

6th 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.

Friday, 6th June, 1924.

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

## QUESTIONS AND ANSWERS.

### THIRD CLASS PASSENGER FARES ON THE SOUTH INDIAN RAILWAYS.

1300. \***Haji S. A. K. Jeelani** : (a) Will the Government be pleased to state whether it is a fact that the rates per mile for third class passengers on the South Indian Railway is the same as those for the intermediate class passengers on the Madras and Southern Mahratta Railway ?

(b) If so, will the Government be pleased to state the policy governing the fixation of rates on these two railways ?

**Mr. C. D. M. Hindley** : (a) The third class fare by Mail trains over the South Indian Railway is the same as the Inter class fare over the Madras and Southern Mahratta Railway generally. A lower fare, however, is charged by ordinary trains.

(b) Government have sanctioned maxima and minima fares chargeable over Railways within which each Railway has power to fix actual fares according to local circumstances.

**Mr. A. Rangaswami Iyengar** : Is it a fact that the second class fares on the South Indian Railway have not been reduced in the same manner in which they have been reduced on the Madras and Southern Mahratta Railway ?

**Mr. C. D. M. Hindley** : I am afraid I must ask for notice of that question.

### DOUBLE LINE RAILWAY PROJECT FROM TAMBARAM TO MADRAS.

1301. \***Haji S. A. K. Jeelani** : With reference to the consideration of Double Line Project from Tambaram to Madras on the South Indian Railway will the Government be pleased to state how far matters have progressed since I last interpellated on the subject in the Assembly ?

**Mr. C. D. M. Hindley** : The Consulting Engineers of the South Indian Railway have submitted their report on the project for doubling and electrifying the line from Tambaram to Madras and it is being considered by the Company. No avoidable delay will be allowed to occur in arriving at a decision.

### RECRUITMENT OF INCOME-TAX OFFICERS IN MADRAS.

1302. \***Haji S. A. K. Jeelani** : (a) Since the separation of the Income-tax from the Revenue Department, in Madras, will the Government be

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pleased to state, how many candidates have been directly recruited for service as Income-tax Officers, and how many have been promoted from subordinate grades ?

(b) Have the Staff Selection Board anything to do with regard to the recruitment of Income-tax Officers ? If so, will the Government be pleased to state the exact nature of its function if not will it be pleased to state why ?

(c) Is it a fact that in the choice of selection for the post of Income-tax Officers, the son of an official is preferred to that of an artisan, a merchant, or an agriculturist ?

(d) Will the Government be pleased to lay on the table a statement showing the number of candidates recruited in Madras up to date as Officers for the Income-tax Department and the avocation of their parents ?

(e) Is it a fact that this year recruitment was not advertised in the papers ? If so, will the Government state why ?

**Mr. A. R. L. Tottenham :** (a) Altogether 43 Income-tax officers have been appointed permanently or on probation.

Of these, 11 were directly recruited from outside Government service, 9 were promoted from the subordinate grades of the Income-tax Department, and 23 were selected from other Government Departments.

(b) No. The appointment of Income-tax officers is governed by Statute. Under section 5 (4) of the Indian Income-tax Act, 1922, they are appointed by the Commissioners of Income-tax, subject to the control of the Governor General in Council and by executive order the appointments require the approval of the Local Government.

(c) In selecting Income-tax officers, permanent or probationary, the object kept in view has been to secure persons whose moral, educational, linguistic and physical qualifications and whose manners and general intelligence will enable them to command the confidence of the public, and to discharge their duties satisfactorily.

Every effort has also been made to secure the due representation of different communities, and it has further been thought advisable that this new Department should contain a substantial proportion of persons with previous official experience and training.

No such criteria as are referred to in this part of the question have ever been applied.

(d) No. The Government do not propose to collect the information asked for, as, in their opinion, no useful purpose would be served by doing so.

(e) Yes. Because several hundreds of candidates applied in the two previous years when vacancies were advertised, and their names had been registered. A large proportion of these had been personally interviewed by the Commissioner, and notes recorded as to their qualifications. In addition several hundreds of fresh applications were received, as it was widely known that there were vacancies to be filled. There was therefore no necessity to invite further applications by advertising in the newspapers.

**Mr. A. Rangaswami Iyengar :** The Honourable Member said that in considering the qualifications for selection the physical, moral and intellectual qualifications were taken into account. What I want to know, Sir, is whether a specific qualification in accounts or accountancy was not one of the main criteria in the choice of these applicants.

**Mr. A. R. L. Tottenham :** No, Sir. If, as a matter of fact, a candidate was highly qualified in accountancy that no doubt would come in as an important consideration. But generally speaking in this respect we rely on the training given to the officers after they come into the Department, when they are trained for one or two years in accountancy, income-tax law and so forth. However a candidate's knowledge of accountancy would certainly be taken into consideration under the head of his "educational qualifications". Training in accountancy is no doubt a form of education.

CONSULTATION WITH THE WORKERS' ORGANISATIONS IN INDIA *re* SUBJECTS TO BE DISCUSSED BY THE INTERNATIONAL LABOUR CONFERENCES.

1303. **Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they consult the Workers' Organization in the country before they send their replies to the questionnaire sent to them by the International Labour Office, regarding subjects to be discussed by the International Labour Conferences ?

(b) If the answer to (a) be in the negative, do Government propose to start hereafter the practice of such consultation ? If not, why not ?

(c) Will Government be pleased to explain the procedure which they follow in forming their opinions and gathering facts on the above-mentioned questionnaire ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The answer is in the negative. The questionnaires are issued with the object of placing the International Labour Office in possession of the preliminary views of the Governments concerned and the answers are not intended to represent the views of either the employers or the workers, who receive separate representation at the Conference.

(c) The Government of India normally form their opinion on the facts available to them at the time. When time permits and the importance of the subject demands such a course, Local Governments are consulted. But it should be added that the views expressed are purely provisional and do not commit the Governments to the adoption of any particular line when the subject is finally discussed at the Conference.

**Mr. Devaki Prasad Sinha :** Do the Government of India consult individuals who in their opinion have made a special study of the subjects relating to Indian labour ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already answered that, when time permits and the subject is of sufficient importance, the Government of India consult Local Governments. The question of consulting specific individuals is a matter which rests with the Local Governments.

**Mr. N. M. Joshi :** Will Government explain what is the meaning of the term "the opinion of the Government of India" ? Does not the Government of India include the Legislatures and the public in India ?

**The Honourable Sir Bhupendra Nath Mitra :** Of course the Government of India for certain purposes does include the Legislatures. But, as I have already explained at the preliminary stage the opinion of the executive government is asked for. Later on, the representatives of the employers and of the workers have an opportunity of expressing their views at the conference.

**Mr. N. M. Joshi :** May I ask at what stage the Government of India consult the Legislature ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India do not consult the Legislature because they are not called upon to do so. The workers and employees have their own representatives at the conference.

**Mr. Devaki Prasad Sinha :** Is there any special officer in the Government of India who makes a study of labour questions in India ?

**The Honourable Sir Bhupendra Nath Mitra :** There is a Department of the Government of India which deals with labour questions and it is equipped with officers who are capable of dealing with such questions.

**Mr. N. M. Joshi :** I would like a reply to my question, at what stage the Government of India consult the Legislature ?

**The Honourable Sir Bhupendra Nath Mitra :** I think I have already replied to that question.

**Mr. Bhubanananda Das :** In view of the fact that there is a socialist party in the House now, will Government also have a socialist Member ?

**The Honourable Sir Bhupendra Nath Mitra :** The question does not arise.

**Mr. K. Ahmed :** Do Government propose to consult the unions or organisations and the associations of labourers and agriculturists before they send their representatives across the Mediterranean ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will kindly give me notice of that question the matter will receive due consideration.

**Mr. K. Ahmed :** Is it not obvious, Sir, that the Government have failed in the object for which the Geneva International Conference has been held since they have omitted the real point at issue, namely, they have ignored the opinion of agriculturists and labourers, the hewers of wood and drawers of water.

**Mr. President :** That is not a question.

#### REPEAL OF SECTION 492 OF THE INDIAN PENAL CODE AND OF THE WORKMEN'S BREACH OF CONTRACT ACT, 1859.

1304. **\*Mr. N. M. Joshi :** Will Government be pleased to publish the reports which they may have received from Local Governments regarding the repeal of section 492 of the Indian Penal Code and the Workmen's Breach of Contract Act of 1859 ? If not, why not ?

**The Honourable Sir Alexander Muddiman :** Copies of the papers are being placed in the Library.

#### INTRODUCTION OF THE SHIFT SYSTEM IN MINES AND PROHIBITION OF THE EMPLOYMENT OF WOMEN UNDERGROUND.

1305. **\*Mr. N. M. Joshi :** Will Government be pleased to publish the reports which they may have received from the Local Governments and official and non-official associations regarding (1) the introduction of the shift system in mines and (2) prohibition of the employment of women underground ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member's attention is drawn to the promise made by the Honourable Mr. Chatterjee on the 15th March last that when all replies had been received the question of publication would be considered. The replies are not yet complete.

**DELAY IN PAYMENT OF MONTHLY WAGES TO EMPLOYEES IN ORGANISED FACTORIES.**

1306. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they had recently made an inquiry regarding the effects of the system of delaying the payment of monthly wages to employees in organised industries by a large number of days ?

(b) If the answer to (a) be in the negative, do they propose to ask for reports from Local Governments on this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No.

(b) The matter is one which is primarily the concern of Local Governments, and the Government of India do not consider it necessary to move in the matter. They understand, however, that the Government of Bombay have already taken up the question.

**Mr. Chaman Lal :** May I ask the Honourable Member whether he has seen a report in the newspapers that a statement was made by the Honourable Mr. Richards in the House of Commons that this subject was being dealt with by the Government of India ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have received no official information on the subject yet.

**Mr. Chaman Lal :** Will Government make an attempt to obtain official information on this subject ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I did not catch the Honourable Member.

**Mr. Chaman Lal :** Will the Government of India make an attempt to obtain official information on this subject ?

**The Honourable Sir Bhupendra Nath Mitra :** The official information will be sent in due course by the Secretary of State to the Government of India.

**REGULATION OF THE PAYMENT OF WAGES WITHIN A FIXED PERIOD AFTER THEY ARE DUE.**

1307. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether there is a special law regulating the system of the payment of wages within a fixed period after they become due ? If so, what that law is ?

(b) If there is no such law on the Statute-book, do Government propose to undertake legislation on the subject ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No such law is in force.

(b) Government have no such proposals under consideration.

**Mr. N. M. Joshi :** What I want to ask is whether Government intend to undertake legislation on any such proposals ?

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

**Mr. Chaman Lal :** May I again remind the Honourable Member of the statement made by Mr. Richards in the House of Commons condemning this system and may I ask whether, in view of that statement the Government of India are not prepared to take any action in this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** That is not a question, Sir.

