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OF THE
COUNCIL OF STATE, 1925



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COUNCIL OF STATE.

Tuesday, the 1st September, 1925.

The Council met in the Council Chamber at Eleven of the Clock, the Honourable the President in the Chair.

QUESTIONS AND ANSWERS.

DELEGATION TO THE GOVERNOR GENERAL IN COUNCIL OF THE POWER TO MAKE RULES UNDER SECTION 96-B (2) OF THE GOVERNMENT OF INDIA ACT.

51. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

- (a) whether, under section 96-B (2) of the Government of India Act the power of making rules has been delegated to the Governor General in Council ;
- (b) if so, has the Governor General in Council made rules in virtue of the power thus delegated ; and
- (c) if the reply to (b) is in the affirmative, will the rules be placed on the table ?

THE HONOURABLE MR. J. CRERAR : (a) and (b). The power to make rules on various matters was delegated in the Fundamental Rules, and the Governor General in Council has availed himself of that power by making what are known as the Supplementary Rules. No delegation of rule-making power has so far been made in pursuance of the recommendations of the Lee Commission.

(c) A copy of the Supplementary Rules will be found in the Library.

THE HONOURABLE DR. DWARKANATH MITTER : A supplementary question, Sir. Will the Government be pleased to state whether the Standing Emigration Committee had an opportunity of discussing the Lowlands question with the members of the last Kenya Committee and to state the nature of the advice given by the Standing Emigration Committee ?

THE HONOURABLE MR. J. CRERAR : I do not think that question arises, Sir, as a supplementary question.

THE HONOURABLE DR. DWARKANATH MITTER : The second part, Sir.

THE HONOURABLE THE PRESIDENT : The Honourable Member has anticipated the answer to the next question.

RESERVATION OF THE LOWLANDS OF KENYA FOR INDIAN COLONISATION.

52. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

- (a) whether they have consulted the Standing Emigration Committee of the Indian Legislature on the subject of the proposal made by

His Majesty's Government to reserve an area in the Lowlands of Kenya for Indian colonisation ;

(b) if so, has the Committee submitted its report ; and

(c) if there is such a report, will it be placed on the table ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : (a) The reply is in the affirmative.

(b) The Committee submitted no formal report but merely made a recommendation.

(c) Does not arise.

THE HONOURABLE DR. DWARKANATH MITTER : Will the Government be pleased to state whether the Standing Emigration Committee had an opportunity of discussing the Lowlands question with the members of the last Kenya Committee and to state the nature of the advice given by the Standing Emigration Committee ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : I shall be very glad to inquire if the Honourable Member will put the question down.

RESERVATION OF THE LOWLANDS OF KENYA FOR INDIAN COLONISATION.

53. The HONOURABLE MR. PHIROZE C. SETHNA : (a) Have Government received from the Overseas Committee of the National Liberal Federation and the Imperial Citizenship Association memoranda on the subject of reserving an area in the lowlands of Kenya for Indian colonisation ; and

(b) if so, will Government be pleased to make a full statement on the subject mentioning what action has been taken ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : (a) Yes.

(b) Government do not intend to depute an officer to inspect this area.

THE HONOURABLE MR. K. C. ROY : Could the Honourable Member indicate to the House the opinions of Kenya Indians on the subject ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : I understand that they are very much in conformity with the views that Government have on the subject.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Is it a fact that one of these gentlemen has agreed to serve on the Executive Council of Kenya and several have agreed to serve on the local Legislative Council ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : I am afraid I could not answer the question from memory.

NATAL BOROUGH'S ORDINANCE.

54. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state what action, if any, they have taken on the subject.

of the Natal Boroughs Ordinance with a view to moving His Majesty's Government to advise His Majesty to disallow the Ordinance ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : The Government of India are still negotiating with the Union Government with a view to arrange a conference to consider the Indian question in South Africa.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Has any representation been made to the Governor General of the Union by the Government of India and is the Honourable Member in a position to indicate what that representation is ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : We are in negotiations with the Union Government and are constantly making representations.

THE HONOURABLE MR. K. C. ROY : May I ask, Sir, what definite advice the Government of India gave to the Governor General in South Africa to disallow the Natal Boroughs Ordinance ? That is the question at issue.

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : The arrangements for a round table Conference cannot be pursued if particular points are pressed and a reply in the affirmative or negative is insisted upon.

DISABILITY IMPOSED ON INDIAN STUDENTS REGARDING ADMISSION TO UNIVERSITY OFFICERS' TRAINING CORPS.

55. **THE HONOURABLE MR. PHIROZE C. SETHNA :** With regard to the Resolution moved on 22nd January last, regarding the removal of the disability against Indian students in England to enter the University Officers' Training Corps, which was accepted by Government, will they be pleased to state what action His Majesty's Government have taken to remove the disability, and whether the disability has been removed by now ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : No reply has so far been received from the Secretary of State to the Government of India's despatch on the subject, which was sent on the 26th March last.

RECOMMENDATIONS OF THE AUXILIARY AND TERRITORIAL FORCES COMMITTEE.

56. **THE HONOURABLE MR. PHIROZE C. SETHNA :** Will Government be pleased to state what steps they have taken to give effect to the recommendations of the Auxiliary and Territorial Forces Committee ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The Government of India found it necessary to consult Local Governments in regard to the principal recommendations of the Committee. The final replies of certain Local Governments have only recently been received, and these are still being examined. The Government of India have not yet come to any final conclusion on the subject.

REVISION OF THE MESTON SETTLEMENT.

57. **THE HONOURABLE MR. PHIROZE C. SETHNA :** (a) Will Government be pleased to state whether they have received from the Government of Bombay a representation of the Legislative Council of Bombay on the subject of the Meston Settlement ; and

(b) if so, what action they propose to take thereon ?

THE HONOURABLE MR. A. C. McWATTERS. (a) The Government of India have received a representation from the Government of Bombay asking for an immediate revision of the Meston Settlement to be entrusted to the Taxation Inquiry Committee.

(b) As I have already pointed out to this House at the time of the debate on the Resolution regarding Provincial Contributions, the revision of the Meston Settlement is not within the province of the Taxation Inquiry Committee, and that Committee is not the sort of body to whom such duty could suitably be assigned. In accordance with my promise on that occasion, the Committee has, however, been asked to advise on the operation of Devolution rule 15 regarding the allocation of a share of income-tax to Provincial Governments.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: Has any representation been received from the Government of Bengal? If not, will the Government call for a report from Bengal before finally deciding the question?

THE HONOURABLE MR. A. C. McWATTERS: So far as I am aware, no representation of this character has been received from the Government of Bengal.

AMENDMENT OF THE LAW RELATING TO INFANTICIDE IN INDIA.

58. THE HONOURABLE MR. PHIROZE C. SETHNA: (a) Has the attention of Government been drawn to the observations made some time back by the Sessions Judge of Dharwar in his judgment on a case of infanticide, wherein he observed to the effect that "the criminal law of India might be brought into line with the law on infanticide obtaining in Western countries where infanticide is treated as an offence distinct from murder"?

(b) Are Government aware that the Bombay High Court, before which the same case came on appeal, endorsed the observation made by the Sessions Judge?

(c) Will Government state if any action will be taken on the lines suggested by the Sessions Judge?

THE HONOURABLE MR. J. CRERAR: The Government of Bombay have recently brought the case mentioned by the Honourable Member to the notice of the Government of India, and the Government of India are considering the expediency of amending the law.

AMENDMENT OF THE INDIAN INCOME-TAX ACT.

59. THE HONOURABLE MR. PHIROZE C. SETHNA: (a) Have Government considered the proposal made in question No. 29 on 22nd January 1925, regarding an amendment of the Indian Income-tax Act on the lines of the amendment made in 1923 to section 16 of the Finance Act of Great Britain whereby profits paid to policy-holders are no longer treated as taxable income?

(b) If an amendment is to be made, when will it be brought forward?

THE HONOURABLE MR. A. C. McWATTERS: The matter is still under consideration. I hope a decision will be arrived at shortly.

ENCOURAGEMENT OF INDIAN ART.

60. The HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state :

(a) whether they have received a copy of the scheme for the encouragement of Indian Art framed by the " Prize of Delhi Committee " ; and

(b) whether they propose to take any action in accordance with the recommendations made therein ?

THE HONOURABLE MR. A. A. L. PARSONS: (a) No copy of the scheme has been received officially by Government.

(b) Certain suggestions for the establishment of a Central Art School at Delhi are being considered by Government.

INDIAN DELEGATES TO INTERNATIONAL AND IMPERIAL CONFERENCES.

61. The HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state :

(a) how many International and Imperial Conferences were held during the last three years ;

(b) what were the functions and objects of each of these Conferences ;

(c) to which of these were the Government of India invited to send delegates ;

(d) to which of these were delegates sent by the Government of India ;

(e) what were the names and qualifications of these delegates ; and

(f) what has been the expenditure during the last three years incurred by the Government of India in connection with each one of these International Conferences ?

THE HONOURABLE MR. J. CRERAR: I lay on the table a statement giving the information asked for in parts (c) to (f) of the question. As regards (a) and (b) I regret that the information asked for is not available.

Statement showing the Imperial and International Conferences held during the years 1922, 1923 and 1924 to which the Government of India were invited to send delegates.

Serial No.	Name of Conference.	Names of delegates.	Expenditure incurred by Government (expenditure in sterling has been converted into rupees at the rate of Rs. 1 = 1s. 4d.)
1	League of Nations	1922. Lord Chelmsford, His Highness the Maharaja of Nawangar and Sir P. S. Sivaswamy Aiyer.	Rs. 24,629-5-0.

Serial No.	Name of Conference.	Names of delegates.	Expenditure incurred by Government (expenditure in sterling has been converted into rupees at the rate of Rs. 1 = 1s. 4d.).
		1922— <i>contd.</i>	
2	International Union of Geodesy and Geophysics held in Rome.	Dr. J. deGraaff Hunter, Mathematical Adviser, Survey of India.	Exact amount incurred is not known. Dr. Hunter who was at the time on leave in England was paid travelling expenses (1st class) for the return journey to Rome and subsistence allowance at £ 2-2-0 a day while attending the meetings.
3	General Assembly of the International Institute of Agriculture held at Rome in May 1922.	(1) Mr. J. A. Hubback (2) Dr. C. A. Barber (on leave in England).	Information not available.
4	Far East Quarantine Conference, Batavia.	No delegate was sent	
5	International Geological Congress, Brussels.	Dr. E. H. Pascoe, Director, Geological Survey of India.	Rs. 1,770.
6	Imperial Conference for a Patent of Imperial validity, London.	Dr. H. G. Graves, late Controller of Patents and Designs.	Rs. 468-1-0.
7	Fourth International Labour Conference, Geneva.	(1) Late Sir B. N. Basu, Member of the Secretary of State's Council (Government delegate). (2) Sir L. J. Kershaw, K.C.S.I., C.I.E., India Office, London (Government delegate). (3) Sir Alfred Pickford (Employers' delegate). (4) Mr. N. M. Joshi, M. L. A., (Workers' delegate).	Rs. 10,584-2-0.
8	Permanent International Commission of Road Congresses, Paris.	Mr. B. G. Gwyther, Superintending Engineer, Bengal (on leave in England).	Information of expenditure incurred is not available.
9	International Railway Congress held in Rome.	(1) Mr. Deuchars, the Government Director of Indian Railway Companies at the India Office. (2) Sir Robert Gales, Kt., late Chief Engineer, Indian State Railways. (3) Mr. H. B. Taylor, C.B.E., late Chief Engineer, Indian State Railways.	Information of the exact amount of expenditure incurred is not available. Sir Robert Gales and Mr. Taylor were in England at the time of the Congress. Mr. Deuchars and Sir Robert Gales were granted actual travelling expenses (1st class) between London and Rome and back and a subsistence allowance of two guineas a day for the time spent on the continent on duty. No allowances or expenses were granted to Mr. Taylor as he acted as a delegate at his own expense.
10	International Advisory Committee held at Geneva in December 1922 in connection with the question of Anthrax.	Lt.-Colonel F. H. G. Hutchinson, Public Health Commissioner with the Government of India.	Rs. 4,700 approximately.

Statement showing the Imperial and International Conferences held during the years 1922, 1923 and 1924 to which the Government of India were invited to send delegates.

