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THE LEGISLATIVE ASSEMBLEY DEBATES

(Official Report)

FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



SIMLA GOVERNMENT OF INDIA PRESS 1924.

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ERRATUM.

On page 2270 of Legislative Assembly Debates, Vol. IV, No. 39, before the Press Communiqué, dated the 23rd May, 1924, insert the following:—

PRESS COMMUNIQUE.

As some doubt appears to prevail regarding the precise scope of the enquiry into the working of the Government of India Act which has been initiated by the Government of India in pursuance of the statements made by Sir Malcolm Hailey in the Legislative Assembly on the 8th and 18th February 1924, it is announced that the terms of the reference to the local Governments who were addressed in the first instance, may be summarised as follows:—

- to enquire into difficulties arising from, or defects inherent in, the working of the Government of India Act and the Rules thereunder;
- (2) to investigate the feasibility and desirability of securing remedies for such difficulties or lefects, consistently with the structure, policy and purpose of the Act,
 - (a) by action taken under the Act and the rules or
 - (b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.
- 2. The Committee appointed by His Excellency the Viceroy have been instructed at the present stage to conduct enquiries into these matters in so far as the Government of India and the Indian Legislature are concerned and to direct their attention in the first instance to the legal and constitutional potentialities of the situation as distinguished from questions of policy and expedience. They have submitted a report on the latter aspect of the case which is now under the consideration of the Government of India.

Home Department, Simla, the 16th May 1924.

LEGISLATIVE ASSEMBLY.

Friday, 30th May, 1924.

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

QUESTIONS AND ANSWERS.

Information re the Tata and Steel Company, Limited.

- 1971. Mr. Ripin Chandra Pal: (a) Will the Government be pleased to supply a full and detailed statement of the share capital, with a list of shareholders, of the Tata Iron and Steel Works, Limited, to the House before the proposed Tariff Bill comes up for the consideration of the Assembly ?
- (b) Will the Government be pleased to place before this House a statement of the higher establishment of the Tata Iron Works giving full and complete statement of the dividends paid to the share-holders efficient drawing a salary of rupees three hundred (Rs. 300) and more, showing any extra allowances paid to them?
- (c) Will the Government be pleased to place before this House a full and complete statement of the dividends paid to the share-holders of the Tata from and Steel Works, Limited, during the years 1914—1920?

The Measurable Sir Charles Innes: (a) and (c). The present share capital of the Tata Iron and Steel Company is as follows:

		Lakhs.
50;00 0	6 per cent. Cumulative First Preference Shares of Rs. 150 each Total	75
.700,000	7) per cant. Cumulative Second Preference Shares of Rs. 100 each Total	700
350,000	Ordinary shares of Rs. 75 each Total	2621
48,750	Deferred shares of Rs. 30 each Total	14.6
	Gross Total	10,52.1

The dividends paid on the different classes of shares in the seven years 1914-15 to 1920-21 was as follows:

First Preference .. . 6 per cent. each year.

Second Preference 7½ per cent. per year on the amount paid up from the time they were first issued, that is, in February 1919.

On the Ordinaries the rates per cent. per annum paid were, respectively, 8, 15, 20, 20, 7, 16 and 16.

On the Deferred the rates per cent. per annum paid were respectively 25, 1801 per cent., 291 per cent., 291 per cent., nil, 2021 per cent. and 2021 per cent.

The Government have not a list of the shareholders in the Company. Shareholders number many thousands and it is not worth the expense of calling for a copy of the Share Registers. They can be L74LA (2855)

inspected on payment of the ordinary fees at the office of the Registrar of Joint Stock Companies, Bombay.

(b) The Government have not a detailed establishment list of the staff employed at Jamshedpur. The Honourable Member will find in paragraph 55 of the Report of the Tariff Board a statement showing the number of covenanted employés in 1912-13 and in 1921-22.

REDUCTION OF RAILWAY FARES.

- 1072. *Haji Wajihuddin: What is the number of railway passengers who travelled during the years 1914-15 and 1923-24? If there was a considerable decrease in the number of passengers in 1923-24 was such decrease due to the increase in the rate of railway fares?
 - (a) Do Government propose to reduce the railway fares all round ?
 - (b) Is the reduction recently done on the East Indian Railway in the passenger fares sanctioned by Government?
- Mr. C. D. M. Hindley: The number during 1914-15 was 451,085,900. The number during 1923-24 is not yet available but during 1922-23 it was 572,695,400.
 - (a) Railways are not yet in a position to reduce railway fares all round.
 - (b) The fares being within the authorised maxima and minima Government sanction to their introduction was not necessary.
- Mr. K. Ahmed: Is it not a fact that my Honourable friend in March 1923 promised in this Assembly that he would try to obtain statistics and compare them with the statistics of previous years in order to bring about reductions of fares? While my Resolution regarding the reduction of fares was under discussion, it was said by the Government Member that, if it was possible, the Government would try to reduce fares.
- Mr. C. D. M. Hindley: I have not quite followed the Honourable Member's question. He asked me if I did not promise to introduce statistics. I have done so.
- Mr. K. Ahmed: Is it not a fact, Sir, that the Honourable Member said that he would try to bring about reductions?
 - Mr. President: That is not a supplementary question.
- Mr. K. Ahmed: The supplementary question is that my Honourable friend did promise in 1923, while speaking on my Resolution, to bring about reductions of the railway fares. He promised that he would see and compare the statistics of the number of passengers who travelled in pre-war days and now. Is not that a fact?
- Mr. President: The Honourable Member is not putting a question but is making a speech. Haji Wajihuddin.
 - (Mr. K. Ahmed again got up.)
- Mr. President: Order, order. I have called upon Haji Wajihuddin to put his next question.
- Mr. K. Ahmed: May I ask if the question put by me is not a supplementary question?

Mr. President: Haji Wajihuddin.

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Haji Wajihuddin: Question No. 1073.

- Mr. K. Ahmed: Before Question No. 1073 is answered, may I ask for a ruling from the Chair. I rise on a point of order. A supplementary question is a question that elicits further facts on the subject under reply. If that is so and if my supplementary question is within the rules, will the Honourable President be good enough to ask the Honourable Member to answer the supplementary question as well.
- Mr. President: I have already said that your so-called supplementary question was a speech and I have called upon Haji wajihuddin to put his next question.

COMPLIMENTARY PASSES ISSUED TO INDIANS AND EUROPEANS ON THE EAST INDIAN RAILWAY.

- 1073. •Haji Wajihuddin: What is the number of complimentary free passes issued by the East Indian Railway and how many of them are issued to Indians and how many to Europeans?
- Mr. C. D. M. Hindley: The figures of complimentary passes issued during the whole of the official year 1923-24 are not available. The following figures for the second-half of that year are therefore given:

 Indians
 ...
 ...
 ...
 ...
 3

 Europeans
 ...
 ...
 ...
 21

Of the later figure 21, 8 were issued to ex-officials or the widows of officials of Indian Railways, 4 to Directors of English or Foreign Railways and 4 to the Press for the purpose of making certain reports on railway matters.

LOCAL ADVISORY COUNCILS ON RAILWAYS.

- 1074. •Haji Wajihuddin: Is it a fact that the movement for the formation of advisory committees at railway headquarters was initiated by the Passenger Protecting Society and the proposal which first reached the Railway Board containing a representation for the institution of Advisory Committees or railway visitors emanated from that body?
- Mr. C. D. M. Hindley: As the Honourable Member is probably aware, the suggestion that Local Advisory Councils should be established at railway headquarters came from the Acworth Committee. But as far back as 1890, a Local Consulting Committee had been set up by the East Indian Railway Administration and in 1919 and 1920, the Passenger Protecting Society suggested the appointment of railway visitors.
- Mr. N. M. Joshi: May I ask whether Government propose to make some arrangement to give representation to the third class passengers on these Local Advisory Councils?
 - Mr. C. D. M. Hindley: I do not think, Sir, that question arises out of this answer. But I should like to have notice of this question so that I may give the Honourable Member a considered reply.

PILGRIMS TO THE HEDJAZ. :

1075. *Haji Wajihuddin: Will the Government be pleased to say:
(a) How many pilgrims to Hedjaz purchased last year return tickets at Bombay?

- (b) How many of them lost their tickets during the senses of the pilgrimage?
- (c) How many of them were brought back by the steamhigreempany granting the return ticket.
- (d) How many were brought back at Government expense?
- (e) How many of them died in Hedjaz ?
- Mr. J. W. Bhore: (a) 694 pilgrims purchased return tickets last year at Bombay and Karachi.
 - (b) and (e). No information is available.
 - (c) 670.
- (d) The Government of India assisted in the repatriation of 1,716 pilgrims in all.
 - Haji Wajihuddin: May I ask at what cost ?
 - Mr. J. W. Bhore: I must have notice of that question please.
- Mr. K. Ahmed: Do the Government propose to get full particulars of the tickets that are purchased by the pilgrims going out of India!
 - Mr. J. W. Bhore: I am afraid I did not hear the question.
- Mr. K. Ahmed: Do Government propose to keep records of the tickets purchased by pilgrims going to Mecca from India ?
 - Mr. J. W. Bhore: Government have no such intention at present,
- Mr. K. Ahmed: Do Government realise that, if this system is adopted, it will serve the good purpose for which the Department of my Honourable friend exists, by giving facilities to the pilgrims going to Mecca from India?
- Mr. J. W. Bhore: I am not in a position to answer that question at present.
- Loss of Baggage of Indian Pilgrims to the Hedjaz by Fire on the S. S. "Francestan".
- 1076. *Haji Wajihuddin: (a) Will the Government be pleased to give an estimate of the luggage and baggage belonging to Indian Hedian pilgrims lost in transhipment from S. S. "Frangestan" to S. S. "Tangistan" on account of the former being on fire and having been destroyed last month near Port Sudan?
 - (b) Has any compensation been paid to the passengers ?
 - (c) Are the Government prepared to help them immediately ?
- Mr. J. W. Bhore: (a) The Government of India have no information as to the amount or the value of the property lost by pilgrims on the "Frangestan" apart from what has appeared in the press.
- (b) Messrs. A. Neemazee and Company instructed their Jeddah Agents to give, at their discretion, certain sums of money to the pligrims wherever it was considered necessary and His Majesty the King of the Hedjaz is reported to have offered to make the pilgrims his guests on the journey to Mecca:
- (c) No cases of destitution have been brought to the notice of the Government of India. The question of Government aid does not therefore arise.

PETITION OF THE KHOJA SHIA ISNA ASHRE COMMUNITY.

- 1077. *Hhan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (1) Whether a petition has been submitted to His Excellency the Viceroy and Governor General of India in Council on behalf of the Khoja Shia Isna Ashre community of British India praying:

That legislation may be undertaken to provide that the Khoja Shia Isna Ashres of British India are governed in all respects by the Mohammedan Law applicable to the Shia Mohammedans, and in particular:

- (a) That they are governed by such law in matter of succession and inheritance, and
- (b) That no property in the hands of a Khoja Shia Isna Ashre shall be regarded for any purpose as joint family property in the sense in which the expression is used in Hindu Law.
- (2) Whether Government is prepared to undertake legislation, as prayed for.
- (3) If so, by what time ?
- (4) If not, why not ?

The Honourable Sir Alexander Muddiman: (1) The answer to part (1) is in the affirmative.

(2) to (4). It is understood from the President of the Jamat that the memorialists have requested Mr. M. A. Jinnah to introduce a private Bill on the subject. Government are awaiting action on the part of Mr. Jinnah and have informed the memorialists accordingly through the Government of Bombay.

REPRESENTATIVES OF INDIA AT THE IMPERIAL CONFERENCES AND THE MEET-INGS OF THE LEAGUE OF NATIONS.

1078. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state the names of the Indian gentlemen who have been tent by Government to represent India in the successive Imperial Conferences and in the League of Nations?

The Honourable Sir Alexander Muddiman: A statement giving the information desired by the Honourable Member is laid on the table.

Statement showing the names of Indian representatives to the successive Imperial Conferences and the meetings of the Assembly of the League of Nations.

Imperial Conference.

1917

His Highness the Maharaja of Bikanir, and Sir Satyendra Prasauna Sinha (now Lord Sinha).

1918.

His Highness the Makaraja of Patiala, and für Satyendra Prasanna Sinha (new Lord Sinha).

1921.

His Highness the Maharao of Cutch, and The Hight Honourable V. S. Srinivasa Sastri. 1923.

His Highness the Maharaja of Alwar, and Sir Tej Bahadur Sapru.

League of Nations.

1920.

His Highness the Maharaja of Nawanagar, and Sir Saiyid Ali Imam.

1921.

His Highness the Maharao of Cutch, and The Right Honourable V. S. Srinivasa Sastri. 1922.

His Highness the Maharaja of Nawanagar, and Sir P. S. Sivaswamy Aiyer.

1923.

His Highness the Maharaja of Nawanagar, and Mr. Saiyid Hasan Imam.

PERCENTAGE OF INDIAN SETTLERS IN UGANDA AND TANGANYIKA.

- 1079. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state the percentage of Indian settlers in (a) Uganda, (b) Tanganyika!
- Mr. J. W. Bhore: The percentage of Indian settlers in Uganda is .1 and in Tanganyika .2 of the total population.

COST OF THE KHYBER RAILWAY.

- 1080. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to furnish an estimate of the cost of the Khyber Railway scheme?
- Mr. C. D. M. Hindley: The estimate for the Khyber Railway is Rs. 243 lakhs.

REPORT OF THE ALLIANCE BANK INQUIRY COMMITTEE.

- 1081. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (a) If they have now received the report from the Alliance Bank Inquiry Committee ?
 - (b) If not, will they ask for it ?

The Honourable Sir Basil Blackett: (a) The answer is in the negative.

- (b) It is understood that the report will be in the hands of the creditors and shareholders on or before the 6th June.
- ALLOWANCES PAID TO TRIBAL CHIEFS IN THE NORTH-WEST FRONTIER PROVINCE.
- 1082. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (a) If any written agreement is executed by the tribal chiefs in the North-West Frontier Province regarding the allowances paid to them?
 - (b) In what manner are the agreements enforced, if the condi-

- Mr. Denys Bray: (a) Yes, as a general rule; but in some cases the conditions attaching to the grant have been announced publicly at a gathering of the tribe.
- (b) By the suspension or confiscation of allowances, by the imposition of fine or barampta, and in the last resort, by military operations.

OVERCROWDING OF TRAINS.

- 1083. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the letter published in the Forward of the 4th April 1924 under the heading "Overcrowding of trains"?
- (b) If so, will the Government be pleased to state whether the statements made therein are correct; and if correct, do they propose to take steps to remove the grievances complained of?

Mr. C. D. M. Hindley: (a) Yes.

(b) Government understand that, chiefly owing to Engineering restrictions in connection with the provision of additional facilities, Nos. 31, 33 and 37 Down local trains have recently been running late. With occasional exceptions the late arrival at Howrah has not exceeded 6 minutes. On the 24th March, 1924, a Monday, there was an unusual rush on No. 33 Down local train, and a number of passengers mounted the footboards at Ramrajatola and refused to be dislodged. In consequence the train was held up for 38 minutes before it was considered safe to allow it to proceed. Proposals for the introduction of an additional Up train on Saturdays and an additional Down train on Mondays are under examination by the Railway Administration.

