

12th February, 1924

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THE  
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

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FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



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# LEGISLATIVE ASSEMBLY.

Tuesday, 12th February, 1924.

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

## MEMBER SWORN:

Maulvi Abul Kasem, M.L.A. (Bengal: Nominated Non-Official).

## QUESTIONS AND ANSWERS.

### RAILWAY LANDS.

282. **\*Mr. Kumar Sankar Ray:** Will the Government be pleased to state the quantity of land held by the different Railway authorities in India outside the area actually covered by Railway lines, stations and workshop compounds and what, if any, profits do the Railway authorities get out of such lands?

**The Honourable Sir Charles Innes:** The information asked for is not available. But I may add that Railways do not permanently acquire land beyond what is actually required for operating the Railway or what is likely to be required in the near future and any revenues which Railways may obtain from the leasing of land not actually required for the tracks for grazing or other purposes are very small.

### INDIAN SOLDIERS EMPLOYED IN MESOPOTAMIA.

283. **\*Sheikh Sadiq Hasan:** (a) Will the Government be pleased to state the number of Indian soldiers now employed in Mesopotamia?

(b) Does the Government intend the early withdrawal of the Indian Army from Mesopotamia?

**Mr. E. Burdon:** (a) It would not be in the public interest to give the information asked for by the Honourable Member in this part of his question.

(b) No.

### APPOINTMENT OF AN INDIAN AS MEMBER OF THE RAILWAY BOARD.

284. **\*Sheikh Sadiq Hasan:** (a) Is it a fact that no Indian has been appointed a member of the Railway Board since its formation?

(b) Does the Government intend to consider the advisability of appointing an Indian member on the Railway Board?

**The Honourable Sir Charles Innes:** (a) Yes.

(b) Appointments to the Railway Board are such as can only be filled by officers with suitable railway experience and of the necessary seniority, and at the present there are few Indians in the senior ranks of the railway service.

#### STOPPAGE OF MAIL TRAINS AT AMBALA CITY.

285. \***Lala Duni Chand:** (a) Is it a fact that both the Lucknow Punjab Mail and the Bombay Punjab Mail used to stop at Ambala City Railway Station up to the end of August 1922 and from 1st September 1922 neither of the two Mails stops there and this works great hardship upon the travelling public?

(b) Will the Government be pleased to state the reason or reasons for this action on the part of the Railway Authorities?

**The Honourable Sir Charles Innes:** (a) The reply to the first portion of the question is in the affirmative and to the second, in the negative.

(b) The reasons were to accelerate the Calcutta and Bombay Mail Trains between Lahore and Saharanpur and to effect economy by cutting out unessential halts. Before this was done a thorough examination was made and it was found that the number of passengers entraining and detraining at Ambala City Station by the trains referred to was not sufficient to justify the stoppage at that station as well as at Ambala Cantonment.

#### IMPRISONMENT OF PERSONS UNDER THE NORTH-WEST FRONTIER REGULATIONS.

286. \***Lala Duni Chand:** (a) Will the Government be pleased to state how many persons in the North-West Frontier Province were sentenced to imprisonment under Section 40 of the North-West Frontier Regulations during the years 1921 and 1922 on their refusing to furnish security.

(b) Is it a fact that some of them are men of high education and social position?

**Mr. E. B. Howell:** The information is being obtained and will be furnished to the Honourable Member in due course.

#### ABDUL GHAFFAR KHAN OF UTMANZAI.

287. \***Lala Duni Chand:** (a) Is it a fact that Mr. Abdul Ghaffar Khan of Utmanzai of Peshawar District was sentenced to rigorous imprisonment for 3 years on his refusing to furnish security in the sum of Rs. 10,000?

(b) Is it also a fact that the only evidence against the said Khan Abdul Ghaffar Khan consisted only of the hearsay statement of Mr. Abdul Aziz, C. I. D. Inspector?

(c) In case the Government may not be prepared to admit the hearsay nature of the evidence of the said Abdul Aziz, will the Government be pleased to state briefly what his evidence was?

(d) Is the Government aware of the fact that since his admission into jail his weight has been considerably reduced and his health has greatly suffered?

(e) Is the Government aware of the existence of a strong feeling of resentment throughout the North-West Frontier Province against the continued incarceration of this gentleman?

**Mr. E. B. Howell:** (a) Yes.

(b), (c), (d) and (e). The information is being obtained and will be furnished to the Honourable Member in due course.

COTTON MILLS.

288. **\*Mr. C. Duraiswami Aiyangar:** (a) Will the Government be pleased to state how many mills for cotton industry are working in all the provinces?

(b) What is the value of their total annual outturn?

(c) What is the extent of the foreign capital (British and non-British separately) invested in the said mills and that of the purely Indian capital?

**The Honourable Mr. A. C. Chatterjee:** (a) There were 243 Cotton Spinning and Weaving Companies at work in 1922-23. The actual number of mills working at the present moment cannot be stated.

(b) The value of the outturn in 1922-23 was 56 crores 55 lakhs.

(c) No information is available.

IMPORTATION AND SALE OF MILL-MADE CLOTH AS HOME-SPUN KHADDAR.

289. **\*Mr. C. Duraiswami Aiyangar:** With reference to the observation at page 121 of "India in 1922-23", viz., "It should be noticed that a certain amount of grey cloth, both imported and Indian mill-made, was sold in India as home-spun (Khaddar)"—

(a) Will the Government be pleased to state whether there is any rule that imported goods and mill-made goods must bear the label on each piece indicating the place and the name of the firm where it was manufactured?

(b) If the answer to (a) is in the negative, will the Government be pleased to state if it is its intention to lay down such rules as will prevent fraudulent smuggling of goods under false names or pretence?

**The Honourable Sir Charles Innes:** The sentence which the Honourable Member has quoted in his question relates to an incident in the trade of India in the year 1921-22, which, as far as imported cloth was concerned, was the subject of a question in this Assembly. The attention of the Honourable Member is invited to my answer† to question No. 262 on March 11th, 1922. The information at that time at the disposal of the Government of India was that any fraud of this kind had ceased to be serious in December 1921. The position throughout 1921-22 was kept under careful watch and no reports of such imports subsequent to March 1922 have been received. Provisions in law exist for dealing with any importations of foreign made cloth falsely labelled as Indian made.

2. There is no law requiring that on any goods manufactured in India either the place of manufacture or the name of the manufacturer should be shewn. The Government are not aware that goods forming ordinary articles of commerce in any country are required anywhere to be marked with the name of the manufacturer.

3. The present rules provide penalties for goods being imported with a mark indicating their manufacture in a country other than that in which they are made.

† Vide page 2969 of L. A. Debates, Vol. II.

## CONSPIRACY CASE AGAINST THE SHRIMONI GURDWARA PARBANDHAK COMMITTEE.

†290. **\*Sardar Kartar Singh:** Will the Government be pleased to state whether the expenses incurred for the prosecution of the conspiracy case against the S. G. P. C. members is being borne by the Government of India or by the Punjab Government: if by both, in what proportion?

## THE SHRIMONI GURDWARA PARBANDHAK COMMITTEE AND THE SHRIMONI AKALI DAL.

†291. **\*Sardar Kartar Singh:** Is it a fact that the declaration of the S. G. P. C. and the Shrimoni Akali Dal, under section 16, clause 2, of the Criminal Law Amendment Act, as amended by the Devolution Act of 1920, has been made at the instance of the Government of India against the wishes of the Punjab Government? Will the Government be pleased to lay all the correspondence on the table for the information of the House?

## POLICY OF THE PUNJAB GOVERNMENT TOWARDS SIKHS.

292. **\*Sardar Kartar Singh:** Will the Government be pleased to state if the policy adopted by the Punjab Government towards the Sikhs in the Punjab is directed by the Government of India? If so, to what extent?

**The Honourable Sir Malcolm Hailey:** I may answer Questions 290 to 292 at the same time, if the Honourable Member has no objection

No. 290. By the Government of the Punjab.

No. 291. The answer is in the negative.

No. 292. The action taken by the Government of the Punjab against certain members of the Shrimoni Gurdwara Parbandhak Committee had the approval of the Government of India.

**Sardar Kartar Singh:** Does not the Government recognise that the Shrimoni Gurdwara Parbandhak Committee is a representative body of the Sikhs?

**The Honourable Sir Malcolm Hailey:** I think the exact attitude of Government towards this Committee could be better stated in the Punjab Council and at greater length than it is possible in answer to a question here.

**Pandit Madan Mohan Malaviya:** Is the Government aware that the Government of the Punjab did recognise the Shrimoni Gurdwara Parbandhak Committee as representative of Sikh religious opinion, and does the Government of India see any justification for allowing the present changed attitude of the Punjab Government to go on?

**The Honourable Sir Malcolm Hailey:** I am aware of the recognition accorded to that Committee in the Act which was passed in the Punjab Council. I am not aware that, as far as that particular recognition was concerned, any change has taken place.

## LAWRENCE STATUE AT LAHORE.

293. **\*Sardar Kartar Singh:** Will the Government be pleased to state whether there has been any correspondence between the Government of India and the Punjab Government on the subject of the removal of the Lawrence Statue from its present site on the Mall at Lahore? If so, will Government lay it on the Table?

† For the answer to this question, see below question No. 292.

**The Honourable Sir Malcolm Hailey:** There has been some correspondence of a confidential nature. I am not prepared to publish it.

**Sardar Kartar Singh:** Are the Government prepared to advise the Government of the Punjab to remove this Statue?

**The Honourable Sir Malcolm Hailey:** If we were prepared to issue advice to the Government of the Punjab, it is unlikely that I should reveal the fact here.

SUPERIOR SECRETARIAT APPOINTMENTS.

294. **\*Sardar Kartar Singh:** Will Government be pleased to lay a statement on the table showing (a) the number of secretariat appointments in the various Departments of the Government of India that fell vacant during the last one year, (b) how many of them were given to Europeans and Anglo-Indians and how many to Indians?

(By Secretariat appointments is meant the posts of the Secretaries, Deputy Secretaries, Under Secretaries and Assistant Secretaries).

**The Honourable Sir Malcolm Hailey:** The Honourable Member is referred to part (b) of the reply given by me to Mr. Rangachariar's question No. 134 on the 4th February 1924.

SECRETARY TO THE HIGH COMMISSIONER FOR INDIA.

295. **\*Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to mention the reasons which actuated them in placing the services of Mr. Bhore, Secretary to the High Commissioner for India in London, at the disposal of the Madras Government and in appointing Sir Edward Cook to his place?

(b) Did Government try to secure the services of an Indian gentleman for the post before appointing Sir Edward Cook; if so, with what result; if not, why not?

(c) Have Government accepted the principle of having always an Indian as High Commissioner for India? If not, why not?

(d) Does the appointment of Sir Edward Cook as Secretary to the High Commissioner for India mean that in case of the retirement of the present High Commissioner his successor will not be an Indian?

(e) Will Government be pleased to place on the table correspondence (relating to the appointment of Sir Edward Cook) between them and the High Commissioner for India and also between them and the Secretary of State for India?

**The Honourable Sir Charles Innes:** (a) When in 1920 the post of Secretary to the High Commissioner was created, it was decided that an officer should hold it for three years. Mr. Bhore joined duty as Secretary on October 1st, 1920, and consequently the post became vacant in the ordinary course on the 1st of October last. Sir Edward Cook was selected to succeed Mr. Bhore, as the High Commissioner had asked for the assistance, as Secretary, of an official who had had administrative experience in the Government of India.

(b) No, Sir. It did not seem to the Government of India unreasonable for an Indian High Commissioner, especially one new to this work, to desire to have as his Secretary an official with the experience I have indicated and the Government of India accordingly gave weight to this consideration.

(c) No. Under the terms of His Majesty's Order in Council, dated 13th August 1920, which was published in the Notification of the Government of India, No. 6634, dated 2nd October 1920, the field of selection is left unrestricted and the Government of India consider that this is desirable so that, when and as a vacancy occurs, they may be free to select a person, who, from a consideration of all the circumstances of the time, seems then to be the most suitable.

(d) No such inference arises.

(e) The Government do not propose to lay the correspondence on the Table.

**Mr. Jamnadas Mehta:** Am I to understand that Mr. Bhore's services were not found to be satisfactory?

**The Honourable Sir Charles Innes:** Certainly not. Mr. Bhore vacated his appointment after completing his tenure of that appointment, namely, 3 years.

**Mr. Jamnadas Mehta:** Then why was he not confirmed?

**The Honourable Sir Charles Innes:** Mr. Bhore was confirmed. He held the appointment for 3 years.

**Mr. Jamnadas Mehta:** Then why was he not kept on?

**The Honourable Sir Charles Innes:** Mr. Bhore, as I happen to know, did not want his appointment renewed.

#### STAFF OF THE HIGH COMMISSIONER FOR INDIA.

296. **\*Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state the total strength of the staff of the High Commissioner for India? How many of these are Indians and how many Europeans?

(b) Will Government be pleased to state the names of Indians and Europeans on the staff of the High Commissioner for India together with the salaries drawn by each of them?

**The Honourable Sir Charles Innes:** (a) The total strength is 528. In this figure are included the staff not only of the High Commissioner's own office but also of the Stores Department, the Depot Branch of the Stores Department (in which 152 persons, mostly labourers, are employed), the Accounts Department, the Students Department and the Indian Trade Commissioner. Fourteen are Indians and the rest Europeans.

(b) A statement showing the names and the pay of the Indian members of the establishment is being sent to the Honourable Member.

#### CONTRACT FOR THE BOMBAY CITY MOTOR MAIL SERVICE.

297. **\*Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state whether the difference between the highest and the lowest tenders for the existing contract *re* the haulage of mails in the town and Island of Bombay was Rs. 30,000 (Thirty thousand only) annually and whether the highest tender was accepted?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state the reasons for accepting the highest tender?

**The Honourable Mr. A. C. Chatterjee:** (a) The difference between the highest and lowest tenders received for the renewal from the 1st November, 1923, of the contract for the Bombay City Motor Mail Service was as stated. The highest offer, however, was subject to a deduction of Rs. 18,000 for rent for the postal stables occupied free under the existing contract. No other tender included an offer for these premises. After consideration of all the tenders received Government decided that it was inadvisable in current circumstances to enter into a contract for a number of years and that it would be better to continue the existing arrangements for a further year by which time it was hoped that prices would have fallen and more favourable offers would be received for the contract.

(b) This does not arise.

ADJUSTMENT OF EXPENDITURE INCURRED ON TELEGRAPH WORK DONE IN COMBINED OFFICES.

298. **\*Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state what effect has been given to Item No. 12 of the Director General's replies to the All-India Postal Union contained in the No. A. M. 502 of the 28th April 1923, regarding crediting the Postal Branch with the cost of the work performed by combined officers for the Telegraph Branch?