Serial No.	Name of Conference.	Names of delegates.	Expenditure incurred by Government (expenditure in sterling has been converted into rupees at the rate of Rs. 1=1s. 4d.).
		1923.	
1	League of Nations	Lord Hardinge, His Highness the Maharaja of Nawanager and Mr. Syed Hassan Imam.	Rs. 31,463-15-0.
2	Imperial Conference	His Highness the Maharaja of Alwar and Sir Tej Bahadur Sapru.	Rs. 16,638-6-11.
3	International Conference on Obscene Publications.	Sir Prabha Sankar Pattani ..	Information not available.
4	International Conference held in Spain in June 1923 for the purpose of discovering the most effective means of combating the olive fly.	No delegate was sent ..	
5	International Conference for Phytopathology and Entomology held in June, 1923 at Wageningen, Holland.	No delegate was sent ..	
6	International Cattle breeding Congress held in the Netherlands in August, 1923.	No delegate was sent ..	
7	Imperial Education Conference, London.	No delegate was sent ..	
8	Conference on Tropical Medicine in Angola.	No delegate was sent ..	
9	5th Congress of the Far Eastern Association of the Tropical Medicine held at Singapore.	Lt.-Colonel S. R. Christophers, C.I.E., I.M.S.	Rs. 4,339-4-0.
10	October 1923 Session of the Standing Committee of the International d'Hygiene Publique, Paris.	Lt.-Colonel R. A. Needham, C.I.E., D.S.O., I.M.S.	Colonel Needham was in England and his T. A. to Paris and back and subsistence allowance were paid by the office International.
11	British Empire Forestry Conference, Canada, 1923 (Imperial).	Messrs. C. G. Trevor and W. A. Robertson of the Indian Forest Service.	Rs. 19,800 (estimated). Actuals are not known.
12	Fourth International Road Congress, Seville.	Mr. H. L. Holman-Hunt, C.I.E., Superintending Engineer, Burma.	Information not available.
13	The Permanent International Commission of Road Congress, Paris.	No delegate was sent ..	
14	The International Air Congress, London.	Mr. H. A. Sams, C.I.E., I.C.S., Officiating Director General, Posts and Telegraphs.	Rs. 30.
15	Public Works, Roads and Transport Congress, London.	No delegate was sent

Serial No.	Name of Conference.	Names of delegates.	Expenditure incurred by Government (expenditure in sterling has been converted into rupees at the rate of Rs. 1=1s. 4d).
		1923— <i>contd.</i>	
16	Conference of Directors of Meteorological Services and Heads of Observatories, Utrecht, Holland.	Sir Gilbert T. Walker, Kt., C.S.I., M.A., D.Sc., Ph.D., F.R.S., late Director General of Observatories in India.	The Government of India were not actually invited to send a delegate; Sir G. T. Walker asked for permission to attend the Conference as a representative of India which was granted.
17	Fifth International Labour Conference.	Mr. (now Sir) D. M. Dalal, Kt., late High Commissioner for India, London. Sir Dadiba Dalal did not attend the Conference, his place was taken by Mr. A. G. Clow, I.C.S., acting as substitute delegate appointed by Sir D. M. Dalal. Sir L. J. Kershaw, K.C.S.I., C.I.E., India Office, London. Mr. J. A. Kay of Millowners' Association, Bombay. Mr. Roy Chowdhury, M. L. C., Calcutta.	Rs. 7,100-12-0.
18	International Conference of Labour Statisticians, Geneva.	Mr. A. G. Clow, I.C.S., Under Secretary, Government of India, Department of Industries and Labour.	Rs. 285.
19	The Imperial Economic Conference convened in London in October-November 1923.	India was represented by Lord Peel, then Secretary of State for India, and he was assisted by Mr. (now Sir) Charles Innes, Commerce Member of the Viceroy's Council, then on leave in England, and Mr. (now Sir) Dadiba Dalal, then High Commissioner for India, London, as delegates.	Delegates were the guests of His Majesty's Government.
20	International Navigation Congress held in London in 1923.	India was represented by Mr. H. A. F. Lindsay, C.B.E., I.C.S., the Indian Trade Commissioner in London.	Nil.
21	The Second General Conference of the League of Nations on communications and transit held at Geneva in November 1923.	None was sent from India. The Secretary of State was asked to arrange for the point of view of the Government of India being put forward by the British representative at the Conference.	Nil.
22	International Conference on Customs and other similar formalities.	Mr. W. D. Tomkins, India Office, represented India.	No expenditure was incurred in India and no information is available as to the amount incurred outside India.

Statement showing the Imperial and International Conferences held during the years 1922, 1923, and 1924 to which the Government of India were invited to send delegates.

Serial No.	Name of Conferences.	Name of delegates.	Cost incurred by Government (expenditure in sterling has been converted into rupees at the rate of Re. 1= 1s. 4d.).
		1924.	
1	League of Nations	Lord Hardinge, His Highness the Maharaja of Bikaner and Sir Muhammad Rafique.	Information not available.
2	International Union of Geodesy and Geophysics held in Madrid	Sir G. P. Lenox-Conyngham, Retired, Superintendent, Survey of India.	Sir Gerald's expenses were paid by His Majesty's Government whom he also represented.
3	International Pedological Conference held in Rome in May 1924.	No delegate was sent.	..
4	General Assembly of the International Institute of Agriculture held in Rome in May, 1924.	1. Sir Raja Gopala Achariar, (Member, Secretary of State's Council). 2. Mr. B. C. Burt (on leave in England).	Information not available.
5	Second International Seed Testing Congress held in England in July 1924.	No delegate was sent.	
6	Imperial Mycological Conference held in England in July, 1924 in conjunction with the British Empire Exhibition.	1. Dr. F. J. Butler (on deputation in England as Director of the Imperial Bureau of Mycology). 2. Dr. F. J. F. Shaw (on leave in England).	Information not available.
7	Imperial Botanical Conference held in July, 1924 on the occasion of the British Empire Exhibition.	Lt.-Col. A. T. Gage, I.M.S., C.I.E., M.A., M.B., B.Sc., F.L.S., F.A.S.B., Director of the Botanical Survey of India (on leave in England).	Information regarding exact expenditure incurred is not available. Col. Gage received deputation pay of 2-3rds of his Indian salary together with subsistence allowance at the rate of 30s. a day and actual and necessary 1st class travelling expenses.
8	April 1924 session of the Standing Committee of office International d'Hygiene Publique, Paris.	Lt.-Col. F. H. G. Hutchinson, C.I.E., I.M.S., (on leave in England).	Information regarding exact expenditure incurred is not available. Col. Hutchinson was granted an honorarium of 1-6th of his Indian emoluments in addition to leave allowance while on deputation in interruption of leave. His T. A. to Paris and back and subsistence allowance were paid by the office International.
9	October, 1924 Session of the Permanent Committee of the office International d'Hygiene Publique, Paris.	Lt.-Col. A. B. Fry, C.I.E., D.S.O., I.M.S., (on leave in England).	Information regarding exact expenditure incurred is not available. Col. Fry was placed on deputation and received 2-3rds of his Indian pay and a compensatory allowance of 16s. 8d. a day for the period of his deputation. Before going to Paris he was sent to Geneva to the working of the Health Section of the League of Nations. Received usual travelling expenses to and from Geneva and subsistence allowance at 3 guineas a day

Serial No.	Name of Conference.	Names of delegates.	Cost incurred by Government (expenditure in sterling has been converted into rupees at the rate of Rs. 1=18. 4d.)
		1924— <i>contd.</i>	
10	Third English speaking Conference on Infant Welfare held in London.	Lt. Col. E. H. Hodgson, D.S.O., I.M.S.	while at that place. He was also granted a free passage to India. His T. A. to and from Paris and subsistence allowance were paid by the office International.
11	Sixth International Labour Conference, Geneva.	(1) Mr. (now Sir) A. C. Chatterji, C.I.E., I.C.S., late Member of the Council of the Governor General of India. (2) Sir L. J. Kershaw, K.C.S.I., C.I.E., India Office, London. (3) Sir Alexander Murray, Kt., C.B.E. (4) Mr. Joseph Baptista, Bar-at-Law, M.L.C., Bombay.	Colonel Hodgson was on leave in England at the time and received only Travelling allowance and subsistence allowance. Rs. 17,774-12-0.
12	The World Power Conference, London.	High Commissioner for India with Mr. J. W. Mears, the late Electrical Adviser to the Government of India as Technical Adviser.	Nil.
13	The Permanent International Commission of Road Congresses, Paris.	No delegate was sent.	
14	International Postal Congress, Stockholm.	(1) Sir Geoffrey Clarke, Kt., C.S.I., O.B.E., I.C.S. Director General of Posts and Telegraphs as Senior delegate. (2) Rai H. K. Raha Bahadur, M.A., Dy. Director General of Post Office as 2nd delegate. (3) Mr. P. N. Mukerjee, M.A., M.R.A.S.F., R. Met. Soc. (London), Superintendent of Post offices and P. A. to Postmaster General, Bengal and Assam as Secretary.	Rs. 58,895-2-0.
15	2 International Opium Conferences.	Mr. J. Campbell, C.I.E., O.B.E., (late of the I.C.S.) assisted by Mr. H. Clayton, C.I.E., I.C.S., Financial Commissioner, Burma, who was on leave in England, Mr. Campbell had to leave suddenly on more pressing business and his place at the Conferences was taken by Mr. J. C. Walton of the India Office.	Information not available.

THE HONOURABLE MR. K. C. ROY : May I ask the Honourable the Home Secretary if he is in a position to state whether the cost of delegation of Indian Princes to the League of Nations as well as the Imperial Conference is a charge on Indian revenues ?

THE HONOURABLE MR. J. P. THOMPSON : With your permission, Sir, perhaps I might answer that supplementary question. The answer is in the affirmative. But I believe I am right in stating that the Princes have not on every occasion availed themselves of the generosity of the Government of India. That applies only so far as the deputations to the League of Nations are concerned. As regards deputations to the Imperial Conference I believe the cost of all the expenses of all the delegates in England is borne by the Imperial Government.

THE HONOURABLE MR. PHIROZE C. SETHNA : Do I understand the Honourable the Home Secretary to say in reply to parts (a) and (b), that he is unable to give that information, or whether the information is not available ?

THE HONOURABLE MR. J. CRERAR : The information is not available to me. The Honourable Member will observe that we have been at great pains to provide the information with regard to such Conferences to which the Government of India were either invited or did actually send their delegates. As regards those Conferences to which either we were not invited or to which we did not send our delegates, I regret to say the information is not available.

THE HONOURABLE MR. PHIROZE C. SETHNA : Can the Honourable Member inform us from where it will be available to us ?

THE HONOURABLE THE PRESIDENT : It is not the concern of the Governor General in Council at all. The Honourable Member is referring to Conferences to which India was not a party or to which India was not invited to send delegates. That is a matter on which information should be obtained elsewhere.

DESPATCH OF COPIES OF THE GAZETTE OF INDIA PER VALUE PAYABLE POST.

62. **THE HONOURABLE MR. PHIROZE C. SETHNA :** (a) Will Government be pleased to state if it is a fact that in response to a requisition from a well-known commercial body for copies of the Gazette of India containing the Insurance Bill it was informed by the Manager, Central Publication Branch, by his letter No. 855-G., dated 9th July 1925, that "copies of the Gazette asked for will be supplied on receipt of the copies from the Simla Press" ?

(b) Is it a fact that the commercial body received afterwards a letter No. 937-G., dated 17th July 1925, drawing its attention to item No. 4 on the reverse which stated "copies of the Gazette of India asked for will be supplied on receipt of Rs. 9-4-0 in advance, as prepayment is necessary under Government order. The Gazette of India is not supplied per V. P. Post" ?

(c) Will Government explain

(i) why the second letter could not have been sent in the first instance in reply to the requisition for copies of the Gazette of India, and

(ii) why sending copies of the Gazette of India per V. P. Post is prohibited ?

(d) Will Government issue orders for sending copies of the Gazette of India by V. P. Post ?

THE HONOURABLE MR. A. A. L. PARSONS : (a) Yes.

(b) Yes.

(c) (i) The second letter was issued, not in consequence of the adoption of any prescribed method, but through an error on the part of a clerk.

(c) (ii) and (d). Odd copies of any particular part of the Gazette of India can be, and are supplied by V. P. P. There are, however, difficulties in the way of arranging for annual subscriptions to the Gazette being recovered by V. P. P. These are due to the fact that important parts of the Gazette are issued directly from Simla to subscribers, while subscriptions have to be collected by the Central Publication Branch in Calcutta.

SCHOLARSHIPS AND PRIZES FOR INDIAN ART STUDENTS.

63. THE HONOURABLE MR. PHIROZE C. SETHNA : (a) Will Government be pleased to state what progress has been made in regard to the Resolution moved on 28th January 1925 and accepted by them for considering the advisability of formulating a scheme of scholarships and prizes for Indian Art students and of establishing a central institution for the scholarship holders and prize-winners ?

(b) Will Government now place on the table the scheme formulated by the architects of New Delhi in consultation with the Chief Engineer, which scheme was referred to by the Honourable Mr. A. H. Ley when speaking on the Resolution referred to in (a) above ?

THE HONOURABLE MR. A. A. L. PARSONS : (a) The matter is under consideration.

(b) The scheme formulated by the architects was placed before the Standing Advisory Committee attached to the Department of Industries and Labour who made the following recommendations :—

“As the revised estimate of the New Capital contains no substantial provision for decorative work, the Committee agree that consideration of the scheme should be postponed and that it should be revived if and when a comprehensive scheme of decoration is approved.”

Government have no present intention of taking any further action on that scheme and consider that in the circumstances no useful purpose would be served by placing a copy of it on the table.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Are the Government aware whether the Provincial Governments are making any arrangements for training research students to take up this decorative work when the Government have money for the purpose ?

THE HONOURABLE MR. A. A. L. PARSONS : I have no personal knowledge of any such arrangements.

EXPENDITURE ON THE BRITISH LEGATION AT KABUL.

64. THE HONOURABLE MR. PHIROZE C. SETHNA : (a) Will Government be pleased to state whether they have made any representation to His Majesty's Government that the expenses on account of His Majesty's Minister at Kabul should not be paid out of the Indian Exchequer ?

(b) If the reply is in the negative, do they propose to do so ?

THE HONOURABLE MR. J. P. THOMPSON : (a) No, Sir.

(b) The matter came under review recently and it was held that it would not be in India's interest to alter the incidence at present.

THE HONOURABLE MR. K. C. ROY : May I ask the Honourable the Political Secretary whether the Kabul Legation expenditure was not carefully scrutinised by the Inchcape Committee and reported to the Government of India as well as to His Majesty's Government ?

THE HONOURABLE MR. J. P. THOMPSON : The Inchcape Committee presumably did consider the question of the expenditure of the Kabul Legation, and I have no doubt that their conclusions were duly considered by the Government of India.

The Home Government is, of course, in full possession of the facts and I may refer the Honourable Member for further information to an answer given by Earl Winterton in the House of Commons on the 15th June 1925.

DEFECTIVE OVERBRIDGES AT BANDRA AND SANTA CRUZ ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

65. THE HONOURABLE MR. PHIROZE C. SETHNA : (a) Are Government aware that the Bombay, Baroda and Central India Railway is constructing several overbridges on its suburban stations ?

(b) Is it a fact that the overbridge at Bandra, when completed, was found to be extremely inconvenient and evoked much protest from the public ?

(c) Is it a fact that a large portion of it had to be scrapped and rebuilt ?

(d) What was the original estimate and how much has the cost exceeded the estimate owing to the rebuilding ?

(e) Who is responsible for the mistake, if any, and the consequent loss ?

(f) Is it a fact that, despite public protests against the Bandra overbridge, an overbridge at Santa Cruz was allowed to be completed though it had the same defects as the Bandra overbridge ?

