

9th June, 1924

**THE  
LEGISLATIVE ASSEMBLY DEBATES  
(Official Report)**

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**FIRST SESSION  
OF THE  
SECOND LEGISLATIVE ASSEMBLY, 1924**



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# LEGISLATIVE ASSEMBLY.

*Monday, 9th June, 1924.*

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. Chairman (Mr. K. C. Neogy) in the Chair.

## QUESTIONS AND ANSWERS.

### REPRESENTATIONS *re* THE RECOMMENDATIONS OF THE SEAMEN'S RECRUITMENT COMMITTEE.

1354. **\*Mr. K. Ahmed** : Are the Government aware that since 1922 there has been a great deal of agitation both in the press and on the platform for the speedy enforcement of the Seamen's Recruitment Committee's recommendations, and copies of Resolutions passed by the Indian Seamen's Union, Calcutta, were forwarded to the Government to expedite the matter ?

**The Honourable Sir Bhupendra Nath Mitra** : The Government have received several representations on the subject from the Seamen's Union, etc.

### SEAMEN'S RECRUITMENT BUREAU AT CALCUTTA.

1355. **\*Mr. K. Ahmed** : Will the Government be pleased to state when they are going to start the Seamen's Recruitment Bureau at Calcutta in terms of the recommendations of the Seamen's Recruitment Committee ?

### CONSTITUTION OF ADVISORY COMMITTEES ALONG WITH THE ESTABLISHMENT OF THE SEAMEN'S RECRUITMENT BUREAU AT CALCUTTA.

1356. **\*Mr. K. Ahmed** : (a) Will the Government be pleased to state whether Advisory Committees as recommended by the Genoa International Labour Conference and adopted by a majority of the members of the Seamen's Recruitment Committee, are going to be constituted along with the establishment of the Seamen's Recruitment Bureau at Calcutta ?

(b) If the answer be in the negative, will the Government be pleased to give their reasons in full ?

**The Honourable Sir Bhupendra Nath Mitra** : I will answer Questions Nos. 1355 and 1356 together. The Honourable Member is referred to the statement made by the Honourable the Commerce Member in this House on 14th March last which covers both the points raised. The selection of a suitable officer is now under correspondence with the Bengal Government.

### INCLUSION OF INDIAN SEAMEN IN THE WORKMEN'S COMPENSATION ACT, 1923.

1357. **\*Mr. K. Ahmed** : Will the Government be pleased to state (i) what steps they have taken to include the Indian seamen in the Workmen's



Compensation Act of 1923 as promised by Sir Charles Innes on the 3rd February, 1923,

and (ii) lay on the table all the correspondence that passed between them and the Secretary of State, the Board of Trade and others ?

**The Honourable Sir Bhupendra Nath Mitra :** I have nothing to add to the reply given by the Honourable Mr. Chatterjee to Mr. Joshi's Question No. 175 on the 8th March, 1924. The question of publication of the correspondence will be considered in due course.

**ALLEGED INTERCEPTION OF CORRESPONDENCE OF MEMBERS OF THE LEGISLATIVE ASSEMBLY.**

1358. **\*Mr. Chaman Lal :** (a) Will Government be pleased to state whether it is a fact that the correspondence of some Members of the Legislative Assembly is or has been intercepted or secretly opened before delivery and if so, the names of such Members ?

(b) Will Government be pleased to state whether such attention has been extended to the correspondence of the wives of any Members of the Legislative Assembly ?

**ALLEGED SHADOWING OF MEMBERS OF THE LEGISLATIVE ASSEMBLY BY THE POLICE.**

1360. **\*Mr. Chaman Lal :** Will Government be pleased to state whether (a) any Members of the Legislative Assembly are shadowed by the police, (b) if so, the names of such Members together with the number by which they are known to the C. I. D. ?

**The Honourable Sir Alexander Muddiman :** With your permission, I will answer Questions No. 1358 and 1360 together. I have no information on the subject; but, if any Honourable Member has been subjected to any inconvenience, I shall certainly deal with the matter on his bringing the facts to my notice.

**Mr. H. E. Holme :** Is it not a fact that, if it had not been for the activities of the Criminal Investigation Department, the recent Bolshevik revolutionary conspiracy would not have been discovered or brought before the courts ?

**Mr. Chaman Lal :** May I ask if that is a supplementary question and if it is in order or not ?

**Mr. Chairman :** It is in order.

**The Honourable Sir Alexander Muddiman :** That, Sir, is probably a fact.

**Mr. Chaman Lal :** Will the Honourable gentleman inform me as to the law under which the correspondence of Members of this Assembly is being opened ?

**The Honourable Sir Alexander Muddiman :** I do not admit that the correspondence is being opened. The Honourable Member has a question on that point, No. 1359, and I will answer it when we come to it.

**Mr. Chaman Lal :** May I assure the Honourable Member that on several occasions I have complained to Postmasters in regard to this.

**The Honourable Sir Alexander Muddiman :** The Honourable Member has not brought the matter to my notice. If he will do so, I shall inquire into the matter.

LAW RELATING TO THE INTERCEPTION OF THE CORRESPONDENCE OF PRIVATE INDIVIDUALS.

1359. \*Mr. Chaman Lal : (a) Will Government be pleased to state under what law interference in a private individual's correspondence is resorted to ?

(b) Will Government be pleased to state (i) whether any protests have been lodged with the department concerned in this behalf and (ii) whether any reply has been given to such protests ?

(c) Will Government be pleased to state the names of all persons in India excluding the Members of the Legislative Assembly and their wives, whose correspondence is being intercepted or opened and the reasons for which such action is being taken ?

The Honourable Sir Alexander Muddiman : (a) Under section 26 of the Indian Post Office Act (VI of 1898), as amended by section 6 of the Indian Post Office (Amendment) Act of 1912 ; and in the case of printed publications under section 19 of the Sea Customs Act (VIII of 1878).

(b) Government have no information on the subject.

(c) I am not prepared to obtain the information required.

Mr. Gaya Prasad Singh : Why are the Government not prepared to give the information to this Assembly ?

The Honourable Sir Alexander Muddiman : If I did so, I should paralyse the measures which are being taken for the safety of the State.

Mr. Chaman Lal : May I ask with reference to part (c) of Question No. 1359 whether the names of Members of the Legislative Assembly are to be found in that list ?

The Honourable Sir Alexander Muddiman : I have no information on that point.

HARASSMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY BY TICKET EXAMINERS AT RAILWAY STATIONS.

1361. \*Mr. Chaman Lal : Are Government aware that some Members of the Legislative Assembly are watched while travelling on the railways and harassed by ticket examiners at every important station ?

Mr. C. D. M. Hindley : The reply is in the negative.

Mr. Chaman Lal : May I ask the Honourable Member whether he is aware that a certain gentleman of the name of Mr. Chaman Lal is being shadowed ?

Mr. C. D. M. Hindley : I am not aware of that fact.

Mr. Chaman Lal : Will the Honourable Member make inquiries ?

Mr. C. D. M. Hindley : No, Sir.

Mr. Chaman Lal : Will the Honourable Member inform me why he will not make inquiries ?

Mr. C. D. M. Hindley : I do not see any reason for them and have nothing to add to my reply that I am not prepared to make inquiries.

Mr. Jamnadas M. Mehta : Is it because the shadowing of Honourable Members of the Assembly is the usual course that the Honourable Member refuses to inquire ?

**Mr. C. D. M. Hindley :** I do not know anything about shadowing of Honourable Members of this Assembly.

**Pandit Shamlal Nehru :** Would the Honourable Member care to enlighten himself on the point ?

**Mr. C. D. M. Hindley :** No, Sir.

**Mr. Chaman Lal :** Will the Honourable Member consider whether it is not a matter of great importance that the liberty of the subject is being interfered with, and whether it is not up to him to inquire into the matter ?

**Mr. C. D. M. Hindley :** I am not prepared to admit that the liberty of the subject is being interfered with by railway officials.

**Mr. Chaman Lal :** May I take it that the Honourable Member's attitude is that he is not prepared to admit anything ?

**Mr. Gaya Prasad Singh :** The Honourable Member professes ignorance and at the same time refuses to make an inquiry. Will the Honourable Member give his reasons for it ?

**Mr. C. D. M. Hindley :** I do not know of any facts which have been placed before me which necessitate this inquiry.

**Mr. Chairman :** I think sufficient questions have been asked on this. Let us pass on.

#### PERSONNEL OF THE REFORMS COMMITTEE.

1362. **Mr. Chaman Lal :** (a) Has the India Office objected to the arrangement of not adding a non-official member of this House to the Reforms Committee ?

(b) Has the India Office objected to the personnel of the Reforms Committee ?

**The Honourable Sir Alexander Muddiman :** The reply to both parts of the Honourable Member's question is in the negative.

#### NUMBER OF AMERICANS AND SOUTH AFRICANS IN INDIA AND AMOUNT OF PROPERTY HELD BY THEM IN THIS COUNTRY, ETC.

1363. **Mr. Chaman Lal :** Will Government be pleased to state (1) the total numbers in India of and the amount of property held in India by :

(a) Americans,

(b) South Africans, and

(2) The volume of trade done both by South Africa and by America with India ?

**The Honourable Sir Alexander Muddiman :** In 1921, 3,446 persons were enumerated in India as having been born in America and 4,719 persons as having been born in Africa. Government have no information as to the amount of property held by them or as to the number of South Africans.

2. In the last financial year India exported to the Union of South Africa goods valued at over two crores and imported goods to the value of 77 lakhs. For the United States of America the corresponding figures are 33 crores and 3 crores.

SHOOTING OF INDIANS IN BRITISH GUIANA.

1364. **\*Mr. Chaman Lal :** Will Government furnish the House with complete information regarding the recent shootings of Indians in British Guiana ?

**Mr. J. W. Bhore :** With your permission, Sir, I will read the statement made by the Honourable Sir Narasinha Sarma in reply to a similar question in the Council of State on the 4th June last :

“ An inquiry into the circumstances of the riot has been ordered by the British Guiana Government and began on the 7th April. The results of this inquiry have not yet been communicated to the Government of India and it is not possible, therefore, to give an authoritative version of the causes of the riot and all the incidents connected with it. From information which has so far been received it would appear that there was a strike of wharf labourers in George Town on the 31st March and that on the following day there was disorder in the city. The authorities restored order but to prevent recurrence of trouble issued a proclamation prohibiting assemblies and crowds. The events of the 1st April produced excitement among Indian labourers on the plantations across the river among whom there was evidently dissatisfaction with regard to the wages they were receiving. There was some trouble on the 2nd April, but the situation was well in hand. On the 3rd a large crowd composed mainly of Indians and some Negroes and including men, women and children marched in procession towards George Town. They were stopped at Penitence Bridge and asked to disperse. The authorities, however, offered to let a deputation of five Indians and five Negroes enter the town. The crowd, it is understood, would not disperse. The Riot Act was read but evidently without effect, and the police were attacked with stones and sticks. It would appear that a crowd had also collected at the rear of the police in the town, and, finding themselves menaced both in front and behind, the police opened fire. 11 Indian and one Negro were killed and 16 Indians and five Negroes were wounded. Among the killed were two women and one boy of 15. A commission to inquire into and report on the conditions of employment and rates of wages paid to stevedores, wharfmen and other labourers engaged in the loading and unloading of vessels has also been appointed.”

**Pandit Shamlal Nehru :** May I inquire whether the Government are aware that Sir Joseph Nunan in a private talk with Mr. Shamlal Nehru said that the firing was not justified.

**Mr. J. W. Bhore :** No, Sir.

**Mr. Chairman :** The Honourable Member is not expected to know what passed between an Honourable Member of this House and another gentleman in a private talk.

**Mr. Chaman Lal :** Who was responsible for the shooting, Sir ?

**Mr. J. W. Bhore :** I have no information on that point, Sir.

**Mr. Gaya Prasad Singh :** Will the Honourable Member kindly obtain information and lay it before the House ?

**Mr. J. W. Bhore :** I have said an inquiry has been made by the British Guiana Government, and when the result of that inquiry is known, I shall be very happy to let any Honourable Member, who desires information, have it.

FRANCHISE FOR INDIANS IN BRITISH GUIANA.

1365. **\*Mr. Chaman Lal :** Are Government aware that nearly 45 per cent. of the population of British Guiana consists of Indians whereas the franchise is limited to a few persons ?

**Mr. J. W. Bhore :** The more accurate figure is 42. The number of Indians actually on the roll is comparatively small, but the franchise is quite liberal. The actual qualifications are given in paragraph 148 of the Report of the Deputation to British Guiana.

## INDIAN MEMBERS OF THE BRITISH GUIANA LEGISLATURE.

1366. **\*Mr. Chaman Lal** : Are Government aware that there is only one member of the Council of British Guiana who is an Indian ?

**Mr. J. W. Bhore** : I regret I do not follow which Council the Honourable Member is referring to ? The administration of British Guiana consists of the Governor, the Executive Council, the Court of Policy which is a legislative body and the Combined Court of Policy which deals with financial matters. No Indian is a member of the Executive Council or of the Court of Policy, but one East Indian has at one time been a member of the Combined Court of Policy.

## PERSONNEL OF THE TAXATION COMMITTEE.

1367. **\*Mr. Chaman Lal** : Are Government prepared to assure the House that the Taxation Committee will be composed, apart from officials, of elected members of the Assembly and will have as one of its terms of reference the average income of an Indian ?

**The Honourable Sir Basil Blackett** : I may answer this question and Question No. 1535† by Mr. Jinnah together.

The personnel of the Committee and the terms of reference have already been announced in the Gazette of India Extraordinary, published on the 26th May, 1924.

## STRENGTH OF PARTIES IN THE LEGISLATIVE ASSEMBLY.

1368. **\*Mr. Gaya Prasad Singh** : (a) Has the attention of the Government been drawn to that part of the speech of Professor Richards, on the debate on Viscount Curzon's motion in the House of Commons, on the 15th April, 1924, in which the following passage occurs :

“ The figures for the Assembly are as follows : There were 41 Swarajists, returned to the Assembly, 7 Independents, 2 Sikhs, and 3 Burmans ? ”

(b) Will the Government be pleased to state if they are responsible for supplying the information on which the above statement is made ? And if so, will the Government kindly explain how they have arrived at these figures ?

**The Honourable Sir Alexander Muddiman** : (a) Yes.

(b) The Government did supply, for the information of the Secretary of State, certain information showing roughly what they thought might be regarded as the strength of the various parties in the Assembly. The information was only supplied as an estimate.

**Mr. Gaya Prasad Singh** : Are not the Government aware, Sir, that Sir Malcolm Hailey, in reply to starred Question No. 224 on the 11th February last, stated that the information was not within the knowledge of the Government of India ?

† 1535. **Mr. M. A. Jinnah** : (1) Will Government be pleased to state whether they have yet fixed the personnel of the Taxation Committee ?

(2) If yes, will Government state the names of the Committee ?

(3) If not, what has led to the delay in constituting the said Committee ?

(4) Do Government intend to give the Assembly an opportunity to discuss the terms of reference and the personnel of the Committee ?

**The Honourable Sir Alexander Muddiman** : I believe that Sir Malcolm Hailey did give such a reply, but Government were not aware when that answer was given by Sir Malcolm Hailey nor are they now in a position to give such information. I understand it is a constantly shifting matter.

THE INDIAN PEOPLES' FAMINE TRUST FUND.

1369. **\*Mr. Gaya Prasad Singh** : What is the present financial position of the Indian Peoples' Famine Trust Fund ? When did it come to be established, and how ? What are the rules governing it, and to what purposes the Fund has been allotted since its creation ?

**Mr. J. W. Bhore** : The 20th Report of the Board of Management of the Indian Peoples' Famine Trust, which was published in the Supplement to the Gazette of India, dated the 22nd March, 1924, gives the financial position of the Trust for the calendar year 1923. The Trust was established in 1900 as the result of a gift of Rs. 15,00,000 in Government Promissory Notes made by His Highness Sir Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, on the condition that the income arising therefrom should be applied for the purposes of charitable relief in seasons of general distress. A copy of the Government of India Notification No. 1616-F., dated the 25th July, 1900, which contains the rules for the administration of the Trust, is laid on the table. In accordance with the wishes of the Founder the Trust Funds have been used solely for the alleviation by grants of money or otherwise of general distress caused by failure or destruction of the crops or by any calamity of like nature either in British India or in any Indian States.

Rules and Bye-laws of the Indian People's Famine Trust.  
No. 1616-F.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.—*Dated Simla, the 25th July 1900.*

(As amended by Notifications Nos. 1703, dated the 9th August 1900, 1321, dated the 5th June 1902, and 695, dated the 25th April 1905.)

IN THE MATTER OF THE INDIAN PEOPLES' FAMINE TRUST.

Whereas application has been made to the Governor General in Council by His Highness Saramad-i-Rajaha-i-Hindustan Raj Rajindra Sri Maharaja-dhiraj Sawai Sir Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, the donor of the proposed Endowment Fund, that promissory notes of the Government of India to the amount of Rs. 15,00,000 be vested in the Treasurer of Charitable Endowments appointed under the Charitable Endowments Act, 1890 (VI of 1890), for the territories subject to the Lieutenant-Governor of Bengal (hereinafter referred to as "the Treasurer"), and that the income arising from the same be applied for the purposes of charitable relief in seasons of general distress ;

And whereas the terms of the scheme of administration of the income arising from the said property were published in the *Gazette of India* on the 2nd day of June 1900, together with notice that an order was proposed to be made by the Governor General in Council vesting the said property in the said Treasurer and settling the scheme for the administration of the same, and further stating that any objection to the proposed order or suggestions thereon should be transmitted in writing to the Secretary to the Government of India in the Foreign Department by the 2nd day of July 1900, on which date the proposed scheme will be taken into further consideration ;

And whereas the said scheme has been taken into further consideration accordingly together with all the objections and suggestions transmitted and received in the manner aforesaid ;

Now under and by virtue of the powers conferred by sections 4 (1) and 7 (1) of the said Act, the Governor General in Council is hereby pleased to order that the said promissory notes of the Government of India to the amount of Rs. 15,00,000 be, and they hereby are, vested in the Treasurer aforesaid, to take and hold the same upon the terms that he shall collect or draw the income or interest thereof as and when the same becomes due and payable, and to hand over and pay the same as and when the same is received to the Board of Management appointed to administer the same under the scheme settled, in the terms contained in the rules set out below, under sections 5 and 7 (1) of the said Act.

*Rules for the administration of the Trust.*

1. The Trust shall be known as the Indian People's Famine Trust.

2. The purpose of the Trust shall be the alleviation by grants of money or otherwise of general distress caused by failure or destruction of the crops or by any calamity of like nature either in British India or in any Native States.

3. The income of the securities so as aforesaid vested in the Treasurer and of such other securities (if any) as may at any time hereafter be in like manner so vested for the purpose of the Trust, shall be administered by a Board of Management (hereinafter referred to as "the Board"), consisting of the following persons :

- (a) Five persons appointed by the Governor General in Council, of whom three shall be in the executive service of the Government.
- (b) Five persons appointed, respectively, by the Local Governments of Madras, Bombay, Bengal, the North-West Provinces and Oudh, and the Punjab.
- (c) Two persons appointed, respectively, by the Agents to the Governor General in Rajputana and Central India.
- (d) One person appointed by His Highness the Maharaja of Jaipur for the time being.
- (e) Any persons becoming life-members under clause 14.

The Governor General in Council shall also appoint the Chairman of the Board from among the members, and subject to the provisions hereinafter contained in the first proviso to rule 4, may, during the absence from India of such Chairman, in like manner appoint an Acting Chairman to exercise and discharge all or any of the powers and duties conferred or imposed upon a Chairman by these rules or by any bye-law or order framed or issued thereunder.

4. Each appointed member of the Board shall hold office during the pleasure of the authority by whom he has been appointed.

Provided that a member who is absent from India for a period exceeding eight months shall cease to be a member of the Board, but may, notwithstanding be re-appointed thereto on a vacancy hereafter occurring. Provided also that any member may resign his place at the Board, by notice in writing addressed to the Chairman.

5. During any vacancy in the Board the continuing members may act as if no vacancy had occurred.

6. The Chairman may convene meetings of the Board at such times and places as he may consider necessary and convenient for the transaction of business, and at all meetings four members shall form a quorum.

7. The Board shall frame bye-laws for the regulation of its proceedings, the maintenance of accounts, and the like.

8. No grant for the relief of distress shall, at any time, be made by the Board unless and until the existence of general and severe privation over a considerable area has been notified to it by the Governor General in Council.

9. When the existence of distress has been so notified to the Board, the Board, after considering all the information regarding it which may have been transmitted by the Governor General in Council or by the Local Government or Native State in which the distress exists, may, if it think fit, make a grant for relief.

10. Before paying over the amount of any such grant, the Board shall satisfy itself that the money granted will be expended in one or more of the following ways, namely :

*Firstly.*—In supplementing the subsistence ration of the Famine Codes by the addition of small comforts, whether of food or of clothing, for the aged or infirm, for patients in hospitals, for children and the like.

*Secondly.*—In providing for the maintenance of orphans.

*Thirdly.*—In relieving *pardah nashin* women and persons in distressed circumstances who by social or caste conditions are debarred from applying for State relief and from submitting to the ordinary tests of distress prescribed in the Famine Code.

*Fourthly.*—In helping to re-establish impoverished agriculturists and others who have lost substantially the whole of their capital in the period of distress, and thereby giving them a fresh start in life.

*Fifthly.*—In providing for any object specially recommended to the Board by the Governor General in Council.

11. When a grant is made for relief by the Board, the Board shall, unless otherwise authorized by the Governor General in Council, pay over the grant for expenditure as follows :

(1) To a Central Relief Committee, if a Central Relief Committee shall have been established for the time being to administer Famine Charitable Relief funds in all parts of India.

(2) To a Relief Committee established in the province in which distress prevails, should no Central Committee have been established.

(3) If neither a Central Relief Committee nor a Provincial Relief Committee shall have been established, then to such person or persons as the Board may appoint in the locality where the distress prevails, the Board having first satisfied itself that proper arrangements for the distribution of relief through trustworthy agents have been made.

12. (1) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may, at its discretion, invest any monies in its possession, and not being immediately required for expenditure on relief, in or upon the securities specified in section 4 (3) of the Charitable Endowments Act, 1890, and may vary and realize such investments.

(2) Any money so invested shall be invested in the joint names of the Comptroller-General and of the Accountant-General, Bengal, and shall not be dealt with save under the order in writing of not less than two of the members of the Board.

(3) Provided that the Board may at any time apply to the Governor General in Council that any securities for money so held may be vested in the Treasurer on the same trusts as the original endowment Fund and as part of the endowment.

13. The Board may accept for the purpose of addition to the original Endowment Fund any securities for money of the kinds specified in section 4 (3) of the Charitable Endowments Act, 1890, not being of smaller amount in each case than Rs. 10,000 in face value, that may be so offered to it for acceptance by any person or persons. The Board shall notify each such donation to the Governor General in Council, and shall jointly with the donor apply that the said securities be vested in the Treasurer on the same trusts as the original Endowment Fund and as part of the endowment.

14. Any person who thus subscribes a sum of not less than Rs. 3,00,000 shall become a life-member of the Board.

15. (1) The Board may accept from a Central or Provincial Charitable Relief Committee the unexpended balances of any monies at the Committee's disposal which the Committee on terminating its operations may wish to make over to the Board for expenditure hereafter on the relief of distress. Such monies shall not be added to the original Endowment Fund, but shall be retained by the Board in current account or temporarily invested in the manner specified in sub-clauses (1) and (2) of clause 12.