**The Honourable Mr. A. C. Chatterjee:** An appropriate method of estimating the expenditure incurred on account of the Telegraph work done in combined offices has been devised and the necessary adjustment between the Postal and Telegraph Branches will be made in the accounts for future years.

RECOVERY OF HOUSE RENT AND MUNICIPAL TAXES FROM TELEGRAPH OFFICIALS.

299. **\*Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state (a) what effect has been given to the recommendations of the Inchcape Committee in the case of the Telegraphic service?

(b) Whether house rent is recovered from the general scale Telegraphists for the Government quarters provided to them?

(c) Whether municipal and other charges are recovered from Telegraphic officials occupying departmental quarters?

**The Honourable Mr. A. C. Chatterjee:** (a) I would invite the Honourable Member's attention to item 28 and following items in statement† No. III laid on the Table by the Honourable Finance Member in reply to a question by Sir Deva Prasad Sarvadhikary on the 2nd July 1923.

(b) The reply is in the negative.

(c) Municipal and service taxes are recovered from Telegraph officials occupying departmental quarters, except in the case of the telegraph line staff.

CIVIL JUSTICE COMMITTEE.

300. **\*Mr. C. Duraiswami Aiyangar:** With reference to No. F.-159-22-Judl. of the Government of India, Home Department and the Resolution dated 24th January 1924 appointing a Committee:

(a) Will the Government be pleased to state what is the probable amount that will be spent or is proposed to be spent on this Committee inclusive of the pay of those who will fill the places of the official members of the Committee during their absence on this duty?

† Vide pages 4083-4113 of L. A. Debates, Vol. III.

- (b) What is the probable time within which the Committee is expected to complete its investigation and send up its report?
- (c) Will the Government be pleased to state how they propose to meet this expenditure and whether the expenditure will be distributed among the Provincial Governments?
- (d) Is it not a fact that at least six experienced Judges of the Madras High Court were decidedly of opinion that the proposed Committee will serve no useful purpose?

**The Honourable Sir Malcolm Hailey:** (a) The total expenditure of the Committee has been approximately estimated at Rs. 2,50,000. This figure is, however, only approximate. It includes the pay of the official members of the Committee but not the pay of persons appointed to fill the posts of these members during their absence on special duty. The Government of India have no information on the latter point, and clearly, as the pay of the official members is included, the pay of substitutes appointed to fill their posts should not be included in any estimate of the cost of the Committee.

(b) It has been assumed that the Committee may complete its investigations and report to the Government of India within 5 months, but I cannot say whether this estimate will be fulfilled.

(c) The expenditure will be met from central revenues.

(d) The opinions of the authorities consulted by the Government of India were published as annexures to the Resolution appointing the Committee and a copy of the Resolution with those annexures has been placed in the Library of this House. I can only say that I should not interpret the views expressed by the Judges of the Madras High Court in the way that the Honourable Member has done.

**Mr. C. Duraiswami Aiyangar:** Does the Committee propose to go into the interior of the Province to the district headquarters?

**The Honourable Sir Malcolm Hailey:** The arrangement of its work is left really to the Committee itself. If they find it necessary to make inquiries in the mofussil, they will no doubt do so. If it is the Honourable Member's intention to invite them to do so, I shall be very glad to bring before them the suggestion he has made.

#### TRANSFER OF THE E. I. AND G. I. P. RAILWAYS TO STATE MANAGEMENT.

301. **\*Mr. Bhubanananda Das:** (a) Will Government be pleased to state what arrangements are being made for taking over the East Indian Railway at the end of this year and the G. I. P. Railway at the end of next year?

(b) Will Government be pleased to state the nature of the organisation which is going to control these two Railways in future and the exact manner in which it is intended to associate non-official Indians with the administration?

**The Honourable Sir Charles Innes:** (a) The Railway Board are working out with the Agents of the two Railways mentioned the details of the transfer of the lines from Company to State management, especially in regard to the transfer of staff and stores. The High Commissioner for India has also been asked to concert in communication with the Home Boards of the two Companies, the arrangements necessary for the carrying on of the work now performed by those Boards; and it is understood that he is already in touch with them in this matter.

(b) The two Railways will on their transfer to State management be in charge of Agents and will be managed and controlled in the same way as other State-managed Railways. Non-official Indians will be associated with their administration through the medium of Local Advisory Committees.

INDIANS ON THE RAILWAY BOARD.

302. **\*Mr. Bhubanananda Das:** (a) Have Government considered the recommendations of the Railway Committee to put Railways and major ports under a single administration in charge of a member of the Executive Council called Member for Communications?

(b) So long as this step is not taken, will Government be pleased to indicate how many Indians there are at present on the Railway Board?

(c) How many Indians it is intended to put on the Railway Board in future?

**The Honourable Sir Charles Innes:** (a) Yes.

(b) and (c). There are no Indians on the Railway Board at present. Appointments to the Railway Board are such as can only be filled by officers with suitable railway experience and of the necessary seniority, and there are at present few Indians in the senior ranks of the Railway Service.

**Mr. Bhubanananda Das:** Are there no Indians of suitable railway experience who can be taken into the Railway Board?

**The Honourable Sir Charles Innes:** We fill up appointments to the Railway Board from Agents, General Managers and Chief Engineers of Works, and there are no Indians in those categories at present.

OFFICIALS OF THE GOVERNMENT OF INDIA DRAWING MORE THAN Rs. 750 A MONTH.

303. **\*Mr. Bhubanananda Das:** Will Government be pleased to give a list of the officials attached to the various Departments of the Government of India getting more than Rs. 750 and indicate for each Sub-Department the percentage of Indians there are of the total number?

**The Honourable Sir Malcolm Hailey:** A statement is laid on the table.

*List of officials attached to the various Departments and attached offices of the Government of India who are in receipt of a pay of more than Rs. 750 a month, and the percentage of Indians to the total number in each office.*

(N.B.—“Statutory natives of India” have not been included as “Indians” for this purpose).

Departments.	Attached Offices.	Officials.	Percentage of Indians.	REMARKS.
Home	...	Secretary. Joint Secretary. Deputy Secretary. Officer on Special Duty. 3 Assistant Secretaries.	Per cent. 14	

Departments.	Attached Offices.	Officials.	Percentage of Indians.	REMARKS.	
Home— <i>contd.</i>	Director, Intelligence Bureau.	Director. 2 Assistant Director . Government Examiner of Questioned Documents.	Per cent. 20		
	Director, Public Information.	Director. Assistant Director.			50
Foreign and Political.	...	Political Secretary. Foreign Secretary. 2 Deputy Secretaries. Under Secretary. Assistant Secretary. Registrar. 6 Superintendents.	Nil.		
	Office of Military Adviser-in-Chief, Indian State Forces.	Military Adviser-in-Chief.			
Railway . . .	...	Chief Commissioner of Railways. Financial Commissioner. Two Members, Railway Board. Chief Engineer. Chief Mechanical Engineer. Secretary. Joint Secretary. 4 Assistant Secretaries. 3 Officers on Special Duty. Registrar. 7 Superintendents.	22		
	Office of Accountant-General, Railways.	Accountant-General. Deputy Accountant-General. Assistant Accountant-General.			33½
Education, Health and Lands.	...	Secretary. Deputy Secretary. Under Secretary. Educational Commissioner. Inspector General of Forests. Registrar 3 Superintendents.	22		
	Office of Director General, Indian Medical Service.	Director General, Indian Medical Service. Deputy D. G., I. M. S. Public Health Commissioner. 2 Assistant D. G., I. M. S. Chief Superintendent, Office of D. G., I. M. S.			Nil.
	Office of Director General of Archaeology.	Director General of Archaeology. Deputy Director-General of Archaeology.			Nil.

Departments.	Attached Offices.	Officials.	Percentage of Indians.	REMARKS.
Finance	...	Secretary. Deputy Secretary. 2 Additional Deputy Secretaries. 1 Under Secretary. 3 Officers on Special Duty. 2 Assistant Secretaries. 1 Chief Superintendent. 2 Superintendents.	Per cent.  61.5	
Office of Financial Adviser, Military Finance.	Central Board of Revenue.	2 Members. 1 Personal Assistant.	33½	
Office of Financial Adviser, Military Finance.	...	Financial Adviser. 4 Deputy Financial Advisers. 6 Assistant Financial Advisers.	36	
Commerce	...	Military Accountant General's Office. Military Accountant General. 2 Deputy Military Accountants General. 2 Assistant Military Accountants General. 2 Deputy Assistant Military Accountants General.	48	
Legislative	...	Secretary. 2 Assistant Secretaries. Actuary to the Government of India. 3 Superintendents.	43	
Army	...	Secretary. Joint Secretary. Additional Joint Secretary. Deputy Secretary. Additional Deputy Secretary. Solicitor to the Government of India. Assistant Solicitor. 2nd Assistant Solicitor. Registrar. 1 Superintendent.	27	
Army	Local Clearing Office.	Controller.		
Army	...	Secretary. Deputy Secretary. Establishment Officer. Assistant Secretary. 3 Superintendents.		
Army	Staff Branch.	Officer Supervisor.	Nil.	
Army	Q. M. G.'s Branch.	Officer Supervisor. Chief Clerk.		
Army	A. G.'s Branch	Officer Supervisor.		

Departments.	Attached Offices.	Officials.	Percentage of Indians.	REMARKS.
			Per cent.	
Army— <i>contd.</i>	Military Secretary's Branch.	Officer Supervisor.	} Nil.	
	Engineer-in-Chief's Branch.	Consulting Architect. Officer Supervisor.		
	Assistant Military Secretary (Personal) to H. E. the C-in-C.	Personal Assistant.		
Department of Industries and Labour.	...	Secretary. 2 Deputy Secretaries. Under Secretary. 2 Assistant Secretaries. 2 Superintendents. Consulting Engineer.	} 11	
	Indian Stores Department.	Chief Controller. Director of Inspection. Director of Purchase and Intelligence. 2 Deputy Directors. 1 Officer on Special Duty. 1 Assistant Chief Controller. 3 Assistant Directors.	} 20	

## EXPENDITURE ON THE CAMPAIGN IN WAZIRISTAN.

304. \***Mr. Bhubanananda Das:** (a) Will Government be pleased to state what was the total expenditure of the Government of India including normal establishment charges of the campaign in Waziristan during the last three years?

(b) What operations have been undertaken since the close of the Waziristan campaign across the borders?

(c) What is the present state of affairs with regard to the relations with border tribes?

(d) Will Government be pleased to state whether they still adhere to the forward policy on the Frontier?

(e) Will Government be pleased to lay on the table all correspondence which took place with regard to this matter between them and the Secretary of State?

**Mr. E. B. Howell:** (a) The total expenditure of the Government on the campaign in Waziristan for the last three years, excluding Political charges, figures for which are not at present available but will be supplied to the Honourable Member on receipt, is as follows:—

	Rs.
1920-21	... 17,38,41,737
1921-22	... 10,63,67,837
1922-23	... 8,05,15,775

(b) The Waziristan Campaign cannot be said to have closed until the evacuation of the Takki Zam Line in the beginning of December last. Since then there have been no operations across the border.

(c) The relations of Government with the border tribes are generally satisfactory at present. For instance, the measure of the assistance recently rendered by the Afridis to prevent the escape of the Kohat gang into their territory was a thing quite unprecedented in frontier history.

(d) The Government adhere to the policy explained by Mr. Bray in his speech delivered in this House on the 5th March 1923, to the report of which the Honourable Member is referred.

(e) Government do not consider it in the public interest to make public the correspondence on the subject.

OUTSTANDING ACCOUNTS BETWEEN THE HOME AND INDIAN GOVERNMENTS IN RESPECT OF WAR MATERIALS; ETC.

305. \*Mr. Bhubanananda Das: Will Government be pleased to state:—

(a) Whether there are any outstanding accounts between the Government of India and the Government of the United Kingdom in respect of (1) war materials and supplies from India during the war, (2) the sale of surplus stores in Mesopotamia, (3) the sale of ships, (4) contributions in regard to Persia, (5) contribution in regard to training of men for the Indian Army, (6) payments made to the English Territorial Army when they were in India and were being sent away, (7) payment of gratuities, passage money and every other description of payment made to demobilised officers either of the Indian Army or of His Majesty's Force in the United Kingdom?

(b) In each of these cases the figures of receipts and payments by the Government of India during each of the six years ending 1922-23?

**Mr. E. Burdon:** (a) As regards (1), (5) and (6) the answer is in the negative. As regards (2) and (3) the sales were effected by representatives of His Majesty's Government direct. As regards (4) the question of incidence of expenditure in East Persia during the latter part of the Great War has not yet been settled definitely.

As regards (7) the question of the proportion in which the charges connected with the maintenance and disposal of Indian Army officers recruited during the Great War and afterwards compulsorily retired on certain terms as being surplus to post-war establishments, should be divided between Indian Revenues and His Majesty's Government, is under consideration. The apportionment between the two Governments of charges relating to disbandment of British troops owing to permanent reduction in strengths carried out since the termination of the Great War is also under discussion.

(b) In view of the answers given to part (a) of the question, there are no outstanding figures of receipts and payments under (1), (2), (3), (5) and (6). It is not possible to give figures under (4) as accounts for East Persia were not maintained separately. Under (7) the total payments both in India and in England in 1922-23 on account of maintenance and other charges of surplus officers of the Indian Army amounted to Rs. 2,20,13,237 and this was the year in which the retirements commenced.

There were no receipts. The Government of India have no information regarding receipts and payments in connection with the disbandment of British troops in 1922-23 or earlier years as these were incurred by the War Office in England.

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## UNSTARRED QUESTIONS AND ANSWERS.

### COST OF THE INDIAN SUGAR COMMITTEE.

93. **Mr. Ahmad Ali Khan:** Will Government be pleased to state the total expenditure in connection with the enquiry of the Sugar Committee of 1921?

**Mr. M. S. D. Butler:** The total expenditure amounted to Rs. 2,71,043.

### IMPORTS OF SUGAR FROM JAVA, CUBA AND HAWAII.

94. **Mr. Ahmad Ali Khan:** Will Government be pleased to state the quantity (in maunds) and the value of sugar imported into British India during the years 1921, 1922 and 1923, from the following countries—

1. Java,
2. Cuba,
3. Hawaii?

**The Honourable Sir Charles Innes:** The information regarding sugar imported from Java is obtainable in the Annual and Monthly Accounts relating to the Sea-borne Trade and Navigation of British India to which the attention of the Honourable Member is invited. Copies of the publications are in the Library.

No sugar is shewn as imported from Cuba or Hawaii.