(g) Is it a fact that a portion of even this Santa Cruz overbridge is scrapped and being rebuilt ?

(h) What was the original estimate and how much has the cost exceeded the estimate owing to the rebuilding ?

(i) Who is responsible for the mistake, if any, and the consequent loss ?

THE HONOURABLE MR. D. T. CHADWICK : (a) Yes.

(b) The bridge was found inconvenient and protests were made by the public.

(c) No. The stairways only were redesigned.

(d) The original estimate amounted to Rs. 19,407 and the expenditure actually incurred to Rs. 20,191, i.e., an excess of Rs. 784 only.

(e) The bridge was designed by a well known firm of Engineering Contractors and the design was approved by the Superintending Engineer, Construction, for the Bombay, Baroda and Central India Railway.

(f) The Santa Cruz bridge is not yet completed. It had been ordered at the same time as the Bandra bridge and its erection was delayed in order to add the half-way landings found desirable in the latter case.

(g) No.

(h) The original estimate amounted to Rs. 17,844. The work is expected to be completed well within those figures.

(i) Does not arise.

DWELLINGS OF WORKMEN OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY AT MATUNGA.

66. The HONOURABLE MR. PHIROZE C. SETHNA: (a) Has the attention of Government been drawn to the photographs and description thereof, which appeared in the *Bombay Chronicle* of 11th July 1925, of the dwellings of workmen of the Bombay, Baroda and Central India Railway at Matunga near Bombay?

(b) If so, have Government ascertained if the allegations made therein are true?

(c) If they are true, will Government state what steps have been taken to improve these dwellings?

(d) If no steps have been taken so far, will Government state if they propose to take steps and, if so, what steps?

THE HONOURABLE MR. D. T. CHADWICK: (a), (b), (c) and (d). Government have seen the photographs and description referred to, and they have ascertained that the real position is as follows:

The quarters in question were built in 1921 owing to the shortage of house accommodation in Bombay and to the difficulty experienced by the Workshop Staff in obtaining suitable accommodation. They were "*Kutchi pucca*" quarters having tiled roofs with bamboo and mud walls and were never intended to be of a permanent character, because in the ordinary course such staff are not entitled to railway quarters and the intention was merely to afford relief to the staff and assist them over a difficult period until the *chauls* planned by the Bombay Development Directorate were ready for occupation.

In view, however, of the high rental imposed by the Directorate in the first instance, the workshop staff requested that they might be permitted to stay where they were, a request which was conceded as the quarters in question were then in a good state of repair. A few months ago certain of these quarters began to show signs of deterioration, and as it was not intended to spend more money on them (the purpose for which they had been constructed having been

achieved) the occupants were informed that they must vacate them which they accordingly did and the quarters were demolished. Similar deterioration has now become apparent in the remaining blocks and notice have been issued to the staff in occupation that these quarters must also be vacated after which they too will be demolished.

THE HONOURABLE MR. PHIROZE C. SETHNA : How soon will they be demolished ?

THE HONOURABLE MR. D. T. CHADWICK : As soon as the staff vacates them.

IMPORTS OF PIG-IRON FROM INDIA INTO AMERICA, ETC.

67. **THE HONOURABLE MR. PHIROZE C. SETHNA :** (a) Has the attention of Government been drawn to a report in the *Times of India* that, owing to heavy imports of pig-iron from India into America, the Government of the United States have appointed a Committee of Inquiry with a view to put heavier duty on imported pig-iron than the rate existing at present ?

(b) Is it a fact that the Government of India have a profit-sharing arrangement with the Pioneer Magnesia Works ?

THE HONOURABLE MR. D. T. CHADWICK : (a) Yes.

(b) The Honourable Member is referred to clause 3 (a) of the agreement with the Pioneer Magnesia Works which is printed on page 49 of the Report of the Tariff Board on the grant of protection to the Magnesium Chloride Industry.

SAFEGUARDING OF THE PUBLIC AGAINST FRAUDULENT WINDING OF INSURANCE COMPANIES.

68. **THE HONOURABLE MR. PHIROZE C. SETHNA :** Will Government be pleased to state if in their proposed Insurance Bill they have included measures to safeguard the public against fraudulent winding up of Insurance Companies ?

THE HONOURABLE MR. D. T. CHADWICK : In the Insurance Bill which has been published there is no special provision such as that referred to by the Honourable Member. The Bill is, however, published for criticisms and suggestions and any sent in by the Honourable Member will be welcomed.

THE HONOURABLE MR. PHIROZE C. SETHNA : Are Government aware of the fraudulent winding up of a Life Insurance Company in Calcutta quite recently ?

THE HONOURABLE MR. D. T. CHADWICK : We have had complaints about the winding up of a certain Insurance Company in Calcutta. I am not prepared to say whether the transactions were fraudulent or not.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Is it not a fact that some of these liquidators are appearing in the police court in a capacity not ordinarily attached to creditable persons ?

THE HONOURABLE THE PRESIDENT : I think we had better leave the matter where it is, if the proceedings are now before a court of law.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Is it not a fact that a Bill has already been introduced in another House, and do Government propose to take any steps to have a Joint Select Committee appointed for the consideration of the Bill ?

THE HONOURABLE MR. D. T. CHADWICK : A Bill has been introduced and has been circulated, and during the next Session a motion will most probably be made to refer it to either a Joint or a Select Committee. It has not been decided whether the Committee will be a Joint or Select one.

PAYMENT OF BOUNTIES UNDER THE INDIAN STEEL (PROTECTION) ACT.

69. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

(a) the total amount of bounty paid during the first year of operation of the Indian Steel (Protection) Act on wagons ;

(b) the same during the second year ;

(c) on how many wagons it was given in each year and to which firms ; and

(d) the distribution of the amount amongst the various wagon-manufacturing firms in India in each of the two years ?

THE HONOURABLE MR. D. T. CHADWICK : (a) The total amount of bounty paid on wagons during 1924-25, the first year of operation of the Steel Industry (Protection) Act, 1924, was Rs. 2,85,600.

(b) During the current year, which is the second year, it is hoped to spend the whole of the maximum permissible amount of Rs. 7 lakhs.

(c) and (d). A reply to these two parts of the question would have to be very lengthy in order to be clear. I trust the Honourable Member will probably find information, which will meet his requirements, on this subject in Volume I of the Railway Board's Report on Indian Railways for 1924-25, which will be published very shortly.

MANUFACTURE OF LOCOMOTIVES AND WAGONS AT THE WORKSHOPS IN AJMER.

70. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

(a) how many locomotives or wagons have been made at the shops in Ajmer ;

(b) the date on which such wagons or locomotives were completed ;

(c) the cost of such locomotives or wagons to the railway company making full allowance for overhead, supervisory and consulting charges ; and

(d) the cost of locomotives or wagons of same or similar type to other railways, which have purchased them from private manufacturers ?

THE HONOURABLE MR. D. T. CHADWICK : If the Honourable Member will state the period for which the information is required, it will be collected and furnished to him.

PROPOSED AGRICULTURAL COMMISSION.

71. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased :

(a) to lay on the table correspondence with the Secretary of State for India in connection with the proposed Agricultural Commission ; and

(b) to state how soon the Commission will be appointed and if there will be an Indian Chairman and an Indian majority ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : (a) and (b). An Agricultural Commission is not at present considered necessary and there has been no correspondence with the Secretary of State on the subject.

THE HONOURABLE DR. DWARKANATH MITTER : Has the attention of Government been drawn to the press comments regarding the suggested Agricultural Commission and the constitutional implication of the Central Government attempting to interfere with the ministerial subjects in the provinces ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : I will be very glad to see them.

HOME REMITTANCES.

72. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state whether the total amount of remittances, which they have made to the United Kingdom by purchase of sterling or other means up to 31st of July 1925, is—

(a) smaller than the amount *pro rata* for this period as foreshadowed in the budget statement, or

(b) larger ;

(c) smaller or larger by what figure ; and

(d) the reasons explaining (c) ?

THE HONOURABLE MR. A. C. McWATTERS : The total amount of remittances for the 4 months ending 31st July 1925 was £9,926,000 and the total estimate for the year as indicated in the Budget was £31½ millions. The Budget Statement did not attempt to distribute the remittances *pro rata*, as it is practically impossible to distribute the annual budget programme of remittances month by month. The actual remittances must depend to a large extent on various uncertain factors during the year, and it is not therefore possible to make any comparison in the manner suggested by the Honourable Member.

ISSUE OF NOTES.

73. THE HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state whether they have issued any notes in pursuance of the power sanctioned by the Legislature last year for larger fiduciary issue of notes and, if so, for what amount ?

THE HONOURABLE MR. A. C. McWATTERS : The Government have not issued any notes in exercise of the additional powers sanctioned by the Legislature in February last.

AMOUNT OF STERLING SECURITIES IN THE PAPER CURRENCY RESERVE.

74. The HONOURABLE MR. PHIROZE C. SETHNA : (a) Will Government be pleased to state in parallel columns the amount of sterling securities in the Paper Currency Reserve on 1st January 1914, 1st January 1918, 1st January 1921 and 1st January 1925 ?

(b) Will Government be pleased to explain the change of practice, if any ?

THE HONOURABLE MR. A. C. MCWATTERS : (a) A statement is laid on the table.

(b) The changes in the holdings of sterling securities in the Paper Currency Reserve from time to time are explained in the annual published reports of the Controller of Currency which will be found in the Library. I do not think there can be said to have been any change of practice recently. If, as I understand, the Honourable Member refers particularly to the increase in the sterling securities during the last two years, this is the result, firstly, of the conversion of £2 million worth of gold in the Reserve into interest bearing securities, and secondly, to the sale of Council Bills and purchases of sterling in excess of the Secretary of State's requirements. The latter course was adopted with the object of meeting India's requirements for additional currency.]

Statement showing the amount of sterling securities in the Paper Currency Reserve.

Date.		Amount of sterling securities in the Paper Currency Reserve.	Total note circulation.
		£	Rs.
1st January 1914	..	2,667,000	64,56,78,000
1st January 1918	..	34,320,000	108,30,57,000
1st January 1921	..	8,350,000	161,40,08,000
1st January 1925	16,998,000	179,20,87,000

EXPENDITURE FROM INDIAN REVENUES ON CONSULAR OR DIPLOMATIC REPRESENTATIVES OUTSIDE INDIA.

75. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

(a) for how many consular or diplomatic representatives outside India are they paying from the Indian Exchequer ;

(b) their names and remuneration ;

(c) if there is any scheme for increasing the number of such representatives ;

- (d) if any reports are received from such representatives ; and
(e) if such reports in full or part will be made public ?

THE HONOURABLE MR. J. P. THOMPSON: (a) The Honourable Member is referred to the answer given to his question, on the same subject, on the 11th February 1924.

(b) A statement of those paid entirely from the Indian exchequer is laid on the table.

(c) No.

(d) Yes, except from the Indian Vice-Consul, Jeddah.

(e) Such reports as are of general public interest are published from time to time.

Statement showing the names and remuneration of Consular and Diplomatic representatives outside India who are paid entirely from the Indian exchequer.

Appointment.	Name.	Remuneration.
		Rs.
Minister, Kabul ..	Lieutenant-Colonel Sir Francis Humphrys.	Pay 4,000 p.m.
Consul, Kandahar ..	Khan Sahib Mahmud Khan	Pay 600 p.m. Special Pay 200 p.m.
Consul, Jelalabad ..	Muhammad Jehangir Khan	Pay 600 p.m. Special Pay 200 p.m.
Political Agent and Consul, Muscat.	Captain R. G. E. W. Alban (Offg.).	Indian military pay of rank. Special Pay 300 p.m.
Indian Vice Consul, Jeddah	Assistant Surgeon Chaudhri Hakim Din.	£ s. d. Pay 38 6 8 p.m. plus 5 % temporary bonus.
Consul General, Kashgar.	Brevet Major G. V. B. Gillan.	Rs. Pay 950 p.m. Sterling overseas pay .. £25 p.m.

EXPENDITURE FROM INDIAN REVENUES ON CONSULAR OR DIPLOMATIC REPRESENTATIVES OF THE UNITED KINGDOM OUTSIDE INDIA.

76. THE HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state :

- (a) whether they are bearing any expenses for any Diplomatic or Consular representative of the United Kingdom anywhere outside India ;
(b) if so, what is the amount of such expense in each case ;
(c) if reports of any kind are received by the Government of India from such representatives ; and

(d) what is the nature of protection afforded to Indian subjects who are travelling or doing business in countries where there are such representatives of the Imperial Government?

THE HONOURABLE MR. J. P. THOMPSON: (a), (b) and (d). Again I would refer the Honourable Member to the very full answer given to his question on the 11th February 1924. A statement showing the present cost to India of these services is laid on the table.

(c) Yes.

Statement showing the annual cost to India of Diplomatic and Consular representation maintained by England.

(i) Persia.—Rs. 7,21,171 (average).

(ii) China.—(a) General £12,500, (b) Tenguyeh £475 and (c) Kashgar Rs. 74,766 (average).

(iii) Afghanistan.—Rs. 4,86,000 (average).

(iv) Siam.—(a) Chiengmai £1,320. (b) half the cost in the case of Nakawn Lampong (Lakhon) the figures for which are not readily available.

(v) Arabia.—(a) Muscat Rs. 2,63,298 (average), (b) Jeddah Rs. 20,000 (approximate).

APPOINTMENT OF INDIAN TRADE COMMISSIONERS AND CONSULAR REPRESENTATIVES OR DIPLOMATIC REPRESENTATIVES IN FOREIGN COUNTRIES.

77. The HONOURABLE MR. PHIROZE C. SETHNA: (a) Have Government received any recommendations from commercial bodies for appointing Trade Commissioners, consular representatives or diplomatic representatives in foreign countries?

(b) Do Government propose to give effect to such recommendation, if made?

THE HONOURABLE MR. J. P. THOMPSON: (a) We have received no recent recommendations for the appointment of Trade Commissioners and none for that of Consuls and diplomatic representatives.