#### RACIAL DISCRIMINATION BETWEEN EMPLOYEES ON STATE RAILWAYS.

1308. **\*Mr. N. M. Joshi :** Will Government be pleased to place on the table a statement showing those rules and conditions of service which discriminate on the ground of race or colour and not on individual merit, between the employees of each of the State Railways as regards pay, pension, leave and the concession of free travelling facilities ?

**Mr. C. D. M. Hindley :** The general policy is to eliminate discrimination on the grounds and in the matter referred to by the Honourable Member and considerable progress has been made in this respect on the North-Western and Oudh and Rohilkhand Railways. The matter is being taken up with the Agent of the Eastern Bengal Railway. When this has been done I will have the rules and conditions of service examined and I will send the Honourable Member a statement on the lines desired by him.

**Mr. Devaki Prasad Sinha :** Do Government recognise that, in spite of this general policy, which the Honourable Member has just declared, actual discrimination exists between men of various races ?

**Mr. C. D. M. Hindley :** It is, to some extent, a matter of opinion whether any such discrimination does exist or not.

#### DIFFERENTIAL TREATMENT OF EUROPEAN, ANGLO-INDIAN AND INDIAN EMPLOYEES ON RAILWAYS.

1309. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether their attention has been drawn to the following resolution passed by the all-India Trade Union Congress at its fourth session held at Calcutta on the 30th and 31st March 1924 ?

“ That this Congress urges upon the Government of India to appoint a Committee to investigate and report on the existing differences in the scales of pay and conditions of service between Europeans, Anglo-Indians and Indians on Indian Railways which are based not on merit but on colour with a view to remove them as soon as possible.”

(b) If the answer to (a) be in the affirmative, will they be pleased to state whether they propose to take any action to give effect to this resolution ? If so, what it is ? If not, why not ?

**Mr. C. D. M. Hindley :** (a) The Government have seen the Resolution as it appeared in the Press only.

(b) As already stated in reply to the Honourable Member's previous question, these distinctions have already been done away with to a very large extent on the North-Western Railway and the Oudh and Rohilkhand Railway and the question is being further examined on the Eastern Bengal Railway. The Government see no reason to appoint any Committee.

#### INTRODUCTION OF MATERNITY BENEFITS IN INDUSTRIAL UNDERTAKINGS.

1310. **\*Mr. N. M. Joshi :** Will the Government be pleased to state whether they or any of the Local Governments have made any efforts to persuade large employers of labour to introduce, voluntarily, schemes for

maternity benefits in their industrial undertakings ? If so, will they be pleased to state what these efforts were ? If not, why not ?

MATERNITY BENEFITS IN FACTORIES, MINES, ETC.

1311. **\*Mr. N. M. Joshi :** Will the Government be pleased to call for reports from Local Governments regarding schemes for maternity benefits which may be in existence at present in factories, mines and tea and coffee estates ?

**The Honourable Sir Bhupendra Nath Mitra :** Sir, I propose, with your permission, to answer this and the next question together.

The question was examined by the Government of India some three years ago at various meetings between their officers and Chambers of Commerce, Employers' Associations, factory owners, and others interested in the question. It was also discussed informally at a conference in Simla with representatives of associations concerned with the welfare and medical relief of women and children. As a result of these discussions, the matter was brought to the attention of Local Governments who were asked to express their views in regard to the encouragement of voluntary systems of maternity benefits. Most Local Governments expressed their willingness to endeavour to persuade employers to start voluntary schemes for this purpose. The Government of India will ask Local Governments for further information on the subject, as desired by the Honourable Member.

SYSTEM OF FINES IN ORGANISED INDUSTRIES.

1312. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they had recently made an inquiry regarding the system of fines inflicted upon employees in organised industries by their employers by a reduction in wages ?

(b) If the reply to (a) is in the negative, do they propose to ask for reports from the Local Governments on this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No.

(b) The matter is one which is primarily the concern of Local Governments, and the Government of India do not propose to move in the matter.

LABOUR REPRESENTATION ON THE CENTRAL AND LOCAL LEGISLATURES.

1313. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether their attention has been drawn to the following resolution passed by the All-India Trade Union Congress at its fourth session held at Calcutta on the 30th and 31st March 1924 ?

"The All-India Trade Union Congress urges upon the Government the necessity of extending the basis of franchise for electing members for Central and Local Legislatures, so as to give adequate representation to the working classes and also urges upon them the necessity of giving special representation to the organisations of labour in India."

(b) If the answer to (a) be in the affirmative, will they be further pleased to state whether they propose to take any action to give effect to this resolution ? If so, what that action is ? If not, why not ?

**The Honourable Sir Alexander Muddiman :** (a) I have not previously seen a copy of the Resolution referred to by the Honourable Member.

(b) The Government of India do not at present propose to take the action suggested by the Honourable Member. The question could only come up for consideration if a general revision of the franchise were undertaken.

**Mr. Devaki Prasad Sinha :** Did this question of granting wider franchise to labour at all come up for consideration before the Committee which was presided over by the Honourable Sir Alexander Muddiman ?

**The Honourable Sir Alexander Muddiman :** I did not hear the Honourable Member's question. Will he please repeat it ?

**Mr. Devaki Prasad Sinha :** Did this question of extending the franchise to the labour population of the country at all come up for consideration before the Committee which was appointed recently and which was presided over by the Honourable the Home Member ?

**The Honourable Sir Alexander Muddiman :** No, Sir ; not in that form.

**Mr. Devaki Prasad Sinha :** Is this question likely to be placed before the new Committee, the appointment of which has been announced ?

**The Honourable Sir Alexander Muddiman :** The Committee will be seized of it to this extent whether there is power to revise the franchise under the rulemaking power under the Government of India Act.

**Mr. Devaki Prasad Sinha :** Do Government propose to invite the opinions of various labour organisations on this question before the question is finally discussed by the Committee ?

**The Honourable Sir Alexander Muddiman :** No, Sir. The public will have an opportunity of making representations when the Committee is formed.

**Mr. Devaki Prasad Sinha :** What I want to find out is whether Government at all propose to ascertain the views of labour organisations on this question ?

**The Honourable Sir Alexander Muddiman :** I imagine labour organisations are part of the general public and the public in general will have the opportunity of making representations to the Committee as I explained to the House the other day.

#### NATURALIZATION OF INDIANS IN THE UNITED STATES OF AMERICA.

1314. **\*Mr. M. A. Jinnah :** (a) Will Government be pleased to state whether any and if so what steps have been taken and with what result by the Government of India or by His Majesty's Government with regard to the recent ruling of the Supreme Court of the United States of America which has held that according to law of that country the naturalization of His Majesty's Indian subjects as American citizens is illegal ?

(b) Will the Government be pleased to make a statement informing the House as to the present state of this question and what steps if any the Government propose to take further in the matter ?

**Mr. Denys Bray :** I would refer the Honourable Member to the answer given yesterday to Question No. 1290 put by Mr. Devaki Prasad Sinha.

I am not in a position to make a statement on the matter, which in its various bearings still forms the subject of representations to the Government of the United States of America. The Honourable Member

will appreciate the delicacy and difficulty of the position. For the ruling excluding British Indians from United States citizenship is a decision of the Supreme Court of the United States of America ; and that decision is based on one of the statutes of the American Constitution dating from 1790. The ruling itself is final and unimpeachable. It is with implications that we are concerned.

**Mr. Devaki Prasad Sinha :** Do Government propose to make a statement, either in this House or in the form of a communiqué, when the question is finally settled between the Government of India and the United States ?

**Mr. Denys Bray :** Government have not yet considered this point, but they will of course consider it when the time comes.

#### REPAIR OF MOTOR CARS OF RAILWAY OFFICIALS.

1315. **\*Maulvi Muhammad Yakub :** Is it a fact that all the motor cars belonging to most of the officers are always repaired in the Railway Workshop at Lucknow and special machinemen and others, who attend to these repairs are charged in the workshop labour bill ? If so, may we ask why private work is done in workshops at a great loss to the Government ?

**Mr. C. D. M. Hindley :** Government are aware that Railway officers get their motor cars repaired in the railway workshops, but when this is done, the owner of the car has to pay all actual charges for labour and stores used in effecting the repairs and in addition has to pay certain percentages in accordance with the Code to cover supervision costs. No question of loss to Government therefore arises in this connection.

#### EXPENDITURE ON THE INDIAN LAW REPORTS COMMITTEE, 1922.

1316. **\*Mr. Ahmad Ali Khan :** (a) Will Government be pleased to state what was the total expenditure on the Law Reporting Committee 1922 ?

(b) Has any, and if so what, action been taken by the High Courts on the recommendations of the Committee ?

**Sir Henry Moncrieff Smith :** The Honourable Member is referred to the answer given to Mr. K. Ahmed's question on the same subject on the 2nd June, 1924, No. 1176.

It is for the Local Governments concerned, and not for the High Courts, to take action on the recommendations of the Committee.

#### ACQUISITION OF PAPER AND PULP PLANT FOR THE FOREST RESEARCH INSTITUTE, DEHRA DUN.

1317. **\*Mr. Ahmad Ali Khan :** (a) Will Government be pleased to state if any paper and pulp plant has been acquired for use at the Forest Research Institute (Dehra Dun) ?

(b) Will Government be further pleased to state if any experiment has been made with Savannah grasses to test their possibilities as raw material for the manufacture of paper in this country ? If the answer be in the affirmative, what has been the conclusion arrived at as a result of the experiment ?

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

(b) Savannah grasses have been investigated in the paper-pulp laboratory and several species have been found satisfactory. These will

in due course be tested in the pulp making plant and results published. The plant however will be fully occupied on bamboos for some time.

SCHOOL OF MINING AND GEOLOGY AND CHEMICAL RESEARCH INSTITUTE,  
DHANBAD.

1318. \***Mr. Ahmad Ali Khan** : (a) Will Government be pleased to state what progress has been made with the establishment of a school of mines and geology at Dhanbad ?

(b) In view of the increasing importance of the locality as a mining centre do Government propose to take steps to open the school at an early date ?

(c) Are any steps being taken by Government to establish also a Chemical Research Institute at Dhanbad ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) and (b). The attention of the Honourable Member is invited to the reply given on the 19th March, 1924, to a similar question by the Honourable Raja Moti Chand in the Council of State. The sum of Rs. 2,50,000 referred to in that reply has since been voted by the Legislative Assembly and the Government of Bihar and Orissa are proceeding with the work of constructing the school buildings.

(c) The reply is in the negative so far as the Central Government is concerned.

ABOLITION OF THE POSTS OF RESIDENT IN WAZIRISTAN AND POLITICAL AGENT  
FOR WANA.