### REPORT OF THE INDIAN SUGAR COMMITTEE.

95. **Mr. Ahmad Ali Khan:** Is it a fact, as stated by Sir Rajendra Nath Mookerjee in an article dealing with Indian economic conditions contributed to the "Asiatic Review" and reproduced in the "Statesman" of January 10, 1924, that 'no action on the Report of the Sugar Committee has yet been taken'? If so, will Government explain why?

**Mr. M. S. D. Butler:** It is not a fact that any such statement was made in the article referred to. This being so, the second part of the question does not arise.

### ASSAM TEA GARDEN EMIGRANTS.

96. **Mr. Chaman Lal:** (a) Is the Government aware that in the published annual report of the working of the Assam Labour Board during the year ending the 30th of June 1923, occur the following remarks:

"The only feature calling for remark is the tendency for cases of interference with emigrants, on the part of minor political agitators and petty officials to increase. Such persons when they see a batch of tea garden emigrants in a train endeavour to dissuade them from going to Assam and in a number of cases have succeeded in doing so. As they in every case leave the emigrants stranded in a strange place and never offer to assist them to return to their homes, it is clear that they are not actuated by motives of philanthropy."

(b) Will Government place on the table a copy of the evidence on which such charges as the above have been based?

**The Honourable Mr. A. C. Chatterjee:** (a) Yes.

(b) The statement quoted was made not by Government but by the Assam Labour Board to whom the Honourable Member is at liberty to refer.

#### WAGES IN THE TEA PLANTATIONS OF ASSAM FOR ADULT MALE AND FEMALE LABOURERS.

97. **Mr. Ohaman Lal:** Is Government aware that the law prescribes wages for male adults at less than fifteen rupees a month on an average in the Tea-plantations of Assam and for female adults at less than seven annas a day and for children less than four annas a day?

**The Honourable Mr. A. C. Chatterjee:** The Honourable Member is mistaken. The law prescribes nothing of the kind.

#### BRIGADE ORDER re VOTING FOR A NON-SWARAJIST CANDIDATE.

98. **Mr. Ohaman Lal:** (a) Is Government aware that a Brigade Order was issued in Sialkote recommending to military officers the name of a non-Swarajist candidate as the most desirable person for whom they should vote during the recent elections?

(b) Will Government be pleased to lay a copy of this Order on the table?

**Mr. E. Burdon:** The attention of the Honourable Member is invited to the reply given on the 11th instant to his unstarred question No. 91. I will furnish him with a reply to this question as soon as the information that has been called for is received.

#### PLAGUE IN INDIA.

99. **Mr. Ohaman Lal:** (a) Is Government aware that India is alone among the civilised countries of the world where plague has become endemic?

(b) What effective steps does Government contemplate to combat this disease?

(c) Is Government aware that the Government of the United States of America successfully checked the incidence of plague in the Phillipine Islands within four years of its appearance and that no cases of plague have since been reported in those islands?

**Mr. M. S. D. Butler:** (a) The answer is in the affirmative.

(b) The plague policy of Government of which the most recent enunciation is to be found in the Government of India's Resolution No. 637-Sanitary, dated the 18th August 1920, has been framed with a due regard to and after careful consideration of the epidemiological and etiological facts of the disease as ascertained by various expert scientific inquiries which have been conducted on this problem by European experts and by medical officers of this Government and of this country, both British and Indian. It is for local Governments who are now entrusted with the administration of Public Health to carry out the policy outlined in the Resolution.

(c) Inquiries are being made on the subject.

## EXPORT OF CATTLE.

100. **Mr. K. Venkataramana Reddi:** Will the Government be pleased to furnish information as to the number of cattle (particularly young cows) exported to foreign countries during the last two years?

**The Honourable Sir Charles Innes:** The attention of the Honourable Member is invited to the reply given on the 1st instant to Mr. B. Venkatapatiraju's question on the same subject.

RESOLUTION *RE* THE VESTING OF THE REVENUES OF INDIA  
IN THE GOVERNOR GENERAL IN COUNCIL.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, in view of the discussion on the Resolution moved by my friend, Mr. Rangachariar, I do not propose to move this Resolution.\*

**The Honourable Sir Malcolm Hailey** (Home Member): May I intervene for one moment? I hope that what I say will not be taken as any suggestion of a rebuke to the Honourable Member, but rather as a request to him. The House has tabled a considerable number of Resolutions. Those Resolutions have to be studied with some care by Government; for it will be of little use if we came down to the House without a thorough study of the propositions which have been placed before it—not necessarily for the purpose of opposing them; very frequently our study enables us to give a far more favourable answer to the House than would otherwise have been possible. It will be a great kindness, much appreciated by us, if Members who do not wish to move their Resolutions will give us some notice in advance. There are a limited number of working hours in the day for each of us, and if a considerable amount of that time is to be taken up in preparing for Resolutions which are not afterwards discussed, then, leaving aside the private aspect of the question, there is after all that amount of loss of public time.

**Diwan Bahadur M. Ramachandra Rao:** Sir, I might perhaps say a word by way of explanation. I know, Sir, the great inconvenience that is caused if Resolutions which are tabled are not moved or no intimation is given to the Honourable Members in charge of the Resolutions on behalf

\* " This Assembly recommends to the Governor General in Council that he may be pleased to take the necessary steps for the amendment of the Government of India Act so as to provide :

(1) That the revenues of India shall vest in the Governor General in Council and that the power now vested in the Secretary of State for India in Council for the appropriation of Indian Revenues should be confined only for the following purposes :

- (a) Expenditure on the India Office establishments.
- (b) Expenditure on the Military services up to the limit of 50 crores of rupees.
- (c) Expenditure classed as ecclesiastical.
- (d) Expenditure classed as political.
- (e) The payment of all expenses, debts, and liabilities hitherto lawfully contracted and incurred by the Secretary of State in Council on account of the Government of India.

(2) This Assembly further recommends that the power of superintendence, direction and control now vested in the Secretary of State in Council should be confined only for the purposes mentioned in clause I and that the Governor General in Council acting with the Indian Legislature should have full power in all other respects in regard to the appropriation of Indian revenues."

of Government. I may say that I made up my mind in consultation with friends after coming to this Chamber this morning and I intimated it as soon as I made up my mind to the Honourable Sir Basil Blackett and also to the Honourable the Leader of the House. I had no intention of causing any inconvenience.

**The Honourable Sir Malcolm Halley:** I am sure of that, Sir.

**Diwan Bahadur M. Ramachandra Rao:** And I am sure that we appreciate the difficulties under which the official Members in this House labour. I hope that the Honourable Member will be equally solicitous to consult our convenience and our difficulties in regard to Resolutions and questions that are discussed in this House. There are many difficulties from our standpoint also, which in course of time I hope to bring to the notice of the Honourable Member, and I trust they will receive the consideration that they deserve.

#### RESOLUTION *RE* MUHAMMADAN REPRESENTATION.

**Khan Sahib Ghulam Bari** (West Central Punjab: Muhammadan): Sir, I had a mind to move the Resolution\* to-day but on certain considerations I beg your permission to discuss it on the 14th or 19th. A similar Resolution comes up for discussion on the 14th and 19th.

**Mr. President:** I understand the Honourable Member desires to withdraw his Resolution; it is the case that it does appear on the Resolution list for a subsequent date.

**Khan Sahib Ghulam Bari:** I beg your permission to discuss it on the 14th or 19th when this Resolution comes up again.

**Mr. President:** The Resolution is withdrawn.

#### RESOLUTION *RE* QUESTIONS PUT BY NON-OFFICIAL MEMBERS ON SUBJECTS OVER WHICH THE GOVERNOR GENERAL IN COUNCIL HAS CONTROL AND SUPERINTENDENCE.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): Sir, I rise to move the Resolution that stands in my name:

"That this Assembly recommends to the Governor General in Council that all important questions put by the non-official Members on subjects over which the Governor General in Council has control and superintendence, be answered by the Government Members in this Assembly after obtaining the necessary information from the provincial Governments."

The reason, Sir, why I have taken the trouble to move this Resolution speaks for itself, as each and every Member of this Assembly is either already disgusted or will soon be with the stereotyped answer given in

\* "This Assembly recommends to the Governor General in Council that he may be pleased to take steps to give gradual effect to the following:

- (i) In a province where Muhammadans are in a majority, they will get 52 per cent. and non-Muhammadans 48, and
- (ii) In a province where the non-Muhammadans are in a majority they will get 75 per cent. and the Muhammadans 25 per cent. of representation in both the Indian and Provincial Legislatures and Government services as far as possible."

[Mr. K. Ahmed.]

this Assembly by Government Members to questions put to them on important subjects for the information of the public. Questions after questions have been put by Members within the last three years on most important subjects in relation to which the Government of India have power of superintendence, direction and control over provincial subjects, and, though the Government had full information, as they are expected to have, they have refused to answer on the ground that they are provincial questions and that an Honourable Member, who perhaps may come from a corner of the Punjab, should go to the far distant land of Burma and request a non-official Member there to make an inquiry by putting questions in the provincial Council there and get an answer. Is that sort of answer, Sir, very often given in this Assembly, satisfactory? Even in the House of Commons, if a question is put regarding Indian affairs, the Secretary of State for India, who has got the power of superintendence, direction and control over Indian affairs, never refers a Member of Parliament there to go to India after a long journey and address himself to Members of this Assembly or the other House and get an answer from the Member in charge, sitting on the Treasury Bench. Honourable Members, who have watched the proceedings of this House for the last three years, from 1921, would have seen how many times it has been repeated both in the questions and supplementary questions put in this House and the Government have failed to satisfy the representatives of this country in regard to information sought. Now, Sir, if that is so, a serious question arises for consideration by Honourable Members of this Assembly. We are determined with one voice that we shall pass this Resolution with this idea that the representative people of this country should not any more be deprived of their right given to them, not merely by the Act, but by the very right that the people in England say that they have given us a Parliament in the Imperial City of Delhi and in Simla, where our people may ask questions of the Government and get direct answers. It will also be seen from the published debates for the last three years that, when some of my Honourable friends who are probably not here put certain questions in the provincial Councils, they were told that the subject matter of their questions was being dealt with by the Government of India in the Imperial City of Delhi, that is, by this House. When the same questions were put in the Central Legislature by the Members, Sir, they were asked to put those questions in the Bengal Council. I remember an instance in which the same question was put in the Bengal Council as well. Sir, may I ask how many times can a Member come to the Government of India and how many times can he go back to the Government of Bengal? I do not like to say any more on this subject, but it seems to me, Sir, that it is high time that we must carry this Resolution, and I beg all Members of the Government to be good enough to come forward and satisfy us and give us an undertaking that they will try their level best, as they do try in ordinary questions that are placed before them, to send all questions relating to the provinces to the various provincial Governments or to the departments concerned in the respective provinces and make inquiries before they tell an Honourable Member to put the same question in the provincial Council. I ask, Sir, why should not Government Members send all important questions to the various provincial Governments concerned and get answers prepared and then give them to us? I may say here that in regard to a most important question relating to Mahatma Gandhi, we were told "Go to the Government of Bombay." If certain people are convicted in the United Provinces and, if

questions are put in that connection, we are referred to the United Provinces Council. Then, Sir, we had also on numerous occasions put questions relating to the Moplah train tragedy and we were asked to go to the Madras Council. If a provincial Government has committed a great blunder, why not come forward and give an answer to the questions put here in that behalf instead of putting forward lame excuses? When they do so, it means this, that Government do not like to give a suitable answer to some of the most important questions and they intentionally deprive the representatives of this country in this House of an answer which they reasonably expect from the Government of India in this Chamber. Sir, I submit that this is not at all fair. I therefore place this Resolution before the House in the hope that each and every one of my Honourable Colleagues will give his cordial support to my Resolution. I think, Sir, I have made out a very strong case for the acceptance of my Resolution, namely :

"That this Assembly recommends to the Governor General in Council that all important questions put by the non-official members on subjects over which the Governor General in Council has control and superintendence, be answered by the Government Members in this Assembly after obtaining the necessary information from the Provincial Governments."

Sir, I commend the Resolution to this House.

**Sir Henry Moncrieff Smith** (Secretary, Legislative Department): Sir, the Honourable the Mover of this Resolution has been brief, and I shall try to follow his example. I think, perhaps, the most convenient way of considering the matter is to examine first of all the bearing on this Resolution of our existing Rules and Standing Orders. The Honourable Member made no reference to Rules and Standing Orders. Possibly he presumed that, if this Resolution was adopted and accepted by the Government, the necessary steps would be taken to amend the Rules and Standing Orders. Now, we have, in the first place, Rule 8 which lays down that questions may be asked on matters of public concern within the cognisance of the Member of the Government concerned, and the framing of that rule involves the necessary corollary that questions that do not comply with the rule are not admissible. In fact, Standing Order No. 16 requires you, Sir, to disallow questions which infringe the rules as to subject matter. Now, it may be possible,—I shall advert to this later,—that questions contemplated by the Honourable Member's Resolution would not deal with matters of public concern. It would be a question of interpretation. Rule 7, Sir, gives the President power to disallow a question which deals with a matter which is, in his opinion, not primarily the concern of the Governor General in Council. Here we have a rule which runs distinctly counter to the Honourable Member's Resolution. Matters which are of provincial concern can hardly be matters which are primarily the concern of the Governor General in Council. Now, Sir, I do not press these objections to the Honourable Member's Resolution, because Rules and Standing Orders can be amended. It is rather a cumbrous process at times; if the Honourable Member takes any interest in the matter and if he looks at section 129A of the Government of India Act, he will find out how our rules of legislative business can be amended. Nor do I wish to suggest by what I have said that Government have any desire to withhold information in reply to questions reasonably asked, information which can reasonably be given. The whole question comes down to this, whether the recommendation set out in Mr. Ahmed's Resolution is reasonable. That brings me, Sir, to the terms of the Resolution. I have very little quarrel with him on the ground that it is not specific enough—it is a very clear Resolution except in one respect, and the one word with which I quarrel

[Sir Henry Moncrieff Smith.]

is the word "important." Now, "important," Sir, is a very vague term; it is a term of degree, and the Honourable Member in his speech gave us no indication at all as to what was to be the criterion for the application of this word "important." Sir, is it to be the Honourable Member who asks the question who is to decide whether it is important or not, or is it to be you, Sir, or is it to be the Government of India who have to answer the question? Certainly, Sir, if we amended the rule, we should not be able to include the word "important." I doubt if any Statute Book in the world contains it. We must have something more definite than that. What is important to one Member or to one individual may be a matter of mere parochial interest to another Member or individual. I have some recollection, Sir, of a question asked in this House about two years ago. The Honourable Member who put that question was complaining that a particular railway station was situated at some distance from the particular town which it served, that the road which connected the two places ran through a forest, and that tigers pounced out on unwary passers by and devoured them. Now, Sir, that may have been a matter of great importance to the Honourable Member who put the question but, if I remember rightly, Sir, the House did not take it seriously. When Government were asked what they were going to do about it, Government were unsympathetic and the real answer was provided by another Honourable Member from the same province who suggested that the questioner should himself undertake to go and shoot the tiger. That merely shows, Sir, that we should be in some difficulty in interpreting this word "important."