(2) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may similarly accept and dispose of any sums of money of less amount than Rs. 10,000 that may be presented to it from any other source.



16. The Board shall at all times conform to, and abide by, any rules relating to the administration of endowments under the Charitable Endowments Act, 1890, which the Governor General in Council, in exercise of the powers conferred by section 13 of that Act, may from time to time see fit to make; and in particular the Board shall submit abstracts of its accounts and reports on the administration of the money entrusted to it to such public servant, in such form and at such times as the Governor General in Council may by such rules prescribe; and shall, when called upon by any public servant appointed by the Governor General in Council to be auditor of its accounts, produce any books, papers, vouchers and documents which may appear to him to be necessary for purposes of audit.

T. W. HOLDERNESS,

Secretary to the Government of India.

#### APPENDIX B.

*Bye-laws under Rule 7 of the Rules for the Administration of the Indian People's Famine Trust, made by the Board at a meeting held on Friday, the 18th January 1901.*

1. An Honorary Secretary shall be elected at a meeting of the Board and shall hold office during the pleasure of the Board.

2. The Secretary shall conduct the correspondence of the Board under the orders of the Chairman.

3. The Secretary shall record the minutes of meetings of the Board, and shall send a copy of minutes of each meeting to each member for information. He shall also keep an account of all monies received and of all monies expended by, or on account of, the Board.

4. There shall be an account opened with the Bank of Bengal in the name of the Board into which all monies received by, or on account of, the Board, by way of interest on the Endowment Fund or otherwise, shall be paid. Drawings on that account shall be by cheque under the signatures of the Chairman and Secretary or the Chairman and another member of the Board.

Provided that nothing in this rule shall preclude the Board from placing, at its discretion, such portion of the receipts as it may think fit, on fixed deposit with the Bank of Bengal or from investing in Treasury Bills for a period not exceeding 9 months and the Board may empower the Chairman and the Secretary jointly to make such investments on its behalf.

5. At the end of each calendar year the Secretary shall prepare a detailed account of all monies received and expended or invested by the Board during the year, and a balance sheet for the year.

6. The accounts and balance sheet of each year shall be submitted to the Board at a meeting to be held in the first quarter of the year next ensuing, on such date as the Chairman shall appoint, and of which fourteen days' notice shall be given to members of the Board.

7. The accounts and balance sheet on being passed at the annual meeting of the Board shall be published in the Gazette of India.

8. Such other meetings of the Board as may be necessary for the transaction of business shall be convened by the Chairman on such dates, and at such times and places as he may fix. Provided that not less than fourteen days' notice shall be given to the members of any meeting convened for the purpose of amending or adding to any of these bye-laws or of making any grant in excess of Rs. 10,000 under Rule 9 of the Rules for the management of the Trust, or of vesting any monies under Rule 12 (3).

9. Proxies may be used in the case of any motion touching the amendment of any of these bye-laws, or the grant of any sum in excess of Rs. 10,000 under Rule 9 of the Rules for the management of the Trust, or the vesting of any monies under Rule 12. Proxies may also be used in the case of any other motion when the Chairman in exercise of his discretion, in giving notice to the members of such motion, states that proxies will be received at the meeting convened to discuss it.

BOYCOTT OF FOREIGN MADE CLOTH.

1370. **\*Mr. Gaya Prasad Singh** : 1. Will the Government be pleased to state whether they issued any instructions to the Local Governments in or about 1921, regarding steps to be taken to counteract the movement for the boycott of foreign-made cloth in India ?

If so, will the Government be pleased to lay on the table a copy of such instructions or communications ? And if not, why not ?

2. (a) Is it a fact a demi-official circular No. 1527-21-C., dated Ranchi, the 3rd August 1921, was issued by the Government of Bihar and Orissa to all the Divisional Commissioners of the Province, in which it is stated that " the Government of India, from the information at their disposal, do not consider that the boycott (of foreign-made cloth) will, in the long run meet with substantial success ; but it would be wrong to disregard the risk that the movement may receive a considerable measure of popular support, or the dangers which are likely to result from it " ?

(b) Will the Government be pleased to lay on the table " the information at their disposal " referred to above ?

And if not, why not ?

**The Honourable Sir Alexander Muddiman** : Instructions of a confidential nature were issued regarding which I am not prepared to make any further statement.

**Mr. Gaya Prasad Singh** : Are the Government aware that the Bihar Government's D.O. was published in the " Amrita Bazar Patrika " newspaper at the time ? It was also published in the " Searchlight " of the 26th August, 1921. I can supply a copy to the Honourable Member if he likes.

**The Honourable Sir Alexander Muddiman** : The information was intended to be confidential, though apparently it was not so regarded.

EMIGRATION DEPOT AT BENARES.

1371. **\*Mr. Gaya Prasad Singh** : (a) Are the Government aware that an emigration depôt exists in Benares, for recruiting labourers for Mauritius ? How long has it been in existence ?

(b) Is there a rule published under Government Notification No. 212, dated the 10th March, 1923, to the effect that " Emigration Agents shall not operate in pilgrim centres during times of pilgrimage, or at places where festivals are in progress " ?

(c) Are the Government aware that Benares is an important pilgrim centre, where religious festivals are constantly held ?

(d) If the answer to (c) be in the affirmative, will the Government state why have they authorised the establishment of an emigration depôt at such a place ?

**Mr. J. W. Bhore** : (a) Yes : since August 1923.

(b) Yes.

(c) Yes.

(d) The depôt is used for the accommodation of emigrants and its location at Benares is in no way inconsistent with the provisions of the rule referred to by the Honourable Member which relates to recruitment

at pilgrim centres at certain periods. The Government of India have no reason to think that this rule has been violated.

VERNACULAR NOTIFICATION PUBLISHED BY THE EMIGRATION COMMISSIONER, BENARES.

1372. **\*Mr. Gaya Prasad Singh :** (a) Are the Government aware that a notification entitled "*Jazira Mauritius me kashtkaron ki zarurat*" was published by the Emigration Commissioner, Benares, last year ?

(b) And if so, has it received the approval of the Governor General in Council under rule 17 (2) of the Emigration Rules ? Do the Government hold themselves responsible for the statements contained therein ?

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

(b) Yes. Government took every precaution to verify the statements made in the pamphlet and to the best of their knowledge these are correct.

**Mr. Gaya Prasad Singh :** Are not the Government aware that that pamphlet contains many misstatements of a serious nature ?

**Mr. J. W. Bhore :** I have replied, Sir, that to the best of our knowledge those statements appear to be correct.

**Mr. Gaya Prasad Singh :** That knowledge is due to a misapprehension.

EMIGRATION AGENTS EMPLOYED BY THE EMIGRATION DEPOT AT BENARES.

1373. **\*Mr. Gaya Prasad Singh :** (a) Will the Government be pleased to lay on the table a statement giving the names of the Emigration Agents employed by the emigration depot of Benares, together with their educational qualifications, their residence, antecedents, the area in which they are authorised to operate, their pay, and whether they acted as Emigration Agents in indenture labour days ; and also the number of emigrants they are required to recruit under their license ?

(b) Is it not a fact that under Rule 7 (2) the Emigration Agents "shall be paid a fixed salary which shall not depend on the number of emigrants recruited by them" ?

(c) Are the Government aware that under rule 8 (3) "the number of persons whom an emigration agent is authorised to assist to emigrate, and the area in which he is authorised to operate, shall be specified in every such licence," granted to him ?

(d) Will the Government kindly state what steps, if any, are taken by the Emigration Commissioner, if an Emigration Agent fails to enlist the prescribed number of emigrants ?

**Mr. J. W. Bhore :** (a) The information will be collected and supplied to the Honourable Member in due course.

(b) and (c). Yes.

(d) The Government of India have no information on the subject.

**Mr. Gaya Prasad Singh :** With regard to (a) I want the information to be laid on the table of the House.

**Mr. J. W. Bhore :** Very well, I will do so.

**Mr. Gaya Prasad Singh :** With regard to (b) and (c) will the Government kindly inquire and obtain the information asked for by me, and if not, why not ?

**Mr. J. W. Bhore :** I will endeavour to obtain the information.

INSPECTION REMARKS OF VISITORS TO THE EMIGRATION DEPOT, BENARES.

1374. **\*Mr. Gaya Prasad Singh :** Will the Government be pleased to lay on the table, copies of inspection remarks of visitors who inspected the Emigration Depot, Benares, under rule 20 of the Emigration Rules ?

NUMBER OF LABOURERS RECRUITED BY THE BENARES EMIGRATION DEPOT.

1375. **\*Mr. Gaya Prasad Singh :** Will the Government be pleased to lay on the table a statement showing the number of labourers recruited by the Benares Emigration Depot, as well as the number of married and unmarried females and males ?

**Mr. J. W. Bhore :** The information will be collected and supplied to the Honourable Member.

**Mr. Gaya Prasad Singh :** I want it laid on the table.

**Mr. J. W. Bhore :** Very well, if the Honourable Member prefers it, I shall do so.

EMIGRATION AGENTS IN MAURITIUS.

1376. **\*Mr. Gaya Prasad Singh :** (a) Has the Governor General in Council appointed any persons to be agents in Mauritius under section 7 of the Emigration Act (Act VII of 1922), for the purpose of safeguarding the interests of emigrants in Mauritius ?

(b) If so what are the names, pay, and antecedents of such agents ?

**Mr. J. W. Bhore :** The matter is under consideration.

**Mr. Gaya Prasad Singh :** How long is that matter likely to remain under consideration, Sir ?

**Mr. J. W. Bhore :** I hope we shall be in a position to make a statement at no very distant date.

**Mr. Gaya Prasad Singh :** That is only a paraphrase of the former answer ; I want a time stated.

**Mr. J. W. Bhore :** I am afraid I cannot give the Honourable Member any specific time.

IMPENDING LEGISLATION PREJUDICIALLY AFFECTING THE POLITICAL RIGHTS OF INDIANS IN MAURITIUS.

1377. **\*Mr. Gaya Prasad Singh :** (a) Are the Government aware of any impending legislation in Mauritius, prejudicially affecting the political rights of Indians there ?

(b) If the answer be in affirmative, what steps have been taken in the matter ?

**Mr. J. W. Bhore :** The reply is in the negative.

ALLEGED MALPRACTICES OF LABOUR RECRUITERS.

1378. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to the " Servant " newspaper of the 10th April,

1924, in which an account has appeared regarding the way in which a number of poor people were hoaxed and brought to Calcutta for being sent to Mauritius under false pretext ?

(b) Are the statements made therein substantially correct ; if so, what steps have been taken to bring the alleged offenders to book, and to prevent a recurrence of such incidents ?

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

(b) The Government have made inquiries from the Government of Bengal on the subject and their report is awaited.

**Mr. Gaya Prasad Singh :** May I take it that the Government will be pleased to lay that report before the Assembly after they have received it ?

**Mr. J. W. Bhore :** I shall be prepared to let the Honourable Member have a copy of the report if he so wishes it—or rather the gist of the report.

#### ALLEGED MALPRACTICES OF LABOUR RECRUITERS.

1379. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to a communication headed “ Benares and emigration,” which appeared in the “ Servant ” newspaper, dated the 25th October, 1923 ?

(b) Will the Government be pleased to make a statement regarding the recurrence mentioned in the said paper ?

(c) Is it a fact that a Brahman boy named Chotay Lal was enlisted as a recruit under false pretext, and was kept in confinement against his will in October 1923 at Benares ; but he was subsequently released at the intervention of Dr. Manilal, Bar-at-Law ?

(d) Is it a fact that a complaint was lodged on behalf of the boy Chotay Lal at Chetgunj Police Station in Benares, but that no action was taken by the Police in the matter ?

**Mr. J. W. Bhore :** If the Honourable Member will be good enough to send me the cutting from the newspaper referred to by him I shall endeavour to obtain the information asked for.

**Mr. Gaya Prasad Singh :** Is not the “ Servant ” newspaper subscribed for by the Government of India ?

**Mr. J. W. Bhore :** The Honourable Member is referring to a cutting in a newspaper so long ago as last October, and I regret to say I have not been able to lay my hands upon that cutting.

**Pandit Shamlal Nehru :** Are there no copies kept in the Publicity Department ? What is this highly paid Department meant for ?

**Mr. J. W. Bhore :** I cannot give the Honourable gentleman any reply to that question.

**Mr. Gaya Prasad Singh :** Will the Honourable Member make a reference and find out whether a file of the “ Servant ” newspaper is kept in the Publicity Department or not ?

**Mr. J. W. Bhore :** That question does not arise.

**Mr. Gaya Prasad Singh :** It is for the Chairman to decide that and not for the Honourable Member.

EUROPEANS, ANGLO-INDIANS AND INDIANS EMPLOYED ON SALARIES OF  
RS. 100 AND OVER ON CERTAIN RAILWAYS.

1380. \***Mr. M. K. Acharya** : How many Indians, Anglo-Indians and Europeans, respectively, were employed during the year 1922-23 on a salary of Rs. 100 per month and more in the various departments of the N. W. R., E. I. R., G. I. P. R., M. S. M. R. and S. I. R. ?

**Mr. C. D. M. Hindley** : The Government have published such information as they have in the appendix to the Budget Memorandum to which the Honourable Member is referred.

ALLEGATIONS AGAINST THE ADMINISTRATION OF THE OUDH AND ROHILKHAND  
RAILWAY.

1381. \***Mr. M. K. Acharya** : (a) Has the attention of the Railway Board been drawn to the many serious allegations made against the administration of the O. and R. Railway, in the issues of the "Weekly Mazdoor," especially in those of the 26th March, 16th April, 23rd April, 30th April and 7th May ? (b) What action does the Board propose to take to investigate into the truth of those allegations ?

**Mr. C. D. M. Hindley** : (a) and (b). Government have seen the papers referred to but do not know to which of the articles therein the Honourable Member refers. If, however, his inquiry is with reference to the alleged fraud in the stores, the case is at present *sub judice* and Government cannot make any statement in the matter.

RIVAL UNIONS ON THE OUDH AND ROHILKHAND RAILWAY.

1382. \***Mr. M. K. Acharya** : Is it true that Mr. Burton of the Loco. Department of the O. and R. Railway has been endeavouring to start a Railway Union of his own in rivalry to the older O. and R. Railway Union already recognised by Government ?

**Mr. C. D. M. Hindley** : Government have no detailed information on the subject. They think it probable that the Administration is attempting to establish District Committees with the object of promoting a better understanding between the Administration and Staff and that the Railway Union objects to what it thinks may form a rival organisation.

The Government see no good reason why the Union should object.

**Mr. Chaman Lal** : Is it a fact that the Railway Board have refused to recognise this Union ?

**Mr. C. D. M. Hindley** : I understand the Agent of the Railway has withdrawn his recognition from the Oudh and Rohilkhand Railway Union.

**Mr. Chaman Lal** : Will the Honourable Member give his reasons for such action ?

**Mr. C. D. M. Hindley** : I do not think that it is necessary for me to give reasons why the Agent has done this, but I would like to take the opportunity of informing the House that the Agent came to this decision, I believe, in view of the fact that the official organ of the Union was engaged in a series of very scurrilous and malicious attacks on some of the officers of the Railway. The Agent was of opinion that this attitude of the Union and of the official organ of the Union was

subversive of discipline on the railway and with the approval of Government the Agent has withdrawn his recognition from the Union.

**Maulvi Muhammad Yakub :** Sir, are the Government aware that a large number of the employees on the Oudh and Rohilkhand Railway are prepared to go on strike on account of the Agent's action about the Union because he has withdrawn his recognition of the Union ?

**Mr. C. D. M. Hindley :** I should not like to engage in any such prophecy.

**Maulvi Muhammad Yakub :** Have the Government of India or the Honourable Member received any telegram from the employees of the Oudh and Rohilkhand Railway on this subject ?

**Mr. C. D. M. Hindley :** I am not aware exactly how many telegrams we have received. I think we have received some.

**Pandit Shamlal Nehru :** Does the Honourable Member expect a strike ?

**Mr. C. D. M. Hindley :** That is a matter of opinion.

**Pandit Shamlal Nehru :** What is the Honourable Member's opinion ?

#### ALLEGED FRAUDS IN THE GOODS AND STORES DEPARTMENTS OF THE OUDH AND ROHILKHAND RAILWAY.

1383. **\*Mr. M. K. Acharya :** Is it a fact that in the Goods and Stores Departments of the O. and R. Railway, a great deal of fraud and misappropriation causing great wrongful loss to the Railway Company has been practised systematically for a long time ? What steps does the Railway Board propose to take to investigate the extent and causes of such abuses and prevent their recurrence in future ?

**Mr. C. D. M. Hindley :** The Honourable Member is referred to the reply just given to his question regarding allegations made against the administration of the Oudh and Rohilkhand Railway.

#### INTRODUCTION OF THE WATCH AND WARD STAFF ON RAILWAYS.

1384. **\*Mr. M. K. Acharya :** On how many Railways has the Watch and Ward Department been introduced ? What are the results of the working of this Department on the B. B. and C. I., the G. I. P., and the O. and R. Railway Companies ? What are the salaries of the Superintendents and Inspectors employed in this Department on these Railways ? Are there any differences in the salaries paid to these officers by the different Companies ? If so, what is the reason for such difference ?

**Mr. C. D. M. Hindley :** The reorganisation of the Watch and Ward Staff on the lines recommended by the Railway Police Committee, 1921, has now been taken in hand on the following six Railways :

Bengal Nagpur,

Bombay, Baroda and Central India,

Eastern Bengal,

East Indian,

Great Indian Peninsula, and

Oudh and Rohilkhand,

The first step in each case has been to appoint a Superintendent to carry out the reorganisation. Other Railways have the matter under consideration, the Watch and Ward Staff for the present being under Traffic Officers. It is too early to judge of the precise effect of this change but it is noteworthy that the expenditure on claims on the Railways mentioned—which were the first to re-organise—has decreased, namely :

	1921-22.	1922-23.
	Rs.	Rs.
Bombay, Baroda and Central India Railway.	22,68,575	15,67,600
Great Indian Peninsula Railway ..	28,10,872	19,68,436

The reorganisation on the Oudh and Rohilkhand Railway has been only recently introduced and it is still too early to judge of the results.

The salaries of the Superintendents and Inspectors employed are as follows :

	B. B. & C. I. Ry.	G. I. P. Ry.	O. & R. Ry.
	Rs.	Rs.	Rs.
Superintendent	1,450	1,550	600—50—1,000
Deputy Superintendent	700-1,000	..	..
Inspectors	150-250	Information not available.	Ch. Inspector 250-10-350 Inspector 150-8-200

These rates were fixed with due regard to the importance of the charges.

#### UNIFORMS FOR THE TRAFFIC STAFF OF THE OUDH AND ROHILKHAND RAILWAY.

1385. \***Mr. M. K. Acharya** : Is it a fact that the O. and R. Railway, while maintaining its own Stores Staff, yet indent its uniform for the Traffic Staff through the Stores Department of the N. W. Railway, and pay 7 per cent. commission to the latter Railway Company ?

**Mr. C. D. M. Hindley** : As the Oudh and Rohilkhand Railway have no clothing factory of their own, they obtain uniforms for their staff from the North-Western Railway clothing factory and pay a charge of 7 per cent. on the cost to cover freight and miscellaneous charges, in accordance with Rule 16 of the State Railway Open Line Code, Volume III.

#### INDIANS IN SUPERIOR APPOINTMENTS ON RAILWAYS.

1386. \***Mr. M. K. Acharya** : (a) With reference to the statements contained in paragraph 55 of Chapter X of the Railway Administration Report for 1922-23 regarding the appointment of Indians in the higher grades of Railway service, will the Government be pleased to state the number of Indians that have been appointed as Officers in the various Railway administrations during the period between 1921—1924 in :

- (i) the Engineering and Stores departments,
- (ii) the Traffic department,
- (iii) and the Audit department.

(b) And how many of such Indian Officers are (1) Hindu, (2) Mahomedans, (3) Indian Christians, (4) Anglo-Indians ?



**Mr. C. D. M. Hindley :** (a) and (b). So far as State Railways are concerned the number of appointments made in the Engineering, Stores and Traffic Departments during the period 1921—24 were as follows :

	Hindus.	Muhdms.	Indian Christians.	Anglo- Indians.
(1) Engineering Department	25	2	..	12
(2) Stores Department	1	..	..	..
(3) Traffic Department	.. 4	3	1	8

No similar information for Companies' lines is available.

The figures for the Audit Department of State Railways can not be given, as the Department is staffed from the Audit and Accounts Service of Government of India. It may, however, be mentioned that all appointments to the service in the years quoted were Indians.

#### TRAINING OF INDIANS FOR SUPERIOR AND SUBORDINATE APPOINTMENTS ON RAILWAYS.

**1387. \*Mr. M. K. Acharya :** With reference to paragraph 56 of Chapter X of the Railway Administration Report for 1922-23, will the Government be pleased to state what action has been taken by the Railway Board on the Report submitted by Mr. H. L. Cole in 1922 on the question of training Indians both for superior and subordinate grades of all departments of Railway Administration ?

**Mr. C. D. M. Hindley :** I would refer the Honourable Member to the first portion of the reply given to Diwan Bahadur M. Ramachandra Rao's Question No. 1197 on the 4th instant.

#### REPORT OF THE INDIAN BAR COMMITTEE.

**1388. \*Mr. M. K. Acharya :** Will the Government be pleased to state what action they propose to take on the report of the Indian Bar Committee and when they propose to take the same.

**The Honourable Sir Alexander Muddiman :** The Honourable Member is referred to the answers already given to Mr. Bhabendra Chandra Roy's unstarred Question No. 239 on the 27th May, 1924, and to Khan Bahadur Sarfaraz Hussain Khan's Question No. 1267 on the 5th June, 1924.

#### CHARGE OF CANTONMENT HOSPITALS

**1389. \*Mr. Ismail Khan :** (a) Is it not a fact that a certain number of appointments of Medical Officers to hold charge of Cantonment Hospitals is reserved for each of the two branches of the Medical Service, namely, the I. M. S. and the R. A. M. C. ?

(b) In case a properly qualified officer (i.e., one who has passed an examination in Urdu) is not available for a post reserved for one of these two branches, how is the vacancy filled up—whether by appointing a non-qualified officer of that particular branch, or by appointing a qualified officer from the other branch ?

**Mr. H. R. Pate :** (a) The charge of cantonment hospitals in each district is distributed equally between the two services mentioned.

(b) If a qualified officer of the appropriate service is not available, an unqualified officer of that service may be appointed, subject to his passing the language test within a period of 6 months.

**Lieut.-Col. H. A. J. Gidney :** Will the Honourable Member be so good as to make further inquiries ? From the information I have received I understand that a greater proportion of the appointments are held.....

**Pandit Shamlal Nehru :** Is that seeking information or giving it ?

**Mr. Chairman :** I have been waiting to find out whether the Honourable Member is putting any question.

**Lieut.-Col. H. A. J. Gidney :** I should have put the question if the Honourable Member did not needlessly interrupt me. I want to know whether the Honourable Member will be so kind as to make further inquiries as to whether the answer he has just now given is the state of affairs as it exists to-day.

**Mr. H. R. Pate :** If the Honourable Member is able to give me any example to suggest that my answer is in any way incorrect, I shall make inquiries.