BURMESE CANDIDATES FOR THE LAST I.C.S. EXAMINATION HELD IN INDIA.

1084. *Khan Bahadur Sarfaraz Hussain Khan: With reference to the reply given by Government in reply to Question No. 187 asked in the Council of State during the last Delhi session will the Government be pleased to state the reason why no candidates appeared from Burma at the I. C. S. Examination held at Allahabad in January, 1923?

The Honourable Sir Alexander Muddiman: Only two candidates from Burma applied to appear at the examination but both were over age and thus ineligible under the rules.

DUTIES AND SALARIES OF THE GAZETTED OFFICERS OF THE COMMERCIAL INTELLIGENCE DEPARTMENT.

1085. * Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state the number with the salaries and the respective duties of the gazetted officers of the Department of Commercial Intelligence?

The Honourable Sir Charles Innes: The gazetted staff of the Commercial Intelligence Department consists of 4 officers, namely, Director General of Commercial Intelligence, 2 Deputy Directors of Commercial Intelligence and 1 Local Trade Intelligence Officer. The present salaries of the permanent incumbents are Rs. 1,975, 1,400, 1,000 and 650, respectively. The Director General of Commercial Intelligence is the head of a Department whose functions briefly are to answer trade enquiries, keep Government in touch with commercial opinion, assist firms in India, to establish or extend trade relations with foreign traders, and to collect and publish statistics of all kinds. The two Deputies assist the Director General of Commercial Intelligence in the discharge of these functions. One of

them also carries on the control of the office during his absence on tour. The work of the Local Trade Intelligence Officer consists mainly of interprevincial trade inquiries and the study of inter-provincial trade movements, which fall outside the scope of provincial Directors of Industries.

DUTIES OF THE BRITISH CONSUL AT JEDDAH TOWARDS INDIAN PILGRIMS TO HEDJAZ, ETC.

- 1086. *Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :
 - (a) the duties of the British Consul at Jeddah towards the Indian pilgrims to Hedjaz ?
 - (b) whether the British Consul is required to repatrists the indigent Indian pilgrims only on receipt of application from them or also on receipt of reports from his subordinates and other people?
 - (c) whether repatriating pilgrims is the statutory duty of the Consul, or whether it is a duty imposed upon him under the instructions of higher authorities?
 - (d) whether Russian, French and Chinese Consuls are also stationed at Jeddah?
- Mr. J. W. Bhore: (a) The British Consul at Jeddah, in common with all British Consuls, is required under the general instructions to Consular Officers to give his best advice, assistance and protection to British subjects and British protected persons, including of course Indian pilgrims to the Hedjaz when they fall within either category.
- (b) No special procedure is prescribed. The British Consul considers reports about indigent pilgrims from whatever source they may come.
- (c) The Honourable Member is referred to the answer to part (a) of the question. Repatriation is not a statutory duty imposed on the Consul.
- (d) There is a French Consul General at Jeddah. No information is available as to whether Russian and Chinese Consuls are stationed there.

Purchase of Return Tickets by Pilgrims for Mecca by the S. S. "Suja".

- 1087. *Khan Bahadur Sarfaraz Hussain Khan: (a) Is it a fact that the S. S. "Suja" left Karachi with 436 pilgrims on board for Mecca?
- (b) If so, will the Government be pleased to state whether all or any of these pilgrims had to purchase return journey tickets and if they had, under what statutory provision?
- Mr. J. W. Bhore: (a) The S. S. "Suja" left Karachi on the 4th April 1924 with 433 pilgrims including 7 infants.
 - (b) None of the pilgrims had to purchase return tickets.

NUMBER OF PILGRIMS DURING THE LAST HAJ SEASON.

- 1088. * Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (a) the number of Indian pilgrims that went to Hediaz storing the last Haj season?
 - (b) the number that have returned to India ?

Mr. J. W. Bhore: (a) 24,459.

(b) 21,724.

SINKING OF A PILGRIM SHIP.

- 1089. * Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of the Government been drawn to the paragraph published in the Statesman of the 8th April 1924, under the heading "Pilgrims' Ship Sunk"!
 - (b) If so, is the statement correct?
- (c) If correct, will the Government please state the cause of the Sre !

Mr. J. W. Bhore: (a) Yes.

- (b) Yes. The Government believe it to be substantially correct.
- (c) The actual cause of the fire cannot be ascertained.

EXPENDITURE ON CABLES EXCHANGED BETWEEN THE GOVERNMENT OF INDIA AND THE INDIA OFFICE.

1090. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to furnish particulars of the expenditure on cables exchanged between the Government of India and the India Office ?

The Honourable Sir Bhupendra Nath Mitra: It is regretted that the information asked for is not available. Endeavours have been made to collect it from the various Departments, but in many cases this has been impossible, because no separate accounts for inland and foreign telegrams, respectively, have been kept.

FINANCIAL ADVISERS.

- 1091. * Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (1) the names and the salaries of-

 - (a) Financial Adviser, Military Finance.(b) Financial Adviser, Posts and Telegraphs.
 - (c) Financial Commissioner of Railways.
 - (2) whether these 3 officers are under the direct control of the Finance Member ?

The Honourable Sir Basil Blackett: (1) A statement is laid on the table.

Appointment.	Incumbents.	Pay.	
Financial Advisor, Mili- tary Finance,	Sir B. N. Mitra, K.C.I.E., C.B.E. (on deputa-	Ra.	
•	Mr. A. F. L. Brayne, C.L.E., I.C.S. (Offg.)	3,250	
Financial Advisor, Posts and Telegraphs.	Mr. A. F. L. Brayne, C.I.E., I.C.S. (On deputation).	2,500—125—3,000	
	Mr. T. Ryan, C.I.E. (Offg.)).	
Financial Commission- er, Railways.	Mr. G. G. Sim, C.I.E., I.C.S. (on leave)	?	
or, manways.	Mr. A. A. L. Parsons, I.C.S. (Offg.).	\$ 4,000	

⁽²⁾ Yes.

L74LA

Domicile of Steamship Companies engaged in the Export Trade in Iron.

Steel and Coal from India.

1092. * Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state whether iron, steel and coal exported from India during the last 3 years were all carried by Steamship Companies registered in the British Isles, or also by any Steamship Company registered in British India.?

The Honourable Sir Charles Innes: Statistics on the precise points raised by the Honourable Member are not available, but it may be taken that the proportion of trade on the coast which is carried in ships owned by Indians is comparatively small, while the number of Indian owned ships which take part in the overseas trade is smaller still.

POSITION OF STATION SUPERINTENDENTS vis-a-vis STATION MASTERS.

- 1093. * Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state:
 - (a) the respective responsibilities of Station Superintendents and Station Masters?
 - (b) the names of the stations on the East Indian Railway at which Station Superintendents are kept?
 - (c) whether the Station Superintendents are kept in addition to the Station Masters or in lieu of them?
 - (d) whether the Station Superintendents are under the control of the Station Masters or the Station Masters under the control of the Station Superintendents at the stations at which both the officers are kept?
- Mr. C. D. M. Hindley: (a), (c) and (d). Station Superintendents are only employed at the most important stations; they represent a senior class of station masters and fill the place of station masters at those stations.
- (b) The following are the stations on the East Indian Railway at which Station Superintendents are employed:—

Asansol.

Delhi.

Howrah.

Moghalserai.

ERECTION OF SHEDS FOR THIRD CLASS PASSENGERS AT SONEPUR AND SAMASTI-PUR RAILWAY STATIONS ON THE BENGAL AND NORTH-WESTERN RAILWAY.

- 1094. *Khan Bahadur Sarfaraz Hussain Khan: (a) Are Government aware that in the absence of sheds on the platforms of the Sonepur and Samastipur railway stations (Bengal and North-Western Railway) third class passengers are put to great inconvenience specially in the hot and rainy seasons?
- (b) If so, will the Government be pleased to state by what time they will be in a position to erect sheds on the platforms of the above stations?

Mr. O. D. M. Hindley: (a) No.

(b) Government are aware that provision is being made in the 5year programme for the provision of a number of sheds, and no doubt the claims of these two stations will be considered in due course. Mr. Gaya Prasad Singh: Are Government aware that passenger sheds are non-existent at many other important stations on the Bengal and North-Western Railway!

Mr. C. D. M. Hindley: Yes.

RENT OF QUARTERS AT LONGWOOD HOTEL, SIMLA.

1095. *Khan Bahadur Sarfaraz Hussain Khan: With reference to the statement placed on the table in reply to Question 118 asked in the Council of State, during the last Delhi session, will the Government be pleased to state why the amount of rent charged to Members is about double of the amount of rent charged to Officers?

The Honourable Sir Bhupendra Nath Mitra: Members of the Legislature occupy the quarters only for a very short period, and it is considered reasonable that on this account they should be charged a higher rent than officials who may occupy them for many months at a time. Moreover, most of the officials only occupy the quarters on condition that they may be required to vacate them at short notice.

Mr. C. Duraiswami Aiyangar: Is the Honourable Member aware that the worst of the quarters are charged at the highest rate, namely, Rs. 155.

The Honourable Sir Bhupendra Nath Mitra: The answer is in the negative.

Mr. Devaki Prasad Sinha: Can the Honourable Member give any instance in which a military officer had been asked to vacate his room for a Member of the Assembly?

The Honourable Sir Bhupendra Nath Mitra: The answer to that question will require some investigation and I shall want notice of it.

Mr. C. Duraiswami Aiyangar: Are Government aware that while the rent charged to Members of the Legislature amounts to Rs. 155, the rent charged to officers is about half that amount?

The Honourable Sir Bhupendra Nath Mitra: I have already given an answer to that question, that the officer is charged a lower rent because he occupies the quarters for a longer period than the Members of the Assembly.

Mr. C. Duraiswami Aiyangar: May I know if the rent charged is based on a certain percentage of interest on the capital cost of the buildings, and, if so, at what rate is this interest charged?

The Honourable Sir Bhupendra Nath Mitra: Undoubtedly the principle is that referred to by the Honourable Member, that is, the rent is based on a certain rate of interest, but the rate of interest is a sliding one, dependent upon the time when the capital for the purchase of the quarters was raised. If the Honourable Member will give me notice of the question I will give him a detailed reply.

Mr. Devaki Prasad Sinha: Is it a fact that the Longwood Hetel was purchased especially for the Members of the Indian Legislature and, if so, why are officers permitted to reside there?

The Honourable Sir Bhupendra Nath Mitra: The answer is that in the interests of the tax-payer we have got to get as much rent out of these quarters as possible.

Mr. Devaki Prasad Sinha: Is it not a breach of public faith that the Hotel should have been acquired for the Members of the Legislature while it is used for a different purpose?

Mr. President: That is not a question; that is an argument.

Lala Hans Raj: Do Government propose to let this house to a cinema company?

The Honourable Sir Bhupendra Nath Mitra: I should say the question does not arise. If Government have to let this house for other purposes, they will have to consider various questions arising in connection therewith.

Mr. Devaki Prasad Sinha: If any Member of the Assembly desires to occupy any of the rooms at present occupied by a military officer, do Government give a guarantee that such room will be vacated for a Member of the Assembly?

The Honourable Sir Bhupendra Nath Mitra: If he pays the rent for the whole year, undoubtedly.

Mr. K. Ahmed: Has not the object for which this hotel was required, namely, for the use and occupation of the Members of the Assembly and the Council of State, been frustrated by the fact that it has been let to outsiders?

Mr. President: That is not a question.

Mr. K. Ahmed: Is not that a supplementary question which arises on this?

Mr. President: Order, order. The Honourable Member has not asked a question; he has made a statement.

Mr. N. M. Joshi: Is the Honourable Member aware that great inconvenience is caused to the Members on account of the Department not giving sufficient furniture to the Members who are living in the Cart Road quarters?

The Honourable Sir Bhupendra Nath Mitra: The question of Cart Road quarters does not arise in this connection, but my reply to the Honourable Member's inquiry is in the negative.

Mr. V. J. Patel: Is it for the Honourable Member to say that the question does not arise, or is it for the Chair?

Mr. President: The Honourable Member is perfectly entitled to . say the question does not arise.

Mr. V. J. Patel: Without your ruling?

Mr. President: It requires no ruling.

Mr. N. M. Joshi: May I ask if the Honourable Member will inquire about furniture?

The Honourable Sir Bhupendra Nath Mitra: If the Honourable Member will make a specific complaint to me, I will inquire into the matter.

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Mr. K. Ahmed: Was not this complaint made a long time ago when my Honourable friend's predecessor was in his place?

The Honourable Sir Bhupendra Nath Mitra: I have no personal knowledge of the circumstances. I am pretty certain that my predecessor, if the question was raised before him, must have taken steps to remedy any real grievance.

Mr. K. Ahmed: Is it not a fact, Sir, that my Honourable friend's office prepared the answer to the question that he had just now read after going through the whole file in his hands?

Mr. W. M. Hussanally: Is it not a fact that there was a gentlemen in charge of the Hotel to look after the convenience and comfort of the Members, and this year there is no responsible person in charge ?

The Honourable Sir Bhupendra Nath Mitra: I shall require notice of that question.

Mr. Devaki Prasad Sinha: Is any military officer residing there charged at the daily rate?

The Honourable Sir Bhupendra Nath Mitra: To the best of my knowledge, not.

Mr. Bipin Chandra Pal: May I ask the Honourable Member if there is anybody to supervise the arrangements in connection with the Cart Road quarters.

The Honourable Sir Bhupendra Nath Mitra: Yes, there is.

Mr. Gaya Prasad Singh: What is his name ?

The Honourable Sir Bhupendra Nath Mitra: The Superintendent in charge of all Government accommodation.

Mr. Jamnadas M. Mehta: That is a designation not a name.

Mr. President: We are now going into the question of the Cart Road House which is not relevant to the original question which was about the Longwood Hotel.

Mr. K. Ahmed: With regard to Longwood Hotel, is the Honourable Member aware that beautiful chairs and sofas are removed from the drawing room and it is turned into a stable now ?

The Honourable Sir Bhupendra Nath Mitra: The answer is in the negative.

Mr. Devaki Prasad Sinha: Are Government aware.....

Mr. President: There is a limit to supplementary questions. I have allowed great latitude on this question, but we must now get on.

QUARTERS AT LONGWOOD HOTEL, SIMLA.

1096. *Khan Bahadur Sarfaraz Hussain Khan: Will the Government please also state why some quarters in the Longwood Hotel at Simla were not even offered to the Members of the Indian Legislature, while the Longwood Hotel was purchased for the very purpose of accommodating them?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member is referred to the reply given by the Honourable Mr. A. C. Chatterjee to question No. 619 on the 8th of March 1924.

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Mr. K. Ahmed: In answer to my supplementary questions to the main question put by the Honourable Member of which my Honourable friend already denied that he had knowledge, I am sorry to state that he ignored looking into his predecessor's answer. May I ask whether these quarters upstairs in the old block are not meant for the Members of the Indian Legislature. Why are the tenants in them not removed and why are they not given into the occupation of the Members of the Indian Legislature? Has my Honourable friend taken any step in regard to that, Sir?