Now, I pass on to the other part of the Resolution, Sir. The Honourable Member undoubtedly has in mind section 45 of the Government of India Act when he refers to matters over which the Governor General in Council has control and superintendence. Now, under section 45 of the Government of India Act, every Local Government is under the superintendence, direction and control of the Governor General in Council in all matters relating to the government of its province. That, Sir, is subject to rules made under the Act and we all know, Sir, that the Government of India have superintendence, direction and control over all provincial reserved subjects and, to the limited extent provided in Devolution Rule 49, over provincial transferred subjects. Now, there are, Sir, in the list of provincial subjects 52 items, ranging over a vast number of subjects. The transferred list at present contains 20 items. I think, Sir, it is obvious that the result of adopting my Honourable friend's Resolution must necessarily be a vast increase in the number of questions put in this Assembly with which Government will have to deal and to which Government will have to furnish replies. If, Sir, we want any further evidence of that, we get it from the fact that a large number of Members have given notice of this Resolution. It was on the paper the other day. It was balloted for by two Members for to-day. It is first on the list for the 14th. It again comes first on the list for the 19th. We may assume that Honourable Members who take such an interest in this matter are likely to avail themselves freely of the privilege which we should be affording by amending our Rules and Standing Orders so as to permit these questions. The result would be an enormous increase of work. It would mean an increase of work for the staff of this House, for you, Sir, and more particularly for the Members of the Government of India and their ministerial establishment, for they have the work of collecting and preparing the answers to these questions. But it would not end there, Sir. It would mean more work for the Local Governments also; for though the Local Governments have to supply

us with information on all these matters over which the Government of India have superintendence, direction and control, it does not follow by any means that the Government of India will have the information desired on the spot, because the Government of India certainly do not interpret section 45 as justifying them in giving general orders to Local Governments to keep them diligently informed of every matter that takes place in the provinces. Therefore, Sir, the Local Governments will be kept busy by us, and not only the Local Governments,—possibly the High Courts. Some information will have to be collected from the districts. District judges and district officers will have to be asked, tahsildars and Superintendents of Police.

Now, Sir, the Honourable Member assumes that all this will be done within ten days. Our Standing Orders at present require me as Secretary of this House to put on the first List of Business, after the expiry of ten clear days of notice, all questions which have not been disallowed; and, therefore, questions would have to appear at the end of ten days to which in many cases the answer would merely be that the information is not yet ready. I think, Sir, if we amend our Standing Orders in this matter, we should have to increase the period—nothing less than 20 days would be a suitable period. Then, Sir, Honourable Members of this House who ask important questions which do concern the Government of India would have to wait that additional period before they could get their answer. I do not think, Sir, that this would be a desirable result or that it would commend itself to Members of this House.

There is just one more difficulty about it, Sir. As the Honourable Mover of this Resolution knows, supplementary questions are not unknown in this House, and, unless we call for very full information in every case from the Local Government, the Government of India would not be able to deal with these supplementary questions. We should have to ask for notice or say that we will inquire and let the Honourable Member know at a later date. That perhaps is a small matter but still it is a matter in which the adoption of the Resolution would result in some difficulty.

I do not think, Sir, that there is any difficulty in getting these questions which the Honourable Member has in mind answered in the Local Councils. After all, you have to remember that in Bengal, say, there are far more Members from Bengal—in fact they are all from Bengal—than there are in this Assembly. Every part of the province is well represented, and there should be no difficulty whatever in getting questions put in the Local Council where the information will be available at once. This is one of the things for which the Local Councils were created. It is quite possible there may be some resentment on the part of the Local Governments and the Local Councils that we here, the Government of India and the Central Legislature, are attempting to usurp some of their functions. I think, Sir, Rule 7 was deliberately framed as it is to draw a clear dividing line between questions of provincial interest and questions of central interest, and it would be a great pity if that dividing line were now removed. We sometimes hear, Sir, in this House the expression "provincial autonomy". Surely, Sir, the adoption of this Resolution would be a retrograde step in that matter. I therefore confidently expect the Members of the Nationalist Party to vote against the Honourable Member's Resolution.

I oppose the Resolution.

**Mr. O. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural): Sir, I wish to associate myself with this Resolution and support it to the extent of my experience of disappointments in

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asking questions relating to such matters. I have been also told on one or two occasions when I put questions relating to important matters—matters which I considered to be important and which I believed the Assembly also would consider to be important—that those were disallowed on the ground that they did not concern directly His Excellency the Governor General in Council. I may instance one or two of them for the information of the Members of this Assembly. Sir, there was one question which related to the supervision of the High Courts over the district and subordinate courts in each Presidency. This question I thought directly arose out of the Judicial Delays Committee which has been recently appointed by His Excellency the Governor General in order to take steps and report what codification or amendments of law may be made in order to reduce delays in the administration of civil justice. It is a part and parcel of that report and the papers published along with it show that there were some observations made by some of those to whom the question was referred that delays were partly due also to the non-supervision of the High Courts over the subordinate courts. Therefore, as a part of the series of the questions some of which were answered to-day—for instance Question No. 300—I put those questions relating to the supervision of the High Courts over the subordinate courts and I thought that the matter concerned this Assembly quite as much as any local Council. It was not on account of any inquisitiveness whether these High Courts were superintending the subordinate courts that I put that question. I thought it would be of some use to this Assembly in considering the question of the necessity or otherwise of the Judicial Delays Committee. I was told that it did not concern directly His Excellency the Governor General in Council although it has occurred in the course of the papers which were published along with the Government Order appointing the Committee. There was another question asked referring to the existence of District Board Railways in the different provinces. No doubt it may directly concern the local Councils to know whether there are Railways carried on by any District Boards out of the railway cess, but I thought that as the Railway policy may be a policy of general importance for all India, if information was collected by this Assembly as to the existence of District Board Railways in all the provinces, there might be a certain uniformity of policy adopted with reference to the co-ordination of efforts and there might arise a case in which District Board Railways may be so arranged as to form a combination of the efforts of one district in one province and of an adjoining district of another province in order to formulate or help in co-ordinating the efforts of the various provinces in forming District Board Railways as feeder railways to the main railways. I thought that question would be of some importance as a piece of information to this Assembly. That also was disallowed. I thought also, Sir, that the general control or supervision over all the jails in the various provinces and particularly the treatment of political prisoners in the various jails in the various provinces should also be a matter of information and knowledge for the Members of this Assembly. That question also was disallowed. These are not questions which can at any time be said not to be important in the sense that the Members should always have recourse to the local Councils for an answer. It must also to a great extent be left to the good sense and discretion of the Members of the Assembly what questions to ask and what questions not to ask. But to say, Sir, that the mere passing of this Resolution will lead to a volume of questions flowing in day after day from every Member asking for the details of every district—as to whether there is a pond reserved in a particular

village near Titupati or any other place—such are not the kind of questions that Members will be expected to ask considering the decency of their position. It is unjust to say that simply because this Resolution is accepted by the Government or passed by this Assembly, there will be a flood of questions of all kinds in this Assembly, so much so that the Government Departments will be put to trouble. Nor is it necessary, Sir, for the Honourable Member of Government to say that supplementary questions are permitted and it would be a great difficulty if supplementary questions are raised with reference to the information which was called for from Local Governments. Sir, if supplementary questions do arise, and if the information that has been supplied to this Government is not enough to enable them to answer those supplementary questions, Members of the Assembly are not so impatient as not to wait for the answers also to be duly obtained and given. We have been trained not to impatience but to patience. On very many occasions we have got answers which train every Member of the Assembly to a course of patience and not to a course of impatience. In fact, even yesterday, I requested whether it would not be possible for the Honourable Members of the Government, when they answer questions, to give us direct answers. There is no necessity for them to refer us to questions and answers given two or three years ago. I was told by the Honourable the President, to which decision I submit, that, because these answers are already recorded, there is no need to repeat them again. Still, Sir, it is often easy for the Government to say—for these Members will have to go and search and ransack the records of three or four years back in the Library—it would be easier for the Government to state in as many words as it requires them to state that answer, the answer given on a former occasion. But this is a matter which does not directly relate to the subject in issue. So far as this subject is concerned, I have quoted before you some instances and it cannot be said that the instances which I have quoted are not instances of importance, instances in which this Assembly will be interested in getting the information. It seems to me, therefore, that this Resolution is a Resolution which the Government itself must easily accept. I thank the Honourable Member for having pointed out the vagueness of the word “important” on this occasion instead of allowing the Resolution to be passed and afterwards raise the plea that the Government do not consider any question to be important and therefore do not give the answers. Better that the question is raised now. It can be said that the question of importance cannot be defined by anybody but it can always be left to the discretion in the first instance of the Members who ask the questions and in the second stage to the discretion of the Honourable the President to allow or not to allow it considering the importance of the question according to his own view.

**Dr. H. S. Gour:** What ? The President has no power.

**Mr. C. Duraiswami Aiyangar:** In any case I will not be sorry if, after considering the question whether it is important or not, the President comes to the conclusion that it is not important. Such questions may not arise very often. But, on the other hand, to deny once and for all this Resolution simply on the ground that “important” is not defined and is a vague term—I submit, Sir, that the answer given by the Honourable Member of Government cannot be said to be satisfactory on that score. The Honourable Member is also solicitous of our views that there should be provincial autonomy. I am glad he is. But this does not take away in any manner our desire to give provincial autonomy to the provinces. Simply because Members of this Assembly would like to have information collected of the various circumstances which prevail in the various provinces and of the

[Mr. C. Duraiswami Aiyangar.]

existing state of things in the various provinces, it does not mean that in any way derogates from the principle of provincial autonomy. To say that it would be derogatory to provincial autonomy and that it would be a retrograde step on that account is no argument which this Assembly can easily swallow. Therefore, Sir, I have great pleasure in supporting this Resolution.

**Mr. C. S. Ranga Iyer:** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I had no intention of taking part in this debate and I would not have uttered a single syllable but for an observation of Sir Henry Moncrieff Smith. Sir, "provincial autonomy" seems to be one of the very-much-abused terms. It is a phrase, Sir, which means autonomy for the provinces and not autonomy for the autocracy in the provinces. The Nationalist Party, Sir, does not contemplate provincial autonomy with a central autocracy, nor does it contemplate autonomy for the provincial autocracy so long as it is not responsible to the Provincial Legislature. At present there is no such responsibility to the Provincial Legislature on the part of the Provincial Government. At present in my own province—the United Provinces—a Resolution has been passed for the release of the Kumaon prisoners, but that Resolution has not so far been given effect to by the Provincial Government. Certainly we are not in a hurry to give autonomy to the Provincial Governments so long as they are not responsible to the Provinces. As for the release of Kumaon prisoners, it is not under the present circumstances for me to raise that question here because there are certain obstacles in the way which the Honourable Sir Henry Moncrieff Smith pointed out. It is the object, Sir, of the Nationalist Party to remove those obstacles, and then we shall consider provincial autonomy.

**Mr. K. Ahmed:** I have got a few observations to make in explanation of the remarks which have been made by my Honourable friend, Sir Henry Moncrieff Smith, and on which he laid so much stress. We are not unaware of a practice in the Courts that, where a lawyer has got a very hopeless case and he has previously got the brief and the fee which he finds it very difficult to return, because he has digested it, he takes to abusing his opponent. My Honourable friend, Sir Henry Moncrieff Smith, is in the same position, and, instead of accepting my Resolution, he has advanced lame excuses in opposing my Resolution. Sir, I may say that you, as the worthy and able President of this Assembly, have taken a great deal of trouble in going through every question before it is allowed and entered in the agenda paper of the day. Is it not interference on the part of my Honourable friend if he is to say whether the Honourable President is justified in allowing a question, looking at its importance? Again, if a question is objected to by a Government Member after it is placed on the agenda paper, the objections are completely threshed out and then, if the Government is defeated, the question goes on. Sir, I do not find anything in support of the position taken up by my Honourable friend.

Then he has chosen to attack me by saying that I have been putting supplementary questions. No doubt, if he remembers, he will know that they arose out of those questions which were objected to being put by one of those non-official Members from Bengal who, rightly or wrongly, took advantage of the non-co-operation propaganda three years ago, in the year 1920, to come here. He is no longer here nor is he in the Provincial Council, and he wanted, as many other people did, to make friends with the

Government Members on some pretext or other and show that he had the honour of belonging to a big Legislature and had cultivated friendship with high officials of Government. As my Honourable friend has introduced a personal question, I am constrained to expose the whole thing. I personally went to the office of the Secretary of this Assembly and told him that somebody with the help of the reporter of the "Pioneer" or the "Eastern Mail" wanted to misrepresent and ridicule me because I did not satisfy his curiosity. This reporter is a curious representative of the Press, or in a curious way wanted to misrepresent the country and its people by saying my questions were not suitable questions, or that they were very harsh and difficult for the Government to answer. They wanted to ridicule me, though as a matter of fact, that friend was not able or strong enough or had not the nerve enough to do it. Any way he wanted to caricature me by putting in new things when the proof went to him, and that was the time that the Secretary said that it ought not to be done and he could only make a verbal alteration here and there. There is the official record of the Debates. I do not go to the law courts against this person for defamation, because he is neither here nor there, but he is thrown upon the world. So, the excuse pleaded by my Honourable friend, Sir Henry Moncrieff Smith, will no longer hold good. This Assembly now consists of respectable representatives with a vast knowledge and experience of the country, and I dare say that none of them will be prejudiced by the sort of answer that has been given. I think, Sir, that the reporter in the gallery who wanted to defame me was probably told by my friend that he would not get permission next time to misrepresent the Assembly. Again, Sir, with regard to the railway station incident I wanted to put a supplementary question. The matter had been inquired into by the President of the Railway Board and they had already taken steps. The officers in the province, from the District Magistrate to the Commissioner, and the Government of Bengal were also of the same opinion as I was and, as a matter of fact, the Railway Department have taken enough pains to draw maps and after making inquiries after inquiries they have satisfied themselves as to the responsible nature of the question that was put. There, again, my Honourable friend is throwing a stone in the bush with the idea of hitting me, but I am sure it has missed its mark. Then, again, reference was made to Standing Order 16. It is not laid down in the Government of India Act, section 199A. With regard to the word "important" my Honourable friend from Madras has enlightened this Assembly as also has my Honourable friend, Mr. C. S. Ranga Iyer from the United Provinces. With regard to the ten days' notice, do the Government seriously say that they have answered questions without consultation during that period, and have they answered all the questions soon after the ten days' notice given by Honourable Members? I venture to think they have not. Questions have been answered not only after ten days but after twice as much as ten days, that is, 20 days, or say, even 25 days or 30 days. I dare say that all the information is received and that the Government of India after receiving the information answer the questions. When they do not get the answers, they say that they will take time, and time is granted. No Honourable Member of this Assembly objects to time being granted. Even if answers are got after a month, they are then placed before the Assembly. I do not see what sense and what excuse there is in saying that a lot of money will have to be spent and that a lot of trouble will have to be taken. We are here to trouble ourselves and to trouble you because that is the trouble of the country. The country wants to be satisfied whether the Honourable Members in charge are troubling themselves to appreciate the position and the duty that is placed upon them. Before 1921, when there

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was no majority in the Assembly, Honourable Members used to be satisfied with whatever answers were given them. Those days are gone. Here we have come with a strong determination and we want to test the department by putting questions and supplementary questions, for which we must have the answer for the benefit of the country. Nothing has been said about this except that the Honourable Member wanted certain amendments to Standing Rules and Orders. In the next breath he said he wanted to extend time and revise the Standing Orders. My Honourable friend I know is fond of drafting and I hope he will take the trouble to do it, and I hope there will be no difficulty in accepting my Resolution.