#### TREATMENT OF PLAGUE PATIENTS IN CANTONMENTS.

1390. **\*Haji Wajihuddin :** (a) Will the Government be pleased to state whether the Government have issued any instructions that section 209, Cantonment Code, should be applied to residents of Cantonments who were attacked by chronic plague and who were being treated in their own houses and were physically unable to comply with the medical officers' orders issued under section 208 to attend the Cantonment Hospital and live in a segregation camp there ?

(b) Is it a fact that certain persons who are old residents of Meerut Cantonment and were unfortunate enough to fall ill of plague have on recovery been forbidden to re-enter all the Cantonments in British India as well as the municipal area of Meerut including certain adjoining villages, and if so, please state reasons and whether the Government propose to remove the restriction without delay ?

**Mr. H. R. Pate :** (a) and (b). The answer to both parts of the question is in the negative.

#### ELIMINATION OF HINDUSTANI MUSSALMANS FROM INDIAN INFANTRY REGIMENTS.

1391. **\*Haji Wajihuddin :** (1) Are the Government aware that the recent orders eliminating Hindustani Mussalmans from Indian Infantry have caused great discontentment among them ? (2) Are Government prepared to consider the question of cancelling the orders ?

(3) Is it a fact that during the last 12 months Army orders have prevented the enrolment of Hindustani Mussalmans of the United Provinces in certain regiments of the Indian Army and that in no circumstances are mustering out concessions admissible to Hindustani Mussalmans on being discharged and that preference is being given to Kumaonees and if so, will Government please state :

(a) reasons for this change,

(b) population of Hindustani Mussalmans in U. P.

(c) population of Kumaonees other than Kumaonee Brahmins,

(d) whether any representations have been made by Hindustani Mussalmans and with what result,

(e) whether the Officer Commanding 10-19th Hyderabad Regiment expressed any opinion about the Hindustani Muslim officers and men of his regiment and if so, whether Government will lay a copy of same on the table.

**Mr. H. R. Pate :** (1) Government are aware that a certain amount of discontent has resulted from the orders referred to by the Honourable Member.

(2) Government are not prepared to reconsider this decision, which was arrived at after very careful consideration.

(3) Yes. Mustering-out concessions have not been sanctioned, since it is the intention not that the Hindustani Mussalmans should be mustered out compulsorily, but that they should be allowed to serve on for pension, if they so desire. This is the procedure that has been followed in all other recent changes of class composition.

(a) The course was considered necessary in the interests of the service.

(b) For recruiting purposes all Mussalmans of the U. P. are classed as 'Hindustani Mussalmans', and according to the figures of the census report for 1921, the total number of Muhammadans in the U. P. is 6,724,967.

(c) According to the same census report, the figure for Kumaonese, other than Brahmin Kumaonese, is 1,005,193.

(d) Yes. The appeals received due consideration, but were rejected for the reason already given.

(e) A report on the subject was received from the Officer Commanding, 10|19th Hyderabad Regiment, but Government are not prepared to lay the report on the table.

#### PLATFORM TICKETS.

**1392. \*Haji Wajihuddin :** Will the Government be pleased to state on what principle certain railways on certain stations charge platform fees and why on varying scales from three pies to two annas and whether the Government propose to have the fee remitted and free admission allowed as in certain stations on E. I. R. ?

**Mr. C. D. M. Hindley :** Platform fees are usually levied at stations where it is considered that the unrestricted admission of the public to platforms would cause inconvenience and perhaps be dangerous both to the passengers and the railway staff. The amount of the fee and the stations at which it is levied are determined by the Railway Administrations with due regard to local conditions.

In the circumstances Government do not propose to take any action.

**Mr. K. G. Lohokare :** Are the fees justified by any rule or law under the Railway Act ?

**Mr. C. D. M. Hindley :** Yes, Sir. I am sorry I am not able to quote the rule or law.

#### OPENING OF THE PORT OF CALCUTTA TO PILGRIM TRAFFIC.

**1393. \*Haji Wajihuddin :** (a) Are the Government aware that during April and May 1924 there was a rush of outgoing Hedjaz pilgrims at Bombay, all the Musafir Khanas were packed with pilgrims waiting for pilgrim ships and the majority of them were residents of Bengal Province.

(b) Are the Government prepared to consider urgently the question of opening the port of Calcutta to remove the inconvenience and the extra expense caused in sailing from Bombay regarding which the Legislative Assembly passed a Resolution some 3 years ago ?

**Mr. J. W. Bhoré :** (a) No complaints have so far been received by the Government of India as to the rush of outgoing Hedjaz pilgrims at Bombay during April and May 1924.

(b) The question of opening the port of Calcutta to pilgrim traffic is under consideration.

MONTHLY STIPEND OF SULTAN MARIAM BEGUM.

1394. \***Maulvi Muhammad Yakub** : (a) Will the Government be pleased to state if under a treaty between His Majesty the late Ghazi-Uddin Hyder Shah, the first King of Oudh and the British Government, dated the 17th August, 1825 (to be found in Aitchison's Treaties IV, Edition 1909, Volume I, Part II), among other stipendiaries was not Sultan Mariam Begum, wife of the said King entitled to a monthly stipend of Rs. 2,500 out of which she was entitled to will away one-third and the remaining two-thirds was to go to Karbala Moallah ?

(b) Is this amount of two-thirds of Rs. 2,500 being paid or was it ever paid to the High Priests and Mujawars of the Karbala, if not, how and under what authority is this money being spent ?

(c) Was this money ever refused by the High Priests of Karbala ?

(d) If the money is not spent at Karbala why was it not allotted to the legal heirs of the said lady Sultan Mariam Begum ?

(e) Has the attention of the Government been drawn to Article 4 of the said Treaty and what effect was, and is being given to it by the Government ?

**Mr. Denys Bray** : (a) Yes.

(b) The amount is being and has been paid, half at Najaf Ashraf and half at Karbala Moallah, for the purpose of which it was originally intended.

(c) In the time at my disposal I have been unable to verify whether the money has ever been refused, but if it ever has been refused, it must have been temporary refusal only, for it is being and has been paid regularly.

(d) Does not arise.

(e) The Government of India are aware of the provisions of Article IV, and, so far as I have been able to ascertain, no representation has ever been received by them from the stipendiaries complaining that effect has not been given to those provisions.

RESERVED SALOONS FOR OFFICIALS.

1395. \***Maulvi Muhammad Yakub** : Will the Government be pleased to state :

(a) the number of reserved saloons,

(b) the designation of the officers entitled to reserved saloons, and

(c) the sums of money spent yearly in mounting and overhauling these saloons on the Oudh and Rohilkhand Railway ?

**Mr. C. D. M. Hindley** : (a) and (b). The number of reserved saloons used by Railway officers of the Oudh and Rohilkhand Railway is 23, and a list of the officers, to whom these saloons are allotted, is laid on the table. In addition to these there are 19 small reserved carriages allotted for the use of junior officers and inspectors, which cannot be described as saloons, but have been converted for the use of these junior officers and upper subordinates from old coaching stock.

(c) The average annual cost during the last two years of maintenance and repairs to these saloons and reserved carriages was just under Rs. 16,000

which is approximately equal to the annual cost of maintaining a similar number of wagons.

*List of Reserved carriages on the Oudh and Rohilkhand Railway.*

No.	Bogie or four-wheeled.	To whom allotted.	REMARKS.
1	Bogie .. ..	Agent, Oudh and Rohilkhand Railway.	
2	Do. .. ..	Chief Engineer.	
3	Do. .. ..	Locomotive Superintendent.	
4	Do. .. ..	Traffic Manager.	
5	4-wheeler ..	District Locomotive Superintendent, Fyzabad.	
6	Do. .. ..	(1) Chief Auditor, (2) Controller of Stores, and (3) Principal Medical Officer.	
7	Do. .. ..	District Traffic Superintendent, Bareilly.	
8	Do. .. ..	Executive Engineer, Fyzabad.	
9	Do. .. ..	District Locomotive Superintendent, Moradabad.	
10	Do. .. ..	District Locomotive Superintendent, Lucknow.	
11	Bogie .. ..	Senior Government Inspector of Railways.	
12	4-wheeler ..	District Traffic Superintendent, Lucknow.	
13	Do. .. ..	Inspection Car.	
14	Do. .. ..	Executive Engineer, Shahjahanpur.	
17	Do. .. ..	Superintendent, Government Railway Police, Lucknow.	
18	Do. .. ..	Executive Engineer, Moradabad.	
29	Do. .. ..	District Traffic Superintendent, Fyzabad.	
30	Do. .. ..	District Traffic Superintendent, Moradabad.	
31	Do. .. ..	Executive Engineer, Lucknow.	
34	Do. .. ..	Signal Engineer, Lucknow.	
36	Do. .. ..	Travelling Auditor of Accounts.	
44	Do. .. ..	Spare.	
45	Do. .. ..	District Traffic Superintendent, Head Office.	

**Mr. T. C. Goswami :** Is the list of officers entitled to saloons so very large ?

**Mr. C. D. M. Hindley :** I have said, Sir, that the number of saloons is 23.

**Mr. T. C. Goswami :** But the list of officers that you have laid on the table, is that very large ?

**Mr. C. D. M. Hindley :** I do not understand what the Honourable Member means by very large. The figure is 23.

**Mr. T. C. Goswami :** Thank you.

#### DEPUTY DIRECTOR OF ESTABLISHMENT, RAILWAYS.

1396. **\*Maulvi Muhammad Yakub :** (a) Has an appointment been made in the new post of the Deputy Director for Establishment of Railways ?

(b) What are the duties and the pay of this officer and what special qualifications are needed to perform the duties of the office ?

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

(b) The Deputy Director of Establishment deals with proposals relating to the staff of the State and Company worked Railways which require the sanction of the Railway Board. The incumbent of the post draws his departmental pay *plus* the usual Rs. 250 allowance. The special qualifications needed are experience and an intimate knowledge of Railway rules and regulations.

#### CASE OF SUBRATI.

1397. **\*Maulvi Muhammad Yakub :** (a) Has the attention of Government been drawn to the case of one Subrati reported in the Weekly Mazdoor No. 1, No. 11, page 3, Column 2 ?

(b) Are the facts given in the report true ? If so, what action has the Government taken against Mr. Beck who snatched the certificate of Subrati ?

**Mr. C. D. M. Hindley :** The Government have not seen the report referred to and propose to leave it to the Agent to take such action if any as he deems fit.

**Maulvi Muhammad Yakub :** Will the Government be pleased to see that article and inquire into the matter ?

**Mr. C. D. M. Hindley :** No, Sir, I think it is not a matter for Government to inquire into. The Agent is fully competent to deal with it.

**Maulvi Muhammad Yakub :** Will the Government be pleased to communicate this question to the Agent ?

**Mr. C. D. M. Hindley :** A copy of the question and my answer, Sir, will be communicated to the Agent.

#### ALLEGED ASSAULT BY MR. TUCKER UPON AN INDIAN CLERK.

1398. **\*Maulvi Muhammad Yakub :** Are the facts reported in the Weekly Mazdoor No. 1, No. 12, page 1 about the assault upon an Indian Clerk by one Mr. Tucker correct ? If so, what action was taken against the assailant ?

**Mr. C. D. M. Hindley :** Government have not received a copy of the paper referred to by the Honourable Member.

**Maulvi Muhammad Yakub :** Will the Government be pleased to get a copy of the paper and look into it ?

**Mr. C. D. M. Hindley :** If the paper is sent to the Government, we will look into the matter.

**Maulvi Muhammad Yakub :** May I send the paper to the Honourable Member ?

**Mr. C. D. M. Hindley :** The Honourable Member is perfectly at liberty to send it to me, Sir, my office is open.

#### INDIANS IN SUPERIOR APPOINTMENTS ON THE RAILWAYS.

1399. **\*Maulvi Muhammad Yakub :** (a) What is the total number of officers of superior grade on the Indian Railways and how many of them are Indians ?

(b) What is the total amount of salaries paid to the Europeans, Anglo-Indians and Indians respectively ?

**Mr. C. D. M. Hindley :** (a) and (b). Details will be found in the Railway Board's Classified List of establishment the latest copy of which is available in the Members' Library.

#### RETRENCHMENTS ON THE INDIAN RAILWAYS.

1400. **\*Maulvi Muhammad Yakub :** How many employees of the Indian Railways were removed from service during the last year, on account of retrenchment, and how many of them were Indians ?

**Mr. C. D. M. Hindley :** All available information on the subject is embodied in Annexures A and B of the Explanatory Memorandum of the Railway Budget for 1924-25, a copy of which was supplied to all Members of the Assembly.

#### ABOLITION OF RACIAL DISCRIMINATION ON STATE RAILWAYS.

1401. **\*Maulvi Muhammad Yakub :** Are there any racial discriminations as regards the pay, allowances, free passes, accommodation and educational grants contained in Note 2 to paragraph 330 of the State Railway open line, Col. No. II, if so, do the Government propose to abolish all such instructions ?

**Mr. C. D. M. Hindley :** I would refer the Honourable Member to the reply given on the 6th June, 1924, to a similar question, No. 1308, asked by Mr. N. M. Joshi.

#### INDIAN CHARGEMEN AND FOREMEN ON THE OUDH AND ROHILKHAND RAILWAY.

1402. **\*Maulvi Muhammad Yakub :** Is it a fact that there is not a single Indian chargeman or foreman on the Oudh and Rohilkhand Railway ?

(b) Was any Indian ever tried in the post or was any effort made to employ an Indian ?

**Mr. C. D. M. Hindley :** (a) It is a fact that there is at present no Indian Foreman on the Oudh and Rohilkhand Railway but it is not a fact that there is no Indian Chargeman. As regards Chargemen the Honourable Member's attention is invited to the reply given to a similar question asked by Mr. C. E. Ranga Iyar this session.

(b) No. Such appointments are obviously dependent on there being Indians available with the requisite qualifications.

CLEARANCE OF MATERIALS BELONGING TO THE OUDH AND ROHILKHAND RAILWAY, SOLD BY AUCTION TO CONTRACTORS.

1403. **\*Maulvi Muhammad Yaqub :** Is it a fact that materials purchased in auction by Contractors were allowed to remain in the stores yard of the Oudh and Rohilkhand Railway, Lucknow, for months and were despatched piecemeal ?

**Mr. C. D. M. Hindley :** Government have ascertained that there has been some delay in effecting clearance of materials which have been sold by auction owing to lack of supply of wagons and labour difficulties. The matter is under examination by the Agent.

DUAL APPOINTMENTS ON THE OUDH AND ROHILKHAND RAILWAY.

1404. **\*Maulvi Muhammad Yakub :** Is it a fact that one of the Oudh and Rohilkhand Railway Officers was allowed to hold a dual appointment as Goods Inspector, Lucknow, and as A. T. S. Claims ?

**Mr. C. D. M. Hindley :** Yes, some ten years ago, a Goods Inspector officiated for a time as an Assistant Traffic Superintendent in addition to his own duties.

DECREASE IN THE OUTPUT OF YARN AND WOVEN GOODS MANUFACTURED BY INDIAN MILLS.

1405. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Is it a fact that the total quantity of yarn spun in Indian Mills during February 1924 amounted to 29 million lbs. and that of woven goods to 24 million lbs., as compared with 54 million, and 32 million lbs. respectively in the corresponding month of the previous year ?

(b) If so, will the Government please state the cause of the decrease ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes.

(b) The decrease have occurred solely in the Bombay mills and presumably were due to the strike which occurred there in February.

DECREASE IN THE EXPORT OF INDIAN YARN.

1406. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Is it a fact that the exports of Indian yarn by sea from British India to foreign countries during the 11 months, April 1923 to February 1924, were 37 million lbs. as compared with 53 million, and 74 million lbs., in the corresponding periods of 1922-23 and 1921-22 respectively ?

(b) If so, will the Government please state the cause of the decrease ?

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

(b) The decrease is entirely due to reduced exports of Indian yarn to China where in recent years there has been a large increase in the number and output of local spinning mills. The attention of the Honourable Member is drawn to page 16 of the Review of Trade for 1921-22 where the position was examined.

DECREASE IN THE EXCISE DUTY REALISED ON WOVEN GOODS.

1407. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Is it a fact that the excise duty realised on woven goods in February 1924 amounted to about 10 lakhs and in the 11 months, April 1923 to February 1924, Rs. 5,411 lakhs, as compared with Rs. 19 lakhs, and 181 lakhs respectively, in the corresponding periods of 1922-23 ?



(b) If so, will the Government please state the cause of the decrease ?

**The Honourable Sir Basil Blackett :** (a) Yes, except that the excise duty realised on woven goods in the 11 months April 1923 to February 1924 amounting to about Rs. 1,50 lakhs and not Rs. 5,411 lakhs as stated by the Honourable Member.

(b) The probable cause of the decrease was the labour strikes that occurred in the Bombay Mills in January and February last.

#### RE-ORGANISATION OF THE ROYAL INDIAN MARINE.

1408. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state whether it is a fact that they are considering a scheme for the reorganisation of the Royal Indian Marine on a combatant basis ?

**Mr. H. R. Pate :** The answer is in the affirmative.

**Mr. K. G. Lohokare :** Is there any provision expected to be made for Indians in the superior service of the Royal Indian Marine ?

**Mr. H. R. Pate :** That matter, Sir, is under consideration.

#### MANUFACTURE OF SULPUR, SULPHURIC ACID, ETC., IN INDIA.

1409. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) If it is a fact that the whole of the Sulphur used in India is imported from abroad ?

(b) The average consumption of Sulphur in India ?

(c) The annual average quantity of Sulphuric acid manufactured in India ?

(d) The annual average quantity of Sulphate of Ammonia produced in India ?

(e) The annual average quantity of Sulphate of Ammonia exported from India ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The attention of the Honourable Member is invited to paragraphs 4, 9 and 10 of the Report of the Indian Tariff Board regarding the removal of the import duty on sulphur.

(c) and (d). No information is available.

(e) The Honourable Member is referred to the statistics of the Sea-borne Trade of British India.

#### EXCLUSION OF SADAR BAZAARS FROM CANTONMENT AREAS.

1410. **\*Haji S. A. K. Jeelani :** (a) Will the Government be pleased to state whether it is fact that a question has been under the consideration of the Government to exclude Sadar bazaars from Cantonment areas ?

(b) If so, will the Government be pleased to name the Cantonments in respect of which that decision is to apply, and when ?

**Mr. H. R. Pate :** (a) Yes. A communiqué was issued on the subject, a copy of which is laid on the table.

(b) No decision has yet been reached in respect of the Sadar Bazaar of any of the 4 cantonments mentioned in the communiqué.

SADAR BAZAAR SCHEME.

REMOVAL FROM CANTONMENT AREAS.

*Delhi, the 22nd December.*

The Government of India have for some time past been considering the question of separating the large Sadar Bazaars from the Cantonment areas in cases where these bazaars have outgrown military requirements, and where their exclusion from the rest of the Cantonment area is geographically and administratively feasible. After consultation with the Local Governments concerned, it has been provisionally decided to exclude the Sadar Bazaars from the Cantonments of St. Thomas's Mount, Kamptee, Amballa, and Mandalay. Detailed proposals for the excision and separate constitution of the Sadar Bazaar areas will be drawn up by Committees consisting of representatives of the Government of India and the Local Government concerned. The Committee dealing with Kamptee is already at work. The St. Thomas's Mount Committee will assemble on the 7th January, the Amballa Committee on the 15th January, and the Mandalay Committee will probably meet in February or March 1924. The reports of the Committee are to be submitted by the Local Governments for the orders of the Government of India.

ADMINISTRATION OF CANTONMENTS UNDER THE NEW CANTONMENT ACT.

1411. **\*Haji S. A. K. Jeelani :** (a) With reference to the administration of cantonments under the new Act, will the Government be pleased to state how many Cantonments are placed under the administration of a Board and how many under the Officer Commanding ?

(b) Will the Government be pleased to state on what principle they have divided Cantonments into two broad divisions, one to be administered by a Board and the other by the Officer Commanding, and to state when these Boards are to be formed ?

**Mr. H. R. Pate :** (a) 51 cantonments are to be placed under the administration of Boards and 43 under Officers Commanding Cantonments. The attention of the Honourable Member is invited to the reply given by me on the 5th June to part (a) of Mr. Hussanally's Question No. 1289.

(b) The total civil population and the financial resources of the Cantonments were the two main factors which influenced Government in determining the constitution of Cantonments.

The Boards are being formed by Local Governments, who have been requested to take steps to ensure that no avoidable delay occurs in establishing them.

SALE OF SURPLUS STOCKS OF WHISKY BY THE SUPPLY AND TRANSPORT DEPARTMENT, LAHORE.

1412. **Mr. H. G. Cocke :** (a) Are Government aware that the S. and T., Lahore are selling to the private consumer large quantities of whiskies ? (b) Is it a fact that this whisky was originally obtained by them free of customs duty, and that such sale amounts to depriving Government of revenue and detrimentally affects those who pay licenses to Government for the privilege of selling wines and spirits ?

**Mr. H. R. Pate :** (a) Yes.

(b) The whisky referred to by the Honourable Member consists of surplus Government stocks, represented by :

- (i) purchases made in India on which full duty has already been paid ; and

- (ii) stocks obtained from the Director-General of Stores, London, on which no duty was paid. The bottles of this latter class bear distinctive Government labels.

Government have sanctioned the purchase by the military authority at Lahore of a license, the cost of which will be passed on to the consumer. The whisky, I may add, is being sold at a higher rate than that which the local trade were prepared to pay. The sales were ordered with the object of obviating the total loss which would otherwise have resulted from deterioration, breakages, and so on.

#### PAYMENT OF EXCISE OR LICENSE FEES BY THE ARMY CANTEN BOARD.

1413. **Mr. H. G. Cocke** : (a) Are excise fees leviable on the sale of alcoholic liquor in the North-West Frontier Province and other territories under the direct control of the Government of India, or is the sale of such liquor only permitted on payment of an annual license fee ?

(b) If the answer to (a) is in the affirmative, are excise or license fees paid to Government in respect of the operations of the Army Canteen Board ?

**The Honourable Sir Basil Blackett** : The information desired is not available. As soon as obtained it will be communicated to the Honourable Member.

#### ANNUAL PROFIT OR LOSS OF THE ARMY CANTEN BOARD.

1414. **Mr. H. G. Cocke** : Will Government be pleased to state the profit or loss made annually by the Army Canteen Board since its inception in India and state whether these figures are arrived at after debiting the Canteen Board with the salaries or wages of all employed by the Board, whether soldiers or civilians, with rent of buildings occupied by the Board, and with cost of transit ?

**Mr. H. B. Pate** : The audited figures for the Army Canteen Board (India) since its inception are as follows :

10 months up to the 31st July, 1922 :

	Rs. A. P.
Loss .. .. .	2,10,129 13 0

12 months ended 31st July, 1923 :

Loss .. .. .	1,67,609 11 11
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The estimated figure for the 8 months ended the 31st March, 1924, are—*Profit* Rs. 15,796-15-1.

The reply to the latter part of the question is in the affirmative.

**Pandit Shamlal Nehru** : May I know, Sir, if it is a fact that a large loan has been taken by the Canteen Board from the Imperial Bank of India on the surety of the Government of India ?

I also should like to know if there are any Indians employed as managers or district superintendents in the Canteen Board ?