The Honourable Sir Bhupendra Nath Mitra: I must say I do not quite catch the point of the Honourable Member's question.

Mr. K. Ahmed: Has the Honourable Member given effect to the question and the supplementary questions put and the answer given by his predecessor? Has he considered it?

The Honourable Sir Bhupendra Nath Mitra: If the Honourable Member will ask me specific questions, I may be in a position to answer them.

Mr. K. Ahmed: Specific questions were asked and answers given.

Mr. President: Order, order. The Honourable Member cannot raise a debate on a question.

Mr. K. Ahmed: This is not a debate, Sir.

Mr. President : Order, order.

Mr. K. Ahmed: Is it not a specific question?

Mr. President : Order, order.

Duties of the President of the Forest Research Institute and of the Principal of the Forest College.

- 1097. Khan Bahadur Sarfaraz Hussain Khan: Will the Government be pleased to state (a) whether the duties of the President of the Forest Research Institute and the Principal of the Forest College are combined in one and the same officer? And, if so, what are the duties respectively?
- (b) Haw many classes are there in the Forest College, and what is the present number of students prosecuting their studies in it?
- (c) What are the prospects of the students that came out successful from the College?

Mr. J. W. Bhore: (a) The reply is in the affirmative.

The duties as regards education are defined as follows in Rule 3 of the Rules for the Provincial Forest Service and Ranger courses:

"The President is charged with (1) general administration, including the regulation of the course of study under the arrangements prescribed by the Board of Forestir, subject to the sanction of the Government of India; (2) the supervision of the buildings, quarters and gardens, (3) the control of the accounts and the conduct of correspondence."

The President is also in general administrative charge of the Research Institute and controls the research work in much the same way as he controls the education. The duties in regard to Research have not been laid down in detail.

(b) There are two different standards or courses of education. The higher, at the Research Institute for officers of the Provincial Forest

Service and the lower at the College, for the executive or ranger class. Each course extends over two years, so there are always four classes present.

There are at present 60 students in the four classes.

(c) The pay varies in different provinces but is entirely at the discretion of Local Governments. As far as information is available it is usually:

For the Provincial Forest Ser-Rs. 250—25—500 efficiency bar vice.

For the Rangers Rs. 90 to Rs. 200.

12½ per cent. of the posts in the Indian Forest Service are listed for officers promoted from the Provincial Forest Service and Rangers are eligible for promotion to the Provincial Forest Service.

HOURS OF WORK AND HOLIDAY: OF THE STAFF OF THE RIFLE FACTORY AND THE METAL AND STEEL FACTORY AT ISHAPORE.

- 1098. *Mr. T. C. Goswami: (a) Are Government aware that, in contravention of the Army Instructions and Permanent Standing Orders, the elerical staff of the Rifle Factory and the Metal and Steel Factory at Ishapore were, for about a year, compelled to attend in spite of their protest at 7-45 instead of 10 A.M.; and the chemists at 9 A.M. instead of 10 A.M.; and are Government aware that this order has placed the Indian staff, who are not provided with quarters, in great difficulty?
- (b) Is it a fact that often on gazetted holidays the clerks are compelled to attend the Factories without getting leave in lieu of the holiday attendance?
- (c) Why, after cessation of work for over six months, was the Steel Furnace started on Good Friday 1924, depriving a number of the Indian staff of the Easter holidays?
- (d) Is it a fact that a system of tin badges in the Metal and Steel Factory has been introduced in Ishapore in the case of the Indian staff who have to produce them on leaving the Factory, but that the European staff are exempted?
- Mr. H. R. Pate: (a) The time at which the clerical staff of the Ordnance Factories should attend is a matter which is left to the discretion of the Superintendents, who are at liberty to modify the hours laid down in the Standing Orders of the factories concerned from time to time as occasion demands. Government are informed that the change in the time was necessary for the efficient working of the factories and that the change has enabled the clerks to get through their work comfortably and leave office punctually by 4-30 P.M.

With regard to the concluding portion of this part of the question, I would point out, that there are other classes of employés living, in many cases, long distances away from the factories, who are required to attend at 7-45 A.M.

- (b) No.
- (c) The Steel Furnace was started not on Good Friday but on the 1st April 1924.
- (d) Government are informed that all persons (except the pensionable establishment of the Laboratory Office and pensionable clerks attacked to

the sections), ordinarily exempted from search, are given tin passes which they are required to present at the gate when passing out. No distinction is made between Indians and Europeans. The rule was made because a clerk was discovered removing Government property on his way out of the factory.

Compensation paid to the Families of Indian Soldiers, Sailors and Labourers who died on Active Service during the War.

- 1099. *Mr. T. C. Goswami: (i) Will Government be pleased to state how many soldiers, sailors and labourers were recruited from each District (particularly in Bengal) during the War and the amount of compensation and pension paid to the families of those who died on active service? What steps are being taken to relieve the families now in distress?
- (ii) How much of the compensation was paid from the War Relief Fund and how much from the Exchequer?
- (iii) How do the scales of compensation given to Indian soldiers, sailors and labourers compare with the scales of compensation given to British soldiers, sailors and labourers?
- Mr. H. R. Pate: (i) and (ii). With regard to the number of soldiers and labourers recruited from the various districts during war, I will furnish the Honourable Member separately with certain statements showing the number of combatants and non-combatants recruited from civil districts during the period 1st August 1914 to the 31st March 1918. This is the only information available and I trust it will suffice for the Honourable Member's purpose. As regards "sailors," an endeavour is being made to obtain the particulars desired in regard to the men recruited for the Royal Indian Marine during the war, and I will let the Honourable Member know the result in due course.

With regard to the second part of (i), namely, the amount of compensation and pension paid to the families of those who died on active service, a statement showing the total amount of family pensions paid from the year 1914-15 to the end of February 1924 to the families of all the Indian soldiers and followers who died on active service during the war, is laid on the table. Separate statistics are not available in respect of the pensions paid for soldiers, sailors, and labourers recruited from each district and of the compensation, as distinct from pensions, paid from the Exchequer and from the War Relief Fund.

As regards the steps that are being taken to relieve the families in distress, I would refer the Honourable Member to the reply given on the 3rd March last to starred question No. 579. If the Honourable Member knows of any specific case in which a pension or gratuity is due and has not been granted, I should be glad if he would give me the particulars and I will then have the case investigated at once.

(iii) I am afraid that owing, amongst other things, to the widely differing conditions of living in England and in India, it is not possible to institute any useful comparison between the rates of disability pension admissible to British soldiers on the one hand and to Indian soldiers on the other.

I will however furnish the Honourable Member separately with a statement which will give him some idea of the position.

Statement showing the amount of family pensions paid to the families of Indian soldiers and followers who died on active service during the war.

Years.				Amount.
				Rs.
1914-15			• •	18,491
1915,16				2,37,444
1916-17				8,91,773
1917-18				 14,96,457
1918-19				 15,52,424
1919-20		:.		 21,99,227
1920-21				 18,81,368
1921-22				 21,86,059
1922-23				 34,40,290
1923-24	(to the	end of Feb	ruary 1924)	 40,67,050
			Total	1,79,70,583

Pay of the lower grades of Clerical Establishment of the Military Accounts Department.

- 1100. *Mr. Chaman Lal: (1) Will the Government be pleased to state whether the introduction of the time scale in the Military Accounts Department has given a uniform result and has been instrumental in raising the pay of the clerical establishment in the lower grades?
- (2) Is it correct that the pay of an accountant was raised from Rs. 100 to Rs. 500 per mensem, i.e., 5 times his original pay?
- (3) Is it a fact that owing to the temporary entertainments in the clerical grade the benefit of accelerated promotions did not reach the clerks of the lower grades?
- (4) Is it a fact that a contingent of men entertained on abnormally high rates of pay during the War, who were also granted liberal increment, i.e., 20 or 30 rupees lift in the course of the short period of their temporary service together with the concession of counting of their service for increments with effect from 1st April 1920, have now been absorbed on the rates of pay they were in receipt of as temporary clerks and have thus been placed senior to the already permanent clerks in respect of pay?
 - (5) Is it a fact that the principle of "next below rule" which has been sanctioned in the case of accountants is not applicable in the case of clerks although both are liable for general service in and out of India?
- (6) Are the Government aware of the fact that as a result of the differential treatment mentioned in the foregoing questions a certain number of permanent clerks in the lower grades with about five years' service before 1st April 1920 (the date of introduction of the time scale) have been restricted to the minimum pay of the Department admissible on first appointment? If so, have the Government taken any steps to ameliorate their condition?

The Honourable Sir Basil Blackett: (1) So far as Government are aware, these results have generally been achieved in the lower grades.

(2) I would refer the Honourable Member to the answer which I gave to a similar question put by Rai Bahadur Lachmi Prasad Sinha on the 23rd July last.

- (3) On the contrary, during the period of the late war promotions in the old clerical grades in the Military Accounts Department were unusually rapid.
- (4) Men, who were entertained temporarily in the Military Accounts Department during the period of the late war on higher rates of pay for special reasons and who were borne on the list of that department between the 1st April and the 25th October 1920, have been confirmed on those rates of pay and have been allowed to count their temporary service from the 1st April 1920 towards increment. The temporary clerks so confirmed have not been graded as senior to clerks already holding permanent appointments in the department although the former bave, in some cases, been in receipt of more pay than the latter.
- (5) The principle of the "next below rule" has been made applicable to clerks as well as accountants, excluding in both cases those who had received special promotions.
- (6) Possibly a few permanent clerks in the lower grade with about five years' service before 1st April 1920 have been restricted to the minimum pay of clerks in the time scale, but these clerks generally received an immediate increase of pay in consequence of the raising of the minimum on 1st April 1920 and it must be remembered that their new pay was based on emoluments which included war allowances of a purely temporary character. The Government of India do not consider it necessary to reconsider the orders.

REPRESENTATION re THE PAY OF CLERKS OF THE LOWER GRADES OF THE MILITARY ACCOUNTS DEPARTMENT.

- 1101. *Mr. Chaman Lal: (a) Will the Government be pleased to state whether they have received any representation from the clerks of the lower grades of the Military Accounts Department adversely affected by the time scale and if so what action, if any, have the Government taken (or intend to take) to redress their grievances?
- (b) Is it a fact that while admitting their grievances as legitimate and reasonable these representations have been dismissed on the plea of financial stringency?

The Honourable Sir Basil Blackett: (a) and (b). Representations on the subject have been received by the Government of India from time to time, but I am not aware to what particular representations my Honourable friend refers. The petitions were generally rejected on the ground that the revised rates of pay already sanctioned were sufficient.

ADDITIONAL EXPENDITURE INCURRED BY THE INTRODUCTION OF THE TIME SCALE IN THE MILITARY ACCOUNTS DEPARTMENT.

1102. *Mr. Chaman Lal: Will the Government of India be pleased to state the additional expenditure incurred by the introduction of the time scale in the Military Accounts Department separately under the following heads:

Deputy Examiners.

Accountants.

Permanent Clerical Establishment.

Newly absorbed men in connection with cost accounting schemes

The Honourable Sir Basil Blackett: The approximate extra expenditure is as follows:—

Deputy Exar	niners			35,500 p	er annum	١.
Subordinate	Account	Service	(Account-			
ants)				3,86,000	,, ,,	
Clerical Serv	rice			5,10,000	" "	

As regards men absorbed in connection with cost accounting schemes, statistics are not readily available and it would take undue time and labour to collect them.

Percentage of Votes polled at the General Elections for the Legislative Assembly in 1920 and 1923, respectively.

1103. *Mr. Gaya Prasad Singh: Will the Government be pleased to give a statement showing, Province by Province, the percentage of electors who voted at elections for the Legislative Assembly in the general elections of 1923 and 1920?

The Honourable Sir Alexander Muddiman: I lay on the table a statement giving the information asked for, and, as the matter may be of general interest, I have also included in the statement similar information regarding the provincial Legislative Councils. For more detailed information regarding the first general election the Honourable Member is referred to the return presented to Parliament (Command Paper 1261), a copy of which is in the Library of this House.

Percentage of electors who voted in contested constituencies of the Legislative Council and the Legislative Assembly during the general elections of 1920 and 1923.

			LECTION, 1920.	GENERAL ELECTION, 1923.			
Province.		Legislative Legislative Council. Assembly.		Legislative Legislative Council. Assembly			
Madras		25	1	36.3	40.9		
Bombay		34.9		48.1	38.4		
Bengal		33.4		39	41		
United Provinces		33		42.2	44.3		
Punjab		32.2		49.3	60.3		
Bihar and Orissa		39.7	25	52.3	44.1		
Central Provinces		22.5		57.7	44.1		
Assam		24.2		42.1	44		
Burma					23.3		
Delhi					3 0		
Ajmer-Merwara					74.5		

Mr. K. Ahmed: Are the Government aware that the Swarzjist volunteers misled voters, so that particular candidates, who were not candidates of theirs, were not voted for by the general public?

'The Honourable Sir Alexander Muddiman: I suggest that the question might be addressed in another direction.

ABOLITION OF BOARDS OF REVENUE.

- 1104. *Mr. Gaya Prasad Singh: Has the Board of Revenue been abolished, or is it going to be abolished in any of the Provinces? And if so, in what Province or Provinces, and when?
- Mr. J. W. Bhore: The Government of India have no information as to the future intentions of Local Governments. No Board of Revenue has yet been abolished.
- Mr. K. Ahmed: Is it not a fact that in Bengal the Committee, that was formed for the purpose, reported that the office of the Board of Revenue should be done away with?
- Mr. J. W. Bhore: I have no information and must have notice of that question, Sir.

OVERCROWDING AND UNPUNCTUALITY OF TRAINS ON THE HOWRAH-MACHADA SECTION OF THE BENGAL NAGPUR RAILWAY.

- 1105. *Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to a signed letter, headed "Railway grievances," published in the "Bengalee" newspaper, dated the 30th March 1924, in which specific complaints have been made regarding the serious overcrowding and unpunctuality of trains on the Howrah-Machada section of the Bengal Nagpur Railway!
- (b) Are the statements therein substantially correct? If so, what steps have the Government taken, or propose to take, to remedy this state of affairs?
- Mr. C. D. M. Hindley: The Honourable Member is referred to the answer I have just given to Khan Bahadur Sarfaraz Hussain Khan on the same subject.

COMPLAINTS AGAINST THE HOWRAH RAILWAY STAFF.

- 1106. *Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to a signed letter, published in the "Bengalee" newspaper dated the 5th April, 1924, and headed "Complaint against the Howrah railway staff"?
- (b) Are the statements made therein substantially correct? And what steps have been taken to bring the erring lady booking clerks concerned to book; and to prevent a recurrence of such incidents?
 - Mr. C. D. M. Hindley: (a) Yes.
- (b) Government understand that the Railway Administration has investigated the matter and punished the booking clerks concerned.
- Mr. Gaya Prasad Singh: Sir, may I know what punishment has been inflicted on the booking clerks concerned?
- Mr. C. D. M. Hindley: I must have notice of that question. I am afraid I cannot say offhand.