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

"That this Assembly recommends to the Governor General in Council that all important questions put by the non-official Members on subjects over which the Governor General in Council has control and superintendence, be answered by the Government Members in this Assembly after obtaining the necessary information from the provincial Governments."

The motion was adopted.

#### RESOLUTION RE THE PROVISION OF CONVENIENCES FOR INDIAN RAILWAY PASSENGERS.

**Haji Wajihuddin** (Cities of the United Provinces: Muhammadan Urban): Sir, the Resolution which I have the privilege to move this morning runs as follows:

"This Assembly recommends to the Governor General in Council to direct railway authorities throughout India to adopt the following measures for the convenience of Indian passengers:

- (a) increase of the number of passenger trains where necessary to avoid overcrowding;
- (b) introduction of intermediate class where not already provided;
- (c) adequate supervision of watermen both Muslims and Hindus on small stations to provide water on every passenger train;
- (d) provision of Hindu and Muslim refreshment rooms on all principal stations where not already made;
- (e) provision of inter class waiting rooms for males and females, respectively, on all the principal stations where not already provided."

I am sure the necessity to adopt these measures is very keenly felt throughout the country and need no comments; but in moving the Resolution I think it is my duty to make it more clear. I shall, therefore, try to explain it a little at length and shall appeal to the high sense of justice of the House. Things change according to the changing circumstances, but we have been travelling in the railway trains for nearly half a century without perceiving any marked change in their management, although we feel we ourselves have much changed. Now, Sir, it is in our hands to take such measures which, when put into practice, will lead the common people to believe in the justice of the British Government as well as in our own importance and the good use of the new constitution. Taking the first part of the Resolution I may say that for the opulent traveller, who always finds himself comfortably accommodated in the soft and warm coaches of the neat well aired and well furnished first and second class compartments, it is hardly possible to realise for a moment the stifling atmosphere of a miserable third class compartment labelled to carry 17 passengers but packed up with full two score or more human beings who have paid money to bear this hardship. It is really astonishing how they manage to

keep the flame of life burning. The poor Indian passengers are surely to be pitied and the cruel and inhumane treatment which they meet with at the hands of the railway authorities is even monstrous enough for the lower animals. They who have had a chance to travel by passenger trains running between Lahore and Ambala or Agra and Delhi and so on must have observed the never ebbing and ever swelling rush of passengers in the third class compartments, but the railway authorities had perhaps never given a thought to increase the number of trains. If there is justice in the world, I strongly hope that the Government as well as the railway authorities will take steps to ensure the comfort of the public which is their due.

(b) As regards the intermediate class compartments, I may remark that it is a purgatory between the comforts of the first and second class compartments and the miseries of the third class. Those, who are not rich enough to enjoy the former and are too refined to tolerate the latter, may console themselves by taking to this intermediate class, but on certain lines and certain trains it is denied to the public or rather to the educated middle class of Indians who badly suffer on account of this neglect. May I be allowed to say, Sir, that since the prohibitive enhancement of fares on railways the inter class is largely used by the respectable class of Indians who cannot afford to pay the high second class fare. Statistics would show that the number of those using inter class is far larger than those using second class. It would not matter very much in the present circumstances, if Railways abolished the second class altogether and instituted in its place an inter class of an improved type such as is provided on the mail trains of the Oudh and Rohilkhand Railway. For the present the inter class, although it is almost double the fare of the third class, reaching the level of the pre-war rates for second class, is nothing more than third class with the exception that it has coarse cushions on its benches. In fact on many railways third class carriages have been marked inter class without any improvement in their structure except cushions on its narrow seats.

(c) For the third and fourth part of my Resolution I shall have very little to say for it is as plain as day that an adequate provision of Hindu and Muslim watermen on all small stations is badly needed. I myself have often seen that on several stations only one or two watermen attend the train and just after they have supplied water to a few passengers they leave the platform and poor passengers are left to their fate athirsting for water for hours on a hot summer day, which led during the last summer certain local national societies in the Punjab and the province which I have the honour to represent to provide free *sabil* of *sharbat* and cold water on certain stations of the N. W. Railway.

(d) Coming to the question of refreshment rooms for Indians, I ask for no favours, no amenities, but bare justice. The railways would appear to concentrate their attention on questions connected with European passengers' comforts and pay very little, or no attention at all, to the question of providing food for their far larger numbers of Indian passengers. The only exceptions in this case are the N. W. R. and the G. I. P. On almost all other railways they run well appointed dining cars for European passengers, who mostly travel by mail trains, and besides these dining cars, they have first and second class refreshment rooms also for European passengers. I will tell you, Sir, why they are meant only for European passengers. They are managed by European firms and an indispensable article of food in them is the ham or beef which is so repugnant to the religious feelings of Indians. So, whilst there are dining cars, first class refreshment rooms, second class refreshment rooms for European passengers, there is nothing

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for Indian passengers except the coarse *roti tarkari* sold by platform hawkers, generally of a very inferior type and not infrequently unhealthful. There are two classes of passengers everywhere, upper and lower class. These *roti tarkari wala*s may fill the needs of the poor traveller, which they even do not, but they cannot meet the requirements of the upper class traveller. In the first place these vendors sell their wares under the contract system. Most of these contracts are said to be given on the basis of favouritism. There are reasons to believe that large sums are involved in sub-letting such contracts, which come out of the pockets of passengers, and result in the sale of inferior stuff. Then the poor lower class passenger wants a full meal at minimum rates, which he does not get, and, according to my information, no attempt is made by railways to fix a minimum rate, with one exception, the Madras Railway. But what of the upper class passenger? He cannot eat the coarse food supplied by these vendors. He cannot eat in the first and second class refreshment rooms, where beef and bacon is cooked. He requires decent food, and the only way to do this is either, to abolish the system of European management of refreshment rooms and give it to Indians, who will not cook obnoxious food, or, if the European refreshment room is indispensable, then separate refreshment rooms for Indians should be provided. Railways can easily convert their second class European refreshment rooms, which are superfluous beside the 1st class rooms, into Indian refreshment rooms, where second class European passengers will always be welcome. Many of them, even now, use the Indian refreshment rooms on the N. W. Railway because the food supplied is far superior to the food obtained in second class refreshment rooms, and is much cheaper. But, may I ask why should there be European refreshment rooms managed by European firms? Indians can do the work as well. If I mistake not, on the G. I. P. an Indian firm holds the contract for the European dining cars and refreshment rooms, and does better service than European firms. Why not follow that line so that Hindus and Muhammadans may use the first and second class refreshment rooms which exist, and there will be no necessity to have Indian refreshment rooms separately.

(e) With reference to the last item, I may be permitted to remark that it is the greatest injustice and disrespect towards the respectable passengers of the intermediate class to deny them even the comfort of a bare room to wait for the next train. Third class passengers too are provided with sheds, but the intermediate class passengers are often seen passing the long and cold winter nights by walking up and down the platforms on principal stations like Tundla, Meerut Cantonment and City Junctions, because the railway servants would not let them enter the first and second class waiting rooms, and their own sense of self-respect would not permit them to pass into the shed outside. It is even a greater hardship with the females belonging to this class, who are obliged to sit in a corner of the platform, wrapped up in their mantles. I myself have seen certain inter class single waiting rooms at Ghaziabad, Amballa and other stations without a lavatory attached thereto, where too, there is none for females. I may suggest also that on several principal stations separate rooms are kept for first and second class passengers, but as there is no great difference in the status of these two classes, both of them can wait in the same room. Thus a slight change can effect the desired arrangement.

I shall try your patience no longer and shall come to a speedy close, trusting that all our forces will be united to carry out the Resolution, and sincerely hoping that Government too will support my motion.

**Mr. N. M. Joshi** (Nominated: Labour Interests):—Sir, the withdrawal of certain Resolutions this morning has, besides the Government, put me also to some inconvenience. Sir, I did not expect this Resolution to come up for discussion to-day, but as it has, I feel I should make a few remarks on certain points mentioned in it. The question as regards the overcrowding of passenger trains on Indian railways was discussed in this House in the year 1922 at the Simla Session. On that occasion I had proved—I do not know whether Government were satisfied with my proofs or not; but I had proved to the satisfaction of the House inasmuch as my Resolution was carried—that the Government of India do not pay sufficient attention to providing adequate accommodation for the passenger traffic. They give greater attention to goods traffic than to the passenger traffic. As a matter of fact I could show by figures on that occasion that during a decade the Government of India had provided more wagons than were really necessary, although I admit there was a cry from the mercantile community that there were not sufficient wagons for them, but, if we could go simply by figures, it is easy to prove that Government had provided more wagons than were really necessary, and had not provided sufficient carriages to meet the increased passenger traffic. The passenger traffic, Government themselves have admitted, increases every year by 20 per cent., but Government do not make provision for meeting this 20 per cent. increase in the passenger traffic. I want, Sir, the Government Member in charge of this Department to assure this House that Government will not only provide for the increased passenger traffic every year, that is they will increase their passenger accommodation by 20 per cent., but also will provide some more accommodation in order to reduce present overcrowding. If they merely provide this 20 per cent. increase of accommodation, the present overcrowding will not be reduced at all. Sir, there is no doubt, and Government themselves have admitted it, that the carriages on Indian railways are overcrowded. In England the average number of passengers on each train is about 50: in India the average is about 250. Sir, the complaint is not merely that Government do not pay sufficient attention to passenger traffic. That complaint is there. But Government also discriminate between one kind of passenger traffic and another kind of passenger traffic. Sir, why should they pay greater attention to second and first class passengers than to third class passengers? It may be said that it is quite natural; the present Legislature consists of people who represent the interests of those gentlemen who travel second and first class—at least the majority of them do. (*Cries of "No, no"*.) But, Sir, the Government do not exist in order to look after the interests of those people who come to the Legislatures. It is their duty to safeguard the interests of those who have no voice to speak with, because after all it is 5 millions of people only who are represented in this Assembly while the other 295 millions of people are not represented in this Assembly. It is their duty to look to the interests of those 295 millions, otherwise they cannot really deserve to assume the name of a national Government.

Now, Sir, what is the position as regards the attention paid to different classes of passenger traffic in India? I take the instance of the G. I. P. Railway. On an average there are two first class carriages on each train for 4 passengers each. If you take the third class on the same railway, you find there are 8 carriages for 224 passengers—that is 28 passengers to every carriage. Sir, you will thus see that the difference between the two classes is 1 to 14. But the fares are not 1 to 14; the fares are 1 to 6. The third class passenger pays one-sixth of the fare that the first class

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passenger pays and gets only one-fourteenth of the space allotted to the first class passenger. Sir, it is necessary that the Government of India, if they care to be considered an impartial Government, should pay sufficient attention to this matter. The Government are inclined to show greater favour to those classes who are able to voice forth their grievances more loudly than the voiceless people in the country and there is not the slightest doubt that the Government at present are not impartial as regards this matter.

There are several points which may be referred to but unfortunately the Resolution is somewhat of a narrow scope and I cannot go into all these matters; but I do insist that the Government of India and the Railway Board should make sufficient and proper arrangement for the provision of facilities for the comfort of the third class passengers. Now, it is not merely a question of trains and carriages. The Government of India also seem to consider that the third class passenger has no need to go by through trains. You take the Punjab Mail which goes from Bombay to Lahore and Peshawar. There is no third class carriage on that Mail. The Railway Board thinks that no third class passengers from Bombay have to go to Peshawar. Or Government perhaps think that these poor people have no value for their time. But I do feel and this House ought to feel that poor people value their time just as much as anyone else. Therefore, if any fast trains are to be run, they must be open to all classes of people. It may be said there *are* some fast trains for third class passengers. That is not enough. I want the fastest trains open to third class passengers. And in this matter I want the Government also to look to the business side of the proposition. It is the third class passenger who pays them more than any other class of passengers. The statistics in the annual report of the Government of India on railways used to show every year that it was the third class traffic which paid, while the first class traffic never paid—that was always unprofitable, and the second class traffic, if it made any profit, made much less than the third class. I want the Government of India to be businesslike and give greater attention to the third class traffic, because that traffic is the most profitable and therefore ought to receive greater attention from them.

Sir, in this connection I want to refer to the arrangements for refreshment and waiting rooms. Take any station, as my Honourable friend, Haji Wajihuddin, said, there will be a first class waiting room, there will be a second class waiting room, though for very few passengers; but, if you look for a third class waiting room, it is a small room and kept very dirty. I want Government to inquire and find out what money they receive in any particular station from the first and second class passengers and what money they receive from the third class passengers, and to distribute the money according to the proportion they pay. If that is done, I am quite sure the third class passengers will get at least ten times better waiting rooms than they get at present. But, unfortunately, Government make it their business to please the class of people who travel second and first class.