**Mr. H. B. Pate** : There appear to be two questions. The answer to the first is in the affirmative. The answer to the second, I am afraid, I cannot give.

**Pandit Shamlal Nehru** : May I inquire why, Sir.

**Mr. Chairman** : So far as the second part of the question is concerned, it hardly arises out of the original question and answer.

**RESTRICTIONS ON THE OPERATIONS OF THE ARMY CANTEN BOARD.**

1415. **Mr. H. G. Cock :** (a) Is the Army Canteen Board allowed to supply any one who is not in Military employ ?

(b) And are its operations confined to the Frontier districts ?

(c) If the answer to (a) is in the affirmative, what steps do the Board take to see that the restriction is effective ?

**Mr. H. R. Pate :** (a) Yes ; only families and servants of officers and troops.

(b) No.

(c) Under the rules for the conduct of Garrison and Regimental Institutes, 1922, the classes named above are the only persons not in military employ who are permitted to purchase articles at any of the branches conducted by Army Canteen Board (India). Officers Commanding are responsible for carrying out these rules.

**THE REFORMS INQUIRY COMMITTEE.**

1416. **\*Mr. Harchandrai Vishindas :** (a) (i) Will Government be pleased to state if any non-officials have been appointed on the Committee for inquiring into the working of the Reforms ?

(ii) If so, will Government be pleased to state their names ?

(b) (i) Will Government be pleased to state what methods of inquiry this Committee has been instructed to adopt ?

(ii) Will it confine itself to calling for reports from Provincial Governments or extend its enquiries further ?

(iii) Is it within the scope of its inquiry to obtain non-official opinion also ?

(iv) If the latter, will such opinion be furnished in writing only or be supplemented by oral examination ?

(c) Will the report as finally drawn up by the Committee be presented to the Indian Legislature for consideration and decision or do Government propose to arrive at their conclusions without such consideration ?

**The Honourable Sir Alexander Muddiman :** I have nothing to add to the information contained in the communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table in reply to Mr. Rangaswami Iyengar's unstarred Question No. 271, dated the 27th May, 1924.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member whether he would answer part (c) of this question ?

**The Honourable Sir Alexander Muddiman :** I think it is answered by the communiqué.

**EXPULSIONS FROM INDIAN CANTONMENTS.**

1417. **\*Lala Duni Chand :** (a) Are the Government aware that the public living in Indian Cantonments is greatly dissatisfied with the decision announced by the Government of India in its communiqué dated the 16th August 1922 in regard to the persons expelled from cantonments in India under section 216 of the Cantonment Code ?

(b) Have the Government noticed that the All-India Cantonment Conference held in April 1924 passed a resolution of non-confidence and protest in regard to this matter ?

(c) Will the Government be pleased to lay on the table of this House the papers relating to the cases of all persons expelled from Indian Cantonments ?

**Mr. H. R. Pate :** (a) The Government of India have no information to show that the position is as stated by the Honourable Member.

(b) Government have seen a copy of a Resolution which was passed by the all-India Conference in April 1924 in regard to this subject.

(c) For the reasons stated in the reply given on the 7th September, 1922, to part (c) of starred Question No. 229, Government are not prepared to comply with the Honourable Member's request.

#### APPOINTMENT OF EXECUTIVE OFFICERS UNDER THE NEW CANTONMENT SCHEME.

1418. **\*Lala Duni Chand :** (a) Are Government aware that in the matter of appointment of forty-one Executive Officers under the new cantonment scheme, the claims of the Indian officers of the Indian Medical Department holding the Viceroy's Commission have been totally ignored, and this action of the Government has caused a good deal of dissatisfaction among them.

(b) Are Government prepared to consider this matter ?

**Mr. H. R. Pate :** (a) and (b). The claims of candidates from the Indian Medical Department, holding Viceroy's Commissions, whether on the active or retired list, received due consideration.

#### CASE OF MR. GIRDHARI LAL, SUB-RECORD CLERK, RAILWAY MAIL SERVICE, JULLUNDUR CITY.

1419. **\*Lala Duni Chand :** (a) (i) Will the Government be pleased to state if one Mr. Girdhari Lal, Sub-Record Clerk, Railway Mail Service, Jullundur City, was prosecuted for embezzlement of Rs. 30-9-2, under section 409, I. P. C., and discharged on 18th November, 1922, after a finding by the Court that the prosecution evidence was unworthy of belief and that a part of the prosecution story was trumped up ?

(ii) Is it a fact that in consequence of the said charge, Mr. Girdhari Lal was kept under suspension for one year and seventeen days, out of which he spent thirteen days in the lock-up ?

(iii) Is it also a fact that after the order of discharge, he was reinstated on 13th January 1923 ?

(b) If the reply to part (a) be in the affirmative, will the Government be pleased to state if Mr. Girdhari Lal was entitled under Rule 53 (b), Chapter 8th, Fundamental Rules, made by the Secretary of State under section 96 (b) of the Government of India Act, to subsistence grant during the period of suspension and was further entitled under Rule 54 to his pay for the period of suspension after he was discharged, and if so, why is it that he has not been paid anything either as subsistence grant or as pay ?

(c) Is it also a fact that in spite of the judgment of the judicial court absolving him from all criminal liability, he has been ordered to refund Rs. 30-9-2, about which he was prosecuted ?

(d) Is it a fact that Rai Sahib L. Jiya Lal, Superintendent, the chief prosecution witness had himself been departmentally proceeded against and ordered to refund the sum of Rs. 30-9-2 ?

(e) Are Government prepared to consider the question of cancelling the orders under which Mr. Girdharilal's salary has been withheld and he has been required to refund Rs. 30-9-2 ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member's attention is invited to the reply given by me on the 27th May, 1924, to unstarred Question No. 265, by Mr. Sadiq Hasan.

PROMOTION OF GUARDS ON THE NORTH-WESTERN RAILWAY.

1420. **\*Lala Duni Chand :** (a) Will the Government be pleased to state if in the year 1921, every District Traffic Superintendent was asked by the Traffic Manager, North-Western Railway, Lahore, to submit the names of B Class guards with his recommendations to him in order to enable him to promote them to Class C. ?

(b) If the reply be in the affirmative will the Government be pleased to state if it is a fact that in a good many cases the names of most senior guards were withheld, and those of junior ones were sent up ?

(c) Is it a fact that the superseded guards made appeals and representations to which the following stereotyped replies were given : " It is regretted that the D. T. S. did not recommend him in the first instance " or " The list of all senior guards is in the office of the Traffic Manager, Lahore, and he has nothing to do " or " No vacancies exist " ?

(d) Are the Government prepared to make enquiries into this matter ?

**Mr. C. D. M. Hindley :** (a), (b), (c) and (d). Government have no information on the subject and do not propose to call for it in view of the fact that matters of this sort are within the competence of the local Railway authorities to deal with.

TRAINING OF INDIANS FOR THE ARTILLERY.

1421. **\*Mr. Kumar Sankar Ray :** Has the attention of the Government been drawn to the recent statement of the Under Secretary of State for India made in the House of Commons that training is not being given to Indians in the Artillery Department at Sandhurst ? If so, do the Government contemplate affording such facilities to Indians ?

**Mr. H. R. Pate :** It is presumed the Honourable Member is referring to the reply which Mr. Richards is reported to have given to a question recently asked in Parliament by Mr. Snell regarding the admission of Indians to the Royal Military Academy, Woolwich. Government have seen Reuter's telegraphic report on this subject.

With regard to the second part of the Honourable Member's question, I would invite his attention to the reply given on the 8th March last to starred Question No. 636.

DISTINCTIONS IN RATES OF PAY DRAWN BY ANGLO-INDIANS, CHRISTIANS AND PARSI, AND INDIANS ON THE NORTH-WESTERN RAILWAY.

1422. **\*Mr. Harchandrai Vishindas :** (a) Is fact that there are separate scales of pay for the appointments of subordinate staff on the North-Western Railway, Traffic Department, of Anglo-Indians, Christians and Parsis on the one hand and other Indians on the other ? If so, why ?

(b) Is it a fact that Indians as distinguished from Anglo-Indians, Christians and Parsis are given less pay than Anglo-Indians, Christians

and Parsis ? If so, do Government contemplate to remove the said distinctions ?

**Mr. C. D. M. Hindley :** (a) and (b). No, it is not a fact.

#### PROMOTION OF VARIOUS CLASSES OF EMPLOYEES ON THE NORTH-WESTERN RAILWAY.

\* 1423. **Mr. Harchandrai Vishindas :** (a) Is there a fixed number of years after which station masters, station clerks, such as, goods, parcel and train clerks, and guards of A Class, on the North-Western Railway are promoted to B Class and from B to C Class and from C to D Class ?

(b) In spite of the above graded system is it a fact that juniors are made to supersede seniors ? If so, what are the reasons.

(c) Can a guard or station subordinate on the same Railway who has drawn higher class pay for about 2 or 3 years, be reduced by being deprived of his higher grade despite efficient service ?

**Mr. C. D. M. Hindley :** (a) and (b). The reply is in the negative. Class to class promotions are made on the actual occurrence of vacancies and by selection in accordance to ability.

(c). Yes, when the number of such posts is reduced in Classification or abolished.

#### HOUSE-RENT ALLOWANCE FOR RELIEVING GOODS CLERKS.

1424. **Mr. Harchandrai Vishindas :** Are relieving Goods Clerks not allowed house rent which is allowed to other station clerks such as Relieving Booking Clerks, Relieving Ticket Collectors, Relieving Train Clerks, Relieving Signallers and so on whose grade and pay and relieving allowance rates are the same ? If so, why ?

**Mr. C. D. M. Hindley :** No ; because it is not a condition of their service.

#### CLOSING OF GOODS AND PARCEL OFFICES ON INDIAN HOLIDAYS.

1425 **Mr. Harchandrai Vishindas :** Is it a fact that Goods and Parcel Officers are not allowed to be closed on Indian holidays though they are closed on Christian holidays such as Christmas, New Year's day and Good Friday ?

**Mr. C. D. M. Hindley :** These offices are closed on Christmas Day and Good Friday and not on New Year's Day. In the interests of the public it is not considered advisable to close them oftener.

#### THE INDIA AND BURMA MILITARY AND MARINE RELIEF FUND.

1426. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) If there is a fund called the India and Burma Military and Marine Relief Fund ?

(b) If so, what is its capitalised amount ?

**Mr. H. B. Pate :** (a) Yes.

(b) Rs. 7,46,000.

#### POST OFFICE DELAYS.

\*1427. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letter published in the issue of the

*Statesman* of the 16th May 1924 page 4, under the heading "Post Office Delays" ?

(b) If so, will they please state :

(i) if the statement therein is correct ?

(ii) if correct, whether Government propose to issue necessary instructions to the authorities to remove the complaint ?

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

(b) (i). Yes.

(ii) Orders have now been issued introducing a direct bag between Chanda and Nagpur.

#### INCONVENIENCES TO RAILWAY PASSENGERS.

1428. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letter published in the issue of the *Forward* of the 16th May, 1924, page 8, under the heading "Inconvenience of Railway Passengers" ?

(b) If so, is the statement therein correct ?

(c) If correct, do Government propose to issue necessary instructions to the authorities concerned to remove the complaint referred to ?

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

(b) Government have no information.

(c) The matter has been brought to the notice of the Agent, Bengal Nagpur Railway.

#### CONSUMPTION OF STEEL IN INDIA.

1429. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) the total quantity of steel and steel materials,

(b) the output by Indian manufactures,

consumed in India in the year 1922-23 under the heads in regard to which the Tariff Board has made recommendations for the purpose of imposing duty ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The Tariff Board have rightly only recommended protective duties on those articles of steel which are now being manufactured or are likely to be manufactured in India in the near future. It was most improbable that articles selected on that principle could correspond with existing heads in the Trade Returns. Therefore the information desired is not directly available.

The Tariff Board, in Annexure B to their Report (*see* pages 142 and 163), analyse most carefully all data available both of importation and protection. I have nothing to add to their presentation of these figures.

#### RULE OF PRIMOCENITURE OBTAINING IN THE CASE OF TENANCIES HELD BY CAVALRY GRANTEES IN THE LOWER JHELUM CANAL COLONY.

1430. **\*Lala Duni Chand :** (a) Are Government aware that the cavalry grantees with horse-breeding conditions in the Lower Jhelum Canal Colony



are extremely dissatisfied with the rule of primogeniture obtaining in case of their tenancies which deprives their younger sons of the right to inherit the tenancies and that representations have been made by them to the Government to abolish the rule of primogeniture ?

(b) Is it a fact that certain cases of murder of their fathers by the eldest sons and instances of cruel treatment by certain eldest sons towards the younger sons have been brought to the notice of the Government ?

(c) Is it a fact that the cavalry grants are long Military Service reward grants bestowed by the Government on Indian Soldiers in recognition of their life-long services and if so will the Government be pleased to state the reason for imposing horse-breeding conditions and the rule of primogeniture ?

(d) Is it a fact that the infantry grants are neither subject to the horse-breeding condition nor to the rule of primogeniture and, if so, why is there a different rule in case of cavalry grants ?

(e) Are the Government prepared to take early steps to remove the horse-breeding condition and to abolish the rule of primogeniture ?

**Mr. H. R. Pate :** (a) The Government of India are aware that a certain amount of dissatisfaction exists among the cavalry grantees for the reason stated. The question was raised in 1922 when it received most careful consideration. It was then decided that the colonists—including the cavalry grantees—who were allotted grants some 15 or 20 years ago on service terms which were undeniably generous, could not have their original contracts abrogated in their favour now.

I may mention that counter-petitions have been received from elder sons praying for the retention of the primogeniture clause.

(b) No such cases have come to the notice of the Government of India.

(c) A certain proportion of these grants, together with an additional square of land in each case, was allotted to deserving cavalry *ex-soldiers* on conditions which included the primogeniture clause. This condition was designed to prevent the partition of the grant and to enable the tenant to fulfil his obligations.

(d) Yes. The reason for the difference in the conditions has already been stated in reply to part (c) of the Honourable Member's question.

(e) The question has already been carefully considered, and it has been decided to retain the conditions on which the land grants were originally made.

#### REFORMS COMMITTEE.

1431. **\*Maulvi Muhammad Yakub :** Will the Government be pleased to state :

(a) If the report of the Reform Act Inquiry Committee will be published or, even placed on the table of this House for the information of the Honourable Members of the House ?

- (b) Will the report of the Inquiry Committee be communicated to the Secretary of State for India and action taken on it after consulting the Home Government ?
- (c) By whom and for what purpose the report of the Inquiry Committee is to be considered ?
- (d) What will be the next step which the Government propose to take after the report of the Inquiry Committee is disposed of ?
- (e) Was the inquiry confined only to the defects of the Act so far as the working of the Government of India is concerned ? or was it extended to the working of the Provincial Governments as well ?
- (f) Were the Provincial Governments consulted and their opinions taken into consideration by the Inquiry Committee ?

**The Honourable Sir Alexander Muddiman :** I have no information to give the House on the subject raised in this question beyond that given in my replies to many connected questions.

CONSTRUCTION OF AN OVERBRIDGE FOR WHEELED TRAFFIC AT NAIHATI.

1432. **\*Mr. T. C. Goswami :** (a) Are Government aware :

- (i) that the people living in Naihati (Eastern Bengal Railway) and its neighbourhood feel greatly inconvenienced for want of an 'overbridge' over the railway lines for wheeled traffic, there being no level crossing nor overbridge ?
- (ii) that the old level-crossing near Talpukur was closed in 1906 solely to meet the requirements, and in the interests, of the Railway, and that an overbridge for wheeled traffic was promised to the local Municipality in lieu of it ?
- (iii) that this has meant the cutting off of Naihati (which is enclosed between the river Hooghly and the railway lines) from the rural interior in the matter of food-supply and that the rural population have been cut off from the benefit of communication with the town, e.g., in the matter of medical help ?
- (iv) that repeated protests have been made by the Naihati Municipality in their official reports and in representations to the Magistrate of the 24-Parganas and the Railway authorities, against the indefinite delay in fulfilling the promise ?
- (v) that the " Railway fully recognises its obligation and that this bridge is a matter of urgent necessity " (letter of Agent No. 3174[D.]W.[4]9[23, dated 1st December 1923, to Magistrate) ?

(b) What steps are being taken by the Railway authorities to discharge the obligation they recognise ? Has the construction been begun or even planned ? Why has it taken nearly 18 years to merely consider the scheme ? When is the bridge likely to come into existence ?

(c) Do Government propose to expedite the construction of the bridge ?

**Mr. C. D. M. Hindley :** (a) (i). Yes, but it is incorrect to say that there are no level crossings, as there are three level crossings that serve Naihati, one at each end of the passenger yard, just over  $\frac{1}{2}$  a mile apart, and a third  $\frac{3}{4}$  mile north of the station known in 1905 as Kailas Das Road and now as Goalpara Road.

(ii) In 1905 the demand for an overbridge was recognised and the Eastern Bengal Railway Administration agreed to provide one.

(iii) Communication between Naihati and the interior is open by the level crossings mentioned in the answer to question (a) (i).

(iv) Yes.

(v) Yes.

(b) The construction of the bridge has not been taken in hand yet for various reasons ; the delay has been due first to the construction of a new goods yard which altered local conditions, and held up the scheme till 1912, next to the difficulty of obtaining girders during the war, lastly to the Municipal sewerage scheme, which has necessitated a reconsideration of the original proposals for the overbridge.

The final plans and estimate of the work have been prepared, but a difficulty has arisen about the incidence of the cost of the scheme and the actual construction will depend on the extent to which funds can be made available, when the incidence of cost is settled.

(c) The Agent will be asked to accelerate the submission of the project to the Railway Board.

#### INCOME-TAX ON THE TENTAGE ALLOWANCE OF MILITARY OFFICERS.

1433. **\*Mr. W. S. J. Willson :** (a) Is it a fact that Military Officers " Tentage Allowance," which under the rules is not liable to Income Tax, has in many cases had a deduction made on that account ?

(b) Is it a fact that refunds of such deduction have been claimed by certain officers and that the Army Pay Department has ruled that recoveries could only be admitted for and during the financial year ending 31st March 1924 ?

(c) Are Government prepared to order that full refunds be made irrespective of date for all such deductions wrongfully made ?

**Mr. A. R. L. Tottenham :** Military Officers do not draw a separate Tentage Allowance. The question whether such an allowance should be considered to be merged in the rates of pay that they are at present drawing is not free from doubt. Officers have, however, been allowed a rebate of Income-tax on a portion of their pay regarded as representing " Tentage Allowance " when they were able to certify that the sum in question had actually been expended on the upkeep and transport of tents. The whole matter, including the form of certificate that should be required, is under the consideration of the Government, and the question whether retrospective effect should be given to any exemption that may be decided on will not be lost sight of.

STAFF SELECTION BOARD'S EXAMINATION.

1434. \***Lala Piyare Lal** : (a) Is it a fact that the Staff Selection Board is going to hold an examination ? If so when and for what classes of the Secretariat work ?

(b) Do Government propose to throw open the examination of all classes (Lower and also the Upper division) to new men and for those already serving in the departments ?

(c) Do the Government propose to raise the standard of examination ?

**The Honourable Sir Alexander Muddiman** : (a) Yes : an open examination will be held by the Staff Selection Board about the end of the present month or early in July next in order to select a limited number of candidates as (a) stenographers and (b) typists and routine clerks.

(b) It is not proposed to hold any general examination for higher categories this year in view of the large number of qualified candidates who still remain unprovided for. But departmental candidates will be examined for purposes of their promotion.

(c) The question of the educational qualifications of candidates and the scope of the examination was considered by a Committee of this House, in July 1923. It will be seen from the communiqué issued by the Staff Selection Board on the 20th May, 1924, that the recommendations of the Committee are being given effect to.

STOPPAGE OF THE 20 DOWN DELHI EXPRESS AT PATAUNDA MAHABIR ROAD STATION.

1435. \***Lala Piyare Lal** : Will the Government be pleased to state :

(a) Total amount of income B. B. and C. I. Railway had during the recent years annually on account of the pilgrims coming to visit Mahabir Temple at the station called Pataunda Mahabir Road on their main line ?

(b) Is it a fact that several Jains individually or on behalf of societies approached the B. B. and C. I. Railway authorities to stop 20 Down Delhi Express on that station always for the convenience of thousands of pilgrims who come there all the year round ?

(c) What are the objections the railway authorities have to doing so ?

**Mr. C. D. M. Hindley** : Inquiry has been made and the result will be communicated to the Honourable Member in due course.

LOSS OF PILGRIMS ON THE S. S. "FRANGESTAN."

1436. \***Mr. Abdul Haye** : (a) Has the attention of the Government been drawn to the various reports published in newspapers regarding the loss of property by Musalman pilgrim passengers of *Frangestan* which was destroyed by fire on the high seas in April last ?

(b) Is it a fact that in this ill-fated voyage the pilgrims lost almost every thing with the exception of the clothes which they were wearing at the time of the disaster ?

(c) Will the Government please state if they have information as to how the luggage of the pilgrims was lost ? Is there any truth in the allegation that it was stolen by the Chinese crew ?

(d) Have the Government taken any steps to ascertain the true facts regarding the loss of pilgrims' property ; if not, do the Government now propose to institute an inquiry ?

(e) Was any relief granted by Government to the pilgrims after the disaster ?

**Mr. J. W. Bhore :** (a) and (b). The Government of India have seen some of the reports. They have no information apart from what has appeared in the Press.

(c) The Government of India are not aware that any luggage was stolen. Such of it as was lost was presumably destroyed by fire or had to be abandoned with the ship as it could not be removed.

(d) An inquiry into the loss of the *Frangestan* has already been made by the Government of Bombay and it is not proposed to institute another into the loss of pilgrims' effects.

(e) The Honourable Member is referred to part (c) of my reply to a question on the subject asked by Haji Wajihuddin on the 30th May, 1924.

EUROPEAN AND INDIAN PASSENGERS ON BOARD THE S. S. " FRANGESTAN ".

1437. **\*Mr. Abdul Haya :** (1) Will the Government please state :

(a) the total number of European passengers that were on board the *Frangestan* ?

(b) the total number of Indian passengers ?

(c) the total number of Indian ladies ?

(d) the total number of Indian children ?

(e) the total number of Indian 1st and 2nd class passengers ?

(2) Is it a fact that the European passengers were transferred first to another vessel in preference to Indians including ladies ?

(3) Will the Government please state to what nationality the captain of the *Frangestan* belonged ?

**Mr. J. W. Bhore :** (1). (a) About 15.

(b) About 1,220.

(c) 248.

(d) 34.

(e) No information is available.

(2) European passengers were transferred in the first boat to another vessel but other boats followed in rapid succession.

(3) European.

FOOT BRIDGE BETWEEN PAREL STATION ON THE G. I. P. RAILWAY AND THE ELPHINSTONE ROAD STATION ON THE B. B. AND C. I. RAILWAY.

1438. **\*Mr. Jamnadas M. Mehta :** (a) Are Government aware that the Parel station of the G. I. P. Railway and the Elphinstone Road station of the B. B. and C. I. Railway are very close to each other ?

(b) Are Government aware that the quickest way of going from one station to the other is by crossing the Railway line ?

(c) Are Government aware that frequent accidents happen as a result of the public crossing the railway line for getting access to the stations mentioned ?

(d) Are Government aware that there has been a strong demand from the public of Bombay for a small foot-bridge between the two stations and that the Municipal Corporation of Bombay has backed the demand ?