INSUFFICIENTLY SCREENED LIATRINES AT STATIONS ON THE EAST INDIAN AND BENGAL AND NORTH-WESTERN RAILWAYS.

- 1107. *Mr. Gaya, Prasad Singh: (a) Is it a fact that on the East Indian Railway, and the Bengal and North-Western Railway stations, the latrines provided for third-class passengers are so constructed as to be quite exposed, and that there is absolutely no privacy secured to any one who uses such a latrine ?
 - (b) What steps are being taken to remedy this state of affairs?
- Mr. C. D. M. Hindley: No. The old type of latrines on the East Indian and the Bengal and North-Western Railway stations are provided with screens, although individual compartments have no doors or shutters. However in the latest type that has been adopted a door is provided for each compartment.
- Mr. Gava Prasad Singh: The Government have entirely misunderstood my question. I wanted information about the latrines at railway stations and not in trains.
- Mr. C. D. M. Hindley: I was also speaking about the latrines at railway stations and not the latrines in trains.

Persual of Passports to Members of the Khilafat Delegation to CERTAIN MOSLEM COUNTRIES.

1108. *Mr. Gaya Prasad Singh: Will the Government kindly state the names of the members of the Khilafat Delegation, on whose behalf passports were applied for to visit certain Moslem countries, and those to whom passports have been refused, together with the grounds of refusal?

The Honourable Sir Alexander Muddiman: A copy of the correspondence, which has taken place between Mr. Shaukat Ali and the Government of India, is laid on the table. The Government of India have received no reply to their last letter and have accordingly taken no further steps in the matter.

Copy of a letter from Shaukat Ali, President, Central Khilafat Committee, India, to the Home Secretary to the Government of India, Delhi, dated Madras, January 5th, 1924.

In reply to your letter I beg to inform that following are the names of different deputations proposed to be sent to different Islamic Countries:

- 1. Syria, Palestine and Turkey.
- Arabia.
 Mesopotamia and Persia.

We intend to start as soon as we receive our passports. The route of the journey would be via Port Said to Constantinople, Angora, Syria and Palestine.

In the case of the Hedjaz deputation they would take the route of Jeddah. Mesopotamia deputation would take the ordinary route from Basra to Baghdad.

The Deputation No. 1 would consist of the following:

- Hakim Ajmal Khan Saheb,
 Moulana Abul Kalam Azad.
 Moulana Mohammad Ali.
- 4. Dr. M. A. Ansari.
- 5. Mrs. Sarojini Naidu.
- 6. Pandit Motilal Nehru or Pandit Jawaherlal Nehru.
- Haji Abdulla Haroon.
 Dr. Syed Mahmood.
- 9. Mr. Shuaib Kureshi (Secretary) and servants.

The Deputation No. 2 to Hedjaz will consist of the following:

1. Hakim Ajmal Khan.

Moulana Shoukat Ali or Seth Yakub Hasan.
 Moulana Syed Suliman Nadvi.

4. Mr. Ashfak Ali (Secretary) and servants.

The Deputation No. 3 to Mesopotamia and Persia will consist of the following:

Moulana Abdul Majid.

2. Dr. Saifudin Kichlew.

Moulana Hussain Ahmed.
 Syed (of Behar) Kurshid Hasnain (Secretary) and servants.

An early reply will oblige.

Copy of a letter from the Deputy Secretary to the Government of India, Home Department, to Maulana Shaukat Ali, President, Central Khilafat Committee, Bombay, No. D.-83, dated the 5th February 1924.

In reply to your letter dated the 5th January 1924, applying for the issue of passports to enable certain delegations to visit Constantinople, Angora, Palestine, Iraq and other Arab States, I am directed to say that previous consultation with the Governments of the various countries to be visited is for obvious reasons indispensable as it is necessary to ascertain whether they would be prepared to receive the delegations, and grant them the requisite facilities. Steps to elicit their views have been taken.

I am to add that the Government of India could not, in any case, agree to grant passports to persons who have been convicted and sentenced to imprisonment for offences against the State or for inciting Government servants to disaffection.

2. You will be addressed further on the subject when a reply to the communication referred to above is received.

Copy of a memorandum from Shaukat Ali, Servant of Ka'aba, President of the Central Khilafat Committee, to the Secretary to the Government of India, Home Department, dated Aligarh, the 14th February, 1924.

The undersigned is in receipt of the letter of the Deputy Secretary, No. D.-83, dated 5th February 1924, with regard to the issue of passports to enable Khilafat Delegations to visit certain Muslim States.

- 2. With reference to the first part of paragraph 1 of that letter the undersigned regrets that he is unable to appreciate the reason assigned for a previous consultation with the Governments of the various countries to be visited, and no other reason is " obvious ". The Central Khilafat Committee has no reason to doubt that the Governments concerned would be prepared to receive the delegations unless, of course, any outside influence is brought to bear upon some of them and a prejudice against these delegations is thereby sought to be created.
- 3. As a matter of fact, however, the Turkish Government has already telegraphed that the Khilafat delegation would be most welcome; and "Al-qibla," the official organ of the Hejaz Government, has also published that the Sharif Saheb of Mecca is equally prepared to welcome such a delegation. Other indications also exist which leave the Central Khilafat Committee in no doubt about the matter.
- 4. Even if the Central Khilafat Committee had any doubt about the reception of these delegations, it would be far from clear why the Government of India should want to elicit the views of the Governments in question with regard to a matter with which only Mussalmans are concerned. It is a religious obligation imposed on overy Muslim to exert himself and make peace whenever some Muslims have fallen out amongst themselves; and the situation in Muslim countries which the Khilafat Delegations under reference would seek to improve has recently been aggravated, as newspapers indicate, by a sanguinary conflict in which one of the sons of the Sharif Saheb of Mecca is stated to have been severely wounded by the forces of the Amir of Najd. It is surprising indeed that it should occur to any non-Muslim that such peaceful efforts as the delegations are intended to make would be unwelcome to those who share the same religion and are bound to recognise the imperative character of a Muslim's duty to make peace between his brethren.
- 5. It has repeatedly been declared by the Government of India that it does not desire to interfere in the religious concerns of the Mussalmans. The undersigned has no doubt that the Mussalmans of India would look upon the intervention of Government. ment in this matter as an undesirable interference in a purely religious matter which

- is a domestic concern of the Mussalmans themselves, and that they would certainly regard such interference as contrary to the repeated declarations of Government.
- 6. The latter part of paragraph 1 of the letter under reference appears even more strange inasmuch as Government is not inclined to tolerate the absence from this country of people whose presence here it obviously tolerates in spite of their conviction and imprisonment for alleged offences against itself.
- 7. As things stand at present, it is entirely in the hands of Government to prevent any Muslim who wants to do his obvious duty by his co-religionists from going out of this country to do it. The attitude of Government in recent years had forced upon prominent Indian Mussalmans an attitude towards it which has culminated in the case of most of them in conviction and imprisonment for the offence which Government has seen fit to select and specify in the letter under reference. But these alleged offences concern only the Government of this country, and, even if they are not wholly irrelevant in the dealings of Indian Mussalmans with their brethren outside India, they do not certainly bring any discredit in the estimation of the Muslim world upon those who have been made to suffer imprisonment by the Government of India in consequence of them.
- 8. Moreover, it is universally understood that the object of issuing passports by a State is to enable those who apply for them to seek the protection of the representatives of that State in the countries to be visited in case of necessity. The Khilafat Delegations would not need, and do not desire such protection, and passports have been applied for only because under existing rules no Indian can leave the shores of India without them. To refuse to issue passports in such a case seems to be a clear abuse of a system designed in the interests of those who apply for passports.
- 9. In conclusion, the undersigned trusts that the passports applied for will be issued without further delay. Several months have already elapsed, and any further delay would aggravate the situation which the delegations hope to improve on their arrival in the countries concerned.
- 16. Kindly communicate your reply to the undersigned as usual to his 'Bombay address.
- Copy of a letter from the Secretary to the Government of India, Home Department, to Shaukat Ali, Esq., President, Central Khilafat Committee, Bombay, No. D.-929, dated 15th March, 1924.
- I am directed to say that a reply to your letter dated the 14th February was postponed pending receipt of a communication from His Majesty's Government which has now been received.
- 2. The Government of India are unable to reconsider the decision conveyed in the Home Department letter No. 83, dated the 5th February 1924, that persons convicted and sentenced to imprisonment for offences against the State or for inciting Government servants to disaffection cannot be granted passports. They are also not prepared, in view of the object of the delegations, to grant passports except to persons professing the Moslem religion. I am to request that the Government of India may now be informed of the names of the members of each delegation as finally proposed in conformity with the above conclusions.
- 3. The programme of each delegation must be clearly defined and detailed and each member must be prepared to give an undertaking that his visit has no relation to the political affairs of the State or States he proposes to visit and that he will regard himself as bound not to endeavour in any way to promote any political changes in any of them or to take part in any political movement. I am to add that the above information and undertakings are necessary in order to ascertain that the Governments of the States concerned are willing to admit a delegation of Indian Moslems; that they have no objection to its personnel and approve of its programme.
- 4. The Government of India would also be glad to know the order in which the delegations intend to proceed and the proposed dates of their departure.
- Copy of a letter from Shaukat Ali, Servant of Ka'aba, President of the Central Khilafat Committee, to the Secretary to the Government of India, Home Department, dated Delhi, the 3rd April, 1924.

The undersigned is in receipt of your letter No. D. 929, dated Delhi, 14th March 1924, in reply to his letter dated Aligarh, 14th February 1924, Regarding the issue of passports to certain Khilafat Delegations intending to visit Turkey, Persia and certain Arab States. In view of the fact that no reasons had been assigned in that letter

for the restrictions imposed on the issue of passports to those delegations, the undersigned was constrained to take into consideration the answers given by the Home Member to certain questions asked in the Legislative Assembly on the subject on the 25th March, and his speech on the same date on the motion for adjournment of the House. As your letter was received by the undersigned only about a week ago, and proofs of the proceedings of the Legislative Assembly of the 25th March were not made available until late on the 29th March, the undersigned's reply could not be sent earlier.

2. Before proceeding to deal with the main question of the refusal of passports to persons convicted for certain alleged offences, the undersigned would like to get out of the way the comparatively minor question of the refusal of passports to persons not professing the Muslim religion. The delegation to Turkey was intended, among other things, to present congratulatory addresses to the Khilafa and to Ghazi Mustafa Kamal Pasha, and suitable presents to them and to General Ismat Pasha on behalf of the Indian Khilafat organisation, in connection with the splendid victories of the Turkish nation on the battle-field and in the Peace Conference of Lausanne. And since the Khilafat organisation was not confined to those alone who professed the Muslim religion, but included many non-Muslims also, some of whom were office-bearers of local Khilafat Committees, and were represented even on the Working Committee of the central body, and many of whom had suffered imprisonment in the Khilafat cause, it was only right and proper that such distinguished and eminent compatriots of the Indian Mussalmans as Mrs. Sarojini Naidu and Pandit Motilal Nehru or his son Pandit Jawahirlal should be selected to represent the non-Muslims on the delegation intending to visit Turkey.

It may be added that if Mahatma Gandhi had been released when the delegations were selected at Cocanada by the Khilafat Conference, there is no doubt that he, too, would have been included as a member of this delegation, and in all probability requested to lead it.

It may also be added that when the personnel of the delegations was selected and communicated to you on the 5th of January 1924, the Turkish National Assembly at Angora had not taken the momentous step it has since taken with reference to the so-called abolition of the Khilafat, and the offer of congratulations referred to above had not assumed the comparative unimportance which it has since done.

In any case, the undersigned cannot admit on behalf of the Khilafat organisation that the presence of his non-Muslim compatriots in the proposed delegation could be of no use in removing the misunderstandings that had arisen among the various sections of the Mussalmans to which brief reference was made in the very first communication addressed to you by the undersigned on the 25th November 1923. On the contrary, such non-Muslim Indians as had been selected could well convey by their very presence an assurance to Mussalmans abroad that the entire Indian nation sympathised with sister Oriental nations in their desire for a free and unrestricted development and looked forward to a new era of union and progress for Muslim nations under the guidance of the Khilafat.

Finally, the undersigned is constrained to say that it was exclusively for the organisers of the Khilafat to say whether non-Muslims should or should not be included on such a delegation, and it is entirely unintelligible why Government should have taken upon itself to decide such a question.

3. As regards the principal ground of exclusion, namely, conviction and imprisonment for the alleged offences of inciting Government servants to disaffection and for alleged offences against the State, the undersigned has noted that a Member of the Legislative Assembly pertinently asked the Home Member whether there were any servants of the Government of India in the countries intended to be visited with whose loyalty it was apprehended that members of delegations thus convicted and imprisoned would tamper. To this the Home Member replied that "that was not the object of the inquiries that the Government of India had made," and that "the primary object of the inquiries that the Government of India made was to enable Government to ascertain whether the personnel of the delegations and their programme would be acceptable to countries which they intended to visit," and, further, that this action was "in accordance with ordinary diplomatic procedure."

With regard to this reply of the Heme Member, it is not clear to the undersigned what possible relevancy there can be in conviction and imprisonment for an alleged offence under section 505 or 124-A, Indian Penal Code, in connection with the acceptability or otherwise of the personnel and programmes of the delegations concerned. If the Home Member had stated that this ground of exclusion had been decided upon in the interests of the Indian or of the British Government it could have been understood; but for him to imply, as he obviously does in his answer to Maulvi Mohammad.

Yakub's supplementary question, that the Government of India's action was purely disinterested and taken solely in the interests of the Governments of the countries to be visited, is on the very face of it incredible; and this is confirmed by his admission that Government had "laid down these conditions before they approached these countries."

If Government still persists in asking people to believe that such action was taken in the interests of the Governments of the countries to be visited, the undersigned hopes that it would ask the latter whether they object to the inclusion in the proposed delegations of men whose offence was that they considered it unlawful under the Shariat for any Mussalman to shed the blood of a brother Muslim without just cause, and who were as ardent advocates of the retention of adequate temporal power for the defence of Islam and Muslims as they were of freedom for their own country. In the absence of a definite refusal by a Muslim State to receive the delegations some members of which had cheerfully suffered imprisonment for their love of Islam and of their own country Indians are not likely to accept the Home Member's contention. Nor are they likely to accept the other contention that such action as the Government of India has taken is "in accordance with ordinary diplomatic procedure."