The same remarks apply to the dining arrangements. Sir, there are dining cars on the trains. As my Honourable friend said, they are only intended—by what rule I don't know but in practice they are intended for second and first class passengers. Not only so, but the dining cars can

only be used by those who take food of the European style. There are a number of Hindu passengers in the second and first class, but the arrangements in those cars are made generally to suit the taste of people who take European food. This, Sir, is also a point which the Government of India should carefully investigate—whether these dining cars are a business proposition. If you ask my experience—I have no figures but one can go on experience and what one sees in travelling—I feel sure that these dining car arrangements will not be found on inquiry to be a business proposition. And yet they are being continued. Again, there is the question of the arrangements at the station for refreshments for different classes of people. My Honourable friend has already pointed out that at some stations there is a separate refreshment room for second class and a separate refreshment room for first class, but as regards third class there is no refreshment room. Sir, in one of my former speeches on this subject I quoted the opinion of a high Government official to the effect that it took the Railway Board 50 years to find out that third class passengers have certain natural functions to perform. Sir, I do not know how many years the Government of India will take to find out that the third class passenger needs food just as much as other classes of passengers. You will not find at present any except perhaps the biggest stations in the country where there are decent refreshment rooms for third class passengers. There may be a dozen stations in the whole country where there are refreshment rooms for third class passengers. Sir, I do not say there are no arrangements whatever; I see the Honourable the Commerce Member staring at me; but I am quite sure of my facts. Let us go to any ordinary station. You may find some arrangements, some box kept there in which refreshments or food—fresh food it must be—for the third class passengers is kept. But is that a refreshment room, I want to know? That box is generally kept in the waiting room for third class passengers, taking away so much space out of the waiting room. I think, Sir, that this is not treating third class passengers fairly. If you take sufficient money from them, you ought to give them treatment which is also fair. In charging them, you do not charge them less than their due share; so, when you provide comforts, you must also give fair treatment. I therefore feel that Government should provide refreshment rooms for third class passengers in all the important stations. At least, when they allocate a certain proportion of money for a particular class of passenger, they should take into consideration the amount paid by that class of passenger. If they do it, I shall be satisfied. But I am anxious that the Government of India should put in their reports figures showing what each class of passenger pays and what each class of passenger receives. If that is done, I am quite sure that the lot of the third class passenger will be much better than what it is to-day, because the third class passenger pays sufficient to receive sufficiently fair treatment. I therefore hope that this subject will receive the attention of this House and that this House will wholeheartedly pass this Resolution.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I strongly support the Resolution which is before the Assembly. I think it is a pity that the attention of the Government and through it of the railway authorities should have to be drawn so many times to the grievances of the third class passengers and that these grievances should still remain largely unredressed. In fact I consider that the failure of the railway administration, speaking generally to consider the comforts and requirements of the third class passenger:

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constitutes a scandalous mismanagement of railway administration so far as that is concerned. The Railway Act in section 63 provides as follows :

“ Every railway administration shall fix, subject to the approval of the Governor General in Council the maximum number of passengers which may be carried in each compartment of every description of carriage, and shall exhibit the number so fixed in a conspicuous manner inside or outside each compartment, in English or in one or more of the vernacular languages in common use in the territory traversed by the railway, or both, etc., etc.”

Section 93 lays down :

“ If a railway company contravenes the provisions of section 53 or section 63, with respect to the maximum number of passengers to be carried in any compartment, it shall forfeit to government the sum of twenty rupees for every day during which the section is contravened.”

Section 102 says that :

“ If a railway servant compels or attempts to compel or causes any passenger to enter a compartment which already contains the maximum number of passengers exhibited therein or thereon under section 63, he shall be punished with fine which may extend to twenty rupees.”

Section 109 of the Act lays down :

“ If a passenger, having entered a compartment which is reserved by a railway administration for the use of another passenger, or which already contains the maximum number of passengers exhibited therein or thereon under section 63, refuses to leave it when required to do so by any railway servant, he shall be punished with fine which may extend to twenty rupees.”

All these provisions were enacted to prevent over-crowding in railway compartments. Yet, while this Act was passed in 1890, the complaint that railway compartments are generally over-crowded in the third class has continued to exist. I think this is a matter the responsibility for which rests upon the Governor General in Council under the Act, the Governor General in Council, having satisfied himself that a certain number only of passengers should be allowed to travel by a compartment, and having fixed the number, ought to institute some means of finding out the delinquents who infringe the rule and punish them. Every gentleman who travels by the railway is able to notice how much overcrowding is permitted in third class compartments; and, while we all notice what is going on, it seems there is no remedy applied. The Government have appointed men as inspectors, policemen and C. I. D. men, to watch certain things and certain persons at railway stations and in railway trains. It is time that they appointed some men to see where overcrowding takes place and to prosecute the railway companies which permit it. The fine imposed by the Act is perhaps not sufficient to deter them from violating the provisions of the Act; twenty rupees a day for every infringement of the rule is hardly sufficient, I fear, to deter the company from continuing the evil practice. But the Government, having recognised that the human beings who travel in railway compartments have to be protected from the effects of overcrowding, ought to take some steps to see that infringement of the provisions referred to above is punished. The Resolution suggests one means of doing it. It is a very sensible means, namely, an increase in the number of passenger trains where necessary to avoid overcrowding. Most certainly it ought to be tried. But we ought also to try the first means, the prosecution of companies, proceedings against companies, where they infringe the rules laid down in section 63. That will compel them to run more passenger trains both in order that the provisions of section 63 and connected provisions should be given effect to, and that their income should not

suffer. The third class passengers, as has been pointed out, contribute the bulk of the revenue of the railways. The first class and second class passengers enjoy the comforts that they do enjoy in those classes at the expense of the third class passengers. It is therefore only due to the third class passengers that greater facilities should be provided for them and that they should be exposed to less discomforts, and hardships than they are at present. I hope, Sir, that this Resolution will be unanimously accepted, and not only that, but that the Government will take immediate and effective steps to see that the provisions of the Act to which I have drawn attention are kept in mind by the railway administrations and enforced, and to see that there is an increase in the number of passenger trains proportionate to the increase in the number of passengers. The railway authorities cannot say that they permit overcrowding only occasionally. I travel a good deal in mail trains and express trains. Of course the mail trains are generally overcrowded; but even in express trains, I can hardly recall any instance where there has not been an overcrowding on the occasions that I have noticed; and the third class passenger trains are even worse. I do not see any reason why railway companies should be allowed to charge the full fare that is fixed for the third class passengers and not give them the facilities which the Act lays down should be provided for them. I hope, therefore, that now that attention has been drawn to the evils of overcrowding in railway compartments, the Government will see that the number of passenger trains is increased. The station staff can surely find out by telegram from other stations whether a train is full or is not full; when they know that a train contains the full number of passengers it can hold, they ought to keep the passengers outside the platform and inform them that a second train will run after a certain time. There will then be no rush to get into the railway trains, as there often is, and for which the railway authorities are mainly responsible. It may be said that the passengers do not conform to the provisions of section 109 under which they are liable to a penalty of Rs. 20 if they enter a compartment which contains the maximum number of passengers and refuse to leave it when they are asked to do so. But, when the railway companies do not observe the rules that are contained in sections 63, 93, and 102, they cannot prosecute any passengers who may infringe the rule under section 109. The two things that are needed are, therefore, firstly, strict enforcement of the provisions of the Act against overcrowding and, secondly, the provision of a larger number of passenger trains to carry the passengers to whom the railway companies sell tickets. If the Government will not take early steps to remedy this evil, I suspect that there will be a number of suits started against the railway companies now and that the railway administrations will find it rather a difficult job to get on as they do at present. But because of the difficulties of such suits and because of the time and trouble involved, people have been waiting to see if Government would remedy these evils, and I hope that Government will take early steps to do so.

The second matter to which I want to draw particular attention is the larger provision of intermediate class compartments in the railway trains. I should say that, where there is one first class compartment, there should be 6 intermediate class compartments. I do not wish to lay down any particular figure dogmatically, but I give an indication of the number of passengers who will travel by the intermediate class if they find sufficient accommodation in that class. I would also urge upon the Government to take steps to provide more third class compartments of the better type.

[Pandit Madan Mohan Malaviya.]

The improvement of the third class compartments has not kept pace with the requirements of the travelling public. The old compartments are still largely used. They ought to be discarded or improved. There is no provision for convenience in those compartments and the arrangement of seats is very unsatisfactory. I want particularly to draw attention to the necessity of providing sleeping accommodation in third class compartments. The passengers who travel by that class are as much human beings as any of us sitting here, and I ask every Member who travels first or second class to imagine what discomfort he would be exposed to if he had to sit up the whole night along with nine other passengers in a small third class compartment. Who is it, Sir, that would not feel that is a very severe kind of punishment inflicted on third class passengers for no other reason than that they cannot but travel by the third class, and that the Government does not see that the railways provide those passengers with the conveniences and with the necessary accommodation which the Act requires, that the railway companies should provide for them? It is a very real hardship, it is a very severe trial, to third class passengers having to sit up a full night in overcrowded compartments and travel long distances. The Government ought to see that the Railway authorities put an end to the discomforts of third class passengers. There are a number of third class compartments of the new type, in which there is sleeping accommodation provided, but unless there is somebody to see that not more passengers are put in one compartment than can sleep on the benches, the better type of compartments will really not be of sufficient avail to the travelling public.

The next point to which particular attention has to be invited is adequate supervision of watermen, both Muslims and Hindus, at small stations. It is distressing to find, as I have found on many occasions at stations no man available to give water either to Muslim or Hindu passengers, and the people crying out and running from one end of the platform to the other in search of water. A thing like that should not be permissible, and yet it does happen. This complaint has existed not in one province, but in several provinces. I have myself many times noted the failure of the railway authorities to provide sufficient water to the travelling public which really inflicts a real hardship upon them.

The question of providing Hindu and Muslim Refreshment Rooms is also important, but more important is the provision of larger accommodation for third class travellers in waiting rooms. In several stations the accommodation is entirely unsatisfactory, and the passengers are exposed to the rain and sun and to the cold of the nights, when they are waiting for trains. For instance, at Hardwar and at Kashi, the accommodation is so insufficient, that the prisoners—I mean the travellers—have to remain outside, yes, they are worse than prisoners; that is really so. If the Honourable Member for Commerce went and saw their condition, he would think it would be a mercy to lock them up for a little time rather than allow them to expose themselves to the cold and the rain to which they are exposed. It is a matter which reflects very seriously on the administration of railways and on the inaction, or I may say, on the indifference of the Government to the comforts of the travelling public who contribute so largely to the exchequer of the Government. The railway fares have been increased beyond justification. The comforts have not been provided to the extent that they should be, and therefore I strongly commend this Resolution to the House, and I hope that early action will be taken on it.

**The Honourable Sir Charles Innes** (Commerce Member): Sir, I think it will be convenient if I speak at this stage in order that I may indicate the attitude of the Government in regard to this Resolution. As it is worded, we cannot accept it, as it orders us to direct railway administrations to do certain things, but I may say that I shall not offer any serious opposition to the Resolution, and that, if this House likes to adopt it, I will certainly communicate it to all railway administrations.

Now, Sir, hearing the speech of the Honourable Pandit, one would think that he was the first person who ever discovered this question of the grievances of the third class passengers. He mentioned the phrase "now that attention has been drawn to the question." Sir, had the Honourable Pandit been in the last Legislative Assembly, he would have known that we have discussed this question on more than one occasion, and, Sir, had the Honourable Pandit troubled to study the question, he would have known that there is no subject to which the railway administrations are paying greater and more earnest attention at the present moment than the whole question of facilities of travel for third class passengers. We have published . . . .

**Pandit Madan Mohan Malaviya**: I thought, Sir, the Honourable Member would understand that by saying "now that attention has been drawn to the subject," that I meant at this moment, and that I did not forget what had been done, I meant that action had not been taken to the extent it should have been.

**The Honourable Sir Charles Innes**: Had the Honourable Pandit tried to get himself in touch with this question, he would have known that we have published press communiqués on the subject. We have included very special paragraphs about the subject in our last Administration Report; we have attached a special memorandum upon the subject to the last budget memorandum. As I say, Sir, this is a subject to which for several years past the Railway Board have been devoting special attention. I have here a list of the references we have made to railway administrations on the subject. We have addressed since 1918 no less than seven full dress circulars to railway administrations on the general question of facilities for third class passengers, and in addition we have sent a host of letters to them on minor points. And I say, Sir, that there has been a great improvement in the matter in the last few years. I do not deny for a moment that overcrowding was bad during the war and in years immediately succeeding the war. Take first the question of overcrowding: at the end of the war things were very bad. Everybody knows that during the war we were totally unable to get new coaching stock; everybody knows that during the war our railways were taxed to their uttermost limits with the result that our coaching stock got into bad condition, and in 1920-21 I admit that there was general overcrowding in the railways. Since then the position, I think I can show, has improved. In 1921-22 and 1922-23 we have made on first class railways a net addition of 683 coaches. Between 1921 and March the 31st, 1923, we added nearly five million miles to our passenger train and mixed train mileage and last year the increase of passenger traffic was not so heavy as it used to be. I think it will be within the knowledge of every one that the position in regard to overcrowding is better than it was. But what I feel

1 P.M. in discussing a question of this kind is that it is difficult to discuss it as a general question in this House. Sir, Haji Wajihuddin comes, I believe, from Meerut. The Pandit, of course, we all know, travels all over India. But most of the gentlemen here come from one particular part. They cannot say what the conditions are on every railway in India.

[Sir Charles Innes.]

Conditions differ from railway to railway and also on different parts of railways. On some railways conditions are worse than on others. In some parts of railways conditions are worse than in others. It is all a question of the particular circumstances of the line and of different parts of the line. Now, what I feel is that a question of this kind can so much more usefully be discussed by the Local Advisory Committees which we are now establishing on all railways. And this is what we have done—this is what we are doing. When we got the reports which we had called for in connection with Mr. Joshi's Resolution of 1922, we sent them back to all the Agents; we told them to revise them in accordance with any cuts which had been made in connection with the Inchcape Committee's Report and we asked the Agents to discuss these reports with their Local Advisory Committees—and that is the sort of discussion which is useful. Let me give you an example. On the Assam Bengal Railway, the Agent put up a long note upon the facilities for third-class passengers. It did not impress the Local Advisory Committee very much. They recorded that note. But they promptly went on to ask whether he could add an extra third-class carriage to the train now running between Ashuganj and Akhaura and take it to Chandpur. The Agent agreed. Now, here was a case where these men having local knowledge did not want a general note. They said: "Here is a particular train, it is very overcrowded, can you add a third-class carriage and take that carriage on to a certain station? And the Agent agreed. I think that is the way in which to deal with this question. I will take another Railway. Here is a press communiqué issued by the Agent of the Madras and Southern Mahratta, which has evidently escaped the attention of the Honourable Pandit. He begins by saying that 90 third-class bogie vehicles for broad gauge and an equal number for metre gauge have been sanctioned for construction by 1927. And he goes on to say:

"The train service on the Poona-Kolhapur section where passenger traffic is very heavy has been greatly improved by providing a second through train between Poona and Kolhapur and the introduction of an extra train in each direction between Poona and Miraj with suitable connections to and from Kolhapur at Miraj and to and from Bombay at Poona, so that there are at present 6 trains between Poona and Miraj against 4 previously. The service on the Bijapur Branch has also been accelerated to maintain better connection at Hotgi with the G. I. P. Railway and Gadag with trains to and from Hubli. An extra train has been put in between Hubli and Gadag and Bagalkot for the convenience of passengers in these sections. A through train has been arranged to run across the Peninsula between Mormagao on the West Coast and Masulipatam on the East Coast. An extra local train has been arranged to connect Anantapur—the headquarters of the District—with the trains to and from Pakala, running through that district. The local service between Arsikers and Harihar, one train each way, which was cancelled some time ago, has been restored."