(e) Do Government propose to instruct the Railway administrations concerned to build the suggested foot-bridge ?

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

(b) No.

(c) Government have no information.

(d) No.

(e) It is understood that Dadar Station close to Parel has all facilities for the ready interchange of passengers between the two railways. These facilities are in course of being much improved. In the circumstances Government do not propose to take any action.

**Mr. Jamnadas M. Mehta :** Is the Honourable Member aware that the Dadar Station referred to by him is nearly one mile from the stations mentioned in this question. The facilities at Dadar can be of no convenience for the passing of passengers from one side to the other at Parel and Elphinstone Road Stations.

**Mr. C. D. M. Hindley :** The Honourable gentleman's local knowledge is possibly more accurate than mine. But Dadar is the proper station for the interchange of passengers between the two railways and not Parel. When there are two railway lines running side by side, it is obviously necessary for the railway administration to make one station the proper place for interchange. If passengers will disregard that and deliberately walk across the line at another station which is not intended, obviously there must be a certain amount of risk. But it is not up to the railway administration to provide interchange facilities at all the stations.

ALLEGED ATTEMPT BY THE AUTHORITIES OF A CERTAIN RAILWAY TO PREJUDICE THE SUCCESS OF THE STATE MANAGEMENT OF THE LINE.

1439. **\*Mr. Jamnadas M. Mehta :** (a) Has the attention of Government been drawn to a statement appearing in the *Modern Review* of Calcutta for the current month under the title a " Rumoured Sinister Move " at page 637 to the effect that the authorities of a certain Railway Company the management of which is about to pass to the State are confidentially inducing some of their employees to go on three years' furlough on full pay with a view to prejudice the success of the State management of that line ?

(b) If the answer be in the affirmative will Government state the name of the Company and also the steps they have taken or propose to take to meet the situation should the alleged scheme materialize ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have seen the statement in the " Modern Review " and so far as they are aware there is no truth whatever in the rumour referred to.

**Mr. Gaya Prasad Singh :** Will the Government be pleased to make an inquiry into the matter because I understand that there is only one

copy of the circular which is being sent round from station to station and the employees are asked to take long furloughs ?

**Mr. C. D. M. Hindley :** The question implies a very serious allegation against the railway administration concerned. I am perfectly certain that there is no reason for me to make any inquiry into this alleged sinister rumour.

**REDUCTION OF THE NUMBER OF SETS OF RAILWAY MAIL SERVICE STORES WORKING BETWEEN BOMBAY AND SHOLAPUR.**

1440. **\*Mr. Jamnadas M. Mehta :** (a) Is it a fact that the number of sets of R. M. S. Sorters attached to B-7 Section, working between Bombay and Sholapur, were reduced from six to five ?

(b) If so, will Government be pleased to give reasons for the reduction ?

(c) Will Government be pleased to say how they intend compensating the Sorters for night work exacted above the 30 hours standard per week ?

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

(b) With 6 sets the working hours per week were much below the prescribed limit of 30 hours a week.

(c) The present weekly working hours are 30 hours and 58 minutes. The excess is negligible in view of the fact that on the in-trip the work begins at 22-45 hours and ends at 9-27 hours enabling the sorters to take rest in the early part of the night.

**RECOVERY OF MUNICIPAL AND OTHER TAXES FROM CERTAIN CLASSES OF GOVERNMENT SERVANTS OCCUPYING FREE QUARTERS.**

1441. **\*Mr. Jamnadas M. Mehta :** (a) Will Government be pleased to define the term "Free Quarters" supplied to Postmasters ?

(b) Are Municipal and other taxes and Income Tax recovered on free quarters supplied to Employees of the Police, Medical, Salt and Customs, and Telegraph-Engineering Departments ?

(c) If the answer to the above be in the negative will Government be pleased to say why exception is made in the case of Post Office subordinates, and do Government propose to remove this distinction ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) By the term "Free quarters" is meant "Rent free quarters."

(b) and (c). The information asked for is being collected. A reply will be communicated to the Honourable Member as soon as possible.

**IMPROVEMENT OF THE CONDITIONS OF SERVICE IN THE RAILWAY MAIL SERVICE.**

1442. **\*Mr. Jamnadas M. Mehta :** Will Government be pleased to say what action has been taken to give effect to the recommendations of the Committee appointed under the Presidency of Rai Bahadur G. K. Raha, to consider the conditions of Service in the Railway Mail Service ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member is referred to the reply given to unstarred Question No. 201, asked by Mr. K. C. Neogy on the 15th March, 1924.

2. All the recommendations have been under the further consideration of the Director-General, but a final decision has not yet been arrived at on all points.

**SPECIAL PROMOTION FOR FIELD SERVICE GRANTED TO POSTAL EMPLOYEES.**

1443. \***Mr. Jamnadas M. Mehta** : (a) Will Government be pleased to say if orders contained in Government of India Commerce Department Letter No. 218-D of 20th November 1919 regarding Special Promotion for Field Service have been cancelled ?

(b) Will Government state whether it is a fact that one Mr. Chavda was given a special promotion for field service in spite of the orders referred to and whether the same concession was refused to another Official Mr. Warden of the Surat Division ? and if so why ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) The orders referred to are still in force.

(b) The special promotion granted to Mr. Chavda was not given in consideration of Field Service. It was given as a reward for exceptional services as Sub-Postmaster of Kuwait Civil Post Office. Mr. Warden, who had been given special promotion twice for services in the Field before the issue of the orders referred to was refused further special promotion on a subsequent occasion in accordance with those orders.

**TRANSMISSION OF MESSAGES FROM BARODA TO SAYAJIGANJ via AHMEDABAD.**

1444. \***Mr. Jamnadas M. Mehta** : (a) Is it a fact that transmission of messages from Baroda to Sayajiganj is done through the transit Telegraph Office at Ahmedabad ? (b) Is it a fact that Baroda and Sayajiganj offices are separated by a distance of only a mile or so ? (c) Is it a fact that the distance between Baroda and Ahmedabad is 80 miles ? (d) Will Government explain the reason for following such circumlocutory methods ?

**Mr. H. A. Sams** : (a) No.

(b) Yes.

(c) Yes.

(d) Does not arise.

**Mr. Chairman** : I understand that the Honourable Member (Mr. Chaman Lal) has given private notice of a certain question to the Honourable Member for Railways. I call upon the Honourable Member to put that question.

**Mr. Chaman Lal** : Sir, the notice given by me was very short and I request you to allow me to put that question to-morrow.

**Mr. Chairman** : I have no objection.

**Mr. C. D. M. Hindley** : May I, Sir, make a statement. I received this notice as the House sat this morning. I am sorry I am unable to give complete replies to the question which Mr. Chaman Lal has put to me. I will endeavour to give full replies to him if the question is put to-morrow.



## MOTION FOR ADJOURNMENT.

**Mr. Chairman :** I have received notice of a motion from Mr. B. Das, for the adjournment of the business of the Assembly to discuss a definite matter of urgent public importance. The Honourable Member has framed his motion in the shape of a Resolution which I will read out :

“ That this Assembly records its sense of disappointment and express its indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair in which His Lordship exonerates the conduct of Sir Michael O'Dwyer and General Dyer for their part in the Punjab tragedy, for which the latter was punished by the Secretary of State for India.”

I desire to point out that under clause (v) of Rule 12 a motion for adjournment must not deal with a matter on which a Resolution could not be moved. Under Rule 23 no Resolution can be moved in regard to any matter which is under adjudication by a court of law having jurisdiction in any part of His Majesty's Dominions. The judgment referred to in this motion is an appealable decision, and therefore should not be made the subject of discussion in this House. Apart from this, under Standing Order 29 an Honourable Member must not in his speech reflect upon the conduct of any Court of Law in the exercise of its judicial functions. The Parliamentary practice in this matter is very definite, and no motion can be moved in the House of Commons reflecting on the conduct of the judges of the superior courts of the United Kingdom.

A motion for the purpose of expressing indignation at a judgment, which this motion seeks to do, is never permitted in the House of Commons.

12 NOON.

I would further point out that the primary object of a motion for adjournment is to draw the attention of Government to a matter of urgent public importance, so as to influence the decision of Government in an urgent matter in regard to which a Resolution with proper notice would perhaps be too late. But the matter under consideration does not primarily relate to the Governor General in Council, and so far as I am aware, there is hardly anything which the Governor General in Council may be expected to do in this matter. For all these reasons I rule this motion out of order.

**Mr. Bhubanananda Das** (Orissa Division : Non-Muhammadan) : Sir, with your permission, I will ask one question. The Judge has found fault with the decision of the Secretary of State for India and the Government of India, who punished General Dyer. Sir Sankaran Nair may appeal against the judgment, but the Secretary of State cannot appeal against the judgment that has been issued. That was not a matter of reference before Mr. Justice McCardie. We do not want the Punjab tragedies and Punjab horrors to agitate the minds of the people of India ; again, so we want this matter to be discussed before this House so that the people in England can know that the Judge had no business and no jurisdiction to refer in his judgment to the Secretary of State and the Government of India, who are the sovereign powers in India.

**Mr. Chairman :** I find the Honourable Member is discussing the judgment of Mr. Justice McCardie, and that is exactly why I ruled his motion out of order.

**Mr. Chaman Lal** (West Punjab : Non-Muhammadan) : There is only one point I want to make clear. You said the matter is *sub judice*

and it cannot be discussed here. Are you quite certain the matter has been sent up for appeal?

**Mr. Chairman :** It is an appealable judgment, as I have said, and that is not the only ground on which I have ruled this motion out of order.

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : On a point of law?

**Mr. Chairman :** The Chairman is not expected to decide points of law.

**Pandit Shamlal Nehru :** On a point of order, Sir.

**Mr. Chairman :** Order, order.

## PETITIONS RELATING TO THE INDIAN PENAL CODE (AMENDMENT) BILL.

### (AMENDMENT OF SECTION 375.)

**Secretary of the Assembly :** Sir, under Standing Order 78, I have to report that three petitions have been received relating to the Bill further to amend the Indian Penal Code (Amendment of section 375) which was introduced in the Legislative Assembly by Dr. H. S. Gour. These petitions have been presented by :

- (1) Pandit Jadab Nath Kabyatirtha, and others.
- (2) Babu Mahendra Nath Bagchi, and others.
- (3) Babu Chandra Mohan Taluqdar, and others.

## RESOLUTION *RE* THE LEE COMMISSION'S REPORT.

**Sir P. S. Sivaswamy Aiyer** (Madras : Nominated Non-Official) : Sir, the Resolution which stands in my name runs as follows :

“ This Assembly recommends to the Governor General in Council that he will be pleased to convey to the Secretary of State the opinion of this House :

- (1) that it is impossible for this House during this session to devote to the Lee Commission Report which was published on the 27th of May, the attention that it requires for a careful and thorough examination of its proposals in all their aspects and bearings and that for this purpose it is absolutely necessary to afford further time to this House till the September session ;
- (2) that the interval of three months asked for by the House for the consideration of the many important issues involved will neither cause any hardship to the services which will obtain any financial relief that may be eventually decided upon with effect from the 1st of April 1924, nor affect public interests by impeding recruitment for the services during the interval which may proceed on the existing lines ;
- (3) that any attempt to give effect to the recommendations of the Commission without giving adequate time to this House and the country to form an opinion upon proposals of a far-reaching character with their inevitable repercussions on other departments and services is bound to be resented as exhibiting a supreme disregard of Indian public opinion and to provoke feelings of widespread discontent.”

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : On a point of order, Sir. May I know if a Member is in order in moving a Resolution when there is no fresh President appointed by His Excellency the Viceroy?

**The Chairman :** The Honourable Member assumes that there is no President. I can assure the Honourable Member that there is a President of the Legislative Assembly.

**Pandit Shamlal Nehru :** Can the President leave the station and go on private business in a law court ?

**Mr. Chairman :** The statement for which the Honourable Member has made himself responsible is not a matter for this House to consider.

**Sir P. S. Sivaswamy Aiyer :** Sir, the request contained in my Resolution is, on the face of it, extremely reasonable. I hope that before I sit down I shall be able to persuade the Government to accede to this request. The Honourable the Leader of the House made a statement a few days ago to this House, and in that statement he emphasized the anxiety of the Government of India and of the Secretary of State to deal with the recommendations of the Lee Commission's Report with the least possible delay. Sir, I can well understand this anxiety of the Government of India and the Secretary of State to deal with this matter with as little delay as possible. The Honourable the Home Member also took care to point out that neither the Government of India nor this House could possibly bind the Secretary of State in regard to this matter. We are too painfully aware of our limitations and also of the limitations under which the Government of India are themselves labouring. We cannot forget them. Sir, I am aware of the circumstances under which this Report comes up for consideration before the Government of India and the Secretary of State. We are all aware that the superior civil services have been crying for the last few years for financial relief. Naturally, the insistence of the services upon their demands led the Secretary of State to move for the appointment of this Commission, and the Commission having made their recommendations, the authorities in England are anxious to deal with them with the least possible delay ; but the issues involved in this Report are of a most important character. The recommendations have very far-reaching consequences and they affect the progress and well-being of the country. They involve very grave commitments in the matter of expenditure. It is only right that this House should be allowed an opportunity to consider the recommendations fully and frame its proposals. In July last the then Home Member assured us that an opportunity would be given to this House to consider the Report of the Royal Commission. The opportunity that is now available to us in this session is certainly not the opportunity that was contemplated or that will satisfy us. An opportunity means an adequate opportunity for the consideration of the various issues involved. Now in this case the Report was published on the 27th of May. We have had other preoccupations. We were informed that this session was convened for the special purpose of considering the Steel Industry (Protection) Bill and only that. No doubt it was added that some minor Bills might be brought forward by the Government. Now the Report is not an easy document to digest and comprehend. I am afraid that many of the Members of this House have not had sufficient time to study and digest the Report and grasp the exact significance of all the recommendations and their effect. I may even venture to doubt whether the Honourable Members of the Government themselves are satisfied that they have been able to read the Report, digest it and consider it in all its aspects, as I am sure they would have to do before they submit their proposals to the

Secretary of State. The Report comes to us under peculiar circumstances. It is a document of remarkable brevity considering the issues involved. The conclusions are not all fully supported by reasons. In fact, the reasons which led the Commissioners to draft a report of this character are obvious. The necessity of submitting their Report within a very short time was probably among the reasons which induced them to refrain from setting out all their reasons in support of their conclusions; and this drawback, which is such a remarkable feature of the Report, is referred to in the minute of Mr. Petrie who confesses that it was not possible for the Commission to set forth all their reasons in support of their recommendations. Another handicap under which we labour in considering this Report is the failure to publish the evidence on which it is based. It may be that the reasons which actuated the Commissioners who recommended that the evidence should not be published have some force, but in the absence of materials, the information, the data, on which the Commissioners came to their conclusions, we labour under a serious disadvantage in considering their recommendations and making up our minds with regard to their proposals. The Honourable the Home Member laid very considerable stress on the unanimity and the interdependence of the recommendations. That the recommendations are interdependent is obvious. It also goes without saying that the recommendations are unanimous, and I do not wish to belittle such weight as may be due to the fact that the recommendations are the unanimous proposals of the members of the Commission. At the same time I do not think that the unanimity of the Commissioners absolves the Legislature from the duty of an independent examination of their proposals. The leading organ of the European Services in this country calls this document a sort of treaty—a treaty between the Services and the Indian politicians. To that description I must strongly demur. We repudiate the description altogether.

Now, Sir, in asking for time I should like to point out the numerous difficulties which surround the subjects dealt with in these recommendations. I should like to point out clearly how it is impossible to come to any conclusion in this session and how absolutely necessary it is that we should have reasonable time for the study of the Report and for a careful examination not merely of the particular recommendations but of all their implications and consequences. And is it not necessary to consult the Local Government on these recommendations before the Secretary of State comes to a decision? I presume that as a matter of course they will be consulted, but even the Local Governments cannot be expected to have their recommendations ready for submission by this time. They will also require time to consider the proposals and is it too much to say that even the provincial Legislatures are interested in this matter and have a right to be consulted about these various recommendations? The necessity for consulting the Local Governments, the necessity for giving some voice to the provincial Legislatures which are interested in the matter of the transferred services as well as other matters, the necessity for giving us further time—all point to the expediency of acceding to our Resolution.

I will now refer, Sir, very briefly to some of the leading recommendations in this Report for the purpose of pointing out that it is not possible to assume that there can be no honest or reasonable difference of opinion or that these questions admit only of one reasonable solution. Now, let us take first the question which appeals most to the services themselves. I refer to the question of the financial relief which the members of the

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Services have been claiming. I am not one of those who hold that the claims of the services in this behalf to some amount of financial relief do not deserve consideration, but there may be a reasonable difference of opinion with regard to the question of how much relief they are entitled to. Then again *prima facie* the burden that is imposed upon the finances of this country by the proposals of the Lee Commission is a heavy one. It amounts at the outset to about 96 lakhs odd, and it is expected to reach the figure of 1 crore and 25 lakhs. Last year the Finance Minister was at his wit's end to balance the Budget and he was obliged to have recourse to additional taxation of a very unpopular sort. This time he has been able to balance the Budget, thanks to a windfall. The revenues of this country are proverbially inelastic. We had to appoint only two years ago a Retrenchment Committee for the purpose of suggesting measures of economy in the administration of the Central Government. These measures which were suggested by the Retrenchment Committee have and are being carried out, and before we come to affirm that our financial position is thoroughly satisfactory or that we can depend upon an assured surplus in the future, we are invited to consider proposals for imposing an additional burden of about a crore. Now let me remark here that this estimate of a crore is at best only approximate. There are several items in the relief which is proposed to be granted which have not been properly evaluated as admitted in the report of the Commission. For instance, take the question of the family pension fund. What amount of burden the Government will have to bear and what amount of contribution the members will have to make we do not know. It is quite possible that the fund is made up entirely of contributions by the members themselves, but I am not aware of the facts. Then again take the question of amenities in the way of medical relief. There again it has not been properly worked out. It is hardly necessary for me to refer you to chapter and verse to support my statement that some of the items of relief which are recommended by this Commission have not been properly evaluated. The calculation that is to be found in the Report is at best a rough calculation.

Now let alone the approximate character of the calculations or the fact that they are only rough calculations. We have to consider the bearing of these recommendations upon the other services and the other departments. We are all aware and the Government equally so that any demand by one department and any concession made to one department has an inevitable tendency to react upon other departments. In fact the demand is infectious, if I may be pardoned for the use of that expression. It spreads sympathetically to all the services and the departments, not to speak of the other departments and the other services. It is enough for me to refer to one. I see before me already the grim spectre of the military department casting a portentous shadow before us. Mr. Richards, the Under Secretary of State, informed the House of Commons a few days ago that the Indian military rates of pay were being considered and that the allowances of married officers in the army were being considered and that they hoped to arrive at some conclusion sooner or later. The Honourable Sir Basil Blackett informed my friend Diwan Bahadur Ramachandra Rao a few days ago that the cost of the superior civil services had risen within the last ten years by a crore. I have some misgiving that it was an under-estimate. However, I am willing to take

it at that. I remember to have seen larger figures of the increase of the cost of the civil services. He also informed my friend that the cost of the military services during the last ten years had gone up by 5 crores if my recollection of his reply is accurate. Now, we must remember this fact, that the strength of the establishment of the superior civil services is very much smaller than the strength of the establishment of commissioned officers in the army. The total strength of the superior civil officers is something like 4,270 and odd. In the army it comes to 7,000. We may therefore expect that, if this demand is followed up by a similar demand on behalf of the army, we shall be let in for nearly double, if not five times, the amount of expenditure. I do not know whether my apprehension that it will be five times is likely to be correct or not. However, these are matters of detail into which it is unnecessary for me to enter, which the Finance Minister may be left to solve at his leisure ; but one thing is clear. If the cost of the increase in the various items of pay, allowances, amenities and so on amounts to a crore, the cost in the case of the military services is likely to be about double. Then again remember another fact, that in the case of the civil services there is a distant prospect of diminution of the burden as the process of Indianisation begins to make itself felt, but how much more distant is that prospect with regard to the military services. Now, if you remember the bearing of these recommendations upon the other departments and upon the other services, it suggests the necessity for a very cautious and a careful examination of the whole subject, not a hasty commitment to the conclusions recommended by the Lee Commission.

In connection with this question of pay and allowances, let me in passing refer to one recommendation and that is in regard to the remittance privileges. I was under the impression that these remittance privileges were proposed to be granted in view of the necessity of officers having to remit money for the maintenance of their wives and children at home or for their education ; but, when you examine the recommendations, you find that it contains no condition whatever, no qualifications, no restrictions. The qualifications and restrictions are to be found in the case of Indian officers of the superior services who may be entitled to overseas pay and who may happen to have their wives or children staying in Europe. In their case it is made a condition, but in the case of the European officers there is no such condition or qualification proposed. Apart from any question of the burden of this remittance privilege, there is this further aspect of an invidious distinction which has not hitherto been drawn between the European and the Indian officers.

Then again take the question of commutation of pensions. It is proposed to be raised from one-third to one-half. It may be that the system of commutation of pensions has much to commend it, but surely there ought to be some limit, and are we sure that the proportion which under the existing rules is one-third, which if I remember aright was raised from one-fourth to one-third, is not adequate and why it is necessary to raise the proportion to one-half ? It will have the effect of adding considerably to the liabilities of the State.

Then, Sir, with regard to the other concessions, you cannot prevent them from being applied for by other services as well. Take for example the house-rent question. You cannot possibly grant further relief in the matter of house-rent to one service and refuse to grant it to another

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service. They more or less always labour under the same conditions. I do not say that the fact of the grievance being fairly widespread is an argument against the recognition of the grievance. It shows that it is necessary to proceed with some amount of circumspection. Now, with regard to all these various measures of financial relief, if the recruitment of the services could have been so manipulated that the aggregate burden on the exchequer would not be increased, it might have gone some way to mitigate the objection of the country to the proposed addition. But I am afraid that this method of mitigation has not been adequately explored.

Coming now, Sir, to the organization and recruitment of the services, these are questions which cannot possibly be separated from the other questions contained in the Report. I may acknowledge here that in the matter of the provincialization of the services which are now all-India services, some advance has been made. I may also acknowledge that in the matter of the Indianization of the all-India services some advance has been made in the proportion. But the advance that has been recommended has not been such as to satisfy the expectations of the country. Now, we find that among the reserved services there are the Forest Service and the Engineering Service Irrigation Branch proposed to be reserved. So far as the Forest Service is concerned, in the provinces of Burma and Bombay it is not reserved. So far as the Public Works Department is concerned, the Roads and Building Branch has been transferred in several provinces, but the Irrigation Branch has still been reserved, because it is said that any mismanagement of irrigation works may end in serious calamity, may end in the failure of crops and may cause a widespread calamity. But may I point out, that having regard to our experience in the south, there is no reason to entertain any such apprehensions. Taking the Forest Department, I am not aware that the conservancy of forests in the Native States of Mysore and Travancore is not up to the mark. In those states the Department is managed by Indian officers, and I should hesitate to accept the position that the Forest Department involves responsibilities of such an onerous character that we do not possess Indian talent in sufficient measure to serve the needs of that Department. Then take the Irrigation Branch of the Public Works Department. Speaking from my experience of the working of the Irrigation Department in Madras, the districts in which the irrigation services have been manned or in which the irrigation of the district has been looked after by Indian engineers have been quite happy and contented. I may even go the length of saying that the Indian engineers have been specially conspicuous for the success with which they have been able to manage the maintenance, and not merely the maintenance but also the construction of irrigation works. Some of the recent irrigation works on a large scale which have been constructed in Madras have been constructed by Indian engineers, and it is an object lesson not to be thrown away that one of the finest feats of irrigation engineering in the south is one which has been carried out by the Mysore Darbar for the purpose of damming up the waters of the Cauvery. It is an irrigation work of the first magnitude. It might not perhaps compare with the Sukkur Barrage, but it will occupy a very respectable place among the chief irrigation works of India. The Kanambady reservoir was an irrigation work which was designed and constructed by Indian agency entirely. We have no apprehensions whatever that either the

construction or the maintenance of irrigation works will suffer if entrusted to Indian agency. Far from that, the maintenance of irrigation works by Indian engineers will be far more of a success, as they are officers in closer touch with the people and possess a better understanding of their wants. However, it is not necessary for me to expatiate further upon this point. I mention it only to show that with regard to the further reservation, the continued reservation, of Forests and the Irrigation Branch of the Engineering Department, difference of opinion is reasonably possible and is legitimate.