- 4. The object of sending the various Khilafat delegations was briefly stated in the letter of the undersigned dated 25th November 1923, to be "to adjust the religious relations of all Muslims and remove all existing misunderstandings." In a subsequent letter, dated Aligarh, 14th February 1924, it was pointed out that "it is a religious obligation imposed on every Muslim to exert himself and make peace whenever some Muslims have fallen out amongst themselves," and that "the situation in Muslim countries which the Khilafat delegations under reference would seek to improve had recently been aggravated, as newspapers indicated, by a sanguinary conflict in which one of the sons of the Sharif Sahib of Mecca was stated to have been severely wounded by the forces of the Amir of Nejd." The Khilafat organisation of which the undersigned is the President, would like to know what possible relevance conviction and imprisonment for alleged offences under sections 505 or 124-A, Indian Penal Code, can possibly have in connection with a Muslim's duty to restore peace among his brethren outside India and to adjust the relations of all Muslims bound together in the common bond of a world-wide brotherhood which the fundamental Islamic institution of Khilafat was designed to maintain and conserve.
- 5. In the course of his speech in the debate on the motion for adjournment the Home Member said:

Had this been the motive actuating the Government it would have sought to exclude from the proposed delegations persons who had been guilty of offences involving moral turpitude, of which there is no lack in its Penal Code. But not one of those offences has been specified, and in the course of the debate Pandit Madan Mohan Malaviya pointedly drew attention to this aspect of the matter. It would, therefore, seem that while Government has not thought it fit to lay down the principle that to persons guilty of offences involving moral turpitude it would not issue passports, as it could not be responsible for the conduct of such of its subjects, it thought it necessary to lay down the principle that passports would not be issued to persons convicted and imprisoned for alleged offences which, while involving no moral turpitude, concern only the Government of this country, and which, as the undersigned stated in his letter of 14th February last, "even if they were not wholly irrelevant in the dealings of Indian Mussalmans with their brethren outside, did not certainly bring discredit in the estimation of the Muslim world upon those who had been made to suffer imprisonment by the Government of India in consequence of them."

- 6. It is indeed surprising that the Home Member should go out of his way to ascribe the resentment even of Members of the Legislative Assembly caused by Government's refusal of passports to "personal attachment to particular persons of the delegations against whom Government's orders would operate." It would have been truer indeed to ascribe these orders themselves to official fil-will towards particular persons whom the offences specified were deliberately selected to exclude.
- 7. If the lists of the delegations forwarded in the undersigned's letter dated Madras, 5th January 1924, are examined, it would be seen that in the delegations L74LA

selected for proceeding to Turkey, Syria and Palestine, seven persons out of ten would be excluded under the existing orders, three on the ground of not professing the Muslim religion, and four others on the ground of having been convicted and imprisoned under section 505 or 124-A, Indian Penal Code. Similarly, in the delegation selected for Hedjaz two persons out of five would be excluded on the latter ground; and in the delegations for Mesopotamia and Persia three out of four would be excluded on the same ground. Thus, out of a total of nineteen persons for whom passports were applied for, no less than twelve or about two-thirds will have to be excluded on the two grounds specified, and as many as nine or about half of those for whom passports have been applied for will be excluded on the ground of conviction and imprisonment for the offences alleged.

It is indeed significant that instead of those nine the Home Member should have referred to only two or three as reported by the Associated Press, and three or four as stated in the proceedings of the debate officially published. No doubt Government had only two or three persons in view and not any principles at all, and this is confirmed by the Home Member's referring to these two or three by name, even though Diwan Chaman Lal had already specified in the question he had put to the Home Member the names of no less than nine Mussalmans to whom passports had, according to his information, been refused.

8. In the course of his speech the Home Member had asked: "Does the united Muslim world of India subscribe to the belief that the only solution of the difficulties of the Khilafat can be found in the presence of Mr. Mohammed Ali and his brother?", and when some Members were heard to answer this question in the affirmative, he had added: "Well, for my part I say I require some further evidence of that. I should completely be astonished if that doctrine was subscribed to by all Members of this Assembly."

Obviously it is difficult for the undersigned to deal with a matter so personal as this; but it is hardly necessary to do so, in view of several speeches of Hindu as well as Muslim Members of the Assembly dealing with the character and position of the persons to whom passports are refused, and the ultimate acceptance of the motion for adjournment by the Assembly with hardly a dissentient and without a division.

- 9. The question, however, is not purely personal; and, as the chief executive officer of the Khilafat Organisation, which, after the Indian National Congress, is perhaps the most representative public body in India, the undersigned is constrained to declare that it is not for any member of an alien Government professing neutrality in staters of religion to presume to say who should and who should not represent a religious community in dealing with questions connected with its faith. This the Government has, however, presumed to do, not only through the mouth of its Home Member, but also, and still more unequivocally, by means of the action it is taking in excluding some of the most prominent and trusted representatives of the Muslim community and organisers of the Khilafat movement in India under the cloak of acting on certain principles and in the interests of Muslim States themselves. As the undersigned has pointed out in his letter of 14th February: "as things stand at present, it is entirely in the hands of Government to prevent any Muslim who wants to do his obvious duty by his co-religionists from going out of this country to do it. The attitude of Government in recent years had forced upon prominent Indian Mussalmans an attitude towards it which has culminated in the case of most of them in conviction and imprisonment for the offences which Government has seen fit to select." In fact, the declaration for which four out of the nine Mussalmans who are now refused passports were prosecuted at Karachi and then convicted and imprisoned was subsequently made by a large number of other Muslims and non-Muslims; and if sufficient evidence was available to convict the remaining five under section 124 A, Indian Penal Code, as much evidence, and of equal worth, can easily be procured to convict every prominent worker in the Khilafat movement or in the Indian National Congress. It is, therefore, merely a matter of the Government's will and pleasure whether any Indian is convicted and imprisoned for the offences specified and thereby excluded from participation in the work of these delegations, so that Government can by a succession of exclusions ultimately select as "suitable" delegates and representatives of Indian Mussalmans such men only as would echo its own sentiments, while still professing not to interfere in the domestic concern of the Mussalmans, and to act on certain principles, and in the interests only of the Muslim States to be visited.
 - 10. If in the light of this it is incredible that Government is acting only in the interests of such States, it is still more incredible that it is acting in the interests of the very men to whom it has refused passports. The Home Member had in the course of his speech said that "it is because the State is responsible for their safety in

these countries that it exercises a discretion in granting passports to those that leave its shores." Indeed, it has been even whispered that it is because tribunals have already been formed in Angora to deal summarily and ruthlessly with those Indian Mussalmans whom he mentioned by name in the Assembly debate that he is unwilling to give them passports. This the undersigned has no hesitation in characterising as a gross and baseless libel on his Turkish brethren.

The real reason for the refusal of passports is, however, clear enough from the speech of the Home Member himself. He said: "They are asking the State to accept responsibility for them and to spread the shadow of its protection over them. You do not acknowledge the authority of the State; what right have you to go to the State and ask that it shall protect you when you go abroad?" This is without doubt the real reason why Government is penalising still further those whom it had already sufficiently persecuted. But here, too, Government has not stated the facts correctly. It is indeed surprising that the Home Member should have entertained any idea that those who had applied for passports would accept, much less ask the present Government to spread, "the shadow of its protection" over them. Everyone of them is a staunch Non-co-operator who would not claim or even accept, its protection in this country itself. The undersigned had not left this to be understood as a mere implication of the Non-co-operation of those for whom passports were required. It was distinctly stated in paragraph 8 of his letter dated 14th February last that "it is universally understood that the object of issuing passports by a State is to enable those who apply for them to seek the protection of the representatives of that State in the countries to be visited in case of necessity," and he had been careful to declare that "the Khilafat delegations would not need and do not desire such protection; and passports have been applied for only because under existing rules no Indian can leave the shores of India without them." As the undersigned had stated in that letter, to refuse to issue passports in such a case seems to be a clear abuse of a system designed in the interests of those who apply for passports.

11. In the course of the debate several Members were careful to point out that the applicants for passports in this case "do not ask for credentials from the Government of India", and that "it is merely because you are putting restrictions upon their movements that these passports are required. If the Government of India have no objection to these delegations proceeding without passports, then they would go without the passports and we (Members of the Assembly) would have no complaint against the Government."

The undersigned fully endorses this declaration, and if steamship companies who are now forbidden to book passages without the production of passports are authorised by Government to do so, and if their return to India would not be prevented because of the absence of passports, the delegations would ask for no passports, and the undersigned has, like Sir Henry Stanyon, "no doubt whether that, with the strong religious feeling that prevails throughout Islam, they will get permission (to visit Muslim countries without passports) without any difficulty."

- 12. The Khilafat question has since the beginning of March become very acute, as the undersigned had only too greatly feared it would become when he wrote in his letter of 14th February last that "any further delay would aggravate the situation which the delegations hope to improve on their arrival in the countries concerned." For the consequences of the delay, which are already disastrous enough, Government must be held accountable. On the 11th of March, when on receipt of disquieting news from Angora the undersigned had addressed a telegram to Government as a reminder to his previous letter still unanswered, he had said that "Government can see for itself what grave responsibility it is incurring in delaying the departure of such missions of peace." That responsibility is growing graver and graver every day, and the undersigned would earnestly request Government not to exasperate the Mussalmans any further, but to issue passports without any further delay.
- 13. It is idle to expect from the kind of men for whom passports were asked that they would dream of "purging" themselves, as the Home Member described it, of so-called offences which are their pride; and no undertaking is necessary from men whose chief concern in this case is their religion and the solidarity and welfare of the Islamic brotherhood, that they would not indulge in any wild political propaganda in the States proposed to be visited, as the latest demand of the Government suggests. Clearly-worded messages have already been sent on behalf of the Khilafat organisation and the Jamait-ul-Ulama declaring emphatically that Indian Mussalmans do not desire to interfere in the national affairs of their brethren abroad with which the latter alone are competent to deal. The undersigned has not the least doubt that this is a sufficient assurance for his

Muslim brethren, who have already assured him that the delegations would be received with honour and love, and that the necessary facilities would gladly be provided. This should be a sufficient assurance for Government to accept and formally to convey to the Governments concerned, if such be the "ordinary diplomatic procedure."

The programme of each delegation, as far as it can be defined and detailed before its departure, will be duly submitted, and the order in which the delegations intend to proceed and the proposed dates of their departure will also be furnished when Government indicates its willingness to furnish the passports to all those on whose behalf the undersigned has applied for them.

- 14. The undersigned has no authority to alter the personnel of the delegations selected by the Khilafat Conference held at Cocanada, and the refusal of passports to no less than twelve out of nineteen delegates selected there ostensibly on one ground or another would make it impossible for the undersigned to select proper substitutes, even if he had the necessary power to do so. In fact, if Government would still refuse to withdraw these restrictions, it would be tantamount to a categorical refusal to Khilafat workers in India to send any delegations whatever abroad.
- 15. Indian Mussalmans are already greatly exasperated, and are trying to find out what hidden hand has been active in bringing about such catastrophic changes. In an atmosphere surcharged with so much suspicion it would be poor statesmanship indeed to refuse passports to Khilafat representatives, and thus prevent them from assisting to the best of their humble power in solving this the greatest difficulty that the Muslim world has ever had to confront.

The undersigned therefore requests once more that the passports applied for would be issued without further delay, and he trusts that the united demand of the Indian nation as formulated in the Assembly and outside it would no longer be disregarded.

The reply to this communication should be forwarded to the address of the Central Khilafat Committee, Dongre, Sandhurst Road, Bombay.

Copy of a letter from the Secretary to the Government of India, Home Department, to Shaukat Ali, Esq., C|o Dr. Ansari, Daryaganj, Delhi, No. D.-1184, dated the 17th April, 1924.

Subject:—Grant of passports to certain Khilafat delegates to visit the Hedjaz, Syria, Palestine and other Eastern countries.

I am directed to acknowledge the receipt of your letter of the 3rd April 1924, and to say that the Government of India are unable to reconsider the decision conveyed to you in their letter No. D. 929-Pol., dated the 14th March 1924. They are prepared to grant passports, on receipt of applications in the prescribed form, to members of delegations desirous of proceeding to Muslim countries to discuss religious questions, provided that each member individually satisfied the conditions laid down, and that the personnel of the delegations, and their programmes have been previously approved by the Governments of the countries concerned. Until the Government of India receive the information and the undertakings detailed in their letter No. D. 929, dated the 14th March 1924, they will be unable to take any further steps in the matter.

CORRESPONDENCE RELATING TO THE KHILAFAT DELEGATION.

- 1109. *Mr. Gaya Prasad Singh: (a) Will the Government be pleased to lay on the table copies of all correspondence which may have passed between the members of the Khilafat Delegation and the Government, and also the Moslem countries intended to be visited?
- (b) If the answer be in the negative, will the Government kindly state the reasons?

The Honourable Sir Alexander Muddiman: The Honourable Member is referred to my reply to the preceding question and to the correspondence laid on the table. Under the Passport Rules, individual applications

are required to be made in a prescribed form. No such applications have been received.

CHANGE IN THE WAZIRISTAN POLICY.

- 1110. *Mr. Gaya Prasad Singh: (a) With reference to my starred Question No. 929 of the 24th March 1924, asking whether there has been any change in the Waziristan policy, and the reply of the Government in the negative, has the attention of the Government been drawn to the official publication entitled "Statement showing the recommendations of the Indian Retrenchment Committee which have not been accepted, or are still under consideration" (page 1, Serial No. 2) in which it is stated that "a change in the Waziristan policy since the Committee reported has rendered it impossible to effect a reduction to this figure"?
- (b) What is the explanation of this apparent inconsistency? And what is the exact nature of the change, if any?
- Mr. H. R. Pate: (a) and (b). The statement referred to is inaccurate and was made under a misunderstanding of the actual facts. These were stated in the reply given to the Honourable Member's earlier Question No. 928.

EXPENDITURE ON THE LIGHTING AND BUOYING OF THE PERSIAN GULF.

- 1111. *Mr. Gaya Prasad Singh: (a) With reference to my starred Question No. 932 of the 24th March 1924, regarding the expenditure on lighting and buoying of the Persian Gulf, and the reply of the Government that "the provision of Rs. 1,00,000 was omitted by mistake, and the whole amount had subsequently to be restored in order to provide for certain obligatory but unforeseen expenditure," has the attention of the Government been drawn to the official publication, entitled "Statement showing the recommendations of the Indian Retrenchment Committee which have not been accepted, or are still under consideration" (page 3, Serial No. 13) in which it is stated that "the provision on this account was reduced accordingly, but on a subsequent representation from the administrative department that it was not possible to work with the reduced provision, the sum was restored"?
- (b) What is the exact position with regard to this item of expenditure? And are the Government prepared to lay on the table the representation referred to above? If not, why not?
- Mr. H. R. Pate: (a) and (b). I think the Honourable Member may have been misled by the use of the term 'representation'. No official representation was made on the subject, the matter was arranged by inter-departmental discussion. In the circumstances the Government of India do not consider that there is any inconsistency between the reply previously given and the published statement to which the Honourable Member refers.

FLOODS IN BIHAR AND ORISSA.

Mr. Gaya Prasad Singh: Before I put Question No. 1112, I may point out that I made mention of a statement which was made in the Bihar and Orissa Legislative Council on the 13th February 1924. The reference is to the Bihar and Orissa Legislative Council Proceedings, Volume 9, No. 3, page 78. That might be incorporated with the proceedings of this day. With that I proceed to ask Question No. 1112.