(b) Does not arise.

THE HONOURABLE DR. DWARKANATH MITTER: Will Government be pleased to say why the Trade Commissionership in Kenya has been abolished?

THE HONOURABLE MR. D. T. CHADWICK: Very largely on the ground of economy at the time of the Inchcape Committee.

REBATE ON FREIGHTS ON GOVERNMENT CONSIGNMENTS OF STORES AND MATERIALS PURCHASED ABROAD.

78. The HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state:

(a) the exact amount of rebate on freights which they receive on Government consignments, from the United Kingdom, or the Continent to India, of stores and materials purchased abroad; and

- (b) what percentage is this rebate to the value of total purchases abroad during the last official year ?

The HONOURABLE MR. A. A. L. PARSONS: The Honourable Member is no doubt aware that freight on goods carried by sea varies not only from time to time but also according to the size, nature and weight of the articles. The exact amount of rebate which the London Stores Department has been able to secure from the shipping companies cannot consonantly with the public interest be divulged, but Government are satisfied that they save an appreciable sum owing to the rebate.

SYSTEM OF PAYMENTS FOR STORES PURCHASED IN BRITAIN AND INDIA.

79. THE HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state:

- (a) the method of payment to British manufacturers from the Stores Department, London ;
- (b) if any manufacturers are given any advance on materials or on partly prepared goods, or are they called upon to show completion certificates before any payments are made ;
- (c) if they make any payment before delivery of material to any suppliers either to the Indian Stores Department or to the Railways or to the Army ;
- (d) if so, what are the conditions under which such advances are made ; and
- (e) if the system of payment is uniform or varies ?

The HONOURABLE MR. A. A. L. PARSONS: (a) Payment is made to the manufacturers by the Chief Accounting Officer of the office of the High Commissioner on his being satisfied that the stores have been passed by competent authority and have been delivered at the India Store Depot at Lambeth, or free on board ship, one of which is the ordinary condition of contract ; or otherwise (in exceptional cases) in accordance with special contract provisions.

(b) As a general rule payment is made by the London Stores Department as just explained only on the completion of the contract, but in exceptional cases advances on collection of materials or partial completion of work, are allowed. I may add that in such cases precautions are adopted to minimise risk of loss to the Government.

(c), (d) and (e). As already explained, payment is ordinarily made either F. O. R. or on delivery of stores in London.

TRAINING OF INDIANS FOR EMPLOYMENT IN THE ROYAL INDIAN MARINE.

80. THE HONOURABLE MR. PHIROZE C. SETHNA: Will Government be pleased to state

- (a) the number of officers in the Royal Indian Marine receiving a total salary, including allowances, of more than Rs. 400 a month ;

- (b) how many of them are Indians ;
- (c) what attempts have been made to secure Indians for filling vacancies ; and
- (d) if any attempt has been made to train Indians for this service and, if so, what ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) 123.

(b) No Indian is at present employed as a commissioned officer in the Royal Indian Marine.

(c) Indians are eligible equally with Europeans for appointment as officers to the Royal Indian Marine, but no qualified Indian has so far applied.

(d) The question of providing special training facilities for such Indians as may hereafter desire to qualify for this service is under consideration.

PURCHASE BY THE ARMY DEPARTMENT OF LAND FROM THE BACK BAY RECLAMATION IN BOMBAY.

81. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to state :

- (a) if the Army Department has agreed to purchase 265 acres of land from the Back Bay reclamation in Bombay ;
- (b) what is the total amount of price to be paid ;
- (c) in how many years will this amount be paid ;
- (d) what will be the cost of new military buildings on such reclamation ;
- (e) what was the object of acquiring this land and discontinuing the existing arrangements ;
- (f) how much of the land vacated by the military under this scheme has been sold to date ; and
- (g) if none has been sold, have any offers of any kind been received for the military lands, which are for sale in Bombay ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) and (b). The area which it is intended to purchase is approximately 236 acres for which a sum of approximately Rs. 228 lakhs is due to be paid.

(c) Payment is not due until the land has been reclaimed and is ready to be delivered. Funds for the payment are to be obtained from the sale of the military properties which are being surrendered.

(d) The buildings essentially required, in replacement of existing accommodation, apart from those which have already been provided elsewhere, are now estimated to cost about Rs. 40 lakhs. Other accommodation of a desirable character will be provided also if the assets of the scheme are sufficient to meet the cost. The expenditure is being financed strictly from the receipts realised.

(e) One of the principal objects of the scheme is to bring into full economic use in connection with the development of Bombay certain valuable military properties. With the money realised, adequate accommodation of an up-to-date character can be provided for the troops and there will be the further advantage that practically all the accommodation required for troops in Bombay will be concentrated in one military area.

(f) and (g). The properties so far sold which constitute only a very small proportion of the whole have realised approximately Rs. 69 lakhs. If my Honourable friend would like to have any further information regarding the Bombay Military Lands Scheme, the Army Secretary will be glad to give it to him.

EMPLOYMENT OF GRADUATES AND UNDER-GRADUATES OF THE MACLAGAN ENGINEERING COLLEGE, MUGHALPURA (LAHORE) IN THE MECHANICAL DEPARTMENT OF THE NORTH WESTERN RAILWAY.

82. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether they are prepared to give in the North Western Railway system a number of guaranteed appointments in the Mechanical Department to the graduates and under-graduates of the MacLagan Engineering College, Mughalpura (Lahore) ? If so, when do they propose to take some steps in this direction ?

THE HONOURABLE MR. D. T. CHADWICK : Rules regarding the recruitment and training of officers for employment in the Mechanical Department, State Railways, are at present under consideration.

APPRENTICES EMPLOYED ON STATE RAILWAYS.

83. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (i) Will the Government kindly lay on the table of this Council the existing terms of service, method of training, mode and scale of payment, rules of ordinary, casual and sick leave of literate apprentices recruited in Loco. or Carriage shops, as compared with those of apprentices serving in the Signal, Bridge and Permanent Way Departments of each of the State-worked Railways for (a) Europeans, (b) Anglo-Indians, (c) Parsis, and (d) Indians ?

(ii) What is the number of such apprentices of each of the above classes on each of the State Railways ?

(iii) Is there any difference in the mode and scale of payment and methods of training of such apprentices when recruited direct, and when recruited through the MacLagan Engineering College, Lahore, on the North Western Railway ? If so, in what respect ?

THE HONOURABLE MR. D. T. CHADWICK : The information at the disposal of Government is now out of date and they do not think that they would be justified in putting the Railway Administrations to the trouble of furnishing again all the particulars asked for by the Honourable Member.

NUMBER OF SIGNALLERS IN GOVERNMENT TELEGRAPH OFFICES.

84. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state the total number of signallers in the

Government Telegraph Offices (excepting the Combined Post and Telegraph Offices) ? How many of these signallers are Goanese ?

The HONOURABLE MR. A. A. L. PARSONS : The total number of telegraphists in Government telegraph offices on the 1st July, 1925, was 3,193. It is not known how many of them are Goanese.

The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : In case Government are not in a position now to state the number of Goanese signallers will they find it out and then supply the information ?

The HONOURABLE MR. A. A. L. PARSONS : It will mean a lot of trouble. If the Honourable Member thinks it really necessary for any particular purpose, I will see if I can obtain the information.

The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Yes, thank you.

NUMBER OF OPERATORS IN THE WIRELESS SECTION OF THE TELEGRAPHS.

85. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state the total number of operators in the Wireless section of the Telegraphs, also their scale of pay and terms of employment ? How many of them are Indians ?

The HONOURABLE MR. A. A. L. PARSONS : 86 Wireless operators are employed—12 are Indians.

2. There are three classes of wireless operators, namely :—

- (a) *Service operators*, (who were fully trained before being recruited), scale of pay Rs. 250—10—300 p. m., *plus* free furnished quarters or house rent allowance in lieu thereof on the scale sanctioned for telegraphists in the Department, *plus* locality allowance where such is admissible at departmental rates, *plus* free medical attendance for self. These men are liable for service in any wireless station in India or Burma ;
- (b) *Civil operators*, (trained departmentally) scale of pay Rs. 80—5—100—10—250 p. m., with the same allowances as service operators, *plus* wireless allowance of 1-4-0 p. d. and a lower or higher proficiency allowance of 0-15-0 or 1-5-0 p. d. according to qualifications, subject to a maximum of Rs. 350 *exclusive* of locality allowance. The Indian operators belong to this category. They are liable for service as in (a) ;
- (c) *Military operators*, departmental pay from 1-12-0 to Rs. 3-8-0 p. d. according to length of service in the Department *plus* an engine room allowance of annas eight p. d., when qualified, in addition to their military pay. They are liable for service as in (a).

TRANSFER OF THE TRAFFIC STAFF TO THE ENGINEERING STAFF IN THE TELEGRAPH DEPARTMENT.

86. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Do the Government intend to stop the practice of transferring the Traffic Staff in the Telegraph Department to the Engineering Staff?

THE HONOURABLE MR. A. A. L. PARSONS: I understand the Honourable Member to refer to the occasional transfers from the Traffic to the Engineering Branch of engineering officers who were originally in the Telegraph Department when the Telegraph Traffic and Engineering were combined and, on the separation of Telegraph Traffic from Engineering elected for the Traffic Branch. These transfers are inevitable if such officers are not to be deprived of their normal prospects of promotion and Government do not therefore propose to make any change.

IMPROVEMENT OF THE PROSPECTS OF LINEMEN IN THE TELEGRAPH DEPARTMENT.

87. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: (a) Will Government kindly state the scales of salary, terms and conditions of employment of Linemen in the Telegraph Department?

(b) What yearly increment do they get in their salary? What amount of house-rent are they allowed in Simla, Murree, Mussoorie, and Naini Tal when Government are unable to provide them with accommodation?

(c) Do the Government contemplate bettering their prospects?

THE HONOURABLE MR. A. A. L. PARSONS: (a) and (b). The time-scale of pay is:

In Burma, Northern (i.e., the whole of the Punjab and North West Frontier Province) and Sind and Baluchistan Circles and in the vicinity of Bombay Rs. 22 rising by Re. 1 biennially to Rs. 32.

In other places Rs. 18 rising by Re. 1 biennially to Rs. 28.

Linemen belong to the "superior service" and are entitled to leave and pension according to rules. They are granted house rent allowances at all places where free quarters are not provided and compensatory allowances at certain expensive localities. In Simla, Murree, Mussoorie and Naini Tal they receive a house rent allowance of Rs. 2 and a compensatory allowance of Rs. 3 a month. They are provided free of charge with two suits of uniform annually and warm clothing at hill stations.

(c) No.

PURCHASE OF COAL FOR STATE RAILWAYS FROM SOUTH AFRICA.

88. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state the total quantity of coal so far contracted to be purchased by Government for State Railways from South Africa? What is the average rate per ton f. o. b. Indian port in the contracts so far placed?

THE HONOURABLE MR. D. T. CHADWICK: As the Honourable Member has not specified the period for which the information is required, it is not

possible to reply fully to this question, but he may be interested to know that no South African coal whatever has been purchased for State-worked Railways in India since 1922.

PURCHASE OF COAL FOR STATE RAILWAYS.

89. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : What is the total tonnage of Indian coal for the State Railways for which contracts have been placed this year ? What is the average price per ton at colliery stations ?

THE HONOURABLE MR. D. T. CHADWICK : If the Honourable Member refers to pages 3216 and 3217 in Volume IV, No. 50 of the Official Report of the Legislative Assembly Debates on Thursday, 11th September 1924, he will find therein full information regarding the arrangements made with the Coal Trade for the supply of coal to the State-worked and other railways during the current year. In addition to the quantity to be obtained under that arrangement, 2,600 tons and 14,200 tons of mithy and rubble coal, respectively, have been purchased during this year at an average price of Rs. 7-14-9 per ton f. o r.

CRISIS IN THE COTTON TEXTILE INDUSTRY.

90. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether they, in view of the present crisis in the cotton textile industry, contemplate taking off the excise duty on cloth manufactured in India ? If not, what steps do they intend to take in this matter ?

THE HONOURABLE MR. D. T. CHADWICK : The Honourable Member's attention is invited to the reply given by His Excellency the Viceroy to the deputation of the millowners, a report of which has appeared in the Press.

CIRCULAR ISSUED BY THE POSTMASTER GENERAL, PUNJAB, REGARDING NON-RECRUITMENT OF HINDUS FOR HIS DEPARTMENT.

91. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Is it a fact that the Postmaster General, Punjab and North-West Frontier Province, has issued a circular that in future recruitments for his Department, no Hindu will be appointed ? If so, will the Government kindly lay on the table of this Council a copy of the instructions on the subject ?

THE HONOURABLE MR. A. A. L. PARSONS : No circular has been issued. It is understood that the Postmaster General, Punjab, has issued orders that the recruitment of Hindus, unless they are graduates or under-graduates, should for the present be stopped in certain Divisions and in the four head offices at Delhi, Lahore, Peshawar and Simla. The Director-General of Posts and Telegraphs is now considering whether these orders should not be modified.

CONSTRUCTION OF NEW RAILWAYS IN THE PUNJAB.

92. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state what new railway constructions will be

taken in hand in the Punjab in the current year, 1925-26, and what will be their mileage and costs ?

THE HONOURABLE MR. D. T. CHADWICK : Government have recently received proposals for certain projects for consideration. They have not yet decided which of them to select for commencement during the year 1925-1926.

REDUCTION OF COAL FREIGHTS ON RAILWAYS.

93. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether they intend to give concession in coal freights on railways for long distances during the slack season ? If so, what will be the nature and terms of such concession ?

THE HONOURABLE MR. D. T. CHADWICK : Government are aware that with a view to assisting industries and the coal trade Railways are considering the possibility of a reduction in the rates for long distance coal, but a decision has not yet been arrived at.

COST OF ESTABLISHMENT OF THE RAILWAY BOARD BEFORE AND AFTER REORGANIZATION.

94. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state what was the number of officers and the number of clerks and the establishment charges in the office of the Railway Board before the reorganisation, and what are the number of officers and the number of clerks and the establishment charges now ?