Now, Sir, there are all sorts of inquiries in the air, inquiries as to the manner in which the reforms have worked, and so on. Is it unreasonable to say that the possible extension of the area of transferred subjects is not beyond the sphere of practical politics? Even if we do not have any Royal Commission appointed, additions to the list of transferred subjects can be effected under the Government of India Act, and without asking the House to commit itself to any special opinion upon this subject, I would only point out to the House and the Government that the extension of the list of transferred subjects is not outside the region of practical politics; and if any such transfer should take place, that is a factor which will have an influence upon the decision of some of these questions. But however that may be, when I now plead only for further time for the consideration of this question, all these various factors which I have mentioned may be reasonably expected to induce the Government to grant our request.

I should like to make only one or two remarks about one or two of the other services. Take now the security services. It is a common ground between me and the Lee Commission that it is desirable in the field of the security services to reach an equality of strength between the Indian and the European elements in the cadre as early as possible. They contemplate such an equality at the end of 15 years in the case of the Civil Service and at the end of 25 years in the case of the Police. Is it not possible to think otherwise? May we not reasonably contend that a shorter period should be fixed for the attainment of this equality? Supposing I wish to attain equality between the two elements of the cadre, I might suggest a period of 10 years. If equality is to be reached, say, in a period of 10 years, it can only be by the stoppage of English recruitment. However, even if you think that there are objections of an insuperable character at the present moment having regard to the existing constitutional position to the complete stoppage of recruitment, which I think may be safely carried out in view of the fact that it will take 10 years more to attain equality, supposing you cut down the English recruitment to 20 per cent., even then it will take 12 years to attain equality. These are circumstances which may lead possibly to different conclusions and these are matters the consideration of which cannot be altogether put off; and it is all the more necessary therefore that we should have ample time to examine the subject carefully and come to considered conclusions.

There is one service, Sir, to which I have not yet adverted, and that is the medical service. The recommendations of the Lee Commission in this respect offer an easy target for criticism. In so far as they recommend the separation of the civil medical service from the military, I am at one with them, but in so far as they recommend a unified Royal Army Medical Corps for the purpose of looking after the needs of the British



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units and the Indian units, I must protest with all the earnestness I can command. We do not wish to have the health and care of our troops committed to the Royal Army Corps and to be dependent upon that service; not that I am suggesting any reflection upon the capacity or ability or skill of the Royal Army Medical Corps but there are serious disadvantages involved in that course. In the first place, the Royal Army Medical Corps would not be subject to the Government of India but would be subject to the control of the War Office and the Imperial Government, and the Indian Government will have very little voice with regard to that Corps. In the next place, the Royal Army Medical Corps has always admitted only persons of pure British blood and has never admitted Indians. We do not want to pay for a corps from which our own countrymen will be excluded or which will not be subject to the control of the Government of India. There is another factor yet. The Royal Army Medical Corps, as now constituted in India, is for the purpose of providing for the health of the British troops. I look forward to a gradual and a steady diminution in the number of British troops and it necessarily involves a gradual diminution in the strength of the medical personnel required in regard to the British troops. I should therefore have the strongest possible objection to forming a unified medical corps to be called the Royal Army Medical Corps and dependent not upon the Government of India but upon the control of an outside authority. The recommendations of the Lee Commission are based upon what I may perhaps presume to call an antiquated document, Lieut-General Burtchaell's Report. At the rate at which the world is moving a document of 1919 may fairly be regarded as antiquated. There was a burning question and Lieut-General Burtchaell framed a Report after the Verney-Lovett Report. But subsequent to that, we had another Report by the Esher Committee which went into the whole subject, very elaborately examined all the various alternative proposals and came to conclusions. Not that I am in agreement with the conclusions of the Esher Committee. I welcome the recommendations of the Lee Commission in so far as they advocate a civil medical service but the proposal to form a unified Royal Army Medical Corps is one which, to my mind, is open to the gravest possible objection.

Now, I pass on, Sir, to one proposal of the Lee Commission which has my unqualified approbation and that is about the appointment of the Public Services Commission. Now, these questions which are dealt with by this Report are all so complicated, so intricate, so interdependent, that they require a much larger allowance of time than we have had for their consideration. It may be said that there are questions of an urgent character which cannot afford to wait for three months, but my Resolution meets that contingency. I suggest that, if there are urgent questions of recruitment during this interval of three months, you may proceed to recruit on the existing lines. That is a fair and a reasonable offer. I do not ask you to stop all recruitment during this period of 3 months and cause any plausible inconvenience or injury to public interests. In the matter again of relief of individuals, if you find that there are cases of urgency where some relief has to be granted, speaking for myself, I have no objection to your granting relief, provided that you do not commit yourself to any decision upon the question of principle or policy involved and provided you recognise that any allowance or sum that may be paid to an individual officer must be capable of readjustment in the event of a contrary

decision. If you do not have to make any payment now by way of immediate relief and if you consider that it would be a hardship to officers concerned to have the relief for which they have been claiming and which now seems to be in sight postponed, I have no objection to its being granted with retrospective effect from the 1st April 1924 as recommended by the Lee Commission. I make these offers because, I think, they are only fair and I think that they obviate the necessity for any decision upon any question of principle or policy. If you can do these two things, if you can grant retrospective relief, if you can make the appointments which may be required during this interval of three months, I fail to see how public interests can possibly suffer or how individual officers can suffer any hardship in the event of my proposal being accepted. I submit, Sir, that the request that we have made is extremely reasonable and I hope that the Government will see their way not merely to granting this request of ours but also to supporting the request and sending the Resolution of this House to the Secretary of State with their own strong recommendation for the purpose of postponing a decision on these matters to the end of September. Let me only add this that any attempt to rush into a decision on such important questions cannot fail to produce the impression that the services have been exercising their influence upon the Government of India and the Secretary of State. Any impression of that kind is certainly not calculated to promote their popularity or to make our deliberations more cordial than they are at the present moment.

With these words I move my Resolution.

**Mr. Chairman :** Resolution moved :

“ This Assembly recommends to the Governor General in Council that he will be pleased to convey to the Secretary of State the opinion of this House :

- (1) that it is impossible for this House during this session to devote to the Lee Commission Report which was published on the 27th of May, the attention that it requires for a careful and thorough examination of its proposals in all their aspects and bearings and that for this purpose it is absolutely necessary to afford further time to this House till the September session ;
- (2) that the interval of three months asked for by the House for the consideration of the many important issues involved will neither cause any hardship to the services which will obtain any financial relief that may be eventually decided upon with effect from the 1st of April 1924, nor affect public interests by impeding recruitment for the services during the interval which may proceed on the existing lines ;
- (3) that any attempt to give effect to the recommendations of the Commission without giving adequate time to this House and the country to form an opinion upon proposals of a far-reaching character with their inevitable repercussions on other departments and services is bound to be resented as exhibiting a supreme disregard of Indian public opinion and to provoke feelings of widespread discontent.”

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, if I rise early in this debate, it is because, I think, it is desirable that I should make clear the position of Government in regard to this Resolution as early as possible. Such a statement, moreover, may possibly save the time of the House. I propose to confine myself strictly to the terms of the Resolution which has been so ably moved by my friend opposite. He has made, I think, a considerable study of the Report as is easily seen from his speech, but the actual Resolution merely deals with the question that the Report should be brought before this House for the purpose of consideration. The Resolution asks that the proposals of the Lee Commission should be examined during the September session. The Honourable

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Member argues that the interval will neither cause hardship to the services nor affect the public interest. He contends that any attempt to rush the Report of the Commission through this House would lead to wide discontent and would, in fact, amount to a breach of the various undertakings which have been given on this subject from time to time by my predecessor and by myself. Sir, it is most desirable that in a matter of this kind we should look at all the interests concerned. I was a little struck in the Honourable Member's speech by the amount of time he devoted to the services. The services are, of course, very important, but the recommendations of this Report do not merely confine themselves to the services. They are of a wider character. And I wish to emphasise that the urgency of the report rests on a three-fold basis. It rests on the progress towards provincialisation. It rests on the progress towards Indianization. And it rests on the well-being of the services. It does not rest on the one factor alone.

The Warrant of appointment issued by His Majesty when he appointed the Commission specifically directed the Commission to report "with as little delay" as possible. I wish to take this opportunity of acknowledging the great expedition with which the Lee Commission brought their labours to a unanimous conclusion. They assembled in India on the 4th of November 1923 and they finished their report on the 27th of March 1924, though it was not received in India till the 21st of May 1924. Their recommendations, as my Honourable friend has informed the House, are of the greatest importance and are of a far-reaching character. I accept this. Still, an early decision on their proposals is of importance—of great importance to those of the services which are waiting to know what is to be their future, of great importance to the Government of India who want to know their position in connection with the services and of great importance for the purpose of future recruitment. The latter will be seriously prejudiced as long as matters are left undecided. These are all important points. I will quote here what the Royal Commission themselves say on this point :

"We would also venture to urge that there should be as little delay as possible in considering and acting upon our proposals. We have striven to respond to the official request that we should treat our inquiry as a matter of urgency, and having done so we suggest that the position is one in which the principle of *bis dat qui cito dat* is of special application."

Here I should like to make it perfectly clear that this reference is not merely intended to apply to the relief of the services but to a rapid disposal of the other recommendations contained in the Report. So much Sir, for the urgency of dealing with the Report. But I have no intention of suggesting that when you are dealing with this report you should deal with it in a haphazard way, without due consideration and without due examination. I said once before that I have no desire to rush this House on an unwilling discussion of the Report which even we on this side have not examined in the way in which we ought to before coming to a final conclusion. In spite of the urgency of the Report, the Government of India and the Secretary of State are prepared, and have always been ready to give an opportunity to this House to express its views on the proposals before we arrive at conclusions. Such a promise, to my mind, would not be properly carried out by our attempting to rush the Report through in a session like this. As my Honourable friend said, this session was called for for a special purpose. It is a mere accident that the Report

happened to be published on the day the session started. We brought the Report to your notice as early as we could regardless of the consequences which such a course must bring upon ourselves. The session, moreover, has been one of a very arduous character and Honourable Members have frequently been detained in this House up to late hours and I may say Members on this side of the House too. Therefore, if the House is really anxious to discuss this Report on its merits, as my Honourable friend no doubt says, there will be no difficulty on this side to give an assurance that that opportunity should be given. But we cannot contemplate the possibility of this Report becoming, as my Honourable friend said, an antiquated document. An antiquated document, accordingly to his definition, is a document which goes as far back as 1919. According to my definition it will be a document that does not go nearly so far back, and in any case we cannot possibly contemplate the possibility of the Lee Commission's Report getting into that position. Therefore the discussion must take place as early as is compatible with the considerations which my Honourable friend has so ably put before the House. We on this side are perfectly willing to give an adjournment to enable the Report to be discussed in a reasonable way after due examination. That, Sir, has been our position throughout. But the postponement should be on *bona fide* grounds. The House, when it meets us in September next, must be ready to discuss the Report on the merits. I will deal as frankly with the House as the Honourable Member has dealt with me. He asks I think that no decision should

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be arrived at on any question of principle or policy till the House had an opportunity for considering the Report. Sir, since I last addressed the House, I have had an opportunity of communicating with the Secretary of State and I have received instructions of a different character to those which I communicated to the House the other day. Honourable Members will remember that certain matters were reserved as urgent, and there was a fear in the minds of many Members in this House that on these matters orders would be passed behind their backs. Put in blunt language, that was the fear and that was the cause of some distrust. Well, I think I can disabuse their minds of that fear. I am prepared to give, on behalf of the Government of India and also of the Secretary of State, a pledge that no decision on any question of principle or policy shall be arrived at till this House has had an opportunity in the September session of examining the matter, on the understanding that the House passes a Resolution substantially in the terms of my Honourable friend's Resolution. I shall be willing to accept it, and I hope the House will be willing to accept it.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Are those the Secretary of State's instructions ?

**The Honourable Sir Alexander Muddiman** : Those are the views of the Secretary of State and the Government of India.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : That a Resolution should be passed in the terms in which Sir Sivaswamy has moved it ?

**Mr. K. Venkataramana Reddi** (Guntur *cum* Nellore : Non-Muhammadan Rural) : Has the Resolution been communicated to the Secretary of State ?

**The Honourable Sir Alexander Muddiman** : It would be rather difficult for him to pass orders if it had not. We have met you wherever

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we can, both the Government of India and the Secretary of State. We have decided to deal with the House perfectly frankly, and I put the case before you in the simplest manner I can. If the House accepts that view, ample opportunity will be allowed to the Indian Legislature to discuss the conclusions of the Report. There must be no suspicion however that we are wasting our time in the meantime. The Government of India and the Local Governments must proceed with the further examination that my Honourable friend referred to ; they must go through the Report and examine it in every way. There are many complicated issues in it. We cannot put this aside for a moment, we shall have to do all we can in the next three months, otherwise the delay of the interval would be of no value at all. It is of course true that the decision to grant relief to the services with effect from the 1st April goes some way to meet the immediate urgency of issuing orders. If Honourable Members think too much consideration has been laid on this point, I would like to remind them of the history of this case. The pay of the superior civil services in India was revised generally about the end of 1919 as the result of a Commission, which reported in 1915. The decision was arrived at in 1919, and that will fall within the Honourable Member's definition of an antiquated document. At that time, before the end of 1920, this policy had broken down. Towards the end of the year 1920 and in 1921, a very large number of memorials were received from members of the Superior services complaining of the inadequacy of their pay and pensions. Well, Sir, there was, and there is, a widespread feeling of discontent in the Services—that is undeniable and, however you recruit your services and whatever your form of Government, and whether you pay your services or do not pay them adequately, it is not wise to have discontented services. That I think the House will readily admit. I merely put this point to the House with the object of showing, that if relief is granted from April 1924, that relief will be to meet cases of grievance at least three years old at that date. Well, Sir, I do not know that I have much more to say on the point. I do not propose, nor do I think after the announcement I have made to the House, it is necessary or even in order for me to refer to any of the details of the Report. We take the Report as a whole ; we say we shall postpone discussion at your request, and we will take it up in September. Therefore, I do not propose to take up any of the points of the Report itself. I trust the House will think I have dealt quite frankly with it and that the statement I have made will shorten this discussion.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : I beg to move :

“ That for clauses (1) and (2) of the Resolution moved by Sir P. Sivaswamy Aiyer, the following two clauses be substituted :

‘ (1) That the questions raised by the Report cannot be separated from the all-important question of self-government in accordance with the demand put forward by the Assembly in February last, to which no satisfactory response has so far been made, and that both the questions ought to be determined simultaneously ;

(2) That in any case, when the proposals contained in the Report are examined, they must be examined as a whole, and this cannot be done before September ’.”

In supporting this amendment, I wish at the outset to thank the Honourable Sir Sivaswamy Aiyer for the excellent manner in which he has pleaded for the postponement of the debate on this Report. I also thank the Honourable the Home Member for the admirable manner in

which he has put forward the view of the Government and has agreed to meet the wishes of the House so far as they are expressed in Sir Sivaswamy Aiyer's Resolution. I am thankful that the Honourable the Home Member recognises the justice of the demand that this Report shall be considered at the proper time, and I thank him for it, but I submit, Sir, that I do not agree with him as regards the condition he has laid down. The Honourable the Home Member said that the Government were prepared to agree to the postponement of the discussion, to agree that they would not take any action in regard to any matter of principle or policy on the Report of the Lee Commission if the terms of the Resolution of Sir Sivaswamy Aiyer were accepted by this House (*Dr. H. S. Gour* : "Substantially accepted"), substantially accepted by this House. It is only there we seem to disagree, only somewhat, and I hope when I have laid my reasons before the House, the Honourable the Home Member, with his fairness, will see the wisdom of accepting the alteration I suggest. Now, Sir, so far as the reasons for postponing the consideration of the proposals are concerned, they have been so well put forward by Sir Sivaswamy Aiyer that I shall not take up the time of the House by dwelling on them. I want rather to dwell on the reason for incorporating what is my first clause of the amendment in this Resolution. There are two aspects of the Lee Commission's Report, one is relief to such members of the services as think they ought to have relief. The other is its effect upon (1) the finances of the country, and (2) upon the constitutional progress which most Members in this House have at heart. The Lee Commission's recommendations cannot but affect the constitutional progress which is just now under consideration, and it seems to me, Sir, that the recommendations of the Lee Commission have come in rather prematurely before the House and the Government. I need not dwell on the fact that when it was proposed to appoint the Lee Commission, the predecessor of this House recorded its protest against the proposal. The Commission was appointed against the protest of this House and there is a widespread opinion in the country, that the question of the recruitment, pay and prospects of the services is so intimately connected with the question of constitutional advance that the one ought not to be taken up until the other has been considered and satisfactorily settled. That opinion has unfortunately been ignored. The Commission has met, and what was claimed, what was rather described by the Honourable the Home Member as a virtue might be regarded as one of its demerits, namely, that while it met on the 4th of November in five or less than five months the Commission has dealt with 1,300 replies which were received to the questionnaire which was issued by it, has examined 411 witnesses, has considered the statements of all these witnesses and all these correspondents and came to conclusions. Sir Sivaswamy Aiyer has drawn attention to the fact that the conclusions of the Commission are expressed in very brief language. The reasons are often absent. I am not surprised that they are, because I venture to say—I regret to say it—that the Commission could not give sufficient time and attention to the very important questions which they had to deal with, that they have just put down the conclusions which they thought they should report to Government, and have not endeavoured to offer reasons for many of the conclusions which they formed. There is another drawback. In the case of no previous Royal Commission, so far as I am aware—at least, so far as India is concerned—has the evidence offered before the Commission been kept back from the public. With the Islington Commission Report 20 Volumes of evidence were published. On this important question, which will add a crore and a quarter to the burden

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of the tax-payer, the Commission decided not to publish evidence. They have stated their reasons for not doing so in their Report, and I submit, Sir, that those reasons cannot satisfy anybody who looks into that Report. They say that many witnesses said that they would prefer to give evidence *in camera*, and they say that if they had insisted upon those witnesses giving evidence in public, the valuable evidence which they had to give would have been lost to the Commission and to the Government. They say out of 411 witnesses only 152 were willing to be heard in public. I submit that those witnesses who had not the courage to put forward the statements which they made upon a public question in public, but who wanted that their evidence should be taken *in camera* and should be put on the shelves of the India Office,—those witnesses are not entitled to claim that any utterance which they made, or any statement which they put forward before the Commission, should affect the judgment either of the Commission, of the Government or of the country. The right course for the Commission would have been to tell these amiable witnesses that they were not required to help the Commission with their evidence, that if they wanted their evidence to influence public decisions, which would mean an increase of burden on the general tax-payer, they must have the courage to state their opinions in public so that they might be scrutinised, examined, weighed, and either accepted or rejected. I think, Sir, the first thing the Secretary of State should be requested to do therefore is that he should publish the evidence of the 152 witnesses who agreed to give their evidence in public. That evidence should be available to the House and to the country. I do not say that the evidence which was recorded may not be valuable but we are not in a position to say that it is. There is no reason, absolutely no reason, placed before the public or the Government to justify the idea or to justify the belief that that evidence was really valuable, and I therefore submit that this is the second circumstance which is against the Report, and it supports the plea that the Report should be carefully considered in all its aspects. Now, Sir, this becomes the more important for another reason. The refusal to publish the evidence, the insistence on treating the evidence given *in camera* as confidential strengthens the view that the evidence which has been given would seriously affect the constitutional advance which we Indians at any rate have very much at heart. The question of the services and the question of the constitution of the Government which they are to serve are very closely intermixed. You cannot deal with the one in disregard of the other. Here we have this Report which seems to have been written in blissful ignorance of the circumstance that self-government, even progressive responsible Government, is the goal of British policy in India declared by the British House of Commons. So far as the Commission is concerned, one might imagine that they were not aware that that was a fact. They have gone on to deal with the question of how the superior, the central services, should be constituted and what arrangements should be made, what inclusions and exclusions should be made, in regard to the provincial services on the basis that things as they are will continue to exist almost till eternity. They have ignored the possibility of a further extension of the transferred subjects. They have ignored the possibility of any element of responsibility being introduced in the Central Government. They have ignored the possibility of autonomy being established in the Provinces, all the subjects which are to-day reserved subjects being transferred to the care of Ministers acting under the influence of the local



Legislature. Now, Sir, we know that the Government have already appointed a departmental committee to investigate the possibilities of advance within the four-corners of the Act. I suppose no one here will dispute the proposition that has been asserted more than once, the view that has been put forth more than once, that within the four corners of the Act many if not all the subjects which are at present reserved under the Provincial Government can be transferred. Now if as is possible, these subjects are transferred, an entirely new basis will have to be provided for classifying the services. And if further there should be an element of responsibility introduced in the Central Government, the question will have to be reconsidered from that point of view. But one might say : " Well, suppose the proposed classification is accepted, where would be the difficulty in excluding the subjects which may be transferred in the future from the list and dealing with them on the basis of the present inclusions ? " The difficulty will be this—that the posts which are reserved will become obstacles in the way of further progress ; vested interests will be further strengthened, those who have a claim on the reserved posts in the services will raise an objection and will want to be further secured in their positions, will probably raise objections to a further development of constitutional Government in the Provinces. For these reasons it is obviously undesirable that the question of the services, of the further classification of the services, and the manner in which the recruitment should be made to these differently classified services, and the salaries which should be given to the members of these various services, and the other rules which have to be framed in regard to the services, should all stand for a while until the question of constitutional reform has been discussed and settled. It might be said that the question of constitutional reform might take a very long time to settle. I do not know, Sir, if that would be a correct view. At any rate, everybody should I hope agree that that is a view on which two opinions might be held. The Government of India have committed themselves to a departmental inquiry. A committee has been announced and is going to sit. That committee has to report early. The Secretary of State has said that this is a preliminary investigation and that it will not settle the matter. We are in the hope that when this preliminary inquiry is finished, as a result of the recommendations of this preliminary committee, there may be a further committee or commission appointed or a round-table conference convened to discuss what advance should be made in the direction of constitutional reform. We are in the hope that a real and substantial advance will be made both in the Provinces and in the Central Government. We therefore feel that the question of the further classification of the services and their emoluments should not be decided at this moment. This is prejudicing the case for constitutional reform. The view point of the Lee Commission is different. They have not looked at it from the point of view that the Government in India is going to be responsible Government. The basis of their recommendations is not that hereafter Indians are to rule and govern in their own country. The basis of the Lee Commission's Report still is how many Indians might be admitted into the services. The real basis ought to be how many Europeans will in future be necessary for the various departments of the Government. There is no desire on the part of us, Indians, that any existing member of the various services should suffer any injury or any loss. There is no desire that those who are already in service should not be treated with all the fairness which is due to them and to the tax-payer. But certainly there is a desire that the obligations of the



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people should not be increased and that all future recruitments should be made on the basis that the Government is going to be conducted by Indians. The Preamble of the Act of 1919 has placed it distinctly in the forefront of the Act that the increasing association of Indians is an essential part of the policy of His Majesty's Government. You cannot think of achieving progressive responsible Government within any reasonable period of time if you will not make up your mind to stop further recruitment in the future in England. You must make up your mind that all future recruitment must be in India. That does not mean that we shall not invite and welcome the co-operation of our English fellow-subjects where we need it. We shall invite them. We have invited many in the past and we shall invite as many as we shall need in the future but we shall invite them as experts. We shall invite them as technical experts. We shall invite them to tide us over any preliminary period of any particular endeavour or venture. Short term engagements are not unknown to Europeans and Indians in this country, but we object to increasing the burden of the vested interests in the services because we have found that it has been used as an argument against the further expansion of Self-Government. I submit therefore that this question ought not to be determined until we know what is the next advance to be made in the Government of the country both in the Provinces and in the Central Government, and for that reason we feel that this Report should be held up until the Government have before them the Report on the question of constitutional reform, and that both should be considered simultaneously. I have submitted already that the delay will not mean any great injury to those who are interested in the Commission's proposals. The civil services of India are not among the contemptibly paid services of the world. The civil services of India are among the best paid services in the world. They have had recent emoluments added to them. As the Honourable the Home Member distinctly pointed out, it was in 1919-20 when they had their last large increase. Only three years have since elapsed, and within three years to expect another large increase to their emoluments should be a rare thing even in the history of the civil services in India. I submit, therefore, they can very well afford to wait. They ought to wait because the carrying out of the proposals will mean a very serious infliction of burden upon the tax-payer. For these reasons I wish that the House would adopt the first part of my amendment which merely aims at telling the Secretary of State and the Government of India that the questions are interdependent and that by deciding the question of the further classification of services, fresh difficulties will be thrown in the way of further advance in the direction of constitutional reform. We want that this opinion should be laid before His Majesty's Secretary of State and the Government of India. It may possibly lead them, not to give up the idea of dealing with the Lee Commission Report altogether, but to expedite the consideration of the question of constitutional advance which is very much oppressing the minds of us, Indians. It will be a very useful proposal to put forward before the Government from that point of view. It will point to them the necessity of satisfying the reasonable aspirations and demands of the people of this country before the Government should ask them to bear further burdens in the way of increases proposed by the Lee Commission.