Now, Sir, that is what is being done on a single Railway. You will see that in particular routes, where there is overcrowding, railways are putting on extra trains. But the House must remember that it is not always a question of merely putting on an extra train. Generally speaking, you may take it that a railway administration, which is a business concern, will always put on an extra train if the traffic demands it and if they see that they will make a profit by so doing. A passenger train costs us Rs. 4/8 a mile and, if we see sufficient traffic to bring us a revenue exceeding that Rs. 4/8 a mile, you may be sure that we will put on a passenger train if we possibly can.

But, the matter does not end there. Here comes the other factor—I have had occasion to bring this point to the notice of the House before. In the first place, the putting on of an extra passenger train may mean the

cutting off of an essential goods train. It all depends on whether the particular section of the line is being worked up to its full capacity. Now, Mr. Joshi says: "Where your passenger traffic and goods traffic are in conflict, scrap the goods traffic and go in for passenger traffic." That is not what the House said on the coal debate the other day. They were all accusing me then for not making proper arrangements for goods traffic. I don't know where I am. One day the House clamour for more goods trains; the next day with equal earnestness and eloquence they clamour for more passenger trains. The fact of the matter is that these questions have to be decided according to the merits of the case on each particular part of the line, and that is why I say that, though I entirely agree that this House should keep an eye on this question and should always be ventilating it and keeping us, the Railway Department, up to the mark, the really wise course for the House is to leave these matters to be dealt with more and more by the Local Advisory Committees with the Railway Administrations; because it is only the Local Advisory Committees that know exactly where the shoe pinches and where there is a real need for additional trains.

Let me examine this question a little further. Take the B. B. and C. I. Railway. I will give you another Railway. On the B. B. and C. I. Railway, the Agent writes as follows:

"There is no overcrowding normally on the B. B. & C. I. Railway trains except on the long distance fast trains. A lower rate of fare is charged for tickets available by the slower trains to induce passengers to travel by them and thereby distribute the traffic more uniformly on all the trains as it is the aim of every railway to get a full load for their trains. When a train is constantly overcrowded it is an indication that another train can be included in the schedule, and this has been done on the B. B. & C. I. Railway by the running of an additional train between Bombay and Baroda and the overcrowding as a result has practically ceased."

In Bombay I think the worst overcrowding is naturally in regard to suburban traffic. What are we doing there? We have sanctioned at great cost electrification schemes for suburban traffic both on the G. I. P. and the B. B. & C. I. Railways. We are also remodelling Victoria Terminus station. And when this electrification scheme and that remodelling are finished, we shall increase the train density by 650 per cent. It is not there, you see, merely a question of putting on extra trains. What we have got to do now is to electrify, and that is what we are doing.

And, since the House is not satisfied, I will proceed to give them some more details. The East Indian Railway's existing programme provides for an addition of 150 coaches a year. On the North Western Railway, apart from the provision of new coaching stock, the Railway is devoting special attention to the two sections of the line where passenger traffic is densest, namely, the Lahore-Rawalpindi and the Raewind-Khanewal sections. Here it is not merely a question of extra coaching stock; it is a question of additional crossing stations, the improvement of small stations, the doubling of parts of the line, the strengthening of the bridges and of the permanent way, and the improvement of watering arrangements for the train. Here again, all these matters are being discussed with the Local Advisory Committees, who have agreed that the Agent is working on the right lines. On the South Indian Railway, 239 third-class bogie carriages are being provided in the programme. On the Eastern Bengal Railway 285 extra wagons plus a large number of renewals.

Now, Sir, I have given you some actual facts and figures, and I do hope that Members will realise that this question of overcrowding is being tackled in real earnest by the Railway Board and by the Railway Administrations. As I said, I welcome these discussions, because I think it is good

[Sir Charles Innes.]

for the Railway Administrations and it is good for the Railway Board and it is, no doubt, good for me. — But may I say that I should appreciate some recognition on the part of the House of the fact that for some years past we have been, and we are, now, devoting very special attention to this subject.

Now, Sir, I pass on to part (2) of the Resolution—introduction of intermediate class where not already provided. We have provided intermediate class accommodation on all State and Company lines in India with the exception of two Railways, the B. B. & C. I. and the South Indian Railways. On these two Railways it is only provided on certain trains. Here again let me turn to an instance where the question was discussed. This very question was discussed by the Agent of the Assam Bengal Railway with his Advisory Council and this is what the Agent says:

“The accommodation for intermediate class passengers has received greater attention of late years and a large number of compartments have been added, so that separate compartments for Indian ladies and gentlemen can be given on all trains. It is hoped that the increased number of intermediate class compartments under provision will permit of carriages being marshalled on trains so that the intermediate class compartments are together. In 1918 there were 80 intermediate class compartments irrespective of the old type intermediate compartments in brake vans and by March of the current year these had been increased to 114 or an increase of 42 per cent. It is hoped to provide an additional 64 intermediate compartments in the near future and of these 16 carriages or 48 compartments will be so arranged that Indian gentlemen can reserve coupes if required.”

I merely read this to you because it bears upon this part of the Resolution. That shows what one single railway is doing. You may take it from me that all the other railways are working on the same lines.

Now, Sir, we pass on to the next part of the Resolution, namely, adequate supervision of watermen, both Muslims and Hindus, at small stations to provide water on every passenger train. We do provide watermen at all stations, and we do in the hot weather increase the number of these watermen considerably. I was not aware that there was any special need for any measures of supervision of the work of these men. Naturally, the station staff, the Traffic Inspectors, the Transportation Inspectors and the Station Masters are expected to supervise their working. What we are also trying to do is to improve the water-supply at stations throughout India. The B. B. & C. I. have specially provided taps and hydrants at various stations. All railways are tackling this problem in their own way, and I was glad to see that an Honourable Member paid the Railway Board a very rare compliment the other day by expressing approval of the arrangements made by one particular Railway. Sir, I think this is the first time this has happened in my experience of the Railway Board.

Let me then pass on to the provision of Hindu and Muslim refreshment rooms at all principal stations where not already made. I think, Sir, that the best plan is—general statements help neither you nor me—to get down to actual details and tell you what has been done on one particular Railway. This is what the Madras and Southern Mahratta Railway have done:

“The present Indian refreshment room at Hospet will be dismantled and a new type refreshment room will be built very shortly. New Hindu and Muhammadan refreshment rooms were built at Bangalore City and brought into use this year. Improvements to the Indian refreshment room at Dharmavaram have been sanctioned and will be taken in hand shortly. New Hindu and Muhammadan refreshment rooms are under construction at Guntakal to replace existing ones. Several other rooms which are old are being replaced by new buildings. In all there are 16 Indian refreshment rooms at important stations on the metre gauge and 18 Indian refreshment rooms on the broad gauge . . . . .”

**Mr. K. G. Lohokare:** (Bombay Central Division: Non-Muhammadian Rural): Possibly that is the only Indian Railway?

**The Honourable Sir Charles Innes:** I am afraid I did not catch the Honourable Member.

**Mr. K. G. Lohokare:** Possibly that is the only Indian Railway making these arrangements?

**The Honourable Sir Charles Innes:** Not at all, Sir:

"Besides, there are fruit stalls at several stations. It is proposed to build new type refreshment rooms and fruit stalls at a few more stations. The Indian refreshment rooms and stalls are supervised by an Indian officer specially appointed for the purpose with a separate office established to assist him."

The Honourable Member opposite, whose name I am afraid I do not know, suggests that this is the only Railway doing it. I might give some details regarding another Railway. This happens to be the South Indian Railway. I see from here that the Indian refreshment room at Trichinopoly Fort has just been completed, an Indian refreshment room has just been opened at Maniyachi, then another at Salem and another at a place with a long name which even I, accustomed to Madras, find it difficult to pronounce. In addition, estimates are being prepared and provision is being made for Indian refreshment rooms at 6 other stations.

Now, I pass on to the last portion of the Resolution, the provision of interclass waiting rooms for males and females, respectively, on all the principal stations where not already provided. We have already addressed Railway Administrations on this very subject, and the general trend of opinion was that, so far as the male passenger is concerned, such accommodation was not necessary and that railways provide separate waiting accommodation for interclass female passengers where the traffic requires such facilities. What we are doing with regard to these waiting room facilities is that we are spending a large amount of money on them, but we devote it at present mainly to improving the sheds all over the Railways and building new sheds. I have details here but I would not go into them.

There is one remark of general application which I must make in regard to these questions of comforts and amenities. Mr. Joshi accused the railways of not working on business lines. What I should like the House to consider is this. We are trying to keep our third class passenger fares as low as possible. I quite agree we should do all we can within reason for the comfort of our third class passengers. But the House must see that, if we go on providing facilities and amenities for third class passengers, the time will come when we shall have to raise the fares. Does the House think that the class of passenger we cater for would like to have a low fare and a rather low standard of comfort or a higher standard of comfort and a higher fare? I do not for one moment say that that is the only point that we have to take into consideration, because it is not. But it is a factor which we have always to keep before our mind. Still, I do not think there is very much difference on the main point between the House and myself. I would ask the House to accept my word. We in the Railway Board and all the Railway Administrations have for the last several years been devoting the very greatest attention to this question of facilities of travel for third class passengers. I think that within the last two or three years we have made a very real improvement and I hope that, as we go on executing our programmes, we shall continue to make those improvements and then make better improvements. I have already explained the attitude

[Sir Charles Innes.]

of Government. I cannot, as it is worded, accept this Resolution, but if the House likes, I will certainly forward it on to Railway Administrations for consideration.

**Mr. Bipin Chandra Pal** (Calcutta: Non-Muhammadan Urban): I want, Sir, to intervene in this debate mainly for one reason, and the reason is this. I owe it to a part of my constituency to do so. During the last election, some people among my electors told me upon reading my election manifesto:

"We are not interested, Mr. Pal, in your high politics. We are poor people who want the little comforts of life, and, if you can do some thing for us, poor third class passengers, who have constantly to travel by train, we shall be thankful to you."

I pledged myself to do that little something when the opportunity came. There is evidently absolutely no difference of opinion in regard to the substance of this Resolution. We are all agreed—the other side and this side. We rarely agree, but on this occasion we are all agreed as to the condition of third class passengers, the wretched condition of third class travelling in India. The Government do not admit that it is an ideal mode of travelling. We do not say that it is so. But what the Government say is, "Look here. We have been doing a lot and we intend to do more as times progress." We accept that assurance—I accept that assurance, we all accept that assurance. (*A Voice*: "Acknowledge.") I acknowledge it with thanks. That is all right. But our complaint will always continue to be persistent, strong, sometimes irritating also, Sir, as long as we have not got the full measure of relief in this matter. Those who have had the good fortune or the misfortune to travel in other parts of the world, what will they think of our Indian railways? When I travel in an Indian train, be it second—I never go higher than that,—or be it third sometimes, I always wonder . . . . . (*A Voice*: "You get first class.") Yes, I get first class, but I travel second reserved. I do not put anything into my pocket out of the allowance that I get, but I travel second class in a reserved compartment which gives me greater comfort with a little more expense. When I travel in India, I always remember with regret my travels in England, in France, and also more than in England and France, in America, and, while I was listening to this debate, I was thinking if the day would not come, I believe it will come when we get Swaraj of the type I want, when we get Swaraj which will be the *raj* of the people and not the *raj* of any particular section of the people, when I get Swaraj which will be the *raj* of the poorest men in India and not the richer or the wealthier and the more fortunate classes—when I get that Swaraj, I think we shall not have three classes of railway travel in India but one class and that the third class as they have got in America. I was thinking—I am an Oriental and my imagination runs, I think, a little ahead—I am looking forward to the day when we shall have in India one single class of railway passengers fully provided with all the comforts that they may reasonably demand, and those who require extra comforts may have Pullman cars which will bring revenue to the railways and may travel in parlour cars or in luxurious sleeping cars. That is my ideal. So far as the railways are concerned, there will be no difference between one class and another. The railways will provide the same kind of accommodation, but those who can pay extra can get entrance into the Pullman car and ride in that car or in the parlour or sleeping car as they want or as they can afford to pay for. That is the ideal to which I am looking forward. I do not want to deprive the rich of the comforts of life, but I want to secure for the poor the fullest measure of what they pay for.

As regards dining and other things such as overcrowding, we have overcrowded that subject, I think, with our comments already and I will not crowd it more. It is acknowledged that in all the railways there is more or less of overcrowding. I will not labour that point but with regard to the dining accommodation I really do not see why we should have only one dining car and that for my European friends. (*Voices*: "No.") I do not mean for European friends but in the sense that I am not admitted there in my *dhoti* and my *chaddar*. I force my way there sometimes, sometimes I am obstructed also—that I know. I know my Honourable friend, Sir Henry Stanyon, will take my word for it that one day when I was travelling from Bombay to Poona and I tell you (*A Voice*: "No.") Don't say "No" before hearing what I have experienced myself and what my Honourable friend, Mr. Abul Kasem, may have experienced himself—(*Mr. K. Ahmed*: "You may catch cold in a *dhoti*.") Well, I have not got the protection against cold with which my Honourable friend has been provided by nature, but my *dhoti* protects me as well. Now, I was telling you that I was travelling from Bombay to Poona. I was travelling second and I had my second son with me and he had only a shirt and a *dhoti* and *chaddar* on, just like the Bengalis. I had a coat on, and both of us went to have our tea in the dining car. The manager of that car came up and told my son: "this is not meant for you." (*A Voice*: "Shame.") I brought him to his senses. I said: "What do you mean? This is meant for every one who pays. Besides you ought to remember that we are second class passengers." Then he went away. So, these things sometimes do happen. I have seen it on the B. N. Railway and I have seen it in other railways also, but they are becoming more and more rare because *dhotis* are coming to the front and the dignity, the sartorial dignity of pants, hats and coats is coming down a little. So, that does not matter. When I spoke of dining cars for our European friends I meant, for those gentlemen who are used to European ways of dining, not always drinking, but European ways of dining. It is meant for them, it suits them, but what about those poor people, those Hindus and Muhammadans who are not used to handling the implements of dining of our European friends? What about them? (*A Voice*: "Use your hands.") You use your hands but you do not find it comfortable there. Now, I have seen only one railway in all India—perhaps that is not within civilisation—the Jodhpur-Bikanir Railway. I have travelled by that line and I found the second class compartments exceedingly uncomfortable—it was not so uncomfortable for me because I had a lower bunk, but another passenger who had the misfortune of not being provided with a lower bunk and had to jump into the higher, every two minutes found himself, I think, in contact with the ceiling. That was his position. That was the kind of accommodation they provided in the first and second class compartments on the Jodhpur-Bikanir Railway, but there were dining cars, refreshment arrangements within the running train itself, for non-Europeans also. For Hindus they had excellent *puri* fried in excellent *ghee* and for Muhammadans also they had their *roti* and their *kabab* as they had arrangements for European gentlemen or those who affect European ways, and I had the satisfaction of my life in finding that the European dining arrangements were worse than the Indian dining arrangements. Now, if that is so in one railway, I do not see why the Honourable the Commerce Member may not find it possible to urge upon the Agents to make similar arrangements in the other railways in India.