- 1112.* With reference to starred Question No. 410 on the 21st February 1924 and the reply of Government that the Railway embankments do not impede the natural waterways by reason of the insufficiency of culverts and with reference to the reply of Government to starred Question No. 1004 on the 24th March, 1924 to the effect that "the Railway banks are well provided with flood openings as well as culverts", has the attention of the Government been drawn to the following reply given in the Bihar and Orissa Legislative Council on the 13th February, 1924:—
- "The Bengal and North-Western Railway in the locality at present acts as a barrier to the floods. The floods sometimes come from the north, in which case the embankment prevents the water passing to the land on the south of the Railway. On the other hand, when the Ganges is in high flood, the embankment of the Railway prevents the Ganges water from running to the north, and damaging the land there. The opinion of the engineers with regard to this question is that if large openings were put on the Railway, the resultant effect of the floods would be to do more damage than is done at present "?

Will the Government be pleased to state the true facts about this matter?

Mr. C. D. M. Hindley: Yes, Government have seen the reply referred to. That reply, however, related to a different section of the country from that to which Question No. 1004 of 24th March 1924 applied, while Question No. 410 of 21st February 1924 also cited by the Honourable Member, referred to floods in general.

The reply in the Bihar and Orissa Legislative Council is correct with regard to the section Barauni to Thana-Bihpur to which it referred. The reply given in the Assembly on 24th March last to Question No. 1004 dealt with certain other sections. It is correct as regards all the sections of railway referred to in it, except the Sonepur-Dighwara section. On that section as on the Barauni-Thana-Bihpur section a practically continuous embankment is maintained in the interests of both the railway and the adjacent tracts, and this should have been made clear in that reply.

ALLEGED CANVASSING OF MEMBERS OF PARLIAMENT BY SIR MALCOLM HAILEY.

Mr. Gaya Prasad Singh: Sir, before I put Question No. 1113, I want to point out, there is one omission which has been made in this question. In the "Forward" newspaper it is stated that "Liberal amendment asking for a commission of inquiry was not moved, as a result of active canvassing by the father-in-law of the Viceroy's son, Sir Alfred Mond, and by Sir Malcolm Hailey." This expression has been omitted.

Mr. President: Do you want to put your question as it stands on the Agenda?

Mr. Gaya Prasad Singh: Yes, Sir, I sent the question including the wording given in the "Forward" newspaper; but in the question as it stands a wrong extract has been given.

Mr. President: You can only put the question as it stands on the agenda.

Mr. Gaya Prasad Singh: But my question has been wrongly printed here.

- Mr. President: The question appears on the agenda in the form in which it was admitted. Do you want to put your question as appearing on the agenda?
- Mr. K. Ahmed: Is it not the practice in the House of Commons, when there is an alteration or variation in the question which is in the agenda, but which is not asked, to give first an answer to the question as to why any variation has been made in the question before an answer to the main question entered in the agenda is given?
- Mr. President: The question has not yet been answered and you cannot at this stage put a supplementary question.
- Mr. K. Ahmed: Is it not the practice, Sir, in the House of Commons to give an answer.....
 - Mr. President: Order, order.
- 1113. * Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to the following London cable, published in the "Forward" newspaper, dated the 18th April 1924: "Liberal amendment asking for a commission of inquiry was not moved, as a result of active canvassing by Sir Malcolm Hailey":
- (b) Will the Government be pleased to say if there is any truth in the above statement? Do the Government Service Conduct rules permit a Government servant, who is on leave, to take active part in political matters of the nature referred to above?

The Honourable Sir Alexander Muddiman: The answer to (a) is in the affirmative.

(b) Government have no reason to believe that there is any truth in the statement.

DETENTION OF TELEGRAPH MESSAGES RELATING TO THE RELEASE OF MAHATMA GANDHI.

- 1114. * Mr. Gaya Prasad Singh: (a) Is it a fact that any instructions were issued forbidding the Telegraph Department from delivering messages relating to the release of Mahatma Gandhi before 11 A.M. on the day on which he was released?
- (b) And if not, do the Government know if any telegraphic messages were actually delivered before 11 a.m. on that day?

The Honourable Sir Alexander Muddiman: The answer to (a) is in the negative.

(b) Government have no information.

CONTRACT WITH THE BENGAL AND NORTH-WESTERN RAILWAY.

1115. * Mr. Gaya Prasad Singh: (a) When did the present contract between the Government and the Bengal and North-Western Railway Company begin, and when will it end?

(b) Will the Government be pleased to lay a copy of the contract

on the table?

Mr. C. D. M. Hindley: (a) The principal contract between the Secretary of State and the Bengal and North-Western Railway Company was executed on the 12th December 1882 and terminates by efflux of time on the 31st December 1981. The Secretary of State has, however, the right to determine the Contract on the 31st December 1932 by giving one year's previous notice of his intention to purchase the Railway;

he has also the power to determine the Contract at any time, at six months' notice, if the Company fail to observe its obligations under the Contract.

(b) A Volume containing the Reprint of the Contracts between the Secretary of State and the Bengal and North-Western Railway Company, Limited, has been placed in the Library.

LEVY OF TOLL AT THE BRIDGE OVER THE GUNDUK BETWEEN HAJIPUR AND SONEPUR.

- 1116. *Mr. Gaya Prasad Singh: (a) Are the Government aware that a toll of one anna per head is levied on every person crossing on foot the Bengal and North-Western Railway bridge over the Gunduk between Hajipore and Sonepur?
 - (b) Will the Government kindly state under what law or authority

such a toll is being levied?

- (c) How long has this been done; and is there any condition or time limit attached to it?
- (d) Are the Government prepared to consider the question of abolishing the toll, and making the bridge free? And if not, why not?

Mr. C. D. M. Hindley: (a) Yes.

- (b) The toll is levied under section 51(f) of the Indian Railways Act and the provisions of the contract made between the Secretary of State and the Bengal and North-Western Railway Company.
- (c) The footway over the bridge was opened in 1887. The present contractor's agreement expires in December 1924, but the railway have the right to enter into a fresh agreement.
- (\bar{d}) The question of abolishing the toll is, at present, under consideration.
- Mr. Gaya Prasad Singh: What is the total amount of toll collected since it was levied?
- Mr. C. D. M. Hindley: The Honourable Member must obviously give me notice of that question. I cannot be expected to carry figures in my head.
- Mr. Gaya Prasad Singh: It was included in my question, but it has been omitted in the printed copy.
 - Mr. President: Notice has been demanded.

INCREASE OF EXPENDITURE ON THE MILITARY AND ALL-INDIA CIVIL SERVICES.

1117. *Diwan Bahadur M. Ramachandra Rao: Will the Government be pleased to place on the table a statement showing the increase of public expenditure consequent on the increase of salaries, pensions, and allowances of the military services in India between the 1st April 1918 and the 1st April 1924, and a similar statement for the same period in respect of the all-India Civil Services?

The Honourable Sir Basil Blackett: Collection of materials for a complete reply to the Honourable Member's question would impose undue labour upon the audit offices. According to such information as is available, the total increase in civil expenditure in the Central and Provincial Governments combined since 1913-14 owing to increases in the emoluments and pensions of the All-India Civil Services is estimated at something over a errore of rupees per annum (the charge being mostly provincial). For military services the figure is about five errors of rupees per annum.

RETRENCHMENTS ON INDIAN RAILWAYS.

- 1118. *Diwan Bahadur M. Ramachandra Rao: With reference to Question No. 37 asked by me at the meeting of the Legislative Assembly held on the 1st February 1924, will the Government be pleased to place on the table a statement of the economies effected by the Agents of the Railway administrations and the managers of the company-managed lines?
- Mr. C. D. M. Hindley: The Railway Board still await reports from some of the most important railways, but the statement promised will be laid on the table as soon as it can be completed.

RULES GOVERNING THE AWARD OF TECHNICAL SCHOLARSHIPS FOR STUDY ABROAD.

1119. *Diwan Bahadur M. Ramachandra Rac: (a) Will the Government be pleased to lay on the table the rules now in force and framed by the Government of India and the Local Governments for the award of State technical scholarships for study abroad?

(b) Will the Government be pleased to state the number of scholarships awarded by the Government of India and the Local Governments in

1923-24, and the subjects for study in each case ?

The Honourable Sir Bhupendra Nath M tra: (a) The rules published by the Government of India in Resolution No. 399, dated the 1st May 1916 as amended up to date are generally observed in granting State technical scholarships. But separate rules or instructions have been issued by certain Local Governments and special rules have also been framed by the Government of India to regulate the grant of scholarships in certain subjects. A set of the rules has been placed in the Library.

(b) A statement was laid on the table, on the 27th May 1924, in reply to an unstarred question, No. 273, by Seth Govind Das.

Statement showing the number of State Technical Scholarships tenable abroad, which were awarded during the year 1933-24.

Awarded by.	Subjects of study.					Total.
Government of India	Mining				1.	
ooverment (1 India 1.	Geological surveying	•	::	• • •	; ?	
	Metallurgy	•	• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	i i	3
Government of Madras	Ceramics		::		i (
or constant of hundred	Manufacture of pain				ιį	3
	Textile chemistry wi				1)	•
	ence to bleaching, of silk and cotton	dyein?	and fini		• ,	
Government of Bombay	Chemical manufactu	re (Pha	rmaceui	tical) 11	1)	
	Textile industry (spi				i t	2
Government of Bengal	Silk weaving, reeling				ī3	
	Manufacture and re				ī t	2
	and fish oils.				- ,	
Government of the United Provinces.	Textile dyeing, print	in g an c	l bleachi	ing	1	1
Government of the Punjab	_	_			Nű	NI
Government of Bihar and	Chemistry of oils and	fate			17	
Orissa.	Steel casting				15	2
Government of Burms	Agricultural chemist	tv			1,	•
	Oil Mining	-,	•••		1 5	2
Government of the Central	Coal Mining			• • • • • • • • • • • • • • • • • • • •	• 1	1
Provinces.		• •	• • •	• •	_	
Government of Assam		••			Nil.	NÜ.
					Total	16
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NET REVENUE REALIZED FROM RAILWAYS IN 1924.

- 1120. Diwan Bahadur M. Ramachandra Rao; (a) With reference to the answer given to my question No. 53 asked at the meeting held on the 1st February 1924, will the Government be pleased to state what net revenue has been realized by the Railways in the official year 1924 (item 1 of the statement), and whether the anticipated return of 5.46 per cent. has been realized? If it has not been, what is the actual return realized?
- (b) Will the Government be pleased to place on the table the rules under which the proposals for retrenchment under items 2, 3 and 4 of the statement are submitted for the sanction of the Secretary of State 7
- Mr. C. D. M. Hindley: (a) The Accounts for 1923-24 have not yet been closed but from the approximate figures available it appears that the net revenue realised from Railways is likely to be $31\frac{1}{2}$ erores, giving a return of nearly $5\frac{1}{2}$ per cent on the capital-at-charge.
- (b) The Honourable Member is apparently under some misapprehension. The proposals referred to by the Honourable Member which have been submitted to the Secretary of State and require his sanction, do not relate to any definite items of retrenchment proposed by the Indian Retrenchment Committee, but to the broader questions of financing, in the most economical way, the arrear and future renewals of railway property; to the establishment of a Depreciation Fund for State-Worked Railways and to the consequential alterations in the existing rules which determine the incidence of expenditure between Capital and Revenue. These proposals form part of the general question of the separation of the Railway from the General Finances and will come before the Assembly when that question is considered.

ENHANCED POWERS OF AGENTS OF STATE RAILWAYS AND DIRECTORS OF COMPANY MANAGED RAILWAYS IN REGARD TO ESTABLISHMENTS.

- 1121. *Diwan Bahadur M. Ramachandra Rao: Will the Government be pleased to place on the table a statement showing the enhanced powers conferred on the Agents of State Railways and Directors of Companymanaged lines in regard to establishments (item No. 9 of the statement given in reply to my Question No. 53 asked on the 1st February 1924) ?
- Mr. C. D. M. Hindley: As the Honourable Member apparently only desires to know the powers of the Agents in respect to reduction of staff, it will perhaps suffice if he is informed that the Agents of State Railways and Boards of Directors are given full discretion in respect to reduction of non-pensionable posts in subordinate cadres. All reductions in the Superior cadres have to be sent to the Railway Board for sanction.

Addission of Indian Students to the University Officers' Training Corps.

- 1122. Diwan Bahadur M. Ramachandra Rao: Will the Government be pleased to state whether the recommendation made in paragraph 108 of the report of the Committee on Indian Students for the admission of Indian students to the University Officers' Training Corps has been carried into effect?
 - Mr. H. R. Fate: The matter is still under consideration.

Diwan Bahadur M. Ramachandra Rao: May I ask. Sir, how long will this matter be under consideration?

Mr. H. R. Pate: I am not able to say.

Diwan Bahadur M. Ramachandra Rao: May I inform the Honourable Member that this matter has been under consideration for some years.

May I ask the Honourable Member whether he would ask His Majesty's Government to expedite this matter ?

Mr. H. B. Pate: I think we have already done so, but if we have not, we will do so.

RECOMMENDATIONS OF THE COMMITTEE ON INDIAN STUDENTS.

- 1123. *Diwan Bahadur M. Ramachandra Rao: (a) Will the Government be pleased to state whether the recommendations made in paragraphs 95, 96, 97, 98 and 99 of the report of the Committee on the Indian Students have been accepted by the Government of India and the Secretary of State, and what steps have been taken to give effect to them?
- (b) Will the Government be pleased to state whether the Inns of Court have been approached with a view to the amendment of their regulations as recommended in paragraph 109 of the report of the committee on Indian students, and whether the amendments have been made?
- Mr. J. W. Bhore: (a) The Government of India availed themselves of the opportunity afforded by the recent Universities' Conference to obtain its views on some of the recommendations made by the Committee on Indian Students. They are now considering all the general questions raised by the Committee as also those pertaining to the industrial training of Indian students and hope to be able to place their final conclusions before the Secretary of State at an early date.
- (b) The High Commissioner for India was asked, in May 1923, to ascertain the views of the Inns of Court on the recommendation contained in paragraph 109 of the Committee's Report. No reply has been received from the High Commissioner, who has now been asked to report whether the recommendation in question has been adopted.

ESTABLISHMENT OF A PUBLIC SERVICES COMMISSION IN INDIA, ETC.

- 1124. *Diwan Bahadur M. Ramachandra Rao: (a) Will the Government be pleased to state whether the establishment of a Public Services Commission contemplated in section 96-C of the Government of India Act has been considered, and whether any action in this direction is intended to be taken?
- (b) Will the Government be pleased to state what effect has been given to each of the recommendations made in paragraphs 14, 15, 16, 17, 18 and 26 and summarised in paragraph 35 of the Crewe Committee Report on the Home administration of Indian affairs?
- The Honourable Sir Alexander Muddiman: (a) The Honourable Member is referred to the reply given in this House by my predecessor to Sir Deva Prasad Sarvadhikary's Question No. 162 on the 12th February 1923. The desirability of establishing a Public Services Commission under the Provisions of section 96-C of the Government of India Act will be considered in connection with the recommendations of the Royal Commission on Services on this question.
- (b) In the second part of the question I am asked for information as to the extent to which certain recommendations of the Crewe Committee

have been given effect to. I would preface my remarks by the observation that the Report of the Crewe Committee is dated June 1919. The Government of India Bill of 1919 had been introduced in Parliament, but the Joint Select Committee had not then begun to sit. That is, the recommendations in the Report were made on the basis of the amendments to the Government of India Act contained in the Bill introduced in Parliament in 1919. That Bill was based upon the proposals in the Montagu-Chelmsford Report modified according to later recommendations of the Government of India, which were based largely upon the opinions elicited in India by the publication of the Report. I now take the recommendations of the Crewe Committee contained in the paragraphs mentioned in the question and as summarised in paragraph 35.