As for the second clause, I do not wish to commit the House to the view which the Honourable Sir Sivaswamy Aiyer has expressed in the

second part of his Resolution. I want that the question as to the time from which relief may be given should be left open until the matter has been considered. I wish that the House should not commit itself on this point, considering the very brief information which it has and the very limited time it has got to consider the Report, involving an important proposition affecting the finances of the country. I propose that the second clause of my Honourable friend's Resolution should be omitted, and that in its place should be substituted :

" That in any case when the proposals contained in the Report are examined they must be examined as a whole and this cannot be done before September."

In the conclusion the Honourable the Home Member, Sir Sivaswamy Aiyer and I are agreed, namely, that the consideration of this Report should be postponed till September. The reasons which have been advanced by Sir Sivaswamy Aiyer and the Honourable the Home Member I have endorsed to a large extent. I want to make one important differentiation on which I have already dwelt at some length and I hope the House will see the reasonableness of my amendment and accept it.

**Mr. Chairman :** The question is :

" That for clauses (1) and (2) of the original Resolution the following two clauses be substituted :

(1) That the questions raised by the Report cannot be separated from the all-important question of self-government in accordance with the demand put forward by the Assembly in February last, to which no satisfactory response has so far been made, and that both the questions ought to be determined simultaneously ;

(2) That in any case when the proposals contained in the Report are examined they must be examined as a whole and this cannot be done before September."

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Chairman in the Chair.

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### MESSAGE FROM THE COUNCIL OF STATE.

**Secretary of the Assembly :** The following Message has been received from the Secretary of the Council of State :

" In accordance with Rule 36 (1) of the Indian Legislative Rules I am directed to inform you that the amendment made by the Legislative Assembly in the 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 was taken into consideration by the Council of State at their meeting to-day, the 9th June, 1924, and that the Council have agreed to the amendment."

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### RESOLUTION RE THE LEE COMMISSION'S REPORT.

**Mr. W. M. Hussanally** (Sind : Muhammadan Rural) : With your permission, Sir, I wish to put a question to the Honourable the Home Member whether he expects the Local Governments' reports upon the Lee Commission's Report before the next session, whether those reports of the Local Governments will be circulated to us before the matter comes up for debate here again, and whether the Provincial Governments have been instructed to consult their Legislatures as well ?

**The Honourable Sir Alexander Muddiman :** The Honourable Member asks me whether the Local Governments' reports will be received before next September. The answer to that is certainly in the affirmative. We expect them before September. The second part of the question, as to whether those reports would be circulated to the House before or after the Government of India look at them, I will take time to consider. The question whether Local Governments will consult their Legislature before making their reports is a matter that is raised by an amendment but which I have no objection to answering. The question whether Local Governments will consult their Legislatures is a question for the Local Governments themselves.

**Mr. A. Rangaswami Iyengar :** Sir, I desire to support the amendment moved by Pandit Madan Mohan Malaviya and do so, Sir, for the simple reason that in the face of the speech of the Honourable Home Member that amendment is quite relevant to the Resolution and ought to be accepted by the Government. The Honourable the Home Member, Sir, pointed out that the Lee Commission not only dealt with the grievances of the services but also with the far more important question of the provincialization and Indianization of the services. And in dealing with these questions, the Lee Commission definitely dealt with what was a political issue which has been inextricably bound up with the question of the progress of reforms in this country. The Lee Commission has based its proposals for the provincialization and the Indianization of the services on the framework of the Reform Act of 1919 and upon certain other assumptions which did not follow from the framework of the Reform Act. As I take it, according to their calculations, there are going to be three Statutory Commissions before we are going to have anything like responsible Government in this country. Therefore, if on that basis this House is to be asked to proceed to discuss the recommendations of that Commission I say, Sir, in the face of the Resolution to which this House stands committed, which was passed in February last, it is impossible that this House can consider the proposals of the Lee Commission on the basis of that scheme of reforms which, according to the Commission's assumptions, is likely to take 40 years more before we arrive at anything like responsible Government. We therefore have a right to say that the question of the grievances of the services, the question of provincialization of the services and the Indianization of the services should be examined and can only be examined by this House on the basis of the principles for which it has stood. Moreover, the Government have already appointed a Committee to examine the defects in the working of this reform scheme. I think, Sir, it is perfectly possible that this Committee would come to the conclusion that the defects in the working of the diarchic scheme are such that the basis upon which it is suggested by the Lee Commission that the services should be recognized, cannot be accepted ; and it is also quite possible that the recommendations which this Committee will make and the final proposals which His Majesty's Government may put forward in that connection, may be such as to disturb the framework upon which the Lee Commission's recommendations have been based. Therefore, I consider it perfectly germane to this question of the consideration of the Lee Commission's recommendations by this House that the Government should also examine those recommendations in the light not only of the Resolution which has been passed by this House and which, so far, as this Resolution rightly points out, has not received any adequate or satisfactory response, but it is also necessary for the Government to examine the

Lee Commission's recommendations in the light of the investigations that are now proceeding into the defects of the working of the very scheme upon which those recommendations are based.

Then again, Sir, I think that this necessarily raises other political issues upon which the Government have now decided to take much more time than it was prepared to do some days ago. I quite concede that the Home Member has done the right thing and we are certainly thankful to him for it, in that he has taken steps necessary in this behalf with the Secretary of State to enable him to say that even in regard to the urgent matters which he mentioned to the House as being those upon which the Secretary of State wanted to take action, that even in those matters the Secretary of State has now agreed to put off taking action upon understanding which he says is involved in the Honourable Sir Sivaswamy Aiyer's Resolution. That understanding is intended to be conveyed in sub-clause (2). I say, Sir, that it is neither proper nor competent to this House to agree to that understanding or to give any undertaking in that behalf. The question whether the allowances that may hereafter be finally decided on will have to be given with retrospective effect or not, is a question of finance and expenditure upon which the Government cannot expect this House to be tied by anything which can be said to-day. Similarly, the question in regard to the passage allowances is not a mere question of allowances : it is a question that involves the perpetuation of the racial basis of the services in that the European services will in effect get an addition to their salaries which approximates to about 25 lakhs per annum. That, Sir, is sought to be put under a very dexterous plan beyond the pale of the vote of this House. And I say, Sir, that the proposal to make these passage allowances non-votable by treating them as part of salary.....

**The Honourable Sir Alexander Muddiman :** I am sorry to interrupt the Honourable Member, but I hope he does not suggest that I said any decision would be arrived at on passages. That is exactly what I did not say.

**Mr. A. Rangaswami Iyengar :** I am merely urging before the House, Sir, that the question involved in the grant or non-grant of passage allowances is a question of constitutional importance in that it seeks to make an item which is now votable into a non-votable item, and to that extent it takes away the liberties of this House in regard to taxation and expenditure. Similarly, Sir, in regard to the question of making the services in the three Departments mentioned in paragraph 16, as being appointments to be made by the Secretary of State and not by the Government of India, that also is a matter in which the proposal would mean that the House which now has the right to settle the pay and allowances of the officers in those Departments will be deprived of that right by their appointments being made by the Secretary of State and thereby being placed within the non-votable ban under section 67-B of the Government of India Act. That, again, Sir, is a retrogressive proposal. These two proposals, that in regard to passage allowance and that in regard to the appointments under the Customs and other departments being made by the Secretary of State, are proposals which in effect will take away powers at present possessed by the Legislature ; and, therefore, the question of reform, the question of the control of the Legislature over the services and the question of the

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grant necessary to carry on the Government through those services is one which the House will have to consider not only in connection with the Lee Commission's recommendations but also in connection with the further progress of reforms in this country.

Then, the question about the appointment of a Public Services Commission also, to my mind, involves the question of the constitutional position of the Legislatures in this country. As it is now proposed, the Public Services Commission that will be instituted will only act by delegation of the powers which are now vested in the Secretary of State for India. Our contention has been that this Public Services Commission should be the creature of the Indian Legislature and that the control of the Indian Legislature over the services should be complete, and, therefore, any Public Services Commission that is established in this country should not be merely one which is dependent for its existence and for its functions upon the sole authority of the Secretary of State. Then, similarly, in regard to the transferred services which are made over to the Provincial Governments. In the provincialisation of those services also, I consider, Sir, that a very important and vital constitutional question is involved. These services will be placed under the Provincial Governments. They will not, so far as we can now guess, have the advantage of an independent Public Services Commission until the Legislatures in the provinces proceed to enact the necessary legislation for that purpose; and in regard to them also, although that legislation will be available in respect of the future recruitment and control of the men so recruited to those services, it would not affect the position of those already in those departments, even though those departments are transferred. Therefore for 20 years, as the Lee Commission have computed, for 20 years the existing members in the services will obtain the benefit of the guarantee and the protection now afforded by the Reforms Scheme. If this is so, I cannot understand why for 20 years to come the Ministers in charge of the Transferred Departments should practically be powerless to control the services which are supposed to be responsible to them and for which they are supposed to be responsible to the Legislatures. I recognise that this transition has to be provided for. I recognise that any just rights of the services should not be taken away without justification. But I want this question should be examined in the light of the principles of responsible government upon which alone this provincialisation and Indianisation of the services should be based. It should not be based upon this most unsatisfactory Diarchic Reforms Scheme, into the working of which everybody is now agreed that there should be a re-examination. For these reasons, Sir, I think that, so far as the reasons we urge for postponement of this matter is concerned, it is the duty of the Government to consider these recommendations not merely on their own merits but also upon the bearing which they have on the constitutional development of this country and also upon the definite pronouncement which this House has already made in regard to the future constitution of India.

**Rai Bahadur Raj Narain** (Delhi : Nominated Non-Official) : Sir, I rise to support the Resolution so ably put, by Sir Sivaswamy Aiyer. That there is absolute necessity for us to have time to consider the Lee Report in all its aspects has been fully stated by him. I may, however,

mention a few facts which, to my mind, strike me as being very important matters. The Lee Commission has not completely fixed the tests of efficiency for various services which the House may find it advisable to fix when it considers the matter. That is one thing which we cannot possibly do in the short time that we have at our disposal. Then, again, the question of Provincialisation and Indianisation of the services are questions which are vital and which require time to consider. There remain the questions of appointing authority of the services, controlling authority of the services and fixing of emoluments. These are questions, which, as pointed out by my Honourable friend, could not be determined by any individual Member of the Assembly in such a short time. On these considerations it was only right that the Government came forward and agreed to the suggestion that the consideration and discussion of the Lee Commission Report might be deferred till the September session. I heartily support that and thank the Government for having acceded to the Resolution. An amendment has been proposed to this by my very able friend, the Honourable Pandit Madan Mohan Malaviya, and we have to consider whether that amendment is a proper amendment at this time when we are really considering the postponement of the Lee Commission's Report. It seems to me a little inconsistent to suggest that we should postpone the consideration of the Lee Commission's Report and at the same time suggest that we shall consider it. This to my mind is the effect of the amendment suggested by the Honourable Member. According to Pandit Madan Mohan Malaviya, the consideration of the Lee Commission's Report ought to be postponed until Government have decided about the revision of the Government of India Act. How the two things are connected together is a little difficult for a man of less ability than the Panditjee himself to understand. Well, I, for one, admit that I cannot very well connect the two together. One or the other of these two objects can be in view. One is that by postponing this measure, we bring pressure upon the Government, we induce the Government to review and revise the Government of India Act sooner than they would otherwise do. We have been assured by the Honourable the Home Member that it shall be done as soon as possible, not the actual revision but the consideration, as to what can be done in that direction. Well, what other object can be served by the suggestion of the Panditjee I have not been able to understand. It may be that he wants to provide against the possibility of the September consideration of the Report and the decision then arrived at being taken as a plea for incorporating or retaining certain prejudicial provisions in the Government of India Act. When the revision of the Act is taken in hand my answer is simple. We can, when we are considering the Lee Commission's Report in September next, provide that any decision arrived at shall not prejudice any decision which the Government or this House might in the future make with reference to the revision of the Government of India Act. That would be the proper time to bring forward this suggestion and I humbly submit to this House to consider whether this suggestion is not premature at this stage of the proceedings. I therefore humbly but strongly support the Resolution moved by Sir Sivaswamy Aiyer, but I am afraid I cannot support the amendment moved by Pandit Madan Mohan Malaviya.

**Mr. V. J. Patel :** Sir, it is really somewhat difficult to understand what we are really discussing. (*A Voice :* "Louder, please.") I find

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it difficult to understand what exactly it is that we are discussing. It is common ground, it seems, between Sir Sivaswamy Aiyer and those who think with him, and the Honourable the Home Member and those who think with him, as also with Pandit Madan Mohan Malaviya and those who think with him, that this matter should not be discussed at this session. It appears, at any rate, to be the common ground between all parties that it should be discussed, if at all, in September. These two facts being clear, I really fail to understand what it is that we are fighting for. Whether this Resolution should be passed or that Resolution should be passed is the question that is before the House. But the result appears to me to be the same. Perhaps my friend the Home Member wants some price for the postponement and that price is indicated in part (2) of Sir Sivaswamy Aiyer's Resolution. Now, I put it to him—If that is so, is it fair? Should you treat the House in this way? You are agreed that this matter should not and could not be discussed in this session because neither the Home Member nor the Members of this House are prepared to discuss this Resolution on its merits. If the Home Member is not prepared, and if the non-official Members of this House are not prepared, then the only course is to postpone the discussion till September. Why should he seek a price for this postponement? Is it right? He wants to postpone the discussion because he has not studied the Report. He has admitted that other Government Members also are not quite prepared to go into the details of this Report. Members of this House are also not yet prepared for the discussion of the Report. If that is so, is it fair for him to ask this price for this postponement? Why not keep the matter over to the September session, leaving every party free to press its own views on that occasion.

I see there are three schools of thought. There is one school of thought which would like that this Report should be discussed on its merits apart from the question of constitutional advance. My friend, the Mover of this Resolution, seems to me to be of that opinion and there are perhaps some other non-official Members of that opinion. Perhaps the Government Members also would like it. I have not the slightest doubt that the Government Members hold the view that this matter should be treated on its own merits apart from the question of constitutional advance. This is one school.

There are others like my friend Pandit Madan Mohan Malaviya who feel that, though this matter in their opinion could not possibly be separated from the question of constitutional advance, if the Secretary of State does not accept their view and forces them to discuss the Report on its merits apart from the question of constitutional advance, then they say in the second paragraph of this amendment that "in any case" this matter should be postponed till September. Their whole point seems to be to convey to the Secretary of State the sense of this House that this is a matter which could not be separated from the question of constitutional advance and if the Secretary of State thinks otherwise, then they say they have no other alternative but to discuss it on its merits. Why should you prevent the Members of this Assembly from placing that view before the Secretary of State? It may be that the Secretary of State may be a reasonable man, not so unreasonable as you are. (Laughter). It is just likely that he might appreciate this view point. He might think that, as there is a large body of opinion in the Assembly



who feel that this is a matter which could not possibly be separated from the question of constitutional advance, he should therefore agree with them and have both the matters simultaneously examined. There is just a chance. Therefore all that Pandit Madan Mohan Malaviya and those who think with him want is this : " Give us an opportunity of making this representation to the Secretary of State, and if the Secretary of State does not agree with us, then of course we will fall back upon the second part of the amendment, namely, in any case this matter should be discussed in September." The question will of course be discussed then on its merits by those who take this view. That is the second school of thought.

There is yet a third school of thought. They think that this report should under no circumstances be considered on its merits apart from the question of constitutional reform. These two subjects in their opinion cannot possibly be separated. Even if the Secretary of State feels otherwise, decides otherwise, they are not going to have anything to do with this report. There is that school of thought also. You must remember that. They strongly feel that the manner in which this Report has come before this House for consideration is simply scandalous, to say the least of it. Members will recollect that the last Assembly, when the announcement for the appointment of this Commission was made, moved an adjournment of the House for the purpose of discussing the said announcement. They carried that motion for adjournment, thus marking their protest against the appointment of any Commission. Not only that, they went further. When the Government came forward with a demand for a grant of three lakhs of rupees for the expenditure of this Commission, the last Assembly again repeated their protest in spite of the entreaties of the Government Benches by refusing the demand for grant. I have gone through the proceedings on that occasion and I find that some very moderate Members of that Assembly had stated that, if in spite of their repeated protests the Commission was going to be thrust on this country, then the country was not going to co-operate with that Commission. Such was the manly stand that the last Assembly

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took. Now I put it to this House, this House which claims to be more representative than the last Assembly (*An Honourable Member* : " Question." ) : What attitude should they adopt on this question ? The question really is, when the last Assembly had more than once entered their protest against the appointment of the Commission, first, by passing a motion for adjournment, and, secondly, by refusing the demand for the grant, then is it right for this Assembly now even to think of considering this Report ? This is one ground on which, in the opinion of some Members of this Assembly, this Report should be thrown into the waste-paper basket. But there is another and stronger reason why this Report should not be considered at all by this Assembly. If this House desires to be taken seriously on the question of constitutional advance, then I say this Report should not be considered by them at all. Remember what we did in the Delhi session. We passed a Resolution asking for a round-table conference for drafting a scheme of self-government. We passed it by an overwhelming majority. Government did not respond to the satisfaction of the Assembly, and what attitude did this House then take ? (*Pandit Shamlal Nehru* : " They gave an official Committee." ) Yes, this House considered the



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announcement made by Sir Malcolm Hailey, the then Home Member, regarding the appointment of that Committee, and thought that the announcement was an insult to this House, with the result that this House decided to refuse demands for grants. (*The Honourable Sir Basil Blackett* : "They did not do it.") They refused four grants, and when further demands for grants were made they said, "Yes, you want to spend so much money on certain departments, all right, spend it, we have no objection"; but when you came with the Finance Bill, they said "No, thank you. We cannot pass the Finance Bill and thus supply funds to you. We did not promise you money, you asked our permission to spend and we said we had no objection; by all means spend. But we cannot give you the money. You have for the last 150 years drained the country and you might as well spend from that." The Finance Bill was rejected. Such was the manly, courageous stand which the Assembly took. I put it to this House. Are you now going to be consistent with that attitude which you took in February and March? If you want to be consistent, if you have any self-respect, the only course open to you is to refuse to consider the Report of the Lee Commission. I feel, however, that the Government must be congratulating themselves to find that the Assembly is by degrees going down and down and gradually giving up that fight which they began in the February and March meetings of the Assembly. (*Cries of "No, no."*) Facts are facts. This is my feeling from my experience of this session. I shall be glad to find that I am wrong. I submit that no Member who was a party to the rejection of the Budget could think of discussing this Report apart from the question of constitutional reforms. Self-respect and the dignity of the Assembly demand that this is the only right course for the Assembly to adopt. These are the three views which can well be discussed on their merits when the Report is taken up for consideration. Let us not commit any party to anything now. Let us leave each party free to express its own views at the proper time. Let Pandit Madan Mohan Malaviya be free to express his view and our friend (Sir P. S. Sivaswamy Aiyer) to press his view, and let those who think with me be free to press their views when the Report comes up for consideration. If you think you are committing any party to anything by passing any Resolution now, you are very much mistaken. Supposing this Resolution is passed, still I submit it will be open to Pandit Madan Mohan Malaviya in September to press his view and say, "No, this Report cannot be discussed now, make a representation to the Secretary of State first that this question should not be separated from the other question of constitutional advance, and if the Secretary of State ultimately comes to a contrary decision, I might agree to a discussion of the Report on its merits." If I am right in this view, then I ask, why not make a representation now so that, when in September the matter comes up for discussion, Pandit Madan Mohan Malaviya could not raise this question again? This course would facilitate the business of the House. As for the third school of thought, of course there is no remedy except Swaraj. It represents a view which will be pressed and pressed and pressed till Swaraj is obtained. Believe me you cannot get out of it; it will always be there. Even if it is in minority, it will be pressed so long as Swaraj is not obtained.

There is one other matter I would like to urge upon the attention of this House, and it is this. You may, if you decide, consider these

recommendations in September, but take it from me, that any vested interests created whether with or without the assent of this Assembly will not be safe. You have no right to create any further vested interests at this stage. At the earliest possible opportunity the country, which I venture to submit is not fully represented here, will repudiate any such vested interests. You are mistaken if you think you are merely concerned with the consent or assent of this Assembly. Remember that there is such a body as the Indian National Congress representing the country. Take note of it; you may laugh at it; you may disregard my warning (Laughter), but there it is. Before I sit down I should like to repeat that when all parties are agreed that this matter should not be taken up now, the best course is not to pass this Resolution or that Resolution; but to allow the whole matter to go over to September when every point of view will be fully discussed and all the three schools of thought will have free scope. I think therefore the only solution of this *impasse*—if I may call it so—is for someone to move that the further discussion of this Resolution be adjourned till the September session.

