee; and I believe, judging by the event, that Bill has been put into shape and presented to this House. Well, that Bill was in course of consideration, discussion and shaping, and it was thought that another, not exactly on those lines but somewhat similar lines, would simply confuse the issues and would probably be a set-back to Dr. Gour's Bill. Then there was also for consideration this Bill introduced for the first time in this session and which may not have any chance of being passed into law before this Assembly dissolves, and it was on the ground of convenience, not on the ground that that Bill had anything to do with social or religious or other matters; it was on that ground, and when these matters came up for discussion, the Government said: 'This is our opinion, which is also confirmed by the opinion which we got from the country, and I think on these two points, it is only a matter which any legal man or any man who is slightly conversant with legislation and the methods of legislation would have advised. Those are the two points I think which require some kind of explanation from a Member.'

**Rao Bahadur T. Rangachariar:** I am afraid, Sir, the discussion has taken an altogether wrong direction. The point which I wish to emphasise somewhat on this Resolution is this. These Standing Committees were appointed to get into live touch with the real internal administration of each Department; they were not appointed to examine non-official Bills merely, they were appointed to go and acquaint themselves with the internal machinery. With that object, we put them in, and our complaint is that, at any rate my complaint is that, so far as the Home Department is concerned, they used their Committee merely for the non-official Bills, and I do not see any evidence that this Committee was brought into touch with the internal machinery.

**Mr. N. M. Joshi:** I also support the motion made by my Honourable friend, Mr. Bagde. When the Standing Committees were elected, we thought they would do more useful work than advising the Government to throw out private Bills. If the Standing Committee's advice is to be followed by Government in certain matters, I am quite sure no private labour legislation will have any chance in this House.

(Voices: "I move that the question be put.")

**Mr. Deputy President:** The question is:

"That the provision for other Contingent charges under the sub-head 'Home Department' be reduced by Rs. 5."

The motion was negatived.

**Dr. H. S. Gour:** Sir, at this stage may I ask you to adjourn the House?  
(Voices: "We must go on.")

*Staff Selection Board.*

**Mr. Sambanda Mudaliar** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, I will not detain the House for more than two minutes. You will see, Sir, that the main function of the Staff Selection Board is to provide clerical officers for performing duties under the control of the Government of India. Now in regard to this, the Inchcape Committee have recommended, on page 135, that it should be put on a self-supporting basis. They said:

"It is probably desirable that there should be an institution of this sort to recruit for the Secretariat, but when the Board again fully functions an endeavour should be made to render it entirely self-supporting."

You will see that in the present year's Budget provision is made for Rs. 4,880. My submission is that this amount is quite unnecessary, and, having regard to the recommendation of the Retrenchment Committee, it should be put on a purely commercial basis, and it should be made self-supporting. I think the expenses, whatever they may be, should be met from the examination fees, and it is hardly necessary that an amount of Rs. 4,880 should be set apart for this item. I therefore recommend this for the approval of the Assembly.

**Mr. Deputy President:** The question is:

"That the provision of Rs. 4,880 under the sub-head 'Staff Selection Board' be omitted."

**The Honourable Sir Malcolm Hailey:** Sir, we had previously been spending a sum of about Rs. 22,000 to Rs. 22,800 on the Staff Selection Board; we now propose to place a sum of Rs. 4,880 in the Budget. That expenditure is merely intended to carry on the Board on a minimum basis for six months until we have the Report of a Committee of this House on the operations of the Staff Selection Board. That Committee was appointed in 1921; we have not yet received its Report. When we receive the Report, we shall be able to take further action with regard either to the continuance of the Staff Selection Board or to its abolition. The sum of Rs. 4,880 simply covers a minimum office staff, for its move to Simla, and provides for the summoning of a few candidates and stenography and typing. It provides for nothing else, we shall be holding no examination, and is merely intended to give us an opportunity of deciding what we shall do with the Staff Selection Board.

**Mr. Sambanda Mudaliar:** Sir, I beg to withdraw the motion.

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

*Central Bureau of Information.*

**Rai Bahadur G. C. Nag** (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I move:

"That the provision under the sub-head 'Central Bureau of Information' under the head 'General Administration, ('Home Department')' be reduced by Rs. 50,000."