1319. \***Mr. Ahmad Ali Khan** : Will Government be pleased to state if either of the undermentioned posts has been abolished as recommended by the Inchcape Committee :

Resident in Waziristan ;

Political Agent for Wana ?

**Mr. Denys Bray** : Neither post has yet been abolished. The Indian Retrenchment Committee recommended that the question of the abolition of one of the two should be taken up when conditions in Waziristan have settled down. The Government of India will give full consideration to this suggestion when that time comes.

DISCHARGE OF CHOWKIDARS AND SERGEANTS BY THE EAST INDIAN RAILWAY.

1320. \***Mr. Ahmad Ali Khan** : (a) Is it a fact as reported in the *Statesman* of the 8th May that about 150 chowkidars and sergeants out of a total of 266 in the employ of the E. I. R. Company have been discharged ?

(b) Is it further a fact that the same are going to be replaced by an equal number of Gurkhas ?

(c) Will Government be pleased to state the reason for taking such a step ?

**Mr. C. D. M. Hindley** : (a), (b) and (c). The matter is one of internal administration, and the Government have no definite information on the subject. But they are aware that the East Indian Railway is reorganising its Watch and Ward Staff in order to reduce pilferage and if the statement referred to by the Honourable Member is correct,

presumably the action has been taken by the East Indian Railway administration as part of its reorganisation scheme.

STRINGENCY IN THE MONEY MARKET.

1321. **\*Baboo Runglal Jajodia :** (a) Is the Honourable the Finance Member aware of the great stringency that has prevailed in the money market in India for several month leading to a rise in the Bank rate of interest to 9 per cent. ?

(b) Has the attention of the Honourable the Finance Member been drawn to the fact that the difference in the Bank rates of interest has varied between 4 per cent. and 9 per cent. at different times of the year and that such variation has injuriously affected the development of trade and industries ?

(c) Will the Honourable the Finance Member be pleased to state what steps, if any, the Government intend to take to prevent a recurrence of similar stringency in the money market and too high a rise in the Bank rate of interest in future and to explain the policy of the Government in connection therewith ?

(d) Is the Honourable the Finance Member considering the desirability of adopting the suggestion made by the Indian Merchants' Chamber and Bureau that rises in the Bank rate of interest should be by  $\frac{1}{2}$  per cent. instead of by 1 per cent. and that the Emergency Currency to meet the seasonal demands should be issued at 5 per cent.,  $5\frac{1}{2}$  per cent. and 6 per cent.

(e) Are the Government considering the advisability of entrusting the work of issuing Currency Notes to the Imperial Bank of India and will the Government be pleased to explain their policy in this matter ?

**The Honourable Sir Basil Blackett :** (a) and (b). The answer is in the affirmative.

(c) I would refer the Honourable Member to my speech in the Council of State on the 7th March, 1924. The Government have no further pronouncement to make on the subject at present.

(d) The suggestion was made under the belief apparently that the Bank of England's rate is habitually moved up by  $\frac{1}{2}$  per cent. stages.  $\frac{1}{2}$  per cent. stages are frequent when the rate is going down but there is not a single instance in which the rate has gone up by less than 1 per cent. and the traditional rule in London is that " Bank rate does not go up by halves ". In any case the Bank rate is not fixed by the Government either here or in London.

(e) The suggestion is possibly premature but is one which deserves and will receive full consideration. It has undoubtedly many attractions.

I have endeavoured to answer each part of the question as fully as is reasonable in the form of replies to questions during question time in the House. But the subject is an intractable one which does not easily lend itself to this method of handling. I desire to assure the Honourable Member and the House that the general subject is engaging my earnest attention. I would however warn the House that it is far easier to criticize existing conditions than to make constructive proposals for improving them. Until banking facilities are more widely developed

in India than at present, and until the extension of industrial and commercial activities renders the demand for currency in India less seasonal the difficulty of seasonal fluctuations in money rates cannot be entirely avoided.

#### AMENDMENT OF THE RATE OF EXCHANGE IN THE INDIAN CURRENCY ACT.

1322. \***Baboo Runglal Jajodia** : (a) Is the Honourable the Finance Member aware of the great uncertainty that prevails in the minds of merchants by reason of the rate of 2s. to the rupee continuing in the Indian Currency Act ?

(b) Is the Honourable the Finance Member aware that notwithstanding his declaration that the 2s. rate is not operative and does no harm to anybody by remaining in the Statute dues have sometimes to be realised, e.g., costs awarded by the Privy Council at the rate of 2s. per rupee by reason of the fact that such rate is mentioned in the Indian Currency Act ?

(c) Are the overnment prepared to consider the advisability of amending the Indian Currency Act by substituting the rate of exchange by 1s. 4d. gold instead of 2s. ?

**The Honourable Sir Basil Blackett** : The answer to part (a) of the question is in the negative. In regard to part (b) my information is that costs awarded by the Privy Council are not realised at the 2s. rate but at the market rate. I have nothing to add at present to what I have previously stated in regard to part (c).

#### PREMIA PAID BY GOVERNMENT DURING THE LAST THREE YEARS FOR FIRE AND MARINE INSURANCE.

1323. \***Baboo Runglal Jajodia** : Will the Government be pleased to state the amount of premium paid during the last 3 years on (1) Fire and (2) Marine Insurance effected on account of the Government and with which Companies the same was effected and is the Government considering the advisability of helping the Indian Insurance Companies by placing all their insurance business with them.

**The Honourable Sir Basil Blackett** : The information asked for by the Honourable Member is being collected.

#### REPORT OF THE RAILWAY RISK NOTES REVISION COMMITTEE.

1324. \***Baboo Runglal Jajodia** : Will the Government be pleased to state what steps they intend to take in connection with the report made by the Railway Risk Notes Revision Committee and why so much delay is taking place in steps being taken ?

**Mr. C. D. M. Hindley** : Government are in correspondence with the Railway Administrations regarding the introduction of the revised Risk Note Forms as approved by Government's legal advisers.

#### INDIANS IN THE SUPERIOR ESTABLISHMENT OF THE RAILWAY DEPARTMENT.

1325. \***Mr. Bhubanananda Das** : (a) Will the Government be pleased to state the total strength of officers employed in the superior establishment of the Railway Department under the Government of India ?

(b) What is the percentage of Indians in the above and the salaries given by them ?

**Mr. C. D. M. Hindley :** (a) The total strength of officers in the superior establishment of the Railway Department is 17.

(b) Of these two are Indians who draw Rs. 1,200 and Rs. 1,025.

RECRUITMENT OF INDIANS FOR THE STAFF OF THE RAILWAY BOARD.

1326. **\*Mr. Bhubanananda Das :** (a) Will the Government be pleased to state whether they are taking steps to recruit Indians in the staff of the Railway Board ?

(b) If Indians with necessary railway experience and seniority are not at present available in the Railway Service, are the Government prepared to recruit suitable Indians from retired Indian railway officials ?

**Mr. C. D. M. Hindley :** (a) Two Indians have recently been recruited for the staff of the Railway Board.

(b) The Government see no necessity to take this step.

APPOINTMENT OF INDIANS AS DEPUTY AGENTS ON RAILWAYS.

1327. **\*Mr. Bhubanananda Das :** (a) Will the Government be pleased to state whether Deputy Agents are being appointed on some of the Railways ?

(b) Has any Indian been given many of these appointments ?

**Mr. C. D. M. Hindley :** (a) Yes. Deputy Agents are employed on the three State Railways.

(b) At present none of the four Deputy Agents are Indians.

**Mr. Bhubanananda Das :** Will Government be pleased to appoint some Indians as Deputy Agents on these Railways ?

**Mr. C. D. M. Hindley :** Selection for appointment to the posts of Deputy Agents must depend upon the officers available with the necessary experience and training.

OVERSEAS ALLOWANCE TO INDIANS RECRUITED FOR THE IMPERIAL SERVICES.

1328. **\*Mr. Bhubanananda Das :** (a) Is it a fact that Indians recruited for the I. E. S. after December 1919 will not be entitled to any overseas allowance ?

(b) Is it a fact that Indians recruited for other Imperial Services up to 1924 will be entitled to overseas allowance ?

(c) If so, why is this distinction made between Indian officers in the I. E. S. and those in other Imperial Services as regards overseas allowances ?

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

(b) This is so only in respect of Indians recruited in England for the following services : The Indian Civil Service, the Indian Service of Engineers, including State Railways, and the Telegraph Engineering Branch of the Posts and Telegraphs Department.

(c) Indians entering the Indian Civil Service through competition in England up to 1924 were granted overseas pay in order to meet fully the claims of those who were preparing for the Indian Civil Service examination when overseas pay was introduced (December 1919). In the Indian Service of Engineers, including State Railways, and the Telegraph Engineering Branch of the Posts and Telegraphs Department.

overseas pay was introduced in 1920, and as Indians recruited from England prior to that year were granted European rates of pay, it was decided in order to avoid any possible grievance on the part of Indians then specially studying in England with the hope of obtaining appointment from that country to grant such Indian entrants overseas pay up to 1924. As similar reasons did not exist in the case of the Indian Educational Service, the concession of overseas pay was not granted to Indians recruited after December 1919.

ACQUISITION OF LAND BY THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY FOR EXTENSION OF THEIR TERMINAL STATION IN BOMBAY.

1329. **\*Mr. Bhubanananda Das** : Will the Government be pleased to state whether the Bombay, Baroda and Central India Railway are contemplating to acquire land for extension of their terminal station in Bombay ?

**Mr. C. D. M. Hindley** : (a) The answer is in the affirmative, but I may inform the Honourable Member that the Agent, B. B. and C. I. Railway Company, has already been instructed to stay acquisition of such land at Grant Road in respect of which no acquisition proceedings are actually in progress.

**Mr. Bhubanananda Das** : In view of the ultimate acquisition of the B. B. and C. I. Railway as a State Railway, will the Government consider whether they will have one terminal station at Bombay, namely, the Victoria Terminus, and not have a separate station for the B. B. and C. I. Railway ?

**Mr. C. D. M. Hindley** : The whole question of terminal arrangements for the Railways in Bombay is now under consideration by Government.

**Mr. Jamnadas M. Mehta** : Will the Honourable Member state when approximately this question of the terminal station for the B. B. and C. I. Railway is likely to be finally considered and settled ?

**Mr. C. D. M. Hindley** : I am sorry I am quite unable to state when it is likely to be settled.

**Mr. Jamnadas M. Mehta** : Any approximate time even roughly ? On that hangs an important decision in the Bombay Municipality ?

**Mr. C. D. M. Hindley** : I have already given my answer, Sir.

**Mr. Jamnadas M. Mehta** : It is a very poor answer.

RESOLUTION *re* RUPEE TENDERS.