**Mr. Chairman :** Does the Honourable Member move that proposition formally ?

**Mr. V. J. Patel :** I do not think I will move it.

**Mr. B. D. Bell** (Bombay : Nominated Official) : Sir, Mr. Patel in the earlier part of his speech has referred to a point on which I should like to make a few remarks. In referring to clause (2) of Sir Sivaswamy Aiyer's Resolution, he delicately mentioned the price which the Honourable the Home Member had consented to take in return for the Resolution. Pandit Madan Mohan Malaviya referred to the failure of the Commission to publish its evidence, and one can recognise now that there are certain disadvantages in that course. It is for this reason that I wish to put before the House a few facts. I rather feel that I am in the position of a shareholder in an Iron and Steel Company speaking on a Tariff Bill, but I can assure the House (*Mr. V. J. Patel* : "I hope you will not vote") that my interest is a very small one and is locked up in a highly speculative concern entitled Appendix IV. I wish to deal specially with the case of the uncovenanted services and I wish to place some reservations on the remarks which I make. I can only speak of what I know, that is, the condition of these services in my own Province, the Presidency of Bombay. In dealing with these services I visualise the normal case—that of an officer who marries about the age of 30 and has a small family. There is an impression, sometimes, that before the War the members of these uncovenanted services were comparatively well off. On this point I should like to say that when I came to India in 1902 I found that a married member of these services in the Bombay Presidency had to live with very great regard to carefulness and economy. Not very long afterwards the need for revising the conditions of these services was recognised. In 1912 there was appointed the Public Services Commission. Before the Public Services Commission could report the War broke out and the War had for quite a long time a definite economic effect on the uncovenanted services. The cost of living in India, unlike the cost of living in England, rose very slowly until the very end of the War. In England, school fees, which are the main item in an officer's remittances, also rose very slowly. Then again there was a tendency for the standard of life to fall from the careful and economic to the

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frugal, and, as everyone knows, sacrifices were willingly made in every direction. It was quite impossible in ordinary circumstances for an officer to take leave and there was no immediate necessity for him to save passage money.

**Mr. Chairman :** Order, order. I would request the Honourable Member not to go into details at this stage. He will realise that the issue before the House is rather a restricted one.

**Mr. R. D. Bell :** My point is this, Sir. The urgency of the case rests upon its merits. If the claims of these services are not well merited, then they are not urgent. I hope you will recognise my point Sir, and allow me to proceed. Well, Sir, I shall be as brief as possible in coming to the main point. There was a revision of pay in 1919, but the revision was made on the basis of a two-shilling rupee. With the fall in the exchange the condition of the services was entirely altered. Now it may be said that the services have had an increase of pay in 1919, and statistics may be given to show what has been the rise in the cost of living since the Public Services Commission reported. The main point is whether the pay of the uncovenanted services is sufficient,—whatever has been the increase in the costs of living and whatever increases of pay they have received—whether their pay is sufficient to maintain them in moderate comfort and free from financial anxieties. Well, Sir, last year I collected a large number of household budgets in the Presidency of Bombay and I should like to point out to the House that people who keep household budgets are generally very careful and economical people.....

**Mr. A. Rangaswami Iyengar :** Sir, are we now going into the family budgets of people in the different services ?

**Mr. Chairman :** I hope the Honourable Member will come to the point.

**Mr. R. D. Bell :** The result of that inquiry (and I can assure the House that in nearly every case not the average figure but the lowest figure was taken) was to show that in the Bombay Presidency in the uncovenanted services, such as the Police and Forest Services, if the pay were raised by 25 per cent. it would barely enable them to meet their expenses between the ages of 30 and 40 and would be quite insufficient to meet expenses after the age of 40.

**Seth Govind Dass (Central Provinces : Landholders) :** Sir, is the House allowed to go into the merits of the question ?

**Mr. R. D. Bell :** I am not dealing with the merits of the question.

**Dr. H. S. Gour (Central Provinces Hindi Divisions : Non-Muhammadan) :** Do I understand the Honourable Member to be speaking against the motion for postponement ?

**Mr. R. D. Bell :** I am speaking on the Resolution. If these facts are recognised, then the settlement of the case becomes an urgent matter ; and I understand it is the urgency of the matter which is now under consideration. I am speaking with special reference to clause (2) of Sir Sivaswamy Aiyer's Resolution. But I recognise, Sir, that the Report must be considered as a whole and, on behalf of the uncovenanted services, though I speak without any authorisation, I should like to

acknowledge the marked consideration which the Honourable the Mover of the Resolution has shown towards these services in framing it. I put it before the House entirely from the point of view of the services now in India and I suggest, Sir, that the existing employees of Government deserve the same treatment as the employees of any other prudent and Honourable employer may be expected to receive. The point is this—the administrative machine is a delicate one and it is to everyone's interest that it should run smoothly. Some parts of it have, within the last year or two, become heated, and what is wanted now is a little lubricating oil. It is no good, when lubricating oil is required, for people to throw handfuls of sand into the oil chamber. That is the point I wish to make—that some consideration must be shown between now and September to these services and that nothing should be done in the meantime to increase the somewhat high feeling that exists in the matter of their pay. As I said just now, what is wanted is oil, and if you put in sand instead, more heat will be engendered and, if I may use the expression, there will be a good deal of squeaking.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Sir, I do not think I would like to follow the example of my Honourable friend from Bombay, Mr. Bell, in what he said regarding the various details in connection with the Report. I fully agree with my friend Mr. Patel that the House is practically unanimous that the Report should not be discussed now. The only question before the House is as to how we should adjourn—on the Resolution moved by Sir Sivaswamy Aiyer or on the amendment proposed by Pandit Madan Mohan Malaviya. Mr. Patel said that paragraph 2 of Sir Sivaswamy Aiyer's Resolution was the price that the Honourable the Home Member was taking from the House for this postponement. I really wonder if any Honourable Member of this House is prepared either to allege or to believe that that Resolution of Sir Sivaswamy Aiyer's was drafted by the Honourable the Leader of the House and was given to him to be put in as his Resolution. (*Mr. Devaki Prasad Sinha and another Honourable Member* : "Nobody suggested that.") If that is a thing which cannot even be conceived of by this House as is evidenced by two interruptions I have had from both sides of the House, the only other inference that remains is that Sir Sivaswamy Aiyer has offered to pay a price for the adjournment of this discussion from to-day to September. With the reputation that Sir Sivaswamy Aiyer has had in this House and before I say, Sir, with all the emphasis at my command that the idea that paragraph 2 of his Resolution is a price for the postponement may be safely put out of serious consideration at this stage. For, after all, what does paragraph 2 of Sir Sivaswamy Aiyer's Resolution contain ? It only repeats that in case Government decide, either on the recommendation of this House, or, overriding the recommendation of this House,—as is generally apprehended at this moment,—to give relief to the services on the lines indicated in the Lee Commission Report, Sir Sivaswamy Aiyer only indicates or wants it to be indicated to the Secretary of State that the Government will be in a position to do that as much after September next as now. Beyond that I fail to see where the question of any price in connection with paragraph 2 of Sir Sivaswamy Aiyer's Resolution comes in. If the majority of this House very strongly feel that paragraph 2 had better not be there, and with the elimination of that paragraph the House is likely to be unanimous on the other two parts of Sir Sivaswamy Aiyer's Resolution,

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I do not know whether my Honourable friend will agree to omit that part which apparently is looked upon with some suspicion by some in this House. But, let me, Sir, put to the House the other side of the question. If paragraph 2 of Sir Sivaswamy Aiyer's Resolution as it is worded, it does not matter whether it is the Home Member's idea or whether it is my Honourable friend's, Sir Sivaswamy's, is a price, what is it that the amendment of my Honourable friend Pandit Malaviya wishes to indicate? That amendment, I feel, can well be styled as something novel in the other direction; for, that amendment, Sir, conveys a commitment of the opinion of this House, a commitment to which I feel that this House would not be justified in giving any endorsement. We have not discussed it and I take it that we are not to-day to be allowed to discuss that aspect of the question raised in paragraph 1 of the Honourable Pandit's amendment. If paragraph 2 of Sir Sivaswamy Aiyer's Resolution is a price, I say that paragraph 1 of the Honourable Pandit's amendment is also an effort to get a commitment from this Assembly to a certain line of action which ought to be left open for discussion in September next. But, after all, supposing that this amendment is not passed, there is nothing in Sir Sivaswamy's Resolution which will prevent this Assembly from passing a Resolution on the lines of paragraph 1 of the Honourable Pandit's amendment if the House so chose to do it in September next, after full and mature consideration. But I feel that on this question of the adjournment of the discussion of this subject at present the Honourable Pandit's amendment is out of place and it certainly is an effort at a sort of pre-indication of what may be coming, an indication which we have not yet had enough time to discuss on the floor of this House.

I will, Sir, mention one more point. What is indicated in paragraph 1 of the Honourable Pandit's amendment causes an interdependence between the subject matter of the Lee Commission Report and the question of further advance in the reforms for India. There is no doubt a great deal in the Lee Commission Report and in the whole subject touched upon in that Report which is interdependent upon further reforms for India. The Honourable the Home Member said that there were three main features of the Lee Commission Report. He put as No. 3 the last, the question of advance in pay and allowances for the services. I remember very well an Honourable Member from this side of the House interrupting him there and saying to the Honourable the Home Member that that was the most important part of it. If in the eyes of non-official members of this House or at least in the eyes of some leading Members of this House that is the most important part of the Lee Commission Report, namely, the question of further remuneration, increase of pay and allowances for the services, I take it that it should not be difficult for this House, irrespective of the question of reforms, to give a definite expression of their opinion in September next; for, either the services are adequately paid or they are not so paid; and in order to come to a definite conclusion on that point perhaps a little more time is all that is wanted in order that each one may make his own inquiries, may take his own time to study the whole question and make up his mind as to whether the services need further increase or not. I personally feel that side by side with that question, which I look upon as a very important one from the country's financial

point of view, the other two points mentioned by the Honourable the Home Member are also very important and it is those two points that cause so much interdependence upon the question of an advance in the reforms for India. The question of an increase in pay and allowance is not and cannot be connected with further reforms.

The Secretary of State, I am pleased to say, and I am sure the House must have noted it with satisfaction, has agreed not to take any action on any of the questions dealt with in the Lee Commission Report till September next.

**The Honourable Sir Alexander Muddiman :** Subject to the House passing a Resolution substantially in conformity with the present Resolution.

**Mr. V. J. Patel :** That is the price.

**Sir Purshotamdas Thakurdas :** I should like to know whether the Honourable Member attaches great importance to paragraph 2 of the Resolution.

**The Honourable Sir Alexander Muddiman :** I attach great importance to it.

**Seth Govind Das :** Does the Honourable Member move that part 2 of the Resolution should be deleted ?

**Sir Purshotamdas Thakurdas :** I do not think the question arises at this stage. The Honourable Member is rather in a hurry. I do not know whether there is any motive in the mind of the Secretary of State in agreeing to this postponement. Leaving aside for the moment the price which my Honourable friend here says the Secretary of State insists upon getting, I really wonder whether the Secretary of State can have any other motive in agreeing not to take any action on the Lee Commission Report till after next September when the Assembly has discussed it, except this. I would like to believe, and I do believe until I am convinced otherwise, that the Secretary of State is genuinely anxious to get a clear expression of opinion from this Assembly as to what the Assembly thinks on the merits of the case in regard to the Lee Commission Report. Ample time we will have to criticise either the methods or the want of fulness or the extreme shortness of the Lee Commission Report. The House can criticise to its heart's content the fact that the evidence has not been made available to us, a thing which, as far as I can remember, is without any precedent. On that we can say that we have been unable to form our opinion exactly in the same manner as the commissioners of that Royal Commission might have been able to form their opinion ; but in spite of all this, taking the facts as they are I would like to believe, and I sincerely believe, that the Secretary of State is anxious to get at the real genuine opinion of this Assembly on the merits of the case as it is put before us in the Report of the Royal Commission. Why should this Assembly not discuss that Report dispassionately without any other consideration but absolutely on the merits of the case as presented to us. Let us criticise it in every way possible. Let us say that we do not want any recruitment if we are convinced that way. I implore the House not to mix up with it any sort of pre-idea that we will not discuss this very important question, a question which has been a burning question for some years now, a question on which the non-official Indians and the Government

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have had strong opinions. I implore the House that it will not commit itself to this amendment and will not condemn its judgment by saying that it will not discuss this question except as interdependent upon the question of advance of reforms for India.

For after all, Sir, the decision in that matter of advance in reforms is bound to take time. It may take six months or a year. I hope it will take less. In some quarters it is thought that it will take more than a year. If the House is convinced that the services are inadequately paid, may I ask the House if they are honestly and conscientiously prepared to say that the services should be starved for a period of a year or two years? If, on the other hand, the House are convinced that the services are adequately paid, even though reforms may be offered within the next fortnight, why should we vote any further allowances or any further pay? I therefore plead, in order that the opinion of this Assembly on the Lee Commission's Report may have the fullest weight, not only in India but everywhere else, I plead that no conditions shall be put at this stage on the full, impartial and dispassionate consideration of the Lee Commission's Report as it is presented to this House.

**The Honourable Sir Basil Blackett** (Finance Member) : Sir, I rather share the position of Mr. Patel in finding it difficult to understand what it is we are actually discussing. We are certainly not discussing the merits of the Report nor the grievances of the services nor are we discussing immediate constitutional advance. Mr. Patel described three schools of thought. I would suggest that the Assembly as a whole would prove itself more worthy to be called thoughtful if it did not attempt to pre-judge the Lee Commission's Report before it has read it. If Mr. Patel wants to spend the next three months in the manly occupation of hurling this Report into the wastepaper basket, what is the good of the Secretary of State or the Government of India waiting until three months hence when he will again declare that he is still doing it? What we are discussing is a point on which we are all agreed, that none of us have had time to read the Report or study it sufficiently to discuss it. Mr. Patel who belongs to a school of thought that always looks for a price says that clause (2) of Sir Sivaswamy Aiyer's Resolution is the price which is being paid for the promise of the Secretary of State that he will not take action on this Report until next September. Now clause (2), as I read it, is practically merely a statement of fact. It is a statement of fact that it is the intention of the Secretary of State and the Government of India to give effect to any financial relief that may eventually be decided upon for the services as from the 1st of April 1924. Let me make myself clear. I should like to safeguard myself in this. I do not say that every single decision that may be taken on the Lee Commission's Report will be antedated to the 1st April 1924. But it is common ground that when and if it is decided to give relief of any kind in the form of financial relief to the services, that will, generally speaking, be antedated to the 1st of April 1924.

**Mr. Chaman Lal** (West Punjab : Non-Muhammadan) : I do not wish to interrupt the Honourable Member but may I ask him to make the point very clear whether it has already been decided that all increases granted shall have retrospective effect from the 1st April 1924?

**The Honourable Sir Basil Blackett :** So I understand Sir, yes. Not that this Report should have retrospective effect but that any financial relief that may be decided upon shall be antedated to the 1st of April. And I would ask the House to consider whether there is anything unreasonable in that.

**Pandit Shamlal Nehru :** May I ask why the poor military officer has been ignored ?

**The Honourable Sir Basil Blackett :** This was a Commission on the superior civil services. So far as I know the military is not a superior civil service.

The amendment moved by the Honourable Pandit Madan Mohan Malaviya amounts to a statement that in the opinion of this House no kind of relief shall be given to the services nor any of the other questions raised in the Lee Commission's Report considered until such date—I have not got the exact words, but until Swaraj comes in by Fabian methods or otherwise. Well, that is a Fabian way of treating the Lee Commission's Report, and the Honourable the Home Member put in a plea earlier in the day not to turn this into an antiquated document before it is used. I would seriously ask the House to consider whether the result of passing the Honourable Pandit Madan Mohan Malaviya's amendment would be useful. It would be a direct statement to the Secretary of State, to the Government of India and to every one concerned that this House is not prepared to consider the Lee Report on its merits. It would be a statement to that effect before the Report has even been read. It would be a direct negative, and is it not obvious that the Secretary of State in saying that he is willing to leave over any decision on anything in this report until it has been discussed in September must ask that he shall not be met by a reply that in no circumstances will we consider the Report on its merits ? If the House says that, obviously there is nothing for the Government of India and the Secretary of State to do but to treat this manly action in the same way as they had to treat the manly action to which Mr. Patel was referring in the last session. But I am sure the House will not take that line and I ask them not to do so in their own interest and in the interests of India. We want this Report discussed on its merits. We want to know the opinion of all sections of the House and of the House as a whole, and we want to be sure that any action we take in accordance with the recommendations of the Report or in contravention of those recommendations is taken after careful and full consideration of the whole matter. If we leave it till September and then discuss the whole thing on merits, we shall be in a position to consider whether the relief in this direction is inadequate, whether Indianization in this particular service is adequate, whether the provincialization of another is desirable or not. The Report could then be discussed and India as a whole will surely benefit by having the opportunity for that dispassionate and—if I may use a word used the other day—colourless discussion which is desirable for this purpose. I would therefore appeal to the House not to stultify the whole matter by passing the Honourable Pandit's Resolution.

As regards the Resolution of Sir Sivaswamy Aiyer, it represents nothing more than a statement that it is desirable to postpone consideration of this matter until September, and that as a matter of fact the decision of the Secretary of State to give relief as from the 1st of



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April, in so far as relief is given will cause that postponement to do no particular harm. If the House prefers on the suggestion of Mr. Patel to adjourn the debate without further discussion, not passing any Resolution, I am authorised by the Home Member to say that he would see no objection to that course, which comes to much the same thing.

**Mr. B. Venkatapatiraju** (Gunjam *cum* Vizagapatam : Non-Muhammadan Rural) : Sir, in accordance with the wishes of the Home Member I propose to move that further discussion be postponed till September of this year.

**Mr. Chairman** : The question is :

“ That further discussion of this Resolution be now adjourned.”

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : I wish to ask the Honourable the Home Member whether in the interval he would induce the Secretary of State to publish such portions of the evidence as he may consider necessary or advisable and have such evidence made available for the consideration of this House. I may say, Sir, that some of us who are in the profession of law are accustomed when criticising a judgment to have before us the evidence in support of the judgment. In connection with this Report we have been considerably handicapped for want of the material on which the series of opinions contained in this Report are based. I venture to suggest, Sir, that representations made by the various Service Associations, may be printed and made available to this House. I am aware, that the Commissioners have stated in the Report that 411 witnesses were examined of whom 151 gave their evidence in public and the remainder gave their evidence *in camera*, and for that reason the Commissioners declined to publish the evidence. But I venture to think that, whatever may be the opinion of the Commissioners, it is the unanimous wish of this House that the materials on which decisions have been come to by the Commission should be made available to this House. During the Delhi session I think it was my friend Sir Purshotamdas Thakurdas who asked a question that the material which was placed by the Government of India before this Commission in regard to the cost of living should be made available to this House, and Sir Malcolm Hailey then stated that that would be published along with this Report ; and now we have the decision of the Committee that the evidence should not be published. It seems to me, Sir, that the materials placed by the Government of India before the Lee Commission should also be made available to this House. Unless some such course is taken, the series of opinions contained in the Report cannot be sifted and we shall absolutely be in the dark when we come to discuss the report.

**The Honourable Sir Alexander Muddiman** : I am in a little difficulty, Sir, in regard to this matter. The Royal Commission, I take it, reported to His Majesty and I think when it has reported, it is *functus officio*. Is there any authority left to do anything in connection with the Commission when the Commission is *functus officio* ?

**Diwan Bahadur M. Ramachandra Rao** : All the materials are in the hands of the Secretary of State.

**The Honourable Sir Alexander Muddiman** : I will inquire into it. I will consider the matter. A great deal of evidence was given in secrecy.

It was evidence given by bankers, given by business men, about the salaries they pay to their employees. I do not think the Honourable Member suggests that the Secretary of State should publish the confidential statements. Then, the rest will be an imperfect record. You have not got the police diaries or the first information report. I will consider the point, and you will be proceeding on evidence of a later date as it were. But I hope the Honourable Member will realise that this is a matter on which I cannot give an answer off-hand.

**Diwan Bahadur M. Ramachandra Rao :** Here are a series of opinions as regards the cost of living, as regards the rate of Indianisation, and so on. We have absolutely no material on which we can examine all these statements. I know that when the Commission was sitting, some of the statements made by the witnesses before this Commission appeared in the newspapers. Various Service Associations have also made statements and some of these also appeared in the press. The Provincial Service Associations have made their representations; the Indian Civil Service Associations have made their representations and I take it also that the Local Governments have submitted their views. Under these circumstances.....

**The Honourable Sir Alexander Muddiman :** I will do my best to meet the Honourable Member, but it is not a thing in which I can be rushed without due consideration.

**Diwan Bahadur M. Ramachandra Rao :** I do not want to rush the Honourable Member. I only ask him to consider the difficulty in which we are placed.

**The Honourable Sir Alexander Muddiman :** I quite see that.

**Dr. H. S. Gehr :** May I suggest to the Honourable the Home Member to consult the witnesses and associations who gave their evidence *in camera* before the Lee Commission, whether they have any objection to their memoranda being submitted to this House, and, if they have no objection, to make them available to the Members of this House, and that the evidence which was given in public may be printed and circulated, at any rate copies made available in the Library for the inspection of the Members of this House.

**The Honourable Sir Alexander Muddiman :** I am not prepared to ask the bankers and other people to disclose their secrets; that would be breach of professional conduct. As for the latter part of the Honourable Member's request, I will consider it.

**Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) :** Sir, the Honourable the Finance Member.....

**Mr. Chairman :** Is the Honourable Member making a submission on the motion now before the House that the discussion be now adjourned ?

**Mr. C. S. Ranga Iyer :** Yes. The Honourable the Finance Member stated that acceptance of Pandit Madan Mohan Malaviya's amendment would stultify the matter. After that we have before us the motion of Mr. Venkatapatiraju. I do not know if he has submitted this motion before this House with a view to save the matter from stultification. Sir, I should have liked to know how the matter would be stultified, but if that motion would save the stultification of the matter, it is quite another matter for the House to consider and adopt.

**Mr. Chairman :** The question is :

“ That further discussion of this Resolution be adjourned.”

The motion was adopted.

**Mr. Chairman :** I think all other Resolutions of which notices have been given automatically drop.

**Dr. H. S. Gour :** They do not drop. They are automatically adjourned with the discussion. They will all be taken up in September.

**Mr. Chairman :** May I know from the Leader of the House the nature of business to be set down for to-morrow ?

**Mr. M. S. Aney** (Berar Representative) : The amendments of which notices have been given stand over till the September session.

**Pandit Madan Mohan Malaviya :** I take it, Sir, that the whole discussion is adjourned.

**Mr. Chairman :** That is so.

**Pandit Madan Mohan Malaviya :** I am glad to think in that case it will give time to Sir Basil Blackett to understand my amendment better.

**Mr. Gaya Prasad Singh :** Meantime no action should be taken.

**The Honourable Sir Alexander Muddiman :** About the statement of business before this House, it is rather difficult to say anything now. I, however, understand from my Honourable friend that the Council of State have not yet passed the Tariff Bill. I, therefore, think it will be safer to adjourn to Wednesday.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 11th June, 1924.