Sir, I have not been able to understand the utility of this Central Bureau of Information. So far as I have been able to follow its activities, I find that it only compiles the Moral and Material Progress Report of India out of materials supplied by the various Departments. How far this is justifiable; I would refer Honourable Members of this House to the remarks of the Honourable Finance Member made the other day; he said that the progress of the country was no better than a rake's progress. Now, my point is if the Government are anxious to bring out

a narrative of the events touching on the moral and material progress of the country for a year or a number of years, I should not dispute the desirability of their doing so. Can they not do this without incurring such a heavy expenditure? I think they can place an officer on deputation for a period of three months and get the work done. I do not know why, for achieving this object, the Government should go to the expense of maintaining a whole-time Director of Information on Rs. 2,000 to Rs. 2,750 and a whole-time Assistant Director on Rs. 1,200 to Rs. 1,500 with a staff of clerks and servants, all costing the country no less than one lakh and a half of rupees annually. In these days of deficits when we are starving such useful departments such as Education, Medical Relief, Sanitation and the like, it seems nothing short of a folly to indulge in such a luxury as a Central Bureau of Information, in Delhi or Simla, and that at such a high cost. Then, again, Sir, there is another point. For whose benefit do the Government keep this Bureau? So far as the public are concerned, the Bureau seems to care precious little for its interests. By way of illustration I would invite attention of the House to the leaflet issued by the Bureau in the month of July last and re-published in the newspapers of the country dealing with the question of State *versus* Company management of the Indian Railways. The object of the leaflet was to influence public opinion in favour of Company management and to condemn State management of the Indian Railways. The Honourable Mr. Innes replying to an interpellation on the 6th September last admitted that the leaflet was published by the Publicity Bureau on the materials supplied by the Railway Board. In other words the Bureau acted in that matter as the mouthpiece of the Railway Board, which, it is well known, is in favour of Company management. This was the manner in which the Bureau served the public in a matter of such vital importance. If the Central Bureau exists to voice the opinion of particular departments of Government, why, what object could be more easily served by such department publishing its views on a particular subject in a leaflet of its own. The Bureau exists merely as a post office in this matter and serves no other purpose.

Then, there is one other point. The reason why the Inchcape Committee did not propose a cut out of this department of Central Bureau of Information is, I think, very simple. The Bureau stood on a temporary footing, being called into existence during the time of the War. The Bureau was not intended to live for all time to come. It is for this reason that the Inchcape Committee left the Bureau untouched.

Now, coming to the particular expenditure incurred by the Bureau, there is an item of Rs. 50,000 provided as a new expenditure. I invite the attention of Honourable Members to page 40, in column three against Miscellaneous charges in connection with publicity work. There is a new item of expenditure put down as Rs. 50,000. This, I think, can easily be cut down, without even abolishing the department or impairing its activity to any appreciable extent. No indication is given as to how this large amount is going to be spent and I think I am on safe ground when I suggest that this estimated expenditure of Rs. 50,000 may be cut down. Sir, I move my amendment.

**Mr. B. S. Kamat:** Sir, I believe the Mover of this amendment has taken a very narrow view of the duties of the Publicity Department. I believe the duties of a Publicity Department are two-fold, first in respect of publicity abroad, regarding the actions and the doings of the Government of India for information of people abroad, and publicity within India. So far as

[Mr. B. S. Kamat.]

publicity abroad is concerned, I do not think there is any civilised Government which does not maintain some Publicity Department or other; and if we abolish our Publicity Department, probably we shall be doing a thing quite out of accord with what all the civilised Governments are doing at the present moment. Then, again, Sir, it is, I believe the Joint Parliamentary Committee which drew attention to the fact that the Government of India all these years were not doing their publicity work adequately, and the Joint Parliamentary Committee has pointed out that if the Government of India took necessary action in giving publicity to their policy and to their views in the right manner a good deal of misrepresentations and other unhealthy news which gets abroad or even which circulates within the country would be avoided. I, therefore, think that this Publicity Department has been brought into existence in pursuance of the recommendation of the Joint Parliamentary Committee. Then, Sir, so far as the work of this department is concerned within India, the Publicity Department is serving a very useful purpose in supplying both to the editors and to the public at large authentic information regarding various problems which the Government of India have to solve, the various policies which it initiates; and it is a link between the Government of India and the journals which circulate information for the country and the masses. Then, again, so far as the masses are concerned, they have to depend upon somebody, some agency, for authentic information. I believe the information supplied by this department is valuable in many respects. The Mover of this motion alluded to a certain pamphlet or leaflet with reference to the question of Company *versus* State management. Those who hang their argument on one particular issue or one particular incident and argue from it so large a question that the whole of this department should be abolished or Rs. 50,000 should be cut down, take indeed a very limited view of the matter. If, for instance, a particular Communiqué is issued, say, by the Government of India as a whole which is against the wishes of a particular section of the public or of this House and if someone were to propose that because a particular Communiqué was not in accordance with the views of a particular section of the community, is it fair that the whole of the Government of India should be censured or their activities cut down? I believe that would be carrying the matter too far. On the whole, I think this department is doing very useful work, and if the information which ought to reach the masses in larger proportion does not reach them it is an argument in favour of strengthening the department rather than curtailing the activities of that department.