1330. **\*Mr. Bhubanananda Das** : Will Government be pleased to state what steps have been taken so far to give effect to the Resolution on Rupee Tender passed by this Assembly on 14th February, 1924 ?

**The Honourable Sir Bhupendra Nath Mitra** : The matter is under consideration.

CONTRACT FOR GOVERNMENT STORES.

1331. **\*Mr. Bhubanananda Das** : (a) Will Government be pleased to lay a statement on the table showing the various orders that have

been placed by the different departments under the Government through :

- (i) the Indian Stores Department,
- (ii) the High Commissioner in London from the commencement of the current year ?

(b) Will Government also be pleased to lay on the table a comparative statement of purchases made by these two purchasing Departments during the same period last year ?

(c) Are Government prepared to publish in the Gazette of India at the end of every month a comparative statement of such orders executed by these two Departments ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Particulars of the contracts placed by the Indian Stores Department are published in the Indian Trade Journal and in certain newspapers every week. Details of the purchases made by the India Store Department, London, during the period specified are not available.

(b) The information asked for is not available in the form required by the Honourable Member, but I invite his attention to the statements placed on the table on the 4th February last in reply to starred Question No. 88. It is hoped that the figures then furnished will suffice for the Honourable Member's purpose.

(c) As I have already stated details of contracts placed by the Indian Stores Department are published regularly. As regards the India Store Department, London, I invite attention to the reply given to starred Question No. 275 on the 11th February last. The question how statistics of stores purchased, respectively, by the Indian Stores Department and the India Store Department, London, can be compiled in a form useful to the public is engaging attention.

#### PURCHASE OF RAILWAY STORES.

1332. **\*Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table of the indents made by the Railway Commission since the current year :

- (a) with the Indian Stores Department,
- (b) with the High Commissioner in London,
- (c) direct on the manufacturers and their agents in India and outside ?

**Mr. C. D. M. Hindley :** The Railway Board do not actually place any orders for stores. Orders are placed direct by railway administrations and at present the Railway Board have no information of the amounts of orders placed since 1st April, 1924.

**Mr. Bhubanananda Das :** May I know if the different Railways place orders with the Indian Stores Department or directly with the London Department ?

**Mr. C. D. M. Hindley :** The State Railways place orders for such stores as are purchased in England through the High Commissioner. In regard to purchases in India they are made generally direct by the Stores Department of each Railway. In respect of certain articles the services of the Indian Stores Department are utilised.

**Mr. Bhubanananda Das :** In view of the fact that the Indian Stores Department is centralising all purchases, will the different Railways place their orders with the Stores Department of India ?

**Mr. C. D. M. Hindley :** The matter is at present under the consideration of Government, Sir. I am not in a position to make any statement.

**RAILS AND FISH-PLATES OF INDIAN AND FOREIGN ORIGIN PURCHASED BY THE STATE AND GUARANTEED RAILWAYS.**

1333. \***Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table, in time before the Tariff Board recommendations are discussed, showing :

- (a) the quantity of rails and fish-plates of Indian origin purchased by the State Railways,
- (b) the quantity of rails and fish-plates of foreign origin purchased by the State Railways,
- (c) the quantity of rails and fish-plates of Indian origin purchased by the Guaranteed Railways,
- (d) the quantity of rails and fish-plates of foreign origin purchased by the Guaranteed Railways ?

**Mr. C. D. M. Hindley :** With regard to (a), (b) and (c), a statement is laid on the table giving quantities for the year 1923-24. With regard to (d), information is not available but railways have been asked to supply the figures for the year 1923-24 and they will be communicated to the Honourable Member on receipt.

*Statement.*

	Tons.
(a) Quantity of rails and fish-plates of Indian origin purchased by the State Railways .. ..	35,148
(b) Quantity of rails and fish-plates of foreign origin purchased by the State Railways .. ..	Nil.
(c) Quantity of rails and fish-plates of Indian origin purchased by the Guaranteed Railways .. ..	39,877

**IRON AND STEEL OF INDIAN AND FOREIGN ORIGIN PURCHASED BY STATE AND GUARANTEED RAILWAYS, ETC.**

1334. \***Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table, in time before the Tariff Board recommendations are discussed, showing :

- (a) the quantity of steel sections of Indian origin purchased by:
  - (1) State Railways,
  - (2) Guaranteed Railways,
  - (3) other departments direct under the Government,
  - (4) Departments under control of Government, (Port-Trusts, Municipal bodies, Development Departments, &c.).
- (b) The quantity of iron and steel of foreign origin purchased by the above mentioned departments.

**FOREIGN IRON AND STEEL PURCHASED BY GOVERNMENT DEPARTMENTS.**

1335. \* **Mr. Bhubanananda Das** : Will Government be pleased to state the quantity of iron and steel purchased by various departments under Government during the last year from sources not either Indian or British ?

**The Honourable Sir Bhupendra Nath Mitra** : With your permission, Sir, I propose to answer this and the succeeding question together.

It would not be possible to furnish the information asked for without an inquiry from a very large number of purchasing departments and officers which would involve a considerable amount of time and labour. In any case the information could not have been received before the close of the present session.

**Mr. Bhubanananda Das** : May I know if it is the policy of the Government Departments to buy iron and steel of Indian origin ?

**The Honourable Sir Bhupendra Nath Mitra** : Yes, as a general question of policy.

**Mr. Bhubanananda Das** : In view of the Tariff Bill that we have passed yesterday, will Government Departments consider the advisability of purchasing all their iron and steel in India and of Indian manufacture first ?

**The Honourable Sir Bhupendra Nath Mitra** : Is that a question, Sir ?

**Mr. President** : I did not hear the question.

**Mr. Bhubanananda Das** : In view of the fact that the Tariff Bill has been passed in this House, will Government Departments take steps to purchase their requirements of iron and steel of Indian manufacture ? In view of the Tariff Bill having been passed to give protection to Indian iron and steel, will Government Departments give an undertaking to this House that they will make their purchases of iron and steel primarily of Indian manufacture and then, if not available, from foreign countries ?

**The Honourable Sir Bhupendra Nath Mitra** : After the Tariff Bill has been finally passed the matter will receive due consideration from Government.

**RUSSIAN ROUBLE NOTES.**

1336. \* **Mr. W. M. Hussanally** : (a) Will Government please place on the table a copy of the Ordinance of 1919, *re* Russian rouble notes ?

(b) What were the circumstances that justified the same ?

(c) Is it still in force ? If so for what reasons ?

(d) For what amount are such notes held in India ?

(e) Have the Government recently received a representation from the public meeting held in Shikarpur (Sind), relating to these notes ?

(f) If so, what do they pray for ?

(g) What steps do Government propose to take in the matter ?

**The Honourable Sir Alexander Muddiman** : (a) The Honourable Member will find a copy of the Rouble Note Ordinance of 1919 in the Library.

(b) The Ordinance was issued to protect the public by checking the unhealthy speculation and preventing the use of the notes for propaganda purposes.

(c) The answer is in the negative.

(d) Government have no information.

(e), (f) and (g). Yes. A copy of the representation\* is laid on the table. It is not proposed to take any action. Under section 4 (1) of the Ordinance a period of six weeks was allowed under which holders of notes were allowed to export them and under section 4 (2) notes deposited in a Treasury could be withdrawn for the purpose of export under a license.

**Mr. W. M. Hussanally :** With regard to (d), will Government be pleased to make an inquiry ?

**The Honourable Sir Alexander Muddiman :** Government cannot make inquiries without legislative power.

**Mr. Chaman Lal :** Did Government receive any representations from the merchants of Hoshiarpur in this behalf ?

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

#### CONVERSION OF THE G. I. P. AND B., B. AND C. I. RAILWAYS INTO STATE RAILWAYS.

1337. \* **Mr. W. M. Hussanally :** (a) Will the Government be pleased to state what were the recommendations of the Railway Commission in regard to the G. I. P. and the B. B. C. I. Railways whose contract is shortly to expire ?

(b) What was the recommendation of the Legislative Assembly in regard to the same two Railways ?

(c) What decision has the Government arrived at in the matter of taking over the Railways in question and converting them into State Railways ?

**Mr. C. D. M. Hindley :** (a) If the Honourable Member is referring to the committee appointed to inquire into the administration and working of Indian Railways, his attention is invited to Chapter VII of their report. He will see that five members of the committee recommended that, if their financial and administrative proposals were accepted, the undertakings of guaranteed companies, which include the G. I. P. and the B., B. and C. I. Railways, should, as and when the contracts fall in, be entrusted to the direct management of the State ; while the five remaining members of the committee recommended that the G. I. P. Railway Company might possibly be converted into a rupee capital company domiciled in India with its headquarters in Bombay, and that the cases of other lines should be considered on their merits when the contracts become terminable.

(b) The Legislative Assembly's Resolution passed on February 27th, 1923, recommended that on the expiry of their lease the G. I. P. Railway should be taken over for management by the State. The case of the B., B. and C. I. Railway, whose present contract does not expire before the 31st December, 1941, has not been before the Legislative Assembly.

(c) The G. I. P. Railway will be taken over for management as a State Railway on the 1st of July, 1925. The question of the future management of the B., B. and C. I. Railway will not arise for more than 17 years, and has not been considered by Government.

\* *Fide* Appendix "A" to these Debates.

REFORMS INQUIRY COMMITTEE.

1338. \* **Mr. W. M. Hussanally :** (a) What is the personnel of the Committee recently appointed by Government to investigate the working of the Reforms Act ?

(b) What are the terms of reference to the said Committee ?

(c) How many non-official members have been appointed to the said Committee ?

(d) If none so far, do Government propose to appoint any ?

(e) Is this Committee a preliminary Committee to be followed by another mixed committee of officials and non-officials or will the Government take action upon the recommendations of the present Committee ?

(f) Is it intended that the Committee already at work or the one that may be appointed hereafter will take any evidence as to the working of the Reforms before making any recommendations ?

(g) Have the Provincial Governments been called upon to make any recommendations ?

(h) If so will the recommendations of the Provincial Governments be submitted for scrutiny to the said Committee or its successor if any is contemplated ?

(i) Have the Provincial Governments been instructed to associate any non-officials in their inquiry, or take any evidence before they arrive at their conclusions ?

(j) Do the Government propose to make a full statement of their intentions and the method and procedure they intend to adopt in regard to the inquiry they are holding in the matter and take the public into their confidence ?

**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 the report of this new Committee will come up for discussion in the Assembly ?

**The Honourable Sir Alexander Muddiman :** This is a hypothetical question. We have not a report yet.

**Diwan Bahadur M. Ramachandra Rao :** After you have it.

**The Honourable Sir Alexander Muddiman :** I will consider the point when we have a report.

**Diwan Bahadur M. Ramachandra Rao :** May I inform the Honourable Member, Sir, that in the approaching September Session the Assembly would like to have some information as regards the intentions of Government in this matter ?