- (i) Paragraph 14.—This recommendation was made with reference to the proposal in paragraphs 277 and 279 of the Montagu-Chelmsford Report as to the constitution of the Council of State and the methods of securing that essential Government legislation should be carried. As the Honourable Member is aware, those proposals were not finally accepted. Under those proposals any certification of legislation would have been by the Governor General in Council. So far as certification of legislation under the provisions of section 67-B of the Government of India Act is concerned, the certification is by the Governor General, and this is, therefore, a matter in which the Governor General in Council is not primarily concerned. The Governor General in Council is, however, aware that the Secretary of State has intimated that in this matter he prefers to rely on the discretion of the authority concerned as to whether there shall be any report for his previous approval before certification is resorted to rather than to issue rigid instructions.
- (ii) Paragraphs 15 and 16.—The Crewe Committee apparently in these paragraphs contemplated the growth of a convention under which, when the Government of India were in agreement with the majority of the non-official Members of the Legislative Assembly, which would presumably under the Act as finally passed be interpreted as applying to non-official Members of both Chambers of the Indian Legislature, the Secretary of State would save in exceptional circumstances assent to their joint decision. I invite a reference by the Honourable Member to the later pronouncements on the same question contained in the Report of the Joint Select Committee in their remarks on clause 33 of the Bill of 1919 and on the Rule under section 33 of the Act of 1919. As regards these proposals the Honourable Member is no doubt aware of the fiscal convention which is in course of being or is established. That may be regarded as the extent of the definite action taken upon these proposals.
 - (iii) Paragraph 17.—I will attempt to give such information as is available in regard to the proposals in this paragraph in my reply to the Honourable Member's next question which raises this point in a more detailed form.
 - (iv) Paragraph 18.—With the exception below the position as regards this recommendation is the same as regards the recommendations in paragraphs 15 and 16 of the report. Under clause (7) in rule 1 of the Provincial Audit Resolution relating to expenditure on provincial reserved subjects, when the cost of a revision of permanent establishment exceeds Rs. 5 lakhs a year but does not exceed Rs. 15 lakhs a year the sanction of the Secretary of State in Council is not required if a Resolution recommending the charges is passed by the Legislative Council. This is a definite

delegation of the powers of the Secretary of State in Council in conformity with the principle recommended by the Crewe Committee.

(v) Paragraph 26.—If the Honourable Member will refer to such provisions of the Government of India Act as are contained in section 67-B, sub-section (2), section 68, sub-section (2), and section 69, sub-section (1), he will find that the proposal has been given effect to. There has been no case since the passing of the Government of India Act of 1919 in which His Majesty in Council has signified his disallowance of any Act of the Indian Legislature. In the only case to which the provisions of section 67-B, sub-section (2), regarding the assent of His Majesty in Council applied, such assent was, in fact, accorded in the Order of His Majesty in Council published in the Notification by the Government of India in the Legislative Department No. 77, dated the 26th April, 1923.

SUBJECT IN REGARD TO WHICH RECOURSE IS HAD TO PREVIOUS CONSULTATION WITH THE SECRETARY OF STATE FOR INDIA INSTEAD OF OBTAINING HIS PREVIOUS SANCTION.

1125. *Diwan Bahadur M. Ramachandra Rao: With reference to the recommendation of the Crewe Committee in paragraph 17 of the report that "the principle of previous consultation should be substituted in all cases where the previous sanction of the Secretary of State in Council has hitherto been required", that the Secretary of State "should revise the list of subjects on which he requires such previous consultation" and that the above recommendations should apply "to all projects both Legislative and Financial" subject to reservations that may be necessary for the proper discharge of the Secretary of State's ministerial responsibilities, will the Government be pleased to make a statement as to the extent to which each of the above recommendations has been carried into effect, and to state the subjects, if any, in regard to which the Government of Indian are now consulting the Secretary of State in Council instead of obtaining his previous sanction?

The Honourable Sir Alexander Muddiman: In the paragraph in question of the Report of the Crewe Committee, it was indicated clearly that the proposal only related to legislative and financial projects.

In regard to administrative questions, there were not and are not now any formal restrictions on the powers of the Government of India. A reference to the Secretary of State continues to be made on questions which are understood to be specially important from the administrative point of view.

In regard to legislative projects the present position will be explained by my friend, the Honourable Sir Henry Moncrieff Smith when replying to the Honourable Member's Question No. 1127.

As regards financial projects, no action on the lines recommended by the Crewe Committee has been taken. In lieu of such action, the Secretary of State in Council has, however, made a considerable relaxation of his control by the definite delegations which are contained in the Central and Provincial Audit Resolution so far as expenditure from Central Revenues and expenditure on provincial reserved subjects are concerned, and in Schedule III to the Devolution Rules in regard to expenditure on transferred subjects.

The Audit Resolutions referred to, with the amendments made thereto from time to time, have been published in the Gazette of India. A copy

of the Resolution, as amended to date, will, however, be supplied to the Honourable Member by the Home Department if he so desires.

Diwan Bahadur M. Ramachandra Rao: I have a copy of the Audit Resolution as amended to date. But may I ask, Sir, if there has been any advance with regard to financial devolution since the reforms have been introduced? So far as I can see, the position is exactly the same as it was before.

The Honourable Sir Alexander Muddiman: That is a question of opinion, I think, rather of fact.

Diwan Bahadur M. Ramachandra Rao: May I ask, Sir, in what respects the Government of India now possess more powers with regard to financial matters than they did before the Audit Resolutions were issued?

The Honourable Sir Alexander Muddiman: I think I have drawn the Honourable Member's attention to the Audit Resolutions which do involve some delegation. Whether he considers delegation to be an advance or not I cannot say.

Diwan Bahadur M. Ramachandra Rao: May I ask in what respect there has been delegation?

Mr. A. Rangaswami Iyengar: May I know, Sir, whether, in respect to non-official matters, there are at present any proposals for further devolution of powers to the Government of India and the Indian Legislature?

The Honourable Sir Alexander Muddiman: I cannot give a definite answer to that beyond the fact that, as the Honourable Member is doubtless aware, that is one of the subjects the Committee will consider.

SHOOTING OF MILL HANDS AT CAWNPORE.

1126. *Diwan Bahadur M. Ramachandra Rao: (a) Will the Government be pleased to lay on the table the reports, if any, received by the Government about the recent shooting of mill hands at Cawnpore?

The Honourable Sir Alexander Muddiman: The Government of India received a copy of the report of the District Magistrate, Cawnpore. This has already been published in the press, and has no doubt come to the Honourable Member's notice.

Mr. Chaman Lal: What action do Government contemplate taking ?

The Honourable Sir Alexander Muddiman: The Government can contemplate no action.

Mr. Chaman Lal: Are they quite satisfied that the firing was justified?

The Honourable Sir Alexander Muddiman: The Government have considered the case and consider that the firing was quite justified.

Diwan Bahadur M. Ramachandra Rao: Has there been a judicial inquiry?

The Honourable Sir Alexander Muddiman: There was an inquiry by the District Magistrate.

Diwan Bahadur M. Ramachandra Rao: Is that judicial inquiry?

The Honourable Sir Alexander Muddiman: I am afraid I must ask for notice of the question.

Mr. Chaman Lal: Are Government issuing any instructions to their officers in connection with cases like these arising in future ?

The Honourable Sir Alexander Muddiman: The Government of India are issuing no instructions on this particular case. They have issued instructions on the general matter, I believe.

Mr. Chaman Lal: Do not they think it desirable that they should? The Honourable Sir Alexander Muddiman: If the firing was justified, there seems no reason for issuing further instructions.

PREVIOUS SANCTION OF THE SECRETARY OF STATE TO THE INTRODUCTION OF LEGISLATION IN THE ASSEMBLY AND IN PROVINCIAL LEGISLATIVE

- 1127. Diwan Bahadur M. Ramachandra Rao: (a) Will the Government be pleased to place on the table the instructions now in force, if any, of the Secretary of State in Council to the Government of India and the Local Governments for obtaining his previous consent for the introduction of measures of legislation in the Legislative Assembly and the Legislative Councils, or regarding Bills already introduced or in regard to Bills in progress in the Legislatures ?
- (b) Will the Government be pleased to state the classes of legislation which the Government of India cannot now introduce in the Legislative Assembly without obtaining the sanction of the Secretary of State for India or of the Secretary of State for India in Council ?

Sir Henry Moncrieff Smith: (a) and (b). The Secretary of State requires reference for his approval prior to introduction by the Government of India in the Indian Legislature of Bills other than routine Bills and Bills of minor importance which fall within certain specified classes, a list of which is laid on the table. No reference to the Secretary of State is required prior to the introduction of Bills in Provincial Legislative Councils but the Secretary of State has directed his concurrence to be obtained before sanction is refused by the Governor General to the whole or to the main provisions of a Bill which it is proposed to introduce in such Council, or before executive orders are issued by the Government of India forbidding the introduction by a Local Government of such Bill. These instructions are embodied in unpublished official correspondence and the Government of India are unable to lay them on the table.

List of Bills.

Any measures-

(a) affecting the public debt or custom duties;

(b) affecting the discipline or maintenance of any part of His Majesty's Military, Naval or Air Forre;

- (c) affecting the relations of the Government with Foreign Princes and States; (d) regulating any provincial subject or any part of a provincial subject which has not been declared by rules under the Government of India Act to be subject to legislation by the Indian Legislature;
 (e) repealing and amending any Act of a local legislature passed after 1920;
- (f) providing for the punishment of offences by courts not constituted under the Code of Criminal Procedure or conferring on the executive powers of interference with the personal liberty of the subject;

 (g) regulating merchant shipping other than shipping on inland water-ways;

 (h) regulating the personal status and rights of European British subjects;

(i) regulating naturalisation;

(j) affecting the currency;
 (k) altering the law merchant;

(1) regulating the prerogative of the Crown

MOTION FOR ADJOURNMENT.

LEE COMMISSION'S REPORT.

Mr. President: I have received a notice from Mr. Acharva of a motion for the adjournment of the business of the 12 NOON. Legislative Assembly "for the purpose of discussing the action, as announced by the Honourable the Home Member, which has been taken by the Government of India upon the Report of the Lee Commission before affording the Assembly reavelable opportunity for considering the soundness or otherwise of the recommendations made in the said report." The difficulty that I feel about this motion is that as Honourable Members will remember, the Leader of the House the other day intimated to the House that, if the House wanted an opportunity this session of discussing the Lee Commission's Report, the Government will be prepared to give facilities for such discussion. If then, a day is likely to be given, if demanded by the Assembly, for the purpose of discussing the Lee Commission's Report, I feel great difficulty about giving my consent to a motion being made for an adjournment of the House for the purpose of discussing a matter with regard to which facilities have already been promised for a full discussion. Nor will Mr. Acharya's purpose be better served by this course because the discussion on an adjournment of the House will be a two hours' discussion and will be confined only to the particular matter mentioned in his notice, while if the House secures a day for the discussion of the Lee Commission's Report they will have a fuller and better discussion. I would like to know what Mr. Acharva's desire is before I decide on the technical question.

Mr. M. K. Acharya (South Arcot cum Chingleput: Non-Muhammadan Rural): With your permission, Sir, if the Honourable the Home Member will perhaps communicate to the House the particular points on which immediate action is proposed to be taken or is likely to be taken by the Government of India or the Secretary of State, which are of an urgent character, and which it may be found desirable to discuss in this House, and if, as you said, Sir. a day will be given for the discussion of these very urgent matters, leaving the consideration of the whole report to a future and more suitable occasion, I should be quite satisfied and I will not press the motion for adjournment of the House.

The Honourable Sir Alexander Muddiman (Home Member): I have at present no further statement to make to the House on the subject of these urgent matters. I quite recognise the desire of the House to have some general idea of what they are being asked to discuss. I have no desire to rush the House into a discussion of a general character if they are unwilling to undertake such a discussion. I should like to point out, if I may, what our position is. We brought this report into this Chamber as early as we possibly could. The Report was not received in India till the 21st May and we could not have had general circulation of the Report in India till the very day on which it was laid here. We have acted throughout with an honest desire, a real desire, to get this Report circulated to you as soon as we could, and to give you a chance of discussing it. It was a very easy thing to have withheld publication of this report till after this session. We did not desire to do so. We have no desire to rush the House into a discussion on all the points in

the whole of the Report if it is unwilling. We ourselves, speaking for myself, would require much more consideration for dealing with the Report in that way. As to urgent matters, I am myself in a difficulty. I carried out the wishes of the House expressed the day before yesterday and I have already informed the Secretary of State that it is the desire of a large number of non-official Members of the House that no action should be taken till they have had an opportunity of discussion, and I personally, if I may say so, recognize that this is an intelligible desire. It is difficult for me to say what class of matter is likely to be dealt with as urgent, but I may at least refer to one kind. I am told that there are pressing questions regarding appointments which have to be made urgently. Are these appointments to be made by the Secretary of State under the old rules or are they to be made by the High Commissioner under the new rules? That is obviously an urgent matter; but I cannot go beyond what I have said to-day.

Mr. Devaki Prasad Sinha (Chota Nagpur Division: Non-Muhammadan): May I inquire, Sir, when you propose to make that statement?

The Honourable Sir Alexander Muddiman: I have gone as far as I can at present, and if I can make a fuller statement I will make it.

Diwan Bahadur M. Ramachandra Rao (Godavari cum Kistna: Non-Muhammadan Rural): May I inquire when you propose to make that statement?

The Honourable Sir Alexander Muddiman: When I obtain the information which will enable me to make it.

Mr. A. Rangaswamy Iyengar (Tanjore cum Trichinopoly: Non-Muhammadan Rural): Will it be made at such a time as will leave the House time to discuss it?

The Honourable Sir Alexander Muddiman : I hope so ; certainly.

Mr. Jamnadas M. Mehta (Bombay Northern Division: Non-Muhammadan Rural): No action will be taken in the meantime?

The Honourable Sir Alexander Muddiman: It is only a question of a day or two. Certainly no action will be taken.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhammadan): May I draw the attention of the Honourable Member to a telegram dated May 20th which reads as follows:

"In the House of Commons to-day, replying to Mr. Walter Baker and Mr. Mills, Mr. Richards said, no order on the Lee Commission's Report would be passed without the Report being discussed in the Legislative Assembly."

The Honourable Sir Alexander Muddiman: My attention has already been drawn to that, but I have only seen the telegraphic report in the papers. I may tell the House that I have wired to the Secretary of State to know what was said exactly.