**Rao Bahadur T. Rangachariar:** Sir, as a Member of the Publicity Board and as Chairman of the Madras Publicity Board, I may mention what the functions of a Publicity Department are and should be. They act as interpreters of the Government to the people and of the people to the Government. These are the two-fold objects in view. When the Publicity Department was constituted in Madras and also, I take it here, in the first year when I came here, I found the Publicity Department of the Government of India was entirely an officially run organisation. In fact when this question came up in 1921, I pointed out to the Assembly and to the Government the desirability of forming a Board with non-official majority, so that the guidance of the policy of publicity should be in the hands of a responsible Board and not in the hands of merely interested Government Departments. Sir, that suggestion was acted upon in a way that not to my entire satisfaction. At the same time, I accepted a seat inside

that body, and from inside that body I have been agitating for re-constitution of that Board, and I am glad to say we have succeeded in that attempt. Sir, instead of the Board being merely composed of selected non-officials and officials, we have provided for a new constitution by which the majority of the Board are to be elected, 7 from this Assembly and 2 from the Council of State, with 3 non-officials selected from outside, specially people connected with the press and 3 officials only. And we have also made proposals that rules for the guidance of the Publicity Department, including the Budget relating to that Department, should be laid down by that Board. Publicity is essential in all respects. My Honourable friend has referred to a single instance in which the Railway Board view was presented to the public. When the matter came to the notice of the Board, we passed a Resolution that opportunities should be given to those who hold the opposite view to express their view in the matter and we laid it down for the guidance of the Publicity Officer that, whenever any controversial question arises, equal opportunity should be given for both sides and well informed people should be invited to give expression to their views, whichever side they take. So that that is on the records. Sir I do not know how many Honourable Members have used that Department. I have used it myself for my work here. Whenever I want information on any question which comes up for discussion in the Assembly, I appeal to that Department and get the cuttings relating to the particular subject and post myself with regard to it. What prevents Honourable Members from using the Department in that way? It is intended for that purpose. Let us look at it from another point of view. You have here so many departments where you complain work is duplicated. If you go to the Industries Department, they refer you to the Commerce Department. If you go to the Commerce Department, they refer you to the Health Department; if you go to the Health Department, they refer you to the Education Department. In that way you have to go fishing for information, searching for information. Sir, my ambition is to have a clearing house where both the Government and public can get the information and statistics on every point which comes up for discussion in this Assembly and the Council of State. Where else can you get it? You must have co-ordination. Otherwise the Posts and Telegraph Department will have their department of information and intelligence and other departments will have their departments of information and intelligence, and in that way you will be employing numerous officers. There is great scope for Indians training themselves in publicity. This department ought to act as a means for collecting information, comparing statistics, presenting them to the public in a readable form. How many of us look at the reports and the statistics and figures in them and come to right conclusions based on those figures? Sir, the mission of this Department is to produce leaflets explaining the administration, the statistics bearing upon it and the right conclusions to be drawn from them, and to put people in the way of thinking for themselves on statistics and public questions. Sir, this is the work to be done. You do want a highly qualified man to run that Department. I ask my Honourable friend to read a recently published American publication called "Public Opinion." There is a whole chapter relating to intelligence, intelligence which the Government should have, intelligence which the public should have. Simply because Honourable Members are offended at one leaflet issued to go and launch upon a crusade like this upon a Department is rather discouraging for work of this sort. Sir, I think we ought emphatically to express our opinion that there should be only one department where all departments

[Rao Bahadur T. Rangachariar.]

should go for information, where the public should go for information, and I hope the Government have agreed to our proposals. It was only last week we made our proposals about reorganisation and I hope His Excellency the Viceroy has accepted our recommendations in that case. I say it is a good beginning. I was very sorry when I saw in the papers that the Madras Publicity Board was abolished. Sir, we in Madras did not dabble merely with Government information, we issued leaflets on industrial matters, organised lectures on various matters of public interest and educated the people in various ways and made them think for themselves. On account of the financial stringency, thanks to the Honourable Sir Malcolm Hailey's refusal to reduce the Provincial Contribution, Madras has had to starve in many ways and I am very sorry this Department has come under that ruthless blow. Sir, I hope we will not repeat that mistake here. I earnestly appeal to the House not to repeat it.