**The Honourable Sir Alexander Muddiman :** I quite appreciate the Honourable Member's point.

## REFORMS INQUIRY COMMITTEE.

1339. \***Sardar V. N. Mutalik** : Will Government be pleased to state :

- (a) Whether it is a fact that they have undertaken an inquiry into the working of the Reforms, with a view to reform the Reforms ?
- (b) If so, the nature and the scope of the inquiry ?
- (c) Whether it is a fact that a Committee is appointed to make the inquiry, and if so, the personnel of the Committee ?
- (d) The terms of reference to the Committee ?
- (e) Whether the inquiry is to be an open one, or only departmental, and confidential ? and whether the Committee is empowered to ascertain the views of the public, and of representative bodies ?
- (f) Whether the Committee is asked to go into the question of inadequate representation, at present given to some special interests ?

**The Honourable Sir Alexander Muddiman** : I have just given an answer to a similar question (No. 1338).

## INQUIRY INTO THE WORKING OF THE REFORMS.

1340. \***Sardar V. N. Mutalik** : Will Government be pleased to place on the table a copy of the communication between this Government and the Local Governments on the questions referred to them with regard to the reforming the Reforms ?

**The Honourable Sir Alexander Muddiman** : Government are not prepared at present to lay on the table a copy of the communication referred to. A communiqué summarising the terms of reference has already been laid on the table.

## REDUCTION IN THE RATES OF PAY OF OFFICERS OF THE BRITISH ARMY.

1341. **Mr. A. Rangaswami Iyengar** : (a) Has the attention of the Government been drawn to the British Army Order issued in England early last month announcing the decision of His Majesty's Government that "in view of the fall in the index figures for cost of living since 1919, a reduction of approximately 5½ per cent. shall be made in the rates of both pay and non-effective emoluments of officers" ?

(b) Are the Government aware that this revision, which is to take effect from July 1st, next, has been made in accordance with Army Order 324 of 1919, which "provided that 20 per cent. of the rate of pay, half-pay and retired pay, would be subject to revision according to variations, up or down, in the cost of living, and that the first revision would be made in 1924" ?

(c) Will the Government be pleased to state whether this Order of reduction of the rates of pay will become applicable to British officers serving in India, either in British or in Indian units ?

**Mr. H. R. Pate** : (a) Government have seen the Army Order referred to by the Honourable Member.

(b) Yes. The Honourable Member has, however, misquoted Army Order 324 of 1919 which reads as follows :

"The new rates \* \* \* \* will be subject, after five years, to revision, either upwards or downwards to an extent not exceeding 20 per cent., according as the cost of living rises or falls."

(c) No. The reduction made in the rates of pay cannot be made applicable to officers serving in India, since, although their pay is subject to revision from the 1st July, 1924, any such revision is dependent not on the Home index, but on the cost of living in India.

**Mr. A. Rangaswami Iyengar :** May I take it, Sir, that British Officers are not subject to the same conditions as regards the regulation of prices in England as well as in India ?

**Mr. H. R. Pate :** As I explained in the last clause of my answer, you may so take it, Sir.

#### CONTROL EXERCISED OVER LOCAL GOVERNMENTS IN RESPECT OF LAND REVENUE SETTLEMENT.

1342. **Mr. A. Rangaswami Iyengar :** Will the Government be pleased to lay on the table of the House the instructions of the Secretary of State showing the nature and extent of the administrative control exercised over the Local Governments in regard to legislation and administration in respect of land revenue settlements, a matter which the Member in charge promised to consider on March last ?

**Mr. J. W. Bhore :** So far as the control exercised by the Secretary of State over Local Governments in regard to legislation in respect of land revenue settlements is concerned, the Honourable Member is referred to the reply given by Sir Henry Moncrieff Smith to Diwan Bahadur M. Ramachandra Rao's starred Question No. 1127 in the Legislative Assembly on the 30th May last. As regards his control over administration, there are no definite instructions on the subject.

**Mr. A. Rangaswami Iyengar :** Am I to take it, Sir, that the statement made by the Honourable the Revenue Member the other day that there are certain special instructions is incorrect ?

**Mr. J. W. Bhore :** I can assure the Honourable Member that the reply I have now given is correct.

#### LAND REVENUE POLICY.

1343. **Mr. A. Rangaswami Iyengar :** (a) Did the hardships involved in the land revenue policy of the Governments in India come up before the Joint Parliamentary Committee ?

(b) Have the recommendations made by them in paragraph 11 of their report been considered by the Government of India and the Secretary of State ; and, if so, will the Government be pleased to state which of them have been accepted and which of them rejected ?

(c) Is it possible for the Government of India to state the exact policy they have prescribed to the Provincial Governments on the whole of this matter at present ?

**Mr. J. W. Bhore :** (a) The Government of India are aware that the point was brought forward in evidence by several non-official witnesses before the Joint Select Committee on the Government of India Bill of 1919.

(b) and (c). The recommendations of the Joint Select Committee were referred to Local Governments in March 1920 and their attention was drawn to the need for early action on the lines indicated therein. No further instructions have been issued by the Government of India.

**Mr. A. Rangaswami Iyengar :** Are the Government aware that, notwithstanding their instructions for early action, not a single Local Government has so far passed a Bill till the year of grace 1924 ?

**Mr. J. W. Bhore :** That is a matter which concerns the Local Governments. I have indicated the policy of the Government of India in this matter.

'CONTROL OF THE SECRETARY OF STATE OVER PROVINCIAL GOVERNMENTS'  
LAND REVENUE LEGISLATION.

1344. **Mr. A. Rangaswami Iyengar :** With reference to the reply of Sir B. N. Sarma in reply to my supplementary question on the 26th February last to Question No. 524, will the Government be pleased to state or place on the table the rules under which the Secretary of State exercises control over Provincial Governments in regard to land revenue legislation ?

**Mr. J. W. Bhore :** The Honourable Member is referred to the reply given to Question No. 1342 on the subject to-day.

THE KRISHNASAGARA RESERVOIR PROJECT.

1345. **Mr. A. Rangaswami Iyengar :** With reference to the answers to my Question No. 526 on the 27th February last, will the Government be pleased to state :

- (a) Whether the Government of India and the Secretary of State authorised or previously sanctioned the proposals for arriving by conference or discussions at an agreement on the matter in dispute regarding the Krishnasagara Reservoir Project ?
- (b) Whether the Government of India or the Secretary of State instructed the Madras Government to give an opportunity to the extensive numbers of landholders affected by the project to be heard or to make representations on the new proposals set on foot since the setting aside of the award ?
- (c) Whether the agreement requires the ratification of the Government of India and of the Secretary of State ; if so, whether these authorities will give an opportunity to the landholders affected to make representations, if any, on the matter, and give due consideration to them before finally ratifying the agreement ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The answer is in the affirmative. With the approval of the Secretary of State the Governments of Madras and Mysore were invited to attempt to arrive, by mutual agreement, at a settlement of the longstanding controversy regarding their respective rights in the waters of the river Cauvery.

(b) The answer is in the negative.

(c) The agreement requires the approval of the Secretary of State and the ratification of the Government of India. It is not proposed to invite further representations in the matter and thus postpone a final

settlement of a controversy which has hampered all development of irrigation both in Madras and Mysore for the past fourteen years. It was the fear that the original arbitration award did not fully protect the interests of the landholders in the area affected which led the Local Government to appeal against that award in 1916, and the subsequent protracted discussions have been directed throughout towards the discovery of a solution which would afford such full protection. Both the Local Government and the expert advisers of the Government of India are satisfied that the solution embodied in the agreement recently arrived at fulfils this condition in every respect.

**Mr. A. Rangaswami Iyengar :** May I know with reference to this agreement whether as a result of this reconsideration this reservoir has now been sanctioned to be built at an altitude higher than it was intended, to which the Government of Madras originally objected, and whether it has also been agreed to, that certain subsidiary reservoirs are to be built on the Cauvery River lower down and in consequence the Mysore Government have now been able to obtain a much higher duty on the waters now impounded on the Cauvery than they were at the time when the award was originally given, to which the Madras Government then objected?

**Mr. President :** The question is of excessive length.

**Mr. A. Rangaswami Iyengar :** It is of excessive length because the Government have refused to receive representations on this matter.

**Mr. President :** The question should not be of such an excessive length.

**Mr. A. Rangaswami Iyengar :** Then I will put the questions *seriatim*. Are the Government aware that the reservoir now agreed to be constructed as between the Madras and Mysore Governments is of a much higher altitude, that is, about 125 feet instead of 114 feet, as originally the matter in dispute was?

**The Honourable Sir Bhupendra Nath Mitra :** I shall require notice of that question. I cannot obviously answer all these questions of detail without any notice.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member whether the terms of this agreement have been published in the districts of Trichinopoly and Tanjore which are affected by this arrangement and if they have not been published, whether the Government of India would direct the Madras Government to publish that agreement and give the people of the Tanjore and Trichinopoly districts an opportunity of being heard before it is finally approved of by the Secretary of State?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have no information of the procedure actually followed by the Madras Government.

**Diwan Bahadur M. Ramachandra Rao :** May I now suggest to you whether the Government of India would inquire and direct the Madras Government to publish the agreement if it has not been already published, as I am informed it has not been published, so that an opportunity may be afforded to the people of these two districts to make any representation they may like?

**Mr. President :** A suggestion for action is not a question.

**Diwan Bahadur M. Ramachandra Rao :** I ask whether the Government of India will take action . . . .

**Mr. President :** You are suggesting to them an action. That is not a question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask whether in the opinion of the Government of India it is desirable to publish.....

**Mr. President :** You cannot ask for an opinion on a question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask where the agreement is at present ?

**The Honourable Sir Bhupendra Nath Mitra :** It is before the Secretary of State.

**Diwan Bahadur M. Ramachandra Rao :** May I know whether the Government of India have expressed any views in the matter of that agreement ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have endorsed the views of the Madras Government.

**Mr. A. Rangaswami Iyengar :** Are the Government aware that the landholders of the Tanjore and Trichinopoly districts have cabled to the Secretary of State and the Government of India to the effect that this agreement will affect their interests very seriously and prejudicially ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no information yet about any petition having been made to the Government of India. I have no information whether any representation has been made to the Secretary of State.

**Mr. A. Rangaswami Iyengar :** May I know if the Government of India will yet receive representations from the large number of landholders of the two rich districts of the Madras Presidency in regard to matters so vitally affecting them,—whether they will yet receive representations on the text of the agreement, and whether they will have the text of the agreement published by the Local Government of Madras ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter is one which primarily concerns the Government of Madras.