The Honourable Sir Alexander Muddiman: If I am enabled to do so by that time.

Mr. President: He will, if he is enabled to do so, formulate the urgent points which the House might discuss and that a day will be given

The Honourable Sir Alexander Muddiman : Certainly. *
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- Mr. President: to the House for discussing the matter. In view of that I do not think Mr. Acharva will press his motion.
- Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): May I say one word on this point? I should, Sir, feel very much obliged if the Honourable Member will give us such items as he considers urgent by this evening, for this reason, Sir, that probably on Saturday and Sunday we may have time to consider our point of view on these urgent matters. If the Honourable Member does not give us a statement by this evening or circulate it amongst Members, then, Sir, we shall have very little time. We have only got a few days. Supposing the Honourable Member makes a statement on Monday. Tuesday is a holiday and we shall not be sitting on that day. Or supposing he makes a statement on Wednesday and he asks us the very next day to proceed with a debate, I think the Honourable Member will recognise that that will be still more unfair than what we are asked to do now.

The Honourable Sir Alexander Muddiman: I quite agree with the Honourable Member, but I assure him that, as soon as I am in a position to do so, I will communicate the information to the House. But any information that I am in a position to give I will communicate to Honourable Members either by way of circulation or whatever is the most expeditious way. I quite understand the Honourable Member's point.

Mr. President: What Mr. Jinnah requests is that, while you will communicate to the House the information that you will get from the Secretary of State as regards the urgent points, you yourself (addressing the Honourable the Home Member) will tell the House what matters you consider will be regarded as urgent. In other words you may anticipate what matters are likely to be considered urgent by the Secretary of State and you can intimate them to the House. That is what I understood Mr. Jinnah to say.

Mr. M. A. Jinnah: I shall feel obliged if the Honourable Member can tell us what in his own view he expects this House to discuss in the current session. Of course if the Honourable Member wants to add to or amend that list he can do so by circulation as expeditiously as he can.

The Honourable Sir Alexander Muddiman: I am sure that if I am in a position to give the Honourable Member the information he asks for it will be given at once. It must be remembered that the option of discussion is with the House. I am myself in some difficulty. Anything may be urgent. I have indicated an example of a point of urgent importance.

Diwan Bahadur M. Ramachandra Rao: Can you not make an intelligent anticipation ?

- Mr. V. J. Patel (Bombay City: Non-Muhammadan Urban): Has the Honourable Member not read the report ?
- The Honourable Sir Alexander Muddiman: The Honourable Member has read the report.
- Dr. H. S. Gour: May I in this connection point out that as the final orders are to be passed by the Secretary of State in the exercise of his statutory powers the matters which are treated as urgent are matters which the Secretary of State should state are urgent and point out that

he is prepared to exercise his statutory powers. It would be immaterial if the Honourable the Home Member were to give us the matters which he individually or the Government of India regard as urgent because they may differ from the Secretary of State and the latter in the exercise of his statutory powers may dispose of certain matters which he regards as urgent. What we are anxious about is that no statutory powers of the Secretary of State should be exercised without previous discussion by this House.

THE STEEL INDUSTRY (PROTECTION) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Charles Innes (Commerce Member) : I beg to present the Report of the Select Committee on the Bill to provide for the fostering and development of the steel industry in British India. should like to say a word about this Report. In the Select Committee it was decided to drop the enhancement of the duty on tin-plates. I wish to make it clear that the Government, though they do not say so in the Report, reserve the right of moving an amendment to restore the enhanced duty after the question is decided by the House. I say we merely preserve the right and we will decide on the point later. I regret that, as the Report was only signed about an hour ago, it has not been possible for the Legislative Department to circulate it to Honourable Members. In that case it is impossible for me at once to propose that the House should proceed to consideration. I suggest that it might be for the convenience of the House if we put down the motion for consideration on Monday next. Though the Report is a long one, its length lies mainly in minutes of dissent which relate to subjects which, in my view, are hardly germane to the purpose of this Bill. standing fact is that, after a very careful consideration in the Select Committee, the Bill has emerged from the Select Committee practically in the same form in which it went to the Select Committee. We have only clarified the preamble and certain other parts of the Bill. We have remitted the enhanced duty on tin-plates. I think these are the only important amendments in the Bill. That being so, I think, subject to what you may say and the House may say, it will be quite reasonable to proceed with the consideration of the Bill on Monday. But as I say, that is a matter on which the Government are quite willing to be guided by the sense of the House.

Mr. President: You formally move that the Report of the Select Committee be taken into consideration?

The Honourable Sir Charles Innes: I am quite prepared to do so if it is your desire.

Mr. President: You had better do so and then the House can adjourn to such date as the House thinks convenient...

The Honourable Sir Charles Innes: In that case I beg to move that the Report of the Select Committee on the Bill to provide for the fostering and development of the steel industry in British India be taken into consideration.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhammadan): I move that the discussion be adjourned till Monday next.

Dr. S. K. Datta (Nominated: Indian Christians): I have given notice of an amendment under Standing Order 44 (2) that the Bill to provide for the fostering and development of the steel industry in British India, as amended by the Select Committee, be circulated for public opinion.

Mr. President: With regard to this matter, I think the House should arrive at some understanding as to the manner in which it proposes to proceed. As the Honourable Sir Charles Innes has told us, the Bill has emerged from the Select Committee without much change from the original Bill. You had, before the Bill went into the Select Committee. a large number of amendments. The movers of those amendments, many of them, were members of the Select Committee and the dissenting minutes are again on those amendments. I am only stating this for the purpose of making it clear to the House that the Members who wish to move amendments in the House when the Report is taken into consideration know fully well what the points are on which they are going to move amendments. In those circumstances, it is for the House to determine. and I am entirely in the hands of the House, what will be the convenient course to adopt in order to proceed with the consideration of the Bill. I was going to suggest to the House, that it might possibly be better if the House proceeded with the consideration of the Bill to-morrow morning, if Honourable Members think that that is desirable, so that we get Saturday and also Monday, that is, two days, for the discussion of the Bill. If, however, the general feeling is that we should begin discussion on Monday, I am entirely in the hands of the House.

Then, I come to the amendment of which notice has been given, that the Bill, as amended by the Select Committee, be circulated for opinion. If that is passed, then the consideration of the Bill is shelved altogether for the present. Therefore, I would like to ascertain from the House whether they want to dispose of that amendment to-day and then adjourn further consideration of the Bill to Monday. I think it would be better to dispose of the amendment for circulating the Bill for opinion, which does not go into the merits of the Bill, to-day and then go on with the consideration of the Bill on its merits on Monday....

Dr. H. S. Gour: On a point of order. I submit that, when a motion has been made that the Bill be taken into consideration and another motion has been made that the discussion be adjourned till Monday, it is not in order for any Honourable Member to move that the Bill be circulated for the purpose of eliciting opinion thereon.

Mr. President: I have not yet called upon Dr. Gour to move the adjournment of the discussion on Sir Charles Innes' motion nor have I called upon Dr. Datta to move his amendment: we have not come to that stage. I was only asking the House to come to some understanding as to the method they wanted to adopt. No motion for adjournment of the debate or any amendment for circulating the Bill for opinion has yet been formally moved. I am only putting to the House what would be the more convenient course—whether to do everything on Monday including the amendment to circulate the Bill for opinion or whether the House would like to dispose of that amendment to-day and then proceed with the discussion on the merits on Monday.

Mr. W. M. Hussanally (Sind: Muhammadan Rural): We have not got a copy of the Report of the Select Committee before us and how shall we be in a position to day to decide the matter one way or the other?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): At present the motion before the House is that the Bill as reported by the Select Committee be taken into consideration. That is the motion of the Honourable Member in charge of the Bill and the House is seised of that motion. (A Voice: "There is another motion for adjournment.") There is no motion for adjournment made yet.

Dr. H. S. Gour: Yes, I have moved it.

Mr. President: Not yet.

Mr. M. A. Jinnah: And to that motion of the Honourable Member in charge there is an amendment that the Bill be circulated for opinion. I can quite understand that the House may desire for the purpose of discussing further this Bill and the amendments to it that they should have a little more time. That I can quite understand and I am personally in entire agreement with that view. But I say, Sir, that, so far as the amendment for circulating the Bill for opinion is going to be moved, though it has not been formally moved yet, it should be disposed of to-day because, if the Bill is going to be circulated for public opinion, then Dr. Gour's desire for an adjournment for a day or two will be more than fully satisfied.

Mr. President: Then there would be nothing further to be done.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): May I take it that the President has exercised his power under rule 44 to waive the seven days' notice to which the Members are entitled for the consideration of the Report of the Select Committee?

Mr. M. A. Jinnah: No objection has been taken to that.

Mr. President: It is not necessary for me to exercise that power. You ought to have taken objection when the Honourable Member moved his motion that the Bill be taken into consideration. We have now proceeded further than that.

Mr. Amar Nath Dutt: I did not object then because other Members were talking about other matters. The same matter is under consideration still.

Dr. H. S. Gour: When a motion for adjournment of the debate has been moved no other question can be raised or discussed.

Mr. President: No motion either for adjournment of the debate or for circulation of the Bill for opinion has been formally moved yet. Dr. Gour will realise that what the House is now attempting to do is to arrive at what is the most convenient way of dealing with the Bill. What Mr. Jinnah is putting to the House is that it may be the more convenient course to dispose to-day of the amendment which asks for circulation for opinion. Supposing the amendment asking that the Bill be circulated for opinion is passed, then nothing further has to be done. If that is negatived, then certainly Dr. Gour can move the adjournment of the debate till Monday, and I hope Dr. Gour will fall in with that view.

Mr. Harchandrai Vishindas (Sind: Non-Muhammadan): there is one more point. If you will see Standing Order 44, it runs thus:

• "After the presentation of the final report of a Select Committee on a Bill (which was done by Sir Charles Innes) the Member in charge may move that the

[Mr. Harchandrai Vishindas,]

Bill as reported by the Select Committee be taken into consideration (which also he has done); Provided that any Member of the Assembly may object to its being so taken into consideration."

That is the next stage. So far as that stage is concerned, I join with the Honourable gentleman who just now spoke that we object to its being taken into consideration. With all due deference, I beg to submit that this is the proper stage when such an objection could be taken.

Mr. President: I will put an end to all technicalities by exercising the power vested in me to suspend the Standing Order.

Mr. Amar Nath Dutt: Then we should like to have the discussion postponed till Wednesday. Tuesday is a holiday.

Mr. President: That is not the question we are considering. All that we are considering now is whether the whole discussion is to be adjourned till Monday or whether the amendment requiring the circulation of the Bill for opinion is to be disposed of to-day and then the rest of the discussion is to be adjourned to Monday. That is what I want the House to indicate their wish on.

Dr. H. S. Gour: There will be very little time lost in discussing the Honourable Dr. Datta's amendment if the House is in possession of the Report of the Select Committee and a final draft of the Bill. At the present moment Dr. Datta's amendment is that the Bill be re-circulated. Honourable Members are asking themselves: Where is the Bill and how far has it been altered? What is the Report of the Select Committee? I therefore submit, Sir, that we shall probably take much longer time to-day in cavassing this question than we are likely to do on Monday, when I think the House will perhaps decide to go into the consideration of the Bill has not been altered so as to call for its re-circulation. I therefore submit, Sir, that the House do stand adjourned till Monday and that this question of re-circulation may be taken up first for consideration on that date.

Mr. Harchandrai Vishindas: I move as an amendment to Dr. Gour's motion that the discussion be adjourned till Wednesday, the 4th June.

Mr. President : No motion has been made.

Rai Bahadur Raj Narain (Delhi: Nominated Non-Official): I rise to support the suggestion made by Dr. Gour. I submit on principle that not much time will be lost in voting on the amendment proposed by the Honourable Member suggesting that the Bill be circulated. We can perhaps perceive that the majority of the House are opposed to the motion and if this matter is disposed of finally to-day, or the first thing on Monday, I submit that the way will be quite clear and I submit that this matter may be disposed of by expression of opinion of the House.

Mr. Amar Nath Dutt: I take it that it will be open to us to raise objection at this stage.

Mr. President: Your objection has been disposed of. I take the general sense to be that the discussion should stand adjourned till Monday. (Voices: "Wednesday".)

- Mr. H. S. Gour: Honourable Members who are asking for a longer adjournment will perhaps remember that as the Honourable Member in charge has pointed out, the Bill has not emerged from the Select Committee with any substantial modifications.
 - Mr. Amar Nath Dutt: It may be according to him.
- Dr. H. S. Gour: It has not emerged from the Select Committee with any substantial amendments and you have to-morrow and the day after to study the provisions of the Bill.
- Mr. President: The Bill will be put down on Monday's agenda and any Members who wish to give notices of amendments had better give notices to-day or to-morrow.
- Dr. H. S. Gour: Will the Chair suspend the rule about two days' notice?
- Mr. President: If Honourable Members will send in their amendments by to-morrow, I will waive the two days' notice.
- Mr. Harchandrai Vishindas: They cannot do so until they have copies of the amended Bill and the Report of the Select Committee.
- The Honourable Sir Charles Innes: I hope that the Legislative Department will be able to circulate the Report probably by 1 o'clock to-day or certainly very early in the afternoon. May I just put in a plca as the Member in charge of the Bill? I hope Honourable Members who are going to put in amendments will let me have them as soon as possible because I have to prepare myself to meet them.
- Mr. C. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadan Rural): Apart from the amendments which have been embodied in the Select Committee's Report there are amendments which now stand on the agenda. Is it necessary that we should send them back again by a further notice or do they stand good for the next discussion?
- Mr. President: If the amendments which were sent in before the Bill went to the Select Committee are in such form as can fit into the Bill as it has emerged from the Select Committee, I will admit them, if otherwise in order.

BILLS PASSED BY THE COUNCIL OF STATE LAID ON THE TABLE.

Mr. President: I will call upon the Secretary to lay on the table two Bills passed by the Council of State.

Secretary of the Assembly: In accordance with Rule 25 of the Indian Legislative Rules, I lay on the table the Bills which were passed by the Council of State at its meeting of the 27th May, 1924. They are:

- (1) A Bill to provide for the modification of certain provisions of the Indian Stamp Act, 1899, in their application to certain promissory notes and other instruments;
- (2) A Bill to amend the Indian Soldiers (Litigation) Act, 1918, for certain purposes.

REPLY TO THE GREETINGS OF THE ASSEMBLY TO THE MEMBERS OF THE LABOUR PARTY.

Mr. President: I have to communicate to the House the reply received from the Secretary of State to the Resolution adopted by the Assembly on the 14th February 1924 sending the greetings of the Assembly to the Members of the Labour Party. The reply is this:

"Your Secretary's letter dated the 28th February. Please convey to the Assembly my appreciation of their Resolution of the 14th February which I am circulating to my colleagues."

PUBLIC ACCOUNTS COMMITTEE.

Mr. President: Before the House adjourns, I have to make one more announcement, and that is that there will be a meeting of the Public Accounts Committee this afternoon at 3 P.M.

The Assembly then adjourned till Eleven of the Clock on Monday, the 2nd June, 1924.