THE HONOURABLE MR. D. T. CHADWICK : A statement giving the information is laid on the table.
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Statement showing the number of officers and subordinates, and the establishment charges in the office of the Railway Board before the Reorganisation and as it stands at present.

Particulars.	On 1st April 1924.	On 25th August 1925.	REMARKS.
1	2	3	4
No. of officers including Superintendents.	24	29	The effective strength is about to be reduced to :— Officers 23. Subordinates 119. The whole question of the cost of the Railway Board establishment is being placed before the Standing Finance Committee for Railways at the next meeting of the Committee.
No. of subordinates in office establishment excluding menials.	137	152	
	During 1924-25 Estimated expenditure (approximate) in 1925-26		
Total cost of Railway Board establishment	Rs.12,03,700	Rs. 13,83,900	

RECRUITMENT FOR THE INDIAN ARMY.

95. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state the total number of recruits to the Indian Army enlisted after the Great War from each of the following classes : (a) Mahrattas, Kathis and Waghirs from Bombay and Central Provinces ; (b) the Rajputs and Ahirs from Rajputana and United Provinces ; (c) Gurkhas, (d) Telugus from Madras ; (e) Jats and Ahirs from the Eastern Punjab ; (f) Dogras from the Punjab ; (g) Sikhs from the Punjab ; (h) Brahmans from the United Provinces ; (i) Muslims from the United Provinces, the Central Provinces, Bombay and Madras ; and (j) other minor classes ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I am afraid the information asked for by the Honourable Member is not available in exactly the form in which he desires it, but I will furnish him separately with a statement showing the total numbers of combatant recruits who have been enrolled between the 1st December 1918 and the 30th June 1925, classed according to Provinces, so far as this is possible, and I trust that the information contained in this statement will suffice for the Honourable Member's purpose.

I may mention that, so far as I have been able to ascertain, no Kathis or Waghirs have been enlisted as such.

REDUCTION IN THE NUMBER OF EXECUTIVE COUNCILLORS AND MINISTERS IN BOMBAY.

96. The HONOURABLE MR. PHIROZE C SETHNA : Do Government intend to ask the Government of Bombay to consider the advisability of reducing when opportunity arises the number of its Executive Councillors and Ministers to the level of the numbers of the other provinces other than Bengal ?

THE HONOURABLE MR. J. CRERAR : The Honourable the Home Member in reply to a question in another place on the 2nd February 1925 stated that there was no proposal under consideration to reduce the number of members in any of the Provincial Executive Councils. The Government of India do not therefore propose to ask the Government of Bombay to consider the advisability of reducing the number of Executive Councillors.

REDUCTION IN THE NUMBER OF EXECUTIVE COUNCILLORS AND MINISTERS.

97. The HONOURABLE MR. PHIROZE C. SETHNA : (a) With reference to the reply to my question No. 25 on 4th February 1924, on the subject of the reduction in the number of Executive Councillors and Ministers, will Government be pleased to state if the decision has been arrived at ?

(b) If not, will Government give some indication when to expect it ?

(c) Will Government be pleased to publish the correspondence on the subject between them and the provinces concerned ?

THE HONOURABLE MR. J. CRERAR : (a) and (b) I would refer the Honourable Member to my reply to his previous question.

(c) The Government are not prepared to publish the correspondence.

NATIONALITY OF MEMBERS OF THE INDIAN CIVIL SERVICE.

98. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to give the numbers of British, Canadian, Australian, New Zealander, South African, Indian, Ceylonese, Federated Malay States members of the Indian Civil Service on 30th June 1925 ?

NATIONALITY OF PERSONS ADMITTED INTO THE INDIAN CIVIL SERVICE DURING THE LAST FIVE YEARS.

99. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government be pleased to give in tabular form the number of Britishers, Canadians, Australians, New Zealanders, South Africans, Indians, Ceylonese and the Federated Malay States admitted into the Indian Civil Service in each of the last five years ?

THE HONOURABLE MR. J. CRERAR : With the Honourable Member's permission, I will answer questions Nos. 98 and 99 together. I have been in some difficulty in deciding what is the precise construction I can put on the Honourable Member's question, but I assume that he refers to members of the Indian Civil Service having a legal domicile in Great Britain, Canada, Australia, etc. If that assumption is correct I shall endeavour to obtain the information and supply it to the Honourable Member in due course.

EXCLUSION OF INDIANS FROM THE CEYLON AND FEDERATED MALAY STATES CIVIL SERVICES.

100. The HONOURABLE MR. PHIROZE C. SETHNA : Will Government state :

- (a) if it is a fact that Indians are no longer admitted in the Ceylon Service ;
- (b) if not, from what date ; and
- (c) if there is a similar restriction against Indians in the Federated Malay States Civil Service and from what date ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : (a) Yes.

(b) From 1920.

(c) Yes. The Government of India are not in a position to state exactly from what date the restriction has been in force but it appears to be of long standing.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Do the Government of India propose to take any steps to bar the admission of candidates from Ceylon to the Civil Service for India ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : I do not think the matter has been under consideration.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Will the Government be pleased to consider the matter in connection with the other questions raised ?

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : The Honourable Member's supplementary question will probably place me in a position to have the matter examined.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules I lay on the table copies of a Bill to amend the law relating to salt and salt-revenue, a Bill further to amend the Code of Civil Procedure, 1908, and a Bill further to amend the Religious Endowments Act, 1863, which were passed by the Legislative Assembly at its meeting held on the 31st of August 1925.

CARRIAGE OF GOODS BY SEA BILL.

REPORT OF JOINT COMMITTEE LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, I lay on the table the report of the Joint Committee on the Bill to amend the law with respect to the carriage of goods by sea.

RESOLUTION *RE* GRIEVANCES OF POSTMASTERS.

THE HONOURABLE SRIJUT CHANDRADHAR BOROOAH (Assam Non-Muhammadan): Sir, I beg to move:

"That this Council recommends to His Excellency the Governor General in Council, that a Committee, consisting of officials and non-officials of both Houses of the Legislature and a representative of the Postmasters, be appointed to inquire into the grievances of the Postmasters, including those in the grade of Rs. 145—170, in India and Burma, regarding their pay and status, etc., and to suggest means as to how to remove the same."

The subject is rather dull and uninteresting and I therefore crave the indulgence of the House kindly to bear with me with patience.

In the last Delhi Session, Mr. Bipin Chandra Pal moved a Resolution in the Legislative Assembly, for the appointment of a Committee, to inquire into the grievances of the Postal Staff. The discussion of the Resolution was adjourned till this Session, as the Honourable Member in charge of the department promised to receive a deputation on the matter. Since then, a deputation has been received, and the Honourable Member, while declining to entertain a number of grievances, has given his assurance to remove a few. It may therefore be asked, why I move this Resolution, when a much wider Resolution was moved only a few months ago. I admit, Sir, that was a much wider Resolution than mine. But it was so wide of the mark, that it lost sight of those whose cause I now beg to advocate. I have gone through the discussion in the Assembly. I have read the memorandum of grievances submitted by the deputation to the Honourable Member, and I find that the whole affair was meant for the benefit of the clerical staff and the menials of the Postal Department, and not so much for the Postmasters. In the memorandum of grievances, no mention was ever made of some of the grievances of the Postmasters, which I am now going to enumerate. These are the reasons that have prompted me to take up this cause. In short, the subject-matter of my Resolution is not the same as that of the Resolution of Mr. Bipin Chandra Pal.

The Postal Department is one of the most popular and best managed departments of Government; and this credit is mostly due to the faithful service and the unceasing labour of the Postmasters, who are the most indispensable and responsible officers of the Department. I can assure you, Sir, that great discontent prevails among the Postmasters owing to a variety of grievances. These grievances are either real or unreal. In either case they deserve the prompt attention of the Government. If real, they must by all means be redressed, and if unreal, the matter must be explained to the Postmasters, in order to remove their discontent; otherwise, we cannot afford to let a large body of most useful public servants to remain always discontented.

The Postmasters are divided into 3 different classes and their pay is governed by seven scales (1) The Presidency Postmasters and the Postmaster of Rangoon (800—40—1,000, 1,000—40—1,200), (2) the gazetted Postmasters, among whom is counted the Postmaster of Lahore (350—20—650, 700—25—800) and (3) the non-gazetted Postmasters (145—5—170, 175—10—225 and 250—20—350). I will lay before the Council the grievances of these three classes of officers one by one.

First, let me take the case of the Presidency Postmasters and the Postmaster of Rangoon. After the report of the Postal Inquiry Committee, Government made a revision of the pay of the Postmasters. In that revision Government did absolutely nothing for the Presidency Postmasters and the Postmaster of Rangoon. It was said that these officers corresponded in rank with the Deputy Postmasters General, and that as the pay of the Deputy Postmaster General was not revised, the pay of these officers also must remain unaltered. Subsequently, in January 1923, the Government not only sanctioned an improved scale of pay for the Deputy Postmasters General, with effect from the 1st July 1922, but also gave them the benefit of counting officiating service for increment. They were compared with the officers of the Superior Traffic Branch, 1st division, of the Telegraph Department (i.e., Superintendents, Central Telegraph Office, Bombay, Calcutta, etc.), and were sanctioned equal pay with them. Formerly, there were three grades of Deputy Postmasters General—one grade drawing a pay of Rs. 800, another grade of Rs. 1,000, and a third grade, consisting only of two officers, drawing from Rs. 1,200 to Rs. 1,400. All these three grades were converted into one grade from Rs. 800 to Rs. 1,400, rising by annual increments of Rs. 60. But the Presidency Postmasters and the Postmaster of Rangoon are still getting from Rs. 800 to 1,200 as before. They were first told that they could get no increment as the Deputy Postmasters General with whom they corresponded in rank, would not get any. Subsequently, when the latter were given a benefit, their case was never considered for a moment. In justice and fair play the scale of pay of these officers ought also to have been made exactly similar to that of the Deputy Postmasters General. But this has not yet been done. The Islington Committee did not do anything for them, the Postal Inquiry Committee also did not do anything, nor have the Government done anything or ever received a deputation from them. The Presidency Postmasters and the Postmaster of Rangoon justly regard this as a gross injustice done to them. This is a just grievance and it requires prompt redress. The Deputy Postmaster General is an administrative officer

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and only an intermediary between the Superintendents on the one side and the Postmasters General on the other. One may sometimes think of running the department without the Deputy Postmasters General, but not without the Postmasters, for a single day.

Next comes the case of the gazetted Postmasters. In the case of these officers also, neither the Islington Committee nor the Postal Inquiry Committee did anything whatever. The gazetted Postmasters correspond in rank to the Superintendents of Post Offices, and till 1920 the maximum pay of both these two classes of officers was Rs. 600. But in June 1920 the Superintendents were made to correspond to the officers of the Superior Traffic Branch, 2nd division, Telegraph Department and their then existing five grades of pay (i.e., 200—250, 300—400, 400—500 and 500—600) were converted into one time-scale of pay of Rs. 250 to 700. But the case of the gazetted Postmasters was entirely left out of consideration. On the recommendation of the Postal Inquiry Committee, Government raised the maximum pay of the non-gazetted Postmasters to Rs. 350, while the minimum pay of the gazetted Postmasters still remained at Rs. 300. In order to remove this anomaly, with effect from November 1921, Government raised the minimum pay of the gazetted Postmasters to Rs. 350 and the maximum to Rs. 650, thus giving them an increment of only Rs. 50. Subsequently, with the introduction of the Fundamental Rules, a time scale was introduced and all the three grades of gazetted Postmasters were converted into one on Rs. 350—650. But this revision, although it added Rs. 50 to the pay of the gazetted Postmasters, fixed their maximum pay at Rs. 650, while the maximum pay of the Superintendents of Post Offices, with whom they correspond, had already been raised to Rs. 700. This unequal treatment has caused widespread dissatisfaction among the gazetted postmasters and the introduction of the time-scale pay has been regarded as not only unsuitable but also distinctly retrograde.

The Postmastership of Lahore was originally included in the list of the Chief Officers of the Post Office. By the revision this post was included in the list of gazetted Postmasters, with a special grade of pay from Rs. 700 to Rs. 800 (attached to office). This has lowered the status of the office. Again it is difficult to understand why, when there is this post of Rs. 800 in the list, there should not be only one grade of gazetted Postmasters drawing up to Rs. 800. Among the Deputy Postmasters General, there were three grades, one on Rs. 800, one on Rs. 1,000 and another, consisting of only two officers on Rs. 1,200—40—1,400. But all these three grades were converted into one from Rs. 800—60—1,400. There is absolutely no reason why a similar revision could not be made in the case of the gazetted Postmasters, fixing their maximum pay at Rs. 800. An objection may perhaps be raised against this measure to the effect that inasmuch as it will raise the maximum pay of the gazetted Postmasters to Rs. 800, i.e., Rs. 100 more than the maximum pay now fixed for the Superintendents, it will create discontent among the latter. But a similar discontent among the gazetted postmasters was never taken into consideration at the time of raising the pay of the Superintendents to Rs. 700, i.e., Rs. 50 in excess of the pay of the Postmasters. However that may be, the more arduous nature of work and the greater

responsibility of the Postmasters than those of the Superintendents, who are only supervising officers and who enjoy advantages and privileges not allowed to the Postmasters, will more than justify the excess of Rs. 100 in the pay of the Postmasters.

I now come to the non-gazetted Postmasters. Their pay formerly began at Rs. 100 and rose to Rs. 300. The Postal Inquiry Committee recommended the pay of the clerks to be raised to Rs. 140, and hence the starting pay of the non-gazetted Postmasters was also raised from Rs. 100 to Rs. 145 and the maximum from Rs. 300 to Rs. 350. Beyond this the Committee did not think it necessary to do anything, for they started with the most uncharitable presumption that the Postmasters were beggars and must remain satisfied with whatever the Government might be pleased to give them. The non-gazetted Postmasters therefore now begin at Rs. 145, that is just Rs. 5 more than a clerk in the highest cadre, and end at Rs. 350, after passing through three different grades, known as the 3rd selection grade, the 2nd selection grade and the 1st selection grade. It is not known why the non-gazetted Postmasters should have three grades instead of one. The disadvantage of this system is that a man drawing the highest pay in one grade has to wait there for a long time to go to the next higher grade, till a vacancy occurs there; and sometimes he has to retire from service, before getting a chance to go there at all.