**Mr. A. Rangaswami Iyengar :** May I know, why the Government of Madras have not published the agreement for the benefit of the public so far, whether the Government of India will move in the matter and cause the agreement to be published ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter will receive due consideration, but I cannot in any way commit the Government of India to fetter the discretion of the Madras Government in the matter.

**Diwan Bahadur M. Ramachandra Rao :** May I ask whether you would inquire from the Madras Government whether the agreement has been published ?

**The Honourable Sir Bhupendra Nath Mitra :** The necessary inquiry will be made.

#### COMMITTEE ON INDIAN TAXATION.

1346. **Mr. A. Rangaswami Iyengar :** Will the Government be pleased to state :

- (a) In what stage the proposals for the appointment of the Committee on Indian taxation are ?

(b) Whether the personnel of the Committee has been settled and when it is expected to begin work ?

**The Honourable Sir Basil Blackett :** The attention of the Honourable Member is invited to the Resolution on the subject by the Government of India appearing in the Gazette of India Extraordinary published on Monday, the 26th May, 1924.

**Mr. President :** Mr. A. Rangaswami Iyengar. Question No. 1347.

**Mr. Bhubanananda Das :** I have a supplementary question on No. 1346. In view of the assurance given in the other House at Delhi that an Indian economic expert will be on the Taxation Committee

**Mr. President :** Order, order. I have already called on Mr. Rangaswami Iyengar to put his next question, No. 1347.

# LEVY OF TAXATION BY EXECUTIVE ACTION.

**1347. Mr. A. Rangaswami Iyengar :** (a) With reference to the answer to my Question No. 562, dated 3rd March, 1924, of the Honourable the Finance Member that no *fresh* taxation has been imposed since the advent of the Reforms except by legislation, will the Government be pleased to state what are the old taxes (Central as well as Provincial) which were being imposed by executive action till 1920, under the authority of the Government of India and subsequent to 1920, under the authority of the Provincial and Central Governments ?

(b) Are any steps proposed to be taken to bring them under the control of the Legislatures in accordance with the recommendations of the Joint Parliamentary Committee of 1919 ?

**The Honourable Sir Basil Blackett :** Taxation is being imposed under the following heads :

Central.	Provincial. (except in areas administered by Minor Local Governments).
(1) Customs (including cotton and petrol excise duties).	(4) Land Revenue (not generally regarded as taxation).
(2) Taxes on Income.	(5) Excise (including opium excise but excluding cotton and petrol excise).
(3) Salt.	(6) Stamps.
	(7) Registration.

Of these, taxation under (1), (2) and (6) was and is levied at rates fixed by law. As regards (3) the rates used to be fixed by rule under the law subject to statutory limitation but since the Reforms the rates have been determined by the Legislature. As regards (5), taxes on consumption under the Opium and Excise Acts have been, and continue to be, generally speaking, collected at rates fixed or otherwise determined by or under rules made under the law subject to no statutory limitations. As these taxes largely consist of fees, it is difficult to fix the rates by legislation and it is not proposed to do so. There remain (4) and (7) about which the requisite information is being collected in connection with the Taxation Committee.

**Mr. A. Rangaswami Iyengar :** May I know if in regard to the items comprised in No. 5 and with regard to registration the Government would consider the advisability of bringing all taxation or fees levied under strict statutory limitation in accordance with the recommendations of the Joint Committee ?

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**The Honourable Sir Basil Blackett :** I have already answered regarding item No. 5. As regards No. 7, when the requisite information has been collected the matter will be considered.

**Mr. A. Rangaswami Iyengar :** I understood that under item No. 5 the Honourable the Finance Member stated that they were levied under rules which empowered the Local Government to levy these rates-rules made under Statutes. What I now want to know is whether, instead of taking power to levy, legislation itself will impose the fees and the rates in question instead of leaving it to the discretion of the Local Government to make rules ?

**The Honourable Sir Basil Blackett :** I think I have answered that question. As regards these taxes, as they consist largely of fees it is difficult to fix the rates by legislation and it is not proposed to do so.

**Mr. Devaki Prasad Sinha :** May I know under what heading the *chowkidari* tax comes, which is regulated by rules under Regulations passed many years ago and which has recently been increased in Bihar and Orissa ?

**The Honourable Sir Basil Blackett :** I am not aware of the facts stated in the question and I shall require notice of it.

#### INQUIRY INTO THE WORKING OF THE REFORMS.

1348. **Mr. A. Rangaswami Iyengar :** (a) Will the Government of India be pleased to state whether all the information informally called for from Provincial Governments on the working of the Reform Act and obtained (as stated in reply to Question No. 10 of Mr. K. C. Neogy in this Assembly on the 1st February last) has been placed before the Official Committee now investigating the subject, and whether the whole of that information will be published in order to enable them to make the representations to which the Home Member said the Government will not close their ears ?

(b) Is it a fact that the Madras Government has recommended a scheme of full or qualified provincial autonomy and, if so, will the Government be pleased to state whether the proposal has been communicated to the Secretary of State ?

**The Honourable Sir Alexander Muddiman :** (a) The information informally obtained from Local Governments was not placed before the Committee. It was not intended that the information should be published.

(b) No.

**Mr. A. Rangaswami Iyengar :** May I know whether the Madras Government have submitted any report on this question of provincial autonomy in the provinces ?

**The Honourable Sir Alexander Muddiman :** They have submitted a reply. I have said that my answer to (b) of the question is in the negative.

**Mr. A. Rangaswami Iyengar :** I want to know whether they have received any report on the question of provincial autonomy.

**The Honourable Sir Alexander Muddiman :** I must have notice of that.

COMMITTEE ON INDIAN TAXATION.

1349. **Mr. A. Rangaswami Iyengar** : Will the Government be pleased to state :

- (a) What progress has been made in regard to the appointment of the Committee on Indian Taxation and the commencement of its operations ?
- (b) Whether the question of placing all sources of taxes and revenues, Central, Provincial and Local, on the basis of permanent or annual legislative measures to be enacted by the Central and Provincial Legislatures, will also be a matter within the terms of reference to the said Committee ?
- (c) Whether the procedure for obtaining supply and sanctioning appropriation through the Legislatures will come under enquiry in considering schemes of a Federal or semi-Federal Financial system in India ?

**The Honourable Sir Basil Blackett** : (a), (b) and (c). The attention of the Honourable Member is invited to the Resolution on the subject issued by the Government of India and published as a Gazette of India Extraordinary on Monday, the 26th May, 1924.

AMENDMENTS OF THE INDIAN LEGISLATIVE RULES OR OTHER STATUTORY RULES.

1350. **Mr. A. Rangaswami Iyengar** : Will the Government be pleased to state :

- (a) Whether its attention has been drawn to the reply of Professor Richards on 5th May last to the questions in respect of the recent alterations in the Indian Legislative Rules ?
- (b) Whether the Government of India were communicated with on this matter before the answer was given ?
- (c) Whether the Government of India have now any intention of carrying out the policy which the Under Secretary of State declared in the House of Commons to be extremely desirable namely, " of consulting the Legislature before changes are made in these and other Statutory Rules ?
- (d) Whether the attention of the Government of India has been drawn to the statements in the Simla letter of the Correspondent of the *Times of India* in its issue of the 7th April regarding Section 67 (B) of the Government of India Act and a proposal that the Legislative Department should take up the question of its amendment and make proposals through the Government of India to the authorities at home ?
- (e) Whether the Government of India, in addition to the new Legislative Rules now made regarding the use of the Certificate powers of the Governor General, propose to recommend an amendment of the Act itself for the purpose ?

**Sir Henry Moncrieff Smith** : (a) Yes.

(b) No.

(c) The Honourable Member is referred to my reply to part (a) of Question No. 1291 put by Mr. Devaki Prasad Sinha.

(d) The Government of India have seen the article to which the Honourable Member refers.

(e) It is not the immediate intention of the Government of India to propose an amendment of section 67-B of the Government of India Act.

#### INELIGIBILITY OF PLEADER-JUDGES FOR APPOINTMENT AS PERMANENT CHIEF JUSTICES OF HIGH COURTS.

1351. \***Mr. N. M. Dumasia** : (a) Are Government aware that pleader-judges of the various High Courts in India have acted as Chief Justices on various occasions but have been considered to be ineligible for appointment as permanent Chief Justices under the Statutes governing the Indian High Courts from time to time ?

(b) Is it a fact that with reference to a prospective vacancy in the office of the Chief Justice at Madras a reference was made by the Madras Government to the Secretary of State with regard to the eligibility of a pleader for such appointments ?

(c) Is it a fact that the Law Officers of the Crown in England gave their opinion that there was nothing in section 101, clause (4) of the Government of India Act which debarred a pleader from being appointed permanent Chief Justice ?

(d) Are Government aware that there is considerable public opinion in favour of immediately removing the disability under which pleader-judges of the various High Courts suffer with regard to the permanent appointments of Chief Justice, if such disability exists ?

(e) Are Government prepared to recommend to the proper authorities to make the necessary amendment in section 101 of the Government of India Act to remove all doubts about the eligibility of a pleader to be appointed Chief Justice ?

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

(b) Government are aware that a reference to the Secretary of State on this question was made in 1921, but they understand it was not made by the Madras Government.

(c) No.

(d) and (e). I would invite the attention of the Honourable Member to statement made by my predecessor in the Assembly on the 19th of February, 1924 in reply to the Resolution moved by Dewan Bahadur T. Rangachariar to the effect that Government are agreed that the Government of India Act ought to be amended in order that it may be possible to appoint a pleader to the position of a permanent Justice of a High Court. The exact amendment which should be recommended by Government will be considered in connection with any other amendments of section 101 of the Government of India Act which may appear to be desirable in connection with the recommendations on connected questions of the Royal Commission on the Services and the Bar Committee.

#### RECOMMENDATIONS OF THE SEAMEN'S RECRUITMENT COMMITTEE.

1352. \***Mr. K. Ahmed** : Will the Government be pleased to state why they have taken such a long time to give effect to the Recommendations of the Seamen's Recruitment Committee ?

**The Honourable Sir Bhupendra Nath Mitra :** The delay is due to the fact that references have had to be made to the Governments of Bombay and Bengal on the subject. The recommendations of the Seamen's Recruitment Committee involve changes of a far-reaching character and require very careful consideration in consultation with the Local Governments. The Government of India are at present awaiting a reply to a reference made to the Government of Bengal in March last.

**Mr. Chaman Lal :** Is it not a fact that nearly two years have elapsed since this matter was first taken up.

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have not got the information in my possession at the present moment ; but if the Honourable Member will give notice of that question, the Honourable Member in charge of the Commerce Department will no doubt furnish him with an adequate reply.