**Mr. Darcy Lindsay:** Sir, I thoroughly agree with my Honourable friend, Mr. Rangachariar, in his strong advocacy of an increase rather than decrease in the grant for publicity work. To my mind, Sir, had there been more publicity in India, some of our past troubles would have been greatly lessened. The Government of India meets with much abuse, but all the same it does very excellent work that the people at large know nothing about. This never gets to them and it is only the alleged misdeeds that are magnified. What we want to get to the people is the good work done by the Government in the interests of the people. I know a little about this publicity work, Sir. When the war was on the Government of India formed a Publicity Department, with the special object of spreading throughout the country true news regarding the war, and the reasons for rise in prices which was so largely affecting the people. In Bengal as well as in Madras there was a Board formed for this publicity work. Pamphlets were issued, lecture parties were formed, and we started a newspaper, as I think was also done in many other Provinces. When the war came to an end, owing to the tightness of money, the Government shut down all this very useful publicity work. As I said in my opening remarks, had this only been continued, much of our recent troubles would have been prevented. With these remarks, Sir, I strongly oppose this amendment.

(Honourable Members: "The question may now be put.")

**The Honourable Sir Malcolm Hailey:** I know that there are many friends of this Department here and I need only add a few words to what they have said on its behalf. A Government without some organization for publicity is like a human being without eyes and without a voice. You may just as well try to govern in modern conditions without proper publicity, as to undertake any other difficult operation in life without being able to see what you are doing, or to express your ideas intelligibly. I am unfortunate this evening; I am indeed in a very difficult position. I believe the House wants us to spend a great deal more on this Department. I believe if we had put in twice the amount, the House would have seen it through, and the difficulty that I have to face is this, that having engaged to reduce some Rs. 87,000 on behalf of the Finance Department to satisfy the claim of Rs. 97,000 put forward by the Inchcape Committee, my Department; in a fit of ill-timed thrift has proposed to make certain deductions in the original demand for the Central Bureau of Information. I know that, if I were to go through these reductions now, revealing the 'subtails to those who have advocated the Department to the House, it would

be so heart-rending to them that they would turn on me on some future occasion and vote a reduction which I did not want because I have made on this occasion a reduction which they do not want. I will only say this that I fully recognise what Mr. Rangachariar said regarding the necessity of having as wide a non-official basis as possible for the Committee which is to advise and guide this Department.

**Mr. Jamnadas Dwarkadas:** Has the proposal for the change of name been accepted?

**The Honourable Sir Malcolm Hailey:** The proposal put forward by the sub-committee for the constitution of the advising and guiding committee has been accepted and will be given effect to. The question of nomenclature is one which we could discuss at any time. I don't think the Department would do any better work under another name, but, if the Advisory Committee would like a variation, I should be prepared to accept it.

**Rao Bahadur T. Rangachariar:** I think it has already been done.

**Mr. Deputy President:** The question is:

"That the provision under sub-head 'Central Bureau of Information', under the head 'General Administration ('Home Department')' be reduced by Rs. 80,000."

The motion was negatived.

**Dr. Nand Lal:** Sir, I have studied the question again and I am, now, of opinion that this is a very useful Department, namely, the Bureau of Central Intelligence. Therefore, I do not propose to move this motion.\*

Sir, the whole subject has been fully discussed with reference to a number of amendments, and therefore, in the interests of the economy of time, I do not propose to move this motion.†

**Rao Bahadur T. Rangachariar:** Sir, as we are entering a new Department, Education and Health, and as there are one or two points especially with regard to the Army Department which will take time and which we cannot enter into to-day, may I suggest that we adjourn now?

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#### THE MUSSALMAN WAKF REGISTRATION BILL.

**Maulvi Abul Kasem** (Dacca Division: Muhammadan Rural): Sir, I beg to present the Report of the Select Committee on the Mussalman Wakf Registration Bill.

**The Honourable Sir Malcolm Hailey** (Home Member): I wish to announce that various representations have been made to me on a matter of interest to the Assembly. It has always been customary before any of

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\* "That the provision for Bureau of Central Intelligence under sub-head 'Home Department' be reduced by Rs. 36,000."

† "That the demand under sub-head 'Home Department' be reduced by Rs. 50,000."

[Sir Malcolm Hailey.]

our previous Councils dissolved to have a photograph taken of the entire body. The question of dissolution is still no doubt far away, but it was felt by many of its Members that, as perhaps the meeting in Simla might not be a full one, it would be advisable to take a photograph here. It is proposed, therefore, to have a photograph taken at 10-30 on Monday morning at the Secretariat.

The Assembly then adjourned till Eleven of the Clock on Friday, the 16th March, 1923.