It is a grievance of the non-gazetted Postmasters, that while the pay of the Deputy Postmasters General corresponds with that of the officers of the Superior Traffic Branch, 1st Division, of the Telegraph Department (such as Superintendents, Central Telegraph Office, Calcutta and Bombay, etc.) and while the pay of the Superintendents of Post Offices corresponds with that of the Officers of the Superior Traffic Branch, 2nd Division, of the Telegraph Department (such as officers in charge of the Telegraph Offices at Delhi and Agra, etc.), their own pay does not correspond with that of the Telegraph Masters; for the starting pay of a Telegraph Master is Rs. 275, while that of a non-gazetted Postmaster is only Rs. 145. Of course, there are Telegraph Masters who start on a lower pay, but they are local officers who cannot be transferred beyond a circumscribed area and who therefore cannot be compared with the Postmasters who are liable to be transferred from one place to another, within India and Burma. It is sometimes argued that a Postmaster's work does not require skill like that of a Telegraph Master, and hence a Postmaster is not entitled to the advantages of a Telegraph Master. It is difficult to understand what special skill is necessary for the work of a Telegraph Master. The Honourable Sir Bhupendranath Mitra wants us to believe that the Telegraph Master is a skilled man because—

“he has to learn to use the duplex or quadruplex Morse circuits, which not only work at a high speed, but require for their maintenance, a considerable amount of technical knowledge.”

I am afraid this argument convinces none except the Telegraph Masters. In the same sense a man who rides a bicycle can also be called a skilled man, inasmuch as he knows how to inflate the tubes, how to oil the machine, and sometimes even how to open it, and fit it up again. I cling to the popular view and hold that if the Telegraph Master is a skilled officer for handling his machine, the Postmaster is also a skilled officer in his own way in having to

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handle his multifarious technical duties. The duties that really require skill belong to the Engineering branch, the electrical branch, the testing branch and the other technical branches of the Telegraph Department. The Telegraph Master certainly receives and despatches messages, and for this he requires no more skill than a man receiving or sending a message by the telephone. Moreover, when the pay of the Deputy Postmasters General and the Superintendents of Post Offices (with no technical knowledge or monetary responsibility) corresponds with that of the Officers of the Superior Traffic Branch of the Telegraph Department, a branch that really requires skill, there is no reason why the Postmaster's pay should not correspond with the Telegraph Master's for whose work no special skill seems to be necessary. On the other hand, the Postmaster has far greater responsibilities than the Telegraph Master who has nothing to do with monetary transactions, banking business, insured articles, heavy accounts work and the like. Under all these considerations, the Postmasters are quite right when they say that they are entitled to a similar treatment to that accorded to the Telegraph Masters, and that they have not got it.

Here an objection may be raised that if the Postmasters begin at Rs. 275, like the Telegraph Masters it will be anomalous to place them under Superintendents drawing only Rs. 250. This anomaly may however be removed by placing all the Head Post Offices and sub-offices, with officers of the Postmaster's grade directly under the control of the Deputy Postmasters General, just as all the telegraph offices are under the Postmasters General.

These are the main grievances of the Postmasters. There are however other grievances, and the following are a few of them :—

(1) In the case of the gazetted as well as the non-gazetted Postmasters, the rate of annual increment is very low. In the non-gazetted cadre a man requires 15 years to rise from Rs. 145 to Rs. 350. In the gazetted cadre also a full 15 years is required to rise from Rs. 350 to 650. So to attain the maximum pay of Rs. 650 a man must serve 15 years in the non-gazetted cadre and 15 years in the gazetted. And as Postmasters are not directly recruited, they must serve at least another 25 years as clerks or 20 years as Inspectors before becoming Postmasters. In other words, in order to be entitled to draw the maximum pay of a Postmaster, i.e., Rs. 650 a man must have 55 years' service if he is recruited from the clerical staff or 50 years' service if recruited from Inspectors, not taking into account the time he may be required to wait in the non-gazetted cadre for want of vacancies in the next higher grades. Taking the age of entry into service at 20 a man cannot rise to the highest grade of a Postmaster before he is 75 or 70. This is simply preposterous as one would be superannuated after 35 years' service, i.e., at the age of 55. The result is that although the maximum pay of the Postmaster is fixed at Rs. 650, it is almost impossible to reach it inasmuch as Postmasters are required to retire from service long before they come near the maximum. To remove this state of affairs there should be only three classes of Postmasters, the Presidency, the Senior and the Junior. There should also be only three grades for the three classes and the scales of pay should be so fixed that a man may rise to the highest grade after 35

years' service, as in the case of the Superintendents who can within this period become Postmasters General.

(2) The indiscriminate classification of Postmasters as gazetted and non-gazetted has been a grievance of the non-gazetted Postmasters. Formerly, officers in charge of Post Offices at district headquarters, drawing a minimum pay of Rs. 200 were included among the gazetted Postmasters. Later on, this minimum was raised to Rs. 300. And now, since the revision of 1919, all Postmasters drawing Rs. 350 or less, have been classed as non-gazetted. This has the effect of lowering the status of the Postmasters. In no other department of Government are officers in charge of district offices and drawing a minimum pay of Rs. 200 classed as non-gazetted. It is therefore only just and proper to do away with this classification, and include all the non-gazetted Postmasters in the gazetted list.

(3) The starting pay of the Postmasters, *i.e.*, Rs. 145 is quite inadequate considering the volume and the responsibility of the work he is required to do and also the present economic condition. The numerous duties of a Postmaster need no mention here. In point of his monetary transactions and accounts work he may be compared to the treasury officer or the manager of a bank and an accounts officer of the audit office respectively. He is responsible for insured and registered articles passing through his office. He knows no Sundays or holidays. He must work all day and night. For these considerations alone the sum of Rs. 145 is too small for a Postmaster to begin with.

(4) Another grievance of the Postmasters is that they are being treated as a lower order of officers than Superintendents of Post Offices who hold a corresponding rank and status ; prior to 1907, Postmasters on a salary of Rs. 200 and more were ranked as gazetted officers and accorded equal treatment with the Superintendents whose minimum pay was Rs. 200. At present all the Postmasters up to the grade of Rs. 350 have been reduced to the grade of non-gazetted Postmasters. This has unfairly reduced the status of the Postmasters and is regarded as an injustice done to them. Here again the Superintendent is an administrative officer, and only an intermediary between the Inspectors and the Postmasters on the one side, and the Deputy Postmaster General on the other. He is subject neither to the grave responsibilities nor the hard labour of the Postmasters. The invidious distinction made between Superintendents and Postmasters cannot therefore be justified.

(5) Postmasters are allowed free quarters. This may be argued as a reason for their low pay. I am not aware of this factor being taken into consideration in fixing the pay of the officers of other departments who are allowed free quarters. Many of the Postmasters would perhaps gladly do without their free quarters if in place of them an increment were given in their pay, specially since that would enhance their pension on retirement. The grant of free quarters to the Postmasters is more than compensated for by the continued presence of the latter on office premises. Free quarters therefore ought not to effect the pay of a Postmaster. It may be mentioned in this connection that the Postmasters should also be given free furniture.

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like the Telegraph Masters. There is no reason why this privilege, when given to the latter, should not be extended to the former. It also seems fair that Deputy Postmasters and Assistant Postmasters, when they are not provided with free quarters ought to be given house rent, as in the Telegraph Department. I believe the Honourable Member in charge of the Department is willing to do this.

(6) Postmasters are required to work on Sundays and holidays for which they get nothing whatever. There is no justification for this. The Telegraph Masters get their overtime allowance for working beyond their fixed 8 hours, and even the employes in a private concern get extra wages for extra work. It is therefore only just and proper to introduce the system of double pay for the Postmasters for work on Sundays and holidays. I am thankful to the Honourable Sir Bhupendranath Mitra for his kindly agreeing to do this also.

(7) Some Postmasters are required to do inspection work in addition to their ordinary duties, but for this no allowance is given to them. The absence of any conveyance allowance or a fixed allowance for this purpose is very keenly felt.

(8) At big towns, officers of the telegraph branch are given an allowance known as compensatory allowance over and above their pay. This privilege is denied to Postmasters; and the reason for this is not known. The Postmaster at a big town is subject to the same disadvantages as an officer of the Telegraph Department is required to cope with and should therefore have the same facilities to overcome them.

(9) The Postmasters, Deputy Postmasters and Assistant Postmasters do not understand why local allowances are not granted to them at stations where such allowances are given to the officers of the Telegraph Department, Traffic Branch, and also to the Superintendents and Inspectors of the Postal Department. At places where such allowances are necessary, the necessity is felt by the Postmasters, Deputy Postmasters and Assistant Postmasters also.

(10) The supervising officers in the Postal Department, i.e., Postmasters, Deputy Postmasters and Assistant Postmasters form only 6 per cent. of the clerical staff, while in the Telegraph Department, where the work to be supervised is rather less, the percentage is 18. The Postmasters hold that this percentage also ought to be raised to at least 18, so as to afford them some relief in their heavy work.

(11) The practice of recruiting Presidency and gazetted Postmasters some times from outside is a grievance of the Postmasters. The Presidency Postmasters ought to be recruited exclusively from the gazetted Postmasters, and the gazetted Postmasters from the non-gazetted Postmasters. This seems to be a just demand and recruitment from outside ought to be stopped, as in the case of the posts of the Deputy Postmaster General, which are exclusively filled up by the Superintendents of Post Offices in order of seniority.

(12) The want of representation of the Postmasters in the Postmasters Generals' offices and in the office of the Director General is the cause of much of the bad treatment to which the Postmasters as a class are subjected. It is therefore highly desirable that posts of Personal Assistants to the Postmasters General and Assistant Director General should be thrown open also to Postmasters who will on account of their thorough inner knowledge of the Department add very considerably to its better administration.

(13) The percentage of the proposed senior Postmasters who are now called gazetted Postmasters should be adequately increased so as to afford sufficient room for the promotion of the proposed junior grade Postmasters who are now called non-gazetted Postmasters: or at least all the posts of the present grade of Rs. 250—350 should be absorbed in the proposed senior grade; under the existing scales, the number of gazetted Postmasters is not more than 5 per cent. of that of the non-gazetted Postmasters.

(At this stage the Honourable the President vacated the Chair which was taken by the Honourable Sir Maneckji Dadabhoy.)

Sir, these are some of the chief grievances of the Postmasters. They placed their case twice before the Government of India, but far from any redress they did not receive even an acknowledgment of their memorials. They also submitted a memorial to the Secretary of State. This also failed to produce any result. Finally, I place their grievances before this Council.

Another objection is sometimes raised

THE HONOURABLE THE CHAIRMAN: The Honourable Member has already exceeded his time limit; I must ask him to bring his remarks to a close.

THE HONOURABLE SRIJUT CHANDRADHAR BOROOAH: Sir, I am about to close. It may be said that if the pay and status of the Postmasters are improved, the members of the other services in the provinces will raise a hue and cry and ask for similar improvements. This is hardly an objection at all. The members of the other services in the provinces can never compare with the Postmasters. They belong to the Provincial services, while the Postmasters belong to an all-India service. They are not liable like the Postmasters, to be transferred from Burma to Baluchistan, or from Simla to Trivandrum. They are not required to work day and night, and on Sundays and holidays, like the Postmasters. This objection therefore cannot stand for a moment.

I know that some of the measures I have proposed will require money. I also know that it may be pertinently asked, how we, the non-official Members, who, at the Budget time, ask for reduction of the postage duty, can consistently ask for reforms in the Postal Department, involving more expenditure. In this connection, I beg leave to point out, that from the beginning of the introduction of the postal system in India, till the year 1907, the Postmasters enjoyed a concession, they were allowed a discount on the sale of stamps effected by them. In 1907, Government withdrew the concession. It was then said that this amount would be devoted exclusively to the improvement of the pay and prospects of the Postmasters, unfortunately this has not yet been done. The savings on this account would be not less than about 3 lakhs of rupees. The number of officers for whom I plead is about 800; and these 3 lakhs of rupees

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[Srijit Chandradhar Borooah.]

will be more than enough for this purpose. Besides, we have never seen the Government for want of funds refraining from doing anything which they are bent upon. Funds have been found for a thousand and one other things that hardly require any mention here. Where there is a will there is also a way, and I am sure, if the Government are only a little more sympathetic, if they really feel a little more for these people and are a little inclined to do something for them, want of funds will never stand in the way.

I have already alluded to the heavy work and the great responsibilities of the Postmasters. The Postal Department is one of the best managed Departments of Government. Its popularity is well known. Not a voice of complaint has ever been raised by the public against the excellent working of this most useful Department, and all the good name of this Department is due to a very great extent to the labour and efficiency of the Postmasters. Every Honourable Member of this House, whether he is an Indian or European, whether he is a Hindu, Muhammadan, Christian or Parsi, whether he is an official or non-official, is equally interested in the able and efficient management of the Post Office.

Lastly, Sir, I beg to state that I do not ask for much. My demand is very moderate. I ask only for a Committee to inquire into the grievances of the Postmasters. Even if my Resolution is accepted in this House, the Government of India may or may not give effect to it. Taking for granted that the Government of India appoint a Committee, the Committee may or may not certify the grievances. Supposing that the Committee recommends something to be done for the Postmasters, it will still be open to the Government to do or not to do anything. So in accepting this Resolution, the House does not commit itself to anything whatever.

I therefore look with great hopes to the good sense of the House. I look to the Honourable Members to think of the hard lot of a most useful class of public servants. I implore them to assist the Postmasters to get some redress for their just and long felt grievances.

With these words, Sir, I place my Resolution in the hands of this august House, and I hope it will not meet with any opposition whatever either from the officials or the non-officials.