**Mr. K. Ahmed :** I rise on a point of order. Is this the way in which the Government Member.....

**Mr. President :** Are you putting a supplementary question ?

**Mr. K. Ahmed :** I am asking whether the way in which the Government Member in charge.....

**Mr. President :** Order, order. You can only put a supplementary question.

(At this stage Mr. Chaman Lal rose to ask a supplementary question but the President asked Mr. K. Ahmed to ask his next question on the list.)

#### REPORTS RELATING TO THE RECRUITMENT OF SEAMEN.

1353. **\*Mr. K. Ahmed :** (a) Are the Government aware that the Honourable Sir Charles Innes on 26th September, 1921, in the Assembly while moving the Resolution regarding the non-ratification of the Draft Convention for establishing facilities for finding employment for seamen, said that " No action will be taken on the Report of the Seamen's Recruitment Committee without giving this House an opportunity of considering the Report ?

(b) If the answer be in the affirmative, do Government propose now to fulfil the said undertaking by placing in this House, the Reports submitted by the Calcutta and Bombay Committees for the recruitment of seamen along with the report of the Delhi Substantive Committee ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The answer is in the affirmative.

(b) The Honourable Member's attention is invited to the reply given on the 11th February, 1924, to Mr. V. J. Patel's question on the same subject, to which I have nothing to add.

**Mr. Chaman Lal :** May I ask whether I was in order or not in asking a supplementary question to the previous question ?

**Mr. President :** Mr. Kabeerud-Din Ahmed put a question and it was answered.

**Mr. Chaman Lal :** Before you called on Mr. Kabeerud-Din Ahmed I rose to put a supplementary question. I want to know whether I am in order or not in putting a supplementary question.

**Mr. President :** You did not catch my eye.

**Mr. K. Ahmed :** Mr. Chaman Lal did catch your eye all right, Sir. You said he was out of order.

**Mr. N. M. Joshi :** May I know whether the promise made by Sir Charles Innes that no action will be taken before the House has had an opportunity of considering the report is going to be fulfilled ?

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

**Pandit Shambhu Dayal Misra :** When, Sir ?

**The Honourable Sir Bhupendra Nath Mitra :** The Report has already been published. Government will take action on the Report in due course.

**Mr. Chaman Lal :** May I know whether "due course" means a decade or 15 years ?

**The Honourable Sir Bhupendra Nath Mitra :** It varies with the importance of the subject.

**Mr. Chaman Lal :** May I ask the Honourable Member whether he is aware of the fact that a great deal of discontent prevails among the seamen's associations in India regarding the illegal gratifications that are being demanded, a matter which came up before this committee ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have no personal information on the subject.

**Mr. K. Ahmed :** Will the Government, for the benefit of the country, come to some conclusion immediately and decide the matter ?

**Mr. President :** I have not heard a word of the Honourable Member's question.

**Mr. K. Ahmed :** In view of the fact that a number of petitions, complaints and resolutions have been received by the Department of my Honourable friend, with regard to the abuse that is in existence in this Department, do Government propose to take immediate action in the matter ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter is one of very considerable importance and it is receiving due attention on the part of the Government of India.

**Dr. H. S. Gour :** If the Honourable Member has no information on the subject, may I take the liberty of furnishing him with complete information which I have received.

**Mr. President :** That is not a supplementary question. You cannot supply information by a supplementary question.

**Pandit Shamlal Nehru :** Does the Honourable Member consider this matter important enough to take immediate action ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already replied to that question.

**Mr. Chaman Lal :** May I ask whether it is not a fact that the International Labour Conference at Genoa in 1920 passed a Draft Convention regarding facilities with regard to the recruitment of seamen and whether steps have been taken to put those recommendations into force ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have no personal information on the subject. I am aware that the Genoa Convention said something on the subject. If the Honourable Member will send in a regular question, the Member in charge of the Commerce Department will no doubt furnish him with all the information he wants.

**Pandit Shambhu Dayal Misra :** Will the Honourable Member tell us whether this matter has ever been placed before him ?

**The Honourable Sir Bhupendra Nath Mitra :** May I ask the Honourable Member to repeat his question ?

**Pandit Shambhu Dayal Misra :** May I know whether this matter was ever placed before the Honourable Member who is replying to this question ?

**The Honourable Sir Bhupendra Nath Mitra :** It has been dealt with by the Honourable Member in charge of the Commerce Department.

# MEETINGS OF THE STANDING FINANCE COMMITTEE AND OF THE COMMITTEE ON THE SEPARATION OF RAILWAY FINANCES.

**The Honourable Sir Basil Blackett (Finance Member) :** Sir, I should like to say with your leave that, in view of the possibility of the House rising by lunch time, it is proposed to hold a meeting of the Standing Finance Committee at 3-15 P.M. this afternoon and a meeting of the Committee on separation of Railway Finances at 2-45 this afternoon, not 3 P.M. as has been announced. I should like further to say that it is now not proposed to attempt to hold further meetings of the Public Accounts Committee at present and that the next meeting will be held in August.

## THE INDIAN (SPECIFIED INSTRUMENTS) STAMP BILL.

**The Honourable Sir Basil Blackett (Finance Member) :** Sir, I beg to move :

“ That 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, as passed by the Council of State, be taken into consideration.”

This Bill is a small Bill to amend the Indian Stamp (Amendment) Act passed last year. That Act received the assent of the Governor General on the 1st October 1923. It came into force on that date. It is now brought to the notice of Government that in certain cases the provisions of this Act did not become sufficiently known with the result that certain instruments, the duty on which had been enhanced, have been executed on insufficient stamps. Among them are some promissory notes for over Rs. 250, which cannot be validated as the law now stands, or used in evidence, and, in order to avoid hardship, it is proposed that such instruments should be allowed to be validated if executed after the 30th of September 1923 but before the 1st of January 1924, and in the case of promissory notes, to make them admissible in evidence on payment of the difference of stamp duty between the old and the new rates. It is a provision for the relief of the subject in which, I am sure, this House will have no difficulty in agreeing.

The motion was adopted.

**Mr. President :** Notice of an amendment to clause 2 of the Bill by Mr. Duraiswami Aiyangar has been received.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadian Rural) : Sir, last evening I had a talk about this subject with the Honourable Sir Basil Blackett, and he consented to alter the period to the 1st day of April 1924 instead of the 1st day of July 1924. But as the Honourable Sir Basil Blackett has agreed to my proposal, I request the permission of the Chair to amend my amendment by putting in the words "1st day of April 1924" in place of the words "-1st day of July 1924". In moving this amendment, I may say a few words.....(*Voices from all sides of the House* : "No, no".)

**The Honourable Sir Basil Blackett** : I am quite prepared to accept this amendment. My object in agreeing to it last night was to save the time of the House.

**Mr. President** : Amendment moved :

"In clause 2 of the Bill, for the words and figures 'before the 1st day of January 1924', the words and figures 'before the 1st day of April 1924' be substituted."

The motion was adopted.

**Mr. President** : There is no other amendment to any other part of the Bill.

**The Honourable Sir Basil Blackett** : Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

## THE INDIAN SOLDIERS LITIGATION (AMENDMENT) BILL.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I beg to move :

"That the Bill to amend the Indian Soldiers (Litigation) Act, 1918, for certain purposes, as passed by the Council of State, be taken into consideration."

Sir, this is a very small Bill, and I think it is entirely non-controversial. It contains only one operative clause directed to set aside a ruling of the High Court of Judicature of Lahore. It was held by that Court that section 11 of the Indian Soldiers (Litigation) Act, 1918, is only applicable to a person who is an Indian soldier at the time when he brings his suit or files his appeal. Section 11 gives special concessions in the matter of limitation to an Indian soldier who has been serving under war conditions and allows him to exclude such service from the period of limitation. As a result of this decision of the Court this benefit would only now enure where the person concerned is actually a soldier at the time he institutes the suit, or made an application or filed an appeal. This of course was clearly not the intention of the Legislature in enacting the provisions of section 11, and I therefore propose to amend the section by inserting in this section the words "is or has been". This will give effect to what was undoubtedly the intention of the Legislature.

The motion was adopted.

**The Honourable Sir Alexander Muddiman** : Sir, I move that the Bill, as passed by the Council of State, be passed.

**Sardar Bahadur Captain Hira Singh** (Punjab : Nominated Non-official) : Sir, I heartily welcome this Bill. It is a Bill which I hope will

save the property of many of our gallant soldiers. The error in the former Bill has affected many people adversely. It is very kind of you to correct it, but, Sir, if retrospective effect is not given to the Bill, it will be of very little use to those soldiers who have suffered unjustifiable losses. I am sure this Bill will be passed without any dissenting voice. I do not know whether I am in order in moving this amendment in order to rectify the injustice done. All that I want is to amend the Bill in order that it should have retrospective effect. By the adoption of this course, the House will be removing the distinctions and heart-burning amongst those who were unfortunate enough to suffer a loss under the provisions of the old Bill.

**Mr. President :** The Honourable Member is not in order at this stage in moving his amendment.

**The Honourable Sir Alexander Muddiman :** To save time, I am quite prepared to assure the Honourable Member that this Bill has got to come up again before the Legislature in September, and I will certainly examine the point which the Honourable Member mentions.

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

“ That the Bill to amend the Indian Soldiers Litigation Act, 1918, for certain purposes, as passed by the Council of State, be passed.”

The motion was adopted.

## RESOLUTION *RE* THE REMOVAL OF THE IMPORT DUTY ON SULPHUR.

**The Honourable Sir Charles Innes** (Commerce Member) : Sir, I beg to move :

“ That this Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

The House may remember, Sir, that one of the recommendations made by the Fiscal Commission was that, so far as possible, the Government of India should exempt from import duty the raw materials required by the industries of India. Sir, we were unable at once to adopt this recommendation. Hitherto our tariff has always been a revenue tariff, and we have consistently declined to take into consideration the uses to which articles imported into India may be put. But the adoption by the Legislature of a Resolution last year in favour of a policy of discriminating protection has altered the whole position, and, as we have had numerous representations from manufacturers of chemicals throughout India with regard to the import duty on sulphur, we decided to refer the question whether or not the duty should be removed to the Tariff Board. I think I am correct in saying that all Members of the House have received a copy of the Tariff Board's Report. The Tariff Board think that the reasons for taking the duty off are strong. Sir Thomas Holland once said that the best way of measuring a country's industrial progress was to see how much sulphuric acid was used in the country. We are handicapped in this matter by the fact that there are no deposits of sulphur in India ; consequently we have to import all the sulphur that is required. I do not say that the removal of the duty will enable large-scale chemical industries to be started in this country because we shall always be handicapped by the fact that we shall have to import our raw sulphur. But

[Sir Charles Innes.]