Then there is another matter, Sir. We know my Honourable friend the Commerce Member has repeatedly referred to what this Agent has told

[Mr. Bipin Chandra Pal.]

him and what that Agent has told him. We know they pass on our Resolutions to the Agents and the Agents are left to carry them out. Now, it looks very much like, what shall I say, Dolly Reforming Herself—the railways reforming themselves. I hope that our Honourable friend will see to (I do not want to use the word duty) his responsibilities and obligations to the tax-payer. We want him to see that the Agents carry out the wishes of this House and the instructions from the Government faithfully. He is there, the Government is there, the Railway Board is there, not to help the dividends of the railway companies but to protect the interests of the people of India, and it is here that we appeal to them to look to our interests. They have got flying ticket checkers in all the railways. These are employed by the Agents. They are business men and they want to see that nobody cheats them out of their legitimate fare. Now, cannot the Honourable the Commerce Member arrange for a few flying railway inspectors on behalf of Government to see to it that the provisions of the Railway Act are carried out faithfully? Now, that is a thing which we can reasonably expect from him and he has been so reasonable, so willing to help up in this matter; he has been so alive to his duties by the tax-payer in India. We hope he will not refuse to pay some attention and, unless the Finance Member intervenes with a "No", I hope he will try to carry this suggestion out. There is only one other point to which I want to invite the attention of the Honourable the Commerce Member and it is in regard to the provision of ladies' intermediate compartments on all mail trains. I understand, I speak subject to correction if I am wrong, I hope the Honourable Member will correct me, that no intermediate ladies' compartment is provided on the mail train between Bombay and Calcutta on the B. N. R.

**The Honourable Sir Charles Innes:** I am afraid I must ask for notice of that question.

**Mr. Bipin Chandra Pal:** I can tell the Honourable Member from very recent knowledge, because members of my family were travelling from Jamshedpur to Calcutta and they had to be crowded into a men's compartment. They could not go into a second class compartment as they did not like to be all by themselves at night. They were coming alone and they wanted an intermediate ladies' compartment but no intermediate ladies' compartment was reserved on the Bombay to Calcutta mail on the B. N. Railway. One is, I think, provided in the train that goes from Calcutta to Bombay but none are provided in the train that comes from Bombay to Calcutta, perhaps because there are no *zenana* on the Bombay side. Whatever that may be, now that I have drawn the attention of the Honourable the Commerce Member to it, I hope he will look into the matter and see that in every mail train a special reserved ladies' compartment is provided, both in the third and intermediate, as well as in the second and first as usual. With these words I support the Resolution.

**Sir Purshotamdas Thakurdas** (Indian Merchants Chamber and Bureau: Indian Commerce): I do not think the House would like me to say anything in supporting the Resolution at this stage regarding the various details indicated by the Honourable the Mover. The Honourable the Commerce Member in the course of his reply naturally felt somewhat disappointed at the very strong feeling expressed in this House and he reminded us that in the previous Assembly similar Resolutions were moved and were more or less of the nature of what are known as hardy annuals. I do not

think it would be difficult for the Honourable Member to understand the reasons of this strong feeling on the question of due accommodation for third class passengers on Indian railways. I am sure that this strong feeling has not got much to do with the present executive of the railway department, and, as far as I am concerned, I am prepared to say publicly in this House that the Honourable Sir Charles Innes, ever since he took up the railway department under him, has spared himself neither pain nor efforts nor justifiable and available amounts of money in the direction indicated by the Resolution. But, in spite of it, I do not think the Honourable Sir Charles Innes himself will refuse or hesitate to agree with me when I say that there is a great deal of scope still for more progress, for faster progress and for the reflection of the public feeling in this connection in this House for some time more to come. The reason, Sir, is not difficult to explain. I feel and I am convinced that there is much leeway to be made up by the railway administration in India in the direction of providing adequate facilities for third class passengers. This class of passengers may, I think, safely be called the royal class of patronisers of the Indian railways, the only class of passenger traffic, which is a paying proposition; for, the second and first class passenger traffic is not a paying proposition. I am afraid the bare needs and requirements of this class of passengers have so long, so steadily and so continuously been neglected for well over half a century that it must take the public at least a few more years before they begin to realise that the railways are coming up to what is required as the bare necessities of the case. I therefore feel that it is easy to reconcile the two strong senses of opinion that we have seen reflected in this House; the one reflected by the Honourable the Mover of the Resolution can be understood because many and serious shortcomings still exist. The other feeling expressed by the Honourable Member in charge of the Railway Department can easily be understood on this side of the House, because most strenuous efforts are being made by the Railway Department to catch up the past deeds of omission and commission of the predecessors of the existing band of officials. There is still a lot to be done and all that we on this side of the House wish to impress upon Government is that neither pains nor time nor money should be saved in the direction of setting right what was the just due to this class of passengers on the Indian railways for the last number of years.

I may be reminded that I was one of those who recommended that railways in India should be worked as a business proposition. I had something to do with saying that no new expenditure should be incurred at present unless there is approximately a 5 per cent. return. This is quite reconcilable with the other proposition that you can improve the facilities of the third class passengers. All that you want is, that the Railway Administration should hit upon the right set of people, including my friend over there, Mr. Joshi, who will put them in touch as to the right way and who will communicate to the Railway Department how these facilities can be provided.

The Honourable Member said that seven circulars had been sent out since 1918 to the various railways pointing out in great detail what the Government of India would like the railways to do to mend the defects that have existed till now in the railway administration as far as this class of passengers goes. I am sure that the Member in charge of the Department is fully aware, from year to year, as to how improvements take place in the provision of these facilities, but I think it would be very

[Sir Purshotamdas Thakurdas.]

useful, Sir, if once a year the Railway Department could issue a statement showing how many new refreshment rooms of the nature indicated in this Resolution have been provided since the previous year, how the density of passengers in third class carriages has decreased since the past year, because it is admitted that the third class carriages still run overcrowded; how the number of water-suppliers has similarly increased, and so on. I think that a statement of this nature from year to year would give that conviction to this House which is what we all want, that we are not guilty of voting out any money for the railway administration when we know that the third class passenger is not being given what is his due.

The Honourable Member referred to Advisory Committees in various Provinces. Unfortunately, Sir, in my Province the Advisory Committee has not yet started; but I believe that, if Advisory Committees are encouraged to put before the railway administrations the directions in which they think the urgent necessities of third class passengers could be met by the railways, they, at least the non-official members acting on such Advisory Committees, will not take long to flood railway administrations with what would satisfy this House. I am sure that nobody in this House wishes to be impatient and rush the railway administrations into laying out money in a manner which could be said to be not usefully spent. But, Sir, a good deal of money could be usefully spent to the great contentment of the masses who travel by the third class and to the great satisfaction also of the Government, whose anxiety, I know, it must be, to see that the masses travel comfortably, at least as comfortably as is in keeping with the fares that they pay. With these words, Sir, I hope that the Honourable Member will not mind the word "direct" as used in the Resolution, and may be prepared to accept the Resolution.

**Mr. H. G. Cocke** (Bombay: European): Sir, I move that the question be now put.

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

The motion was adopted.

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

"That this Assembly recommends to the Governor General in Council to direct railway authorities throughout India to adopt the following measures for the convenience of Indian passengers:

- (a) increase of the number of passenger trains where necessary to avoid overcrowding;
- (b) introduction of intermediate class where not already provided;
- (c) adequate supervision of watermen both Muslims and Hindus on small stations to provide water on every passenger train;
- (d) provision of Hindu and Muslim refreshment rooms on all principal stations where not already made;
- (e) provision of inter-class waiting rooms for males and females respectively on all the principal stations where not already provided."

The motion was adopted.

#### EXERCISE OF MR. PRESIDENT'S DISCRETION UNDER STANDING ORDER 8 (4).

**Mr. President:** The Assembly will observe that, unless I exercise my discretion under Standing Order 8, the business set down for the day now

comes to an end. Under our ballot procedure five Resolutions first emerging from the ballot are set down on the ordinary List of Business. Three others are added to that on the secondary List of Business, but no Resolutions standing on the secondary List can be transferred to the regular List of Business unless, under section 4 of Standing Order 8, I exercise my discretion in its favour. It seems to me that to-day is a case in which I may do so; but before doing so, I remind the House that, if a precedent is set, it is a narrow precedent. I should not propose to transfer from the secondary List to the ordinary List of Business any Resolution under circumstances such as prevail to-day, unless, not only the Mover of the Resolution himself, but also the Member of the Government concerned in replying agree that that shall be done. It is obvious that, unless a Member of the Government and indeed the House itself, has notice of say at least 24 hours, that the business standing higher on the List of Business is likely to fail, as it has done to-day, the secondary List of Business cannot be adequately dealt with unless such time for preparation is given both to the Member moving and to the Member replying.

Honourable Members will observe that the Resolution which has just been moved and carried was moved from the first place on the secondary list to the last place on the primary list because of the failure of other Resolutions. That brings me to the Resolutions standing in the name of Mr. Harchandrai Vishindas, the first of which falls out because the action has already been taken. The second, I understand, he is not prepared to move, nor the third. Therefore we come to the Resolutions standing in Dr. Gour's name, of which the first falls out for the same reason. The second falls out for the reason that the Army Department is not prepared to reply; but I am prepared to take the sense of the House whether we should embark on a discussion of the third Resolution standing in Dr. Gour's name, and, as the Members may not have the terms of the Resolution immediately before them, I propose to read it now. The Resolution in question, which stands as Dr. Gour's third Resolution, is as follows:

"This Assembly recommends to His Excellency the Governor General in Council to be so pleased as to take early steps to bring into existence a Supreme Court for India for the disposal of the civil appeals now heard by the Judicial Committee of the Privy Council in England, and for the hearing of criminal appeals in serious criminal cases."

I may say that I should not be disposed to exercise my discretion at all in regard to this Resolution were it not for the fact that it is one of which notice has been given on several previous occasions in the life of the last Assembly, and therefore the case for dealing with it may reasonably be understood to be prepared in the Home Department.

In defining the character of the precedent which I am now setting up, I want to carry with me, not only the Mover of the Resolution and the Government Member who has to reply, but also the sense of the House. In other cases, of course, I shall exercise my own discretion under the Standing Order; but in this case, owing to the peculiar circumstances, I wish to carry the sense of the House with me.

**The Honourable Sir Malcolm Hailey** (Home Member): I cannot say there is on my part any great anxiety to deal with this question, for I feel in the same position as some Honourable Members have expressed in dealing with some of our recent proposals for legislation, that these matters should not be considered too hurriedly and without due notice. At the same time I cannot say that this matter has not been considered by the Government in the past. It has been before the Assembly twice, and I

[Sir Malcolm Hailey].

myself defined the attitude of Government to Dr. Gour in answer to a question three days ago; so that I cannot say I am not prepared to deal with the question, and if it is the desire of the House that we should proceed with it, I can offer no opposition.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Sir, the Resolution of the Honourable Dr. Gour places before us issues of very great importance and I do not think the House is prepared to-day to face that Resolution, or to discuss it or to dismiss it in the manner in which it ought to be discussed or dismissed or treated. I do think that that Resolution should not be taken up on this occasion.

**Mr. Harchandrai Vishindas** (Sind: Non-Muhammadan): I join with the last speaker that the matter is such that, although it has been debated on previous occasions, still those debates are far removed from to-day, and the subject requires fresh preparation.

A good deal of opinion, official and non-official, has been expressed on this subject which will have to be carefully gone into. Even if anybody has any preconceived notions of his own on the subject, he would very much like to be guided by that opinion. For all these considerations I think the sense of the House will be that you, Sir, should exercise your discretion by not taking up the Resolution to-day.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): May I very briefly state to the House that the subject of my Resolution has not only been frequently before the last Assembly . . . .

**Mr. C. S. Ranga Iyer**: Not this.

**Dr. H. S. Gour**: This Resolution; the identical one. Not only has it been before the last Assembly but it is one of the Resolutions upon which I sought to introduce a Bill in the last Assembly which you, Sir, ruled out as incompetent for the Indian Legislature to enact. I quite realise the importance of the subject and I further realise that the House would like to have more time to go into this question; but I can assure them that, if after hearing me, they find that they would like to have more time, I shall readily accede to the wish of this House and consent to an adjournment. If the Resolution, on the other hand, does not come on to-day, I cannot forecast as to when it is likely to come on at all. I have been singularly unfortunate in the recent drawings of the ballot-box. My Resolution stands to-day at the bottom of the list and in future ballot boxes, of which drawings have been made, I have secured an equally low place. I therefore ask the House to support me by allowing me at least to move this Resolution. If after hearing me the House finds that it is one of those Resolutions upon which it would like to bestow further consideration, I shall accede to a motion for the adjournment of the debate. I hope therefore the House will support me to the extent of allowing me to move this Resolution to-day.

**Sir Campbell Rhodes** (Bengal: European): Sir, may I respectfully submit to you that in coming to your decision as to what is the sense of the House you might bear in mind that the Finance Committee have very important work before them and are looking forward to an opportunity of settling down to it this afternoon.

**Dr. H. S. Gour**: The Finance Committee have nothing to do with this Resolution.

**Mr. President:** I take the last point first. The Finance Committee was not entitled to expect liberty to sit this afternoon. The points put to me by the Honourable Member from the United Provinces and the Honourable Member from Sind seem to me to justify the expectation which I had entertained in my own mind that there would be an objection to taking this business to-day. I quoted the fact that a Resolution of this character had appeared in the list of business in the first Legislative Assembly not to justify its being taken now but to show that one might reasonably expect the Government to be prepared to reply. The sense of the House appears to me, however, to support what Mr. Vishindas and Mr. Ranga Iyer have already said, namely, that the non-official Members are taken by surprise by this proposal and are not prepared adequately to debate the Resolution this afternoon. On that ground I will not exercise my discretion in favour of Dr. Gour's Resolution.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 13th February, 1924.

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