THE HONOURABLE MR. K. C. ROY (Bengal : Nominated Non-Official) : Sir, I rise to oppose the motion. I have followed with very great interest the speech of my Honourable friend Mr. Borooah, I have no desire to follow him. If I tried, I should not succeed. But I shall urge three fundamental considerations against his motion. In the first place I consider, and I hope, Sir, the House will agree with me, that a body like this, the Council of State, the senatorial Chamber of the Indian Empire, is not a fit and proper place for ventilating the grievances of subordinates of the Post Office. When I say this, I feel I am backed by the practice of the senatorial Houses of Europe. I will now recite my own experience which I gathered during my last visit to England. I had an opportunity of meeting the Post Master General Mr. Harshorn, and I men-

tioned to him the practice of dealing with the grievances of the Post Office officials. He told me that these matters are hardly ever dragged before the Houses of Parliament; they are settled by a body commonly known as the Whitely Committee. I am sorry that we have not got in India a Committee like the Whitely Committee, but we have got an excellent substitute, in the Departmental Committee of the Legislature attached to the Department of Labour and Industry, and on that Committee two members of this House sit as our representatives, my Honourable friend Sir Deva Prasad Sarvadhikary and my Honourable friend Mr. Sethna. May I therefore respectfully ask Mr. Borooah to take this case before that Departmental Committee and have it settled by them? If the present practice of ventilating the grievances of subordinates of the Government of India is allowed to go on in this House, I feel quite sure the prestige and the dignity of this House will not be heightened. It will affect the morale of the services and lower the standard of discipline.

In the second place, Sir, I feel that the Post Office in India at the present moment is administered almost entirely by Indians. We have complete Swaraj there. We have our friend Sir Bhupendra Nath Mitra as the Member in charge of the portfolio; the post of the Director General is now held by Mr. G. P. Roy; and that of the Deputy Director General by Mr. H. K. Raha; in the Provinces the offices of Postmaster General, as well as those of the Deputy Post Masters General are held by distinguished Indians. Mr. Ghani, the Postmaster General is well known. In the circumstances, Sir, if the members of this House cannot settle the affairs of subordinates of the Post Office at the present moment when it is administered by Indians, I shall be sorry for ourselves.

In the third place, I wish to place before this House that I have seen constant and insistent demands for increasing the salaries and allowances of subordinates of Government. But Government very rarely consider the effect of this on private employment. I have never seen a suggestion from any Member of the House or of the other House for rise in the standard of national efficiency; and when these two are blended together, a demand for national efficiency as well as an increase in wages, it will meet with my support. I therefore oppose the motion.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-Official): Sir, I wish to support this Resolution, and I am glad my Honourable friend Mr. K. C. Roy spoke before me because I know on what ground it is likely to be opposed hereafter. This is an old Resolution, which I brought forward myself in 1920, and the Honourable the Law Member was on the Committee appointed under that Resolution. Then Professor Kale brought in a similar Resolution. I brought it in the old Council and Professor Kale brought it in this Council of State and I supported him, but somehow the matter fizzled out. And now this Resolution comes in for the third time, and I am very glad it has done so, and my friend the Honourable Mr. Borooah has taken the trouble to put down everything he wants to say, so there is nothing omitted, and I need not enumerate any of the grievances. But I do wish to lay stress on this point that it has been suggested from the beginning that the Telegraph Office and the Post Office should be fused together. They are technically two departments but they are really administered by

[Mr. G. S. Khaparde.]

practically one and the same head and they ought to be fused together. The Postmaster sends the letter that you give him to its destination, and the Telegraph Master does not send the identical paper, but he sends the words translated or written out in Morse or some other system, whatever it is. He only translates it into the tipping topping language and so it goes. Both do the same service for society and there is no reason why there should be such a distinction as there is between the Telegraph Office and the Post Office. My Honourable friend has dwelt on the advantages which the Telegraph Department enjoys and which the Post Office does not enjoy.

This is accounted for by the fact that the Post Office is about the oldest office ever established by any Government. Every Government first establishes a post office for communications and therefore like all old departments it gets neglected. It is not so in India alone. I made inquiries elsewhere and I find all over the world the poor postman is the hardest worked man, and it is seldom that his grievances are attended to. Another reason is that more speedy methods have been discovered and just as we now by preference take a motor car rather than a horse and carriage, by preference we employ telegrams rather than letters. We shall talk more in future by wireless than by wire telegrams and the thing will go on like this. The partiality of human nature for everything new and the unfortunate tendency of human nature not to regard good things that ever become old, are the two important things; and a third thing is being added now. That is what we should call in a court of law the question of jurisdiction.

My friend the Honourable Mr. Roy thinks that this Council has no jurisdiction to take cognisance of this matter or, if this Council takes cognisance of this matter, it is something so unusual that it is not done in England and therefore it ought not to be done in India. The reply to my mind is presumably that India is not England: the Indian constitution is not the English constitution and the safeguards that prevail there do not prevail here and there is no reason whatsoever why this Council should not take cognisance of these grievances.

The second part of the objection was that the Post Office is entirely in Indian hands. I quite agree that it is so and I also think that the Telegraph Department also has got a large number of Indians, and Anglo-Indians are also after all Indians; so that that Department is administered by an Indian is no reason why these grievances should not be redressed. I believe there may be grievances in departments administered by Indians, and it is all the more reason why we should take them up. They are Indians and they are expected to be sympathetic and if we only help them from here by calling all these sins into question, then Indians will be encouraged to submit proposals for reforms, whereas if we take no notice at all, then those poor people might be under a disadvantage. You may say, "Look here, so long as Europeans were managing the thing no proper reforms came. It is only when Indians are managing that all these things come up and therefore do not appoint Indians." That kind of argument ought not to hold good. Then again it is said that these people make constant demands for increase of pay. I

should like to know of a service which has ~~newer~~ demanded increases. From the peon down to the highest member of the Civil Service everybody will be glad if he got an increase in his pay.

(At this stage the Honourable Sir Maneckji Dadabhoy vacated the Chair which was taken by the Honourable the President.)

The members of the Civil Service are most highly educated people and they are very careful about their interests. So they always steal a march over the others. They get increased emoluments first and the subordinates have got to fight as well as they can. For all these three reasons, I say that this is pre-eminently a matter which should be taken up by this House. This is not a popular matter. It is not a question of agitation. This is not a question of raising questions about rules or those things. It is purely a question of having all the services in India as contented as we possibly can and as economical as we could manage them. If these two Departments had been fused as we originally proposed, I believe these grievances would not have come in. The post office people have got to discharge a number of duties. The Postmasters have got to sell quinine; they have to take care of life insurance; they have got to take care of parcels sent to them. They have to do the duties of practically every department of Government. Every department of Government is reflected in some shape or other. The work of the Postmaster is a very responsible work and it does require very careful study. If I were to do that duty, I should have to study insurance packet-making and selling. I should have to know how to deal with people who come there; I should have to attend to registration and so on. There are a number of things which I could enumerate, because I took the trouble to study the question at one time. So, these two Departments have to be fused together and it is not beyond the capacity of our Indian statesmanship I suppose. Any member of the Civil Service with a little experience will be able easily to effect the thing and put the two departments together. I had a talk with a former Director of Posts and Telegraphs and so far as I could see he was in favour of amalgamating the two branches, so as to make the two into one department and have one set of rules, one set of promotions; the whole thing will then go on smoothly. At present there are two classes in one and the same Department and that is why you find all this rivalry. I therefore support the idea that a small Committee may be appointed with the Director of this Department, with some fresh blood from the popular element so that a scheme may be evolved by which these two departments can be put together and made to work under more or less similar conditions of work with what we call a living wage. That is my idea. I therefore most heartily support the Resolution moved by my Honourable friend Mr. Borooah.

THE HONOURABLE MR. A. A. L. PARSONS (Industries Secretary): Sir, my Honourable friend Mr. Khaparde has compared this House's position in dealing with this matter to that of a court of law. I am obliged to him for the simile, and I should like to ask the help and advice of Honourable Members with legal experience. If they were appearing in an intricate case; if after rather a heated discussion in open court it had been suggested that there should be a settlement out of court, and they were in charge of that settlement; if the parties to the dispute had been brought together and when they had come

[Mr. A. A. L. Parsons.]

together had been getting on quite amicably ; and if at that stage the dispute was again brought up before the court, what would my Honourable friends with legal experience feel and do ? I imagine that they would feel that it was not probably to the advantage of either party in the dispute that the case should come into open court again ; I think they would probably attempt to withdraw the dispute from open court as quickly as possible into a safer haven ; and I am sure they would say as little as possible. Without pressing the analogy too far, that is much the position I find myself in to-day, and that is the line of action I wish to take. I wish, if I can, to persuade Mr. Borooah to withdraw his motion and I wish to trouble the House with as brief a speech as possible.

I must immediately admit that I am not in a position to go into the individual grievances which have been mentioned by Mr. Borooah. In the middle of last February a Resolution of wider scope but embracing all that is contained in Mr. Borooah's Resolution was moved in the other House. The discussion on that Resolution was adjourned practically *sine die* on an undertaking given by Sir Bhupendra Mitra that he and the Director General would receive a deputation thoroughly representative of the employés of the Post Office and would go into all their grievances. About three weeks was spent in discussions with various authorities in order to secure that the deputation should be thoroughly representative, and towards the end of last March Sir Bhupendra Mitra and Sir Geoffrey Clarke met the deputation. They went through the various grievances with them and it took them, I think, a full three days ; there were no fewer than 50 of them. As I have said I do not propose to go into all these grievances, and explain what they were, but I should like to tell the House what the deputation itself thought of the reception accorded to it. In their report they write as follows :

"We must express our thanks to the Honourable Member and the Director General for the patient hearing they accorded to the deputation. They were sympathetic throughout and we expect substantial good will come out of the prolonged and free discussion allowed to the members of the deputation."

Sir Bhupendra Mitra shortly afterwards left the Department of Industries for about three months, and was therefore not able immediately to continue the investigation ; but the time was not wasted because departmental investigations continued, and as soon as Sir Bhupendra Mitra returned to the department, he took up the investigations again. A good many of the grievances have already been examined, and I do not think it is too much to say that almost every day he is considering one or other of the questions involved.

Now I am sure the Council will understand that, while these grievances are being investigated with all the expedition possible by the responsible department and by the Member in charge of the department, I am not in a position to discuss individual cases such as those mentioned by the Honourable Mr. Borooah. But I should like to refer to a statement with which Mr. Borooah began his remarks. He said that the deputation of last March did not represent the Postmasters. I cannot accept that statement. One of the principal members of the deputation, the General Secretary of the All-India Postal and Railway Mail Service Union, had himself been a senior Postmaster of the selection grade, and actually the second of the principal grievances put forward at the

meeting by the deputation related entirely to the pay of the various grades of Postmasters, from the Presidency Postmasters right down to the lowest grade. Now all the points raised by the deputation are being gone into one by one ; but I am afraid I was not able to follow my Honourable friend with sufficient precision to make quite certain that he did not mention a number of other grievances, which were not included in the representations made by the deputation and I will make him an offer. I am prepared to give him an assurance that everything he has said in his speech will be gone through extremely carefully and that we will examine departmentally any new grievances that he may have put forward in exactly the same way as the grievances represented by the deputation are being examined. I trust that with this assurance the Honourable Member will be prepared to withdraw his Resolution. If he does not withdraw it, I can only ask the House not to vote for it ; but I should very much prefer that a vote of the House should not be taken on the Resolution while we are actually engaged in examining as sympathetically as is possible the various questions which it raises. I ask the Honourable Mover not to put it to the House, but if it is put to the House, I hope that it will be rejected.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY (West Bengal : Non-Muhammadan) : Sir, I should like to support Mr. Parsons' plea that the Resolution should be withdrawn and the department should be allowed to go into the matter, particularly in the light of the facts that have been brought out in to-day's debate. In doing so, I should like to bear him out completely that the Honourable Sir Bhupendra Nath Mitra is very anxiously considering the whole question. Reference has been made to the Advisory Committee attached to the Department and the members representing this House on that Committee. That Committee has but small powers. As one of these members, I have however had several talks with Sir Bhupendra Nath Mitra and I can assure the House that, as Mr. Parsons has informed it, he is anxiously considering the whole question every day. It is a very large question. Mr. Borooah has chosen to take up one portion of the question. Mr. Khaparde has taken up another and I may be able to take up a third and another Honourable Member may be able to take up a fourth, and so on. It would not be convenient to have piecemeal consideration of this kind. The Ryan report is now before the Department and the Department is bestowing anxious consideration on the whole question. I should have thought, Sir, that, when a matter like this was brought before the House, it should not be the grievances of the betterpaid Postmasters only which should be given so much prominence ; the poor menials pitiable condition should excite the sympathy of any right-thinking Member. I have told the House the Honourable Sir Bhupendra Nath Mitra is considering many questions. One of these is apparently a very small question which may not appeal to my Honourable friend Mr. K. C. Roy, whom I congratulate on his maiden speech. That is the question of wet uniforms of the postal peons, who do not know what a change of official cloth for official work means. In such things Mr. Roy with his big view of things is not interested. He thinks it below the dignity and the prestige of this House to consider such matters. In the case of a question like the one under our consideration the only thing to be considered is whether it would be to the advantage of the question itself or to the House which has full jurisdiction

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over it if the matter is pressed here. In this case I suggest that Mr. Borooah should withdraw his motion and allow the department to consider the matter in all its aspects. If the result is not satisfactory, I should myself be prepared, should an opportunity occur, to bring up this matter before the House in spite of what has been urged against such a procedure to-day. Sir, having regard to those facts, I think Mr. Borooah will be well advised from all points of view to withdraw the Resolution and accept Mr. Parsons' assurance.

THE HONOURABLE THE PRESIDENT: Is the Honourable Member prepared to give an idea of his intentions to the House.

THE HONOURABLE SRIJUT CHANDRADHAR BOROOAH: I beg to thank the Government and the Honourable Mr. Parsons for the promise he has made to consider the matter departmentally. I hope that every grievance of the postmasters' that I have stated will be carefully considered. As regards an open court trial and an outside settlement, I have already stated in my speech that the postmasters twice memorialised the Government of India. They never asked for an open court trial; and even now it is a third party that has asked for it. Under the circumstances, as the Government have promised to make a careful consideration of the matter I beg leave of the House to withdraw my Resolution.

THE HONOURABLE THE PRESIDENT: Is it the pleasure of the Council that the Honourable Member should withdraw his Resolution?

The Resolution was, by leave of the Council, withdrawn.

RESOLUTION *RE* RESTRICTION OF OPIUM CULTIVATION.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY (West Bengal: Non-Muhammadian): Sir, I beg to move:

"This Council recommends to the Governor General in Council that—

- (i) the area for cultivation of opium be restricted and brought under stricter control; and
- (ii) the practice of making advances to opium cultivators be discontinued with effect from the next season for making advances and that this be notified in advance as soon as possible".

Sir, the pathetic tone of Mr. Borooah's speech is still ringing in my ears and in moving a Resolution Honourable Members are apt to ask themselves, as he has been asking, what good the Mover of a Resolution does even if the Resolution is accepted or carried in the House.

That, however must not daunt us. We have certain duties in certain matters and have to do the best we can under existing depressing circumstances. The Resolution now brought up for the consideration of the House, Sir, is a necessary and unavoidable corollary of what the Honourable Mr. McWatters said in this House during the Delhi Session and what the Honourable Sir Basil Blackett said later on in another House on the same question. I recognise and have always been free to recognise that Government are studiously helpful in meeting the growing point of view of those who think that the opium policy of Government must undergo a change, a change in line with

growing public opinion and international demands. Recent telegrams from Geneva show that the claim put forward on behalf of Government in this behalf has been conceded by representative internationals, although doubt still continues to exist whether the quantity of production could not profitably be revised and whether serious and material reduction could not be effected. One of the Geneva telegrams shows that Sir John Campbell, the Indian delegate, said that whatever drugs Australia got came from the United Kingdom and not from India. He explained the measures adopted in India in the matter of illicit trade and added that the Indian Government had not received any complaint regarding India's *anti-smuggling* measures. Opium introduced into Australia was grown principally in Macao and other sources than India. Sir John Campbell said that India had stopped the export of opium to Macao and Persia, and I believe measures are under contemplation still further to restrict that export. But lastly, Sir, we have Sir John Jordan's opinion that the question of smuggling was relatively of minor importance. He said that the best means for curtailing opium consumption was limitation of opium production and in this respect co-operation with the Japanese would be very effective. He contended that they could not rely on the measures of some Governments dealing with the opium problem. It has been well remarked that the crux of the opium question in the Far East is chiefly in India and from that point of view and from the point of view enunciated by Sir John Jordan I desire this House to consider whether the time has not come for us to ask Government to make a clearer and more definite declaration of their opium policy regarding production, consumption and export, and whether having regard to the policy that has already been declared, it is not necessary that further restraint should be put on the area under cultivation.

I should like to remind the House that not long ago, an expert, Mr. Gibbs, giving evidence before the Taxation Committee, informed the Committee that as many as 27 districts are now laid under cultivation for opium. That is true about the United Provinces. There are small tracts in the Punjab which are also cultivated. The statistical reports available so far show a state of things that is not quite intelligible to the outside lay public, and probably my Honourable friend in dealing with the matter will attempt to throw some light on the subject. In 1921 the acreage was 1,22,888. There was a drop in 1922-23 and a further rise in 1923-24, the acreage being 1,42,152. The corresponding figures regarding cost of production are available and make people anxious. They point to the same direction of erratic rise and fall in the acreage as well as production. I do not know whether this fluctuation has anything to do with the demand for a supplementary grant that came up while I was still a Member of the other House in 1923, when I felt it to be my duty to oppose that supplementary grant. The reason put forward at the time by Mr. Ansorge on behalf of Government was that the crop was an exceptionally good one and obviously the output would be more than they actually required at the moment. On the other hand, they were unable to refuse to purchase that opium which had been growing under the control and under a licence given to the cultivators. It could not be grown otherwise and it could not be sold privately. That was the reason, Sir, why the supplementary grant of 77 lakhs was demanded at the close of the year 1923, I believe it was. That was put forward as

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an exceptional and accidental circumstance, and exceptions and accidents are not apt to occur every now and then.

I do not understand the meaning of the fluctuation and should like to have a clear understanding of the matter. Figures given in statistical abstracts and by the representatives of Government in the Councils do not tally. But certainly it appears from the figures that are available that having regard to the declared policy of Government themselves, the area is diffuse, the area laid under contribution is much larger than requires to be cultivated and the system of advance which is dealt with in the second part of my Resolution is sometimes responsible for results such as I have referred to already, namely, that, if as a result of advances cultivators do get and bring in a larger crop of opium than Government ever thought of requiring, they are bound to take it because there is no other way out of it. That would bring me to the question of advances. We want to make advances in cases where we want to nurse an industry, and not where we can get whatever we want to get without any elaborate system of advances. The system may have been necessary in the beginning, but I am quite sure that under the circumstances now prevailing such a system can have no importance even in regard to larger quantities, let alone the smaller quantity that the Government now or in future will require.

Sir I will shortly indicate the reasons for the growing popular opinion with regard to the matter. Reference has been made to the recommendations of the Royal Commission on Opium of 1893, upon the basis of which Government are still proceeding both with regard to the general policy or general administration of carrying out that policy. In connection with this Resolution I do want to raise the question of Government policy, and I trust we shall have clear information with regard to the matter, so that the country may know what the Government propose to do in the near future.

From an authoritative work by Mr. Willoughby recently brought out as a result of the proceedings in the Geneva Conference I desire to give an extract to the House, which will show exactly how, from points of view other than that of the Government of India, the question rests. He says :—

“Despite world-wide scientific and medical opinion that the eating or swallowing of opium, as practised in India, is highly deleterious from the physiological point of view and basing from the moral point of view, the Indian Government still asserts that, given the conditions prevailing in India, it is neither desirable nor feasible to restrict the use of the drug to what, in other parts of the world, are considered to be proper medicinal purposes. This determination and the policy based upon it is founded upon conclusions declared by a Royal Commission which made an elaborate report upon the subject in 1895.”

I was wrong in giving the date as 1893.

“There is, however, abundant evidence that the Commission did not make an impartial investigation of the subject, and even in Great Britain it has been admitted by some of the highest authorities that the report was not one that deserved high respect.

“However, the British Indian Government has continued to rely upon the report of this Commission in support of its opium policy. Thus, in its official defence of this policy, issued in 1923, it is said : ‘The findings of the Commission still stand as a complete justification of the Government’s policy’”.

Sir, much later than 1895 there was an unofficial commission that of the National Christian Council, which summed up the situation as follows :—

“ We would sum up the state of public feeling by saying first, that mass public opinion on the subject does not exist ; secondly, that enlightened people increasingly dislike and are conscious of the evil of opium-eating ; third, that the reforming minds of India are giving their attention to the problem more and more with every month that passes ; and fourth, that the restrictions which in our view the facts demand would not be followed by any outcry, if only because those who have shown themselves most able to sway the masses of the people have definitely ranged themselves in favour of such restrictions.”

That would be in answer to what Lord Hardinge and others have said about the likelihood of disastrous results to India itself and to the Indian people, if further restriction was to be placed upon the cultivation and consumption of opium. Sir John Jordan's testimony as well as that of the book I am quoting from laid down that, although since 1923 India ceased the production of opium for exportation to China, she has continued to produce opium in great quantities for domestic consumption and for countries other than China. There has been abuse in regard to export.

Sir, it is from that point of view, and from the point of view of the declared Government policy and intention in the matter that further restriction in regard to acreage is necessary ; and also from points of view analogous to those, the discouragement of the advances system has also become necessary. There is an interesting fact that has recently come to my notice, which I should like to place before this House in connection with the cultivation of opium in the Ghaziapur district. I know historical facts are now being challenged, and history is being made and re-made and renewed and revised to suit different points of view, but original documents can never lose importance, and I shall read out a short extract from the Sanad of the Moghul Emperor written on the 4th day of Rajeb, the 6th year of the reign, 25th December 1764. It runs as follows :—

“ It becomes the Company to show their grateful sense of our Royal favours, and to exert themselves to the utmost, in the proper management and regulation of the country ; to encourage and befriend our subjects ; to punish the contentious, and expel the rebellious from their territories. They must use their best endeavours to promote the welfare of our people, the Riotts, and other inhabitants ; to prohibit the use of things of an intoxicating nature, and such as are forbidden by the Law of God ; in driving out enemies ; in deciding causes, and settling matters agreeably to the rules of Mahomed”.

I need not go through the rest of the extract. I know, Sir, that the Honourable Sir Basil Blackett deprecated reference to ancient history, as ancient as 1908, and if I have the temerity to refer to history earlier than that, that of 1764, I know I shall be met with the same criticism. At the same time we cannot forget that in getting that lease from the then Moghul Government, the East India Company took it with their eyes open, and with the limitations mentioned in the Sanad. It knew at all events that that particular tract was expected to be spared the destiny that followed later on. Whether it could be prevented or not is another matter. I have a shrewd suspicion, Sir, that these doubts were not absent from the minds of the Board of Directors that used to rule the destinies of the country then, for in a despatch dated 1817, 24th October, I find the Board of Directors expressed “ the desire to restrain the

[Dr. Sir Deva Prasad Sarvadhikary.]

use of this pernicious drug as far as possible, except for medicinal purposes, and said they would gladly do it for compassion for mankind." The cry of "compassion for mankind" has been raised in other forms from other quarters, and most of all in the League of Nations, where all international matters of this kind are being dealt with. The Government realised their responsibility in the matter and were steadily doing all that they could do, always bearing in mind the restrictive terms, in this direction. We submit, and we show that it is possible to do a great deal more with regard to the cultivation of opium, with regard not only to internal consumption but also with regard to export. But in spite of all that the Government have done, in spite of all that is admitted, the Government are lending themselves to the abuse in some shape or another. The remedy would be further restriction of production, and for that I plead, the first steps towards which must be restriction of acreage. I have brought up this Resolution, Sir, in good time for the Government to consider their policy, and if they are so advised, to make arrangements for the next season and see how far acreage can be further restricted and how far the advance system can also be restricted. I realise that a long-standing system like that cannot all at once be substantially curtailed or done away with at once, but with the realities before it, the Government I am sure, if they are really anxious to be helpful in the directions that I have indicated, ought to be able to take advance steps so that the restriction I plead for may be possible.

THE HONOURABLE MR. YAMIN KHAN (United Provinces West : Muhammadan) : Sir, I rise to oppose the Resolution. The first portion of my Honourable friend's Resolution, that the area for the cultivation of opium should be restricted and kept under stricter control, is I think absolutely superfluous, for the area which is under cultivation of opium is already under control. The opium is only cultivated in those portions where the cultivators receive advances from Government and, as the sale of opium is prohibited to the general public, the area is usually restricted, and it is not open to the cultivator to go on cultivating such areas as he likes. He only cultivates that portion which he thinks he can sell to the Government at a profit. So this portion of the Resolution in my opinion stands nowhere.

About the other portion, that the practice of making advances to opium cultivators should be discontinued, I think by this my friend means that the cultivation of opium should be absolutely abolished, because no cultivator will ever cultivate opium unless he receives advances from Government and, unless he is assured that whatever he produces will be purchased by the Government, as there is no open market, he will have no competition and he will have no market.

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Therefore he must depend upon the Government as purchasers. If he receives advances he sells at a cheaper rate comparatively because he is assured and he does not have to borrow capital from his money-lender for which he would have to pay interest. He produces at a cheaper rate when he gets an advance from the Government and the Governments get the whole profit. In the United Provinces, Sir, because that is the province which mostly cultivates opium, the whole of Oudh and the eastern

Districts of the United Provinces are the great producers of opium and I have heard great complaints from the cultivators and zemindars in whose lands opium used to be cultivated that there are now some restrictions. They are losing a great deal and they complain now that the great industry is going out of their hands and their lands which are fit only for the cultivation of opium are lying vacant and uncultivated. They are not fit to grow other things, but they are fit only for the cultivation of opium. Under these circumstances, Sir, if this system is discontinued, I assure the Honourable Members of this House that it will mean only the absolute stopping of opium cultivation and nothing more. One may talk of morals or anything, but is the present cultivation causing any kind of moral degeneration in India? We have to see to this. I do not think my Honourable friend will be able to show to the House that opium is eaten in such quantities nowadays that it may be called immoral. So, the question absolutely goes. The only point is that if the Government export opium the question of the League of Nations might come in. They do not know the circumstances of the country which has got no other industry except this one. It will be causing a great loss to the Indian Exchequer as well. With these few words, Sir, I oppose this Resolution and I leave the greater opposition in better hands.

THE HONOURABLE MR. A. C. McWATTERS (Finance Secretary): Sir, I think it may be for the convenience of the House and may also tend to shorten the discussion, if I rise at this stage to explain the attitude of Government in regard to this Resolution. The Resolution divides itself into three parts; the first part refers to the restriction of the area of cultivation, the second recommends increased control and the third recommends the discontinuance of the system of making advances. Now, with regard to the first part, namely, the restriction of the area of cultivation, I have a fundamental criticism to make and that is that the Honourable Mover has begun at the wrong end. It is quite obvious that the area must depend upon your policy and his speech showed that he realised it also, because a good part of his speech not unnaturally was really devoted to a criticism of our policy. I think that in these circumstances his Resolution should have been differently worded. The Resolution speaks of the restriction of the area and gives no special reason why the area should be restricted. As regards the policy, I will refer to it later, because I have something important to say on that subject. But in the meantime I should like to tell the House what we have actually been doing in the direction of restricting the area under cultivation. It is obvious that we have had to take into consideration not only the probable reduction of our export trade and the progressive reduction of internal consumption, in regard to which I gave the House some striking figures last March, but we have also to consider the question of our stocks. All these three factors