I do say that if we remove the duty, we shall assist many deserving industries in cheapening the prices of their raw materials. I refer particularly to chemical industries, the industry for the making of disinfectants, the making of insecticides, and industries connected with by-products of coke in the manufacture of iron and steel. I think, therefore, that it is quite clear that the removal of this duty will be a useful measure. On the other hand, it is not going to cost us very much. We calculate that the most it is going to cost us will be 2 lakhs of rupees a year. The Government of India have accepted the proposition that the benefits which industries in India will derive from the removal of this duty is well worth the price we shall have to pay. I hope, therefore, the House will accept this Resolution.

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

“ That this Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

Mr. Rama Aiyangar has given notice of an amendment.

**The Honourable Sir Charles Innes :** I rise to a point of order. I have not received notice of this amendment. I have just seen it on my table.

**Mr. President :** Has this amendment been circulated ?

**Sir Henry Moncrieff Smith** (Secretary, Legislative Department) : I understand that this amendment was received yesterday in the Chamber, and I am also informed that a copy was sent to the Honourable Member.

**The Honourable Sir Charles Innes :** Then I think the Honourable Member may very well make his speech.

**Mr. K. Rama Aiyangar** (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan Rural) : Sir, I propose to move :

“ That at the end of the Resolution the words ‘ except on flower of sulphur and roll sulphur ’ be added.”

I find from the report that there is no reference to it except in the last sentence which I place before the House :

“ Flowers of sulphur are used chiefly for medicinal preparations and for insecticides, and it is on account of the latter use that the Indian Tea Association ask that this form should also be free from duty. They say that they pay a sum in excess of Rs. 25,000 a year as duty.”

I have gone carefully into the full evidence before the Tariff Board and have also seen the report. The whole thing deals with the question of a variety of sulphur which is used mostly for the preparation of sulphuric acid and for medicinal purposes, but this particular variety of sulphur is used by tea planters mostly, and we know as a fact that, when we consent to give protection, it must be on definite principles which have been recommended by the Fiscal Commission. None of those apply to this case. I do not think tea planters want this protection. On the other hand, they are making huge surplus profits and the other day there was an Association proclaiming that they are at the height of prosperity and there is really more than Rs. 25,000 which could be realised in duty on this. It is not a question of the tea planters' industry not being able to keep its place in the world markets. On the other hand, Indian tea seems to command considerable sales and prices in the world's markets, and under these circumstances I do not see why this Rs. 25,000 should be lost to the public. The only question that might be raised is that, while we are exempting other varieties of sulphur, why not do so here. It

cannot be said that because it is only a small amount, there need not be any distinction between variety and variety. But Rs. 25,000 is not a small amount. I do not think that this should be the attitude of this House. I really do not understand that attitude. I do not think the tax-payer in India can afford to lose the sum.

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : Sir, I quite agree with my Honourable friend, Mr. Rama Aiyangar, and think it is fair to tax "flower of sulphur" and the other variety of sulphur mentioned by him. This variety of sulphur is used by tea planters who, in my opinion, do not deserve any consideration, even if they are in danger which they are not. As it is, they are making tremendous profits. If any one deserves consideration at all it is the large army employed by these tea planters. I would have no objection if this amendment were rejected, provided the extra profits made by tea planters are compulsorily given to their employees. That, of course, will not be possible, and, therefore in my opinion, this amendment should be accepted and no extra profits should be given to tea planters.

**The Honourable Sir Charles Innes** : Sir, I do not think an amendment of this kind should be sprung on the Member in charge. The only reason advanced in favour of the amendment is that this variety of sulphur is used by the tea industry. That is an incorrect way of putting the case. Flowers of sulphur are mainly required for the preparation of insecticides. It may be that tea industry is the principal user of insecticides, but at the same time such insecticides are used throughout India. Then again it is said that the tea industry is well able to bear the burden of this duty upon flower of sulphur. The tea industry, like many others in India, has its ups and downs. Two years ago, at the end of 1920, we were confronted with the following situation. The tea industry was losing on every pound of tea sold and exports from this country are something like three hundred million pounds a year. In addition, the tea industry pays an export duty of 3 pies a pound on all its exports.

Three years ago the tea industry was in the position of losing on every pound it sold and also added to its losses by paying us a duty of three pies in the pound. It pays us every year in the shape of an export duty something like 50 lakhs of rupees a year, and it seems to me, Sir, that this House would be taking up an ungenerous and undignified position if it refused the recommendation of the Tariff Board in favour of remitting the tax on flowers of sulphur merely because those flowers of sulphur go to the making of insecticides and because one of the most important industries of India uses those insecticides. Sir, I appeal to the House not to accept the motion which I regard as a very ungenerous one and one which cannot be defended on any principles of protection.

**Pandit Shamlal Nehru** : May I ask the Honourable Sir Charles Innes if it is not a fact that the present Government in England have increased the duty on tea by three pence a pound ?

**The Honourable Sir Charles Innes** : And has thereby reduced the preference which Indian tea gets in the United Kingdom.

(Mr. K. Rama Aiyangar rose to speak.)

**Mr. President** : You cannot make a second speech. You certainly have said all you wanted to say when you moved your amendment.

I will now put Mr. Aiyangar's amendment. The question is :

"That at the end of the Resolution the words, 'except on flowers of sulphur and roll sulphur' be added."

(Mr. President declared the motion negatived, but Mr. K. Rama Aiyangar asked for a division.)

**Mr. President :** Those in favour of the amendment stand up.  
(A few Members rose.)

**Mr. President :** Those against will stand.  
(A majority of Members rose.)

**Mr. President :** The "Noes" have it.

**Mr. K. Rama Aiyangar :** I am entitled to claim a division.

**Pandit Shamlal Nehru :** There are electric bells for a division which give an opportunity for every one to come in and vote as they please. It is often done in the case of the Government Benches, the Members of which usually sit in their offices and come in when they hear the bell to vote as directed.

**Mr. President :** I quite agree that ordinarily a division when claimed should be given, but when it is apparent that the demand is really a frivolous one.....

**Mr. K. Rama Aiyangar :** I beg your pardon. I want that a division should be taken and I claim it because I want the names of those who support or oppose my amendment to be placed on record.

**Mr. President :** Very good.

The question is :

"That the words proposed by Mr. Rama Aiyangar be added to the Resolution."

The Assembly divided :

#### AYES—14.

Acharya, Mr. M. K.  
Aiyangar, Mr. C. Duraiswami.  
Aiyangar, Mr. K. Rama.  
Dutt, Mr. Amar Nath.  
Govind Das, Seth.  
Hari Prasad Lal, Rai.  
Kartar Singh, Sardar.

Malaviya, Pandit Krishna Kant.  
Misra, Pandit Harkaran Nath.  
Narain Dass, Mr.  
Nehru, Dr. Kishenlal.  
Nehru, Pandit Shamlal.  
Patel, Mr. V. J.  
Yusuf Imam, Mr. M.

#### NOES—48.

Abdul Qaiyum, Nawab Sir Sahibzada.  
Abul Kasem, Maulvi.  
Ahmad Ali Khan, Mr.  
Aiyer, Sir P. S. Sivaswamy.  
Ajab Khan, Captain.  
Bell, Mr. E. D.  
Bhore, Mr. J. W.  
Blackett, The Honourable Sir Basil.  
Bray, Mr. Denys.  
Cocke, Mr. H. G.  
Dalal, Sardar B. A.  
Das, Mr. Bhubanananda.  
Datta, Dr. S. K.  
Davies, Mr. G. H. W.  
Faridoonji, Mr. R.  
Fleming, Mr. E. G.  
Gour, Dr. H. S.  
Hezlett, Mr. J.  
Hindley, Mr. C. D. M.  
Hira Singh, Sardar Bahadur Captain.  
Holme, Mr. H. E.  
Hudson, Mr. W. F.  
Hussanally, Mr. W. M.  
Innes, The Honourable Sir Charles.  
Littlehales, Mr. R.

Mitra, The Honourable Sir Bhupendra Nath.  
Monerieff Smith, Sir Henry.  
Muddiman, The Honourable Sir Alexander.  
Muhammad Ismail, Khan Bahadur Saiyid.  
Mutalik, Sardar V. N.  
Nag, Mr. G. C.  
Neogy, Mr. K. C.  
Pate, Mr. H. R.  
Purshotamdas Thakurdas, Sir.  
Ramachandra Rao, Diwan Bahadur M.  
Raj Narain, Rai Bahadur.  
Rushbrook-Williams, Prof. L. F.  
Sams, Mr. H. A.  
Sastri, Rao Bahadur C. V. Visvanatha.  
Shams-uz-Zoha, Khan Bahadur M.  
Singh, Rai Bahadur S. N.  
Sinha, Mr. Ambika Prasad.  
Sykes, Mr. E. F.  
Tonkinson, Mr. H.  
Tottenham, Mr. A. R. L.  
Townsend, Mr. C. A. H.  
Willson, Mr. W. S. J.  
Yakub, Maulvi Muhammad.

The motion was negatived.

**Mr. President :** I will now put the original Resolution to the vote. The question is :

“ This Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

The motion was adopted.

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### THE INDIAN PENAL CODE (AMENDMENT) BILL.

#### (AMENDMENT OF SECTION 375.)

**Dr. H. S. Gour** (Central Provinces Hindi Division : Non-Muhamadan) : Sir, this is a purely formal motion intended to give effect to the recommendation of the Select Committee that the Bill should be re-published. (A Voice : “ Which Bill ? ”) The Indian Penal Code (Amendment) Bill. Honourable Members have got the Bill before them, as also the Report of the Select Committee.

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

“ That the Report of the Select Committee on the Bill further to amend the Indian Penal Code (Amendment of section 375) with the Bill, as amended by the Select Committee, be circulated for the purpose of eliciting opinion thereon.”

The motion was adopted.

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### APPOINTMENT OF DIWAN BAHADUR M. RAMACHANDRA RAO TO THE PANEL OF CHAIRMEN.

**Mr. President :** Before I adjourn the House, I have to intimate that I have appointed Diwan Bahadur M. Ramachandra Rao as one of the Chairmen.

The Assembly then adjourned till Eleven of the Clock on Monday, the 9th June, 1924.

## APPENDIX "A."\*

*Copy of a telegram from Shivaldas Mulchand, Pleader, President of Panchayat, Shikarpur, Sind, to the Foreign Secretary, Government of India, Simla, dated 12th May 1924.*

Panchayat Shikarpur Sukkur District Province Sind in thickly attended public meeting unanimously resolved that His Excellency the Viceroy be humbly approached to immediately move Home Authorities to adopt suitable and efficient measures while recognising Soviet Government and settling terms therewith to kindly recompensate holders in British India of Russian Rouble Notes withheld from circulation and negotiation under Ordinance of the Government of India in 1919 and recently returned to them from several treasuries the loss suffered by such holders particularly in Shikarpur has been immense humbly prayed therefore that His Excellency's Government to take timely and adequate steps in this connection.

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\* *Vide* page 2750 of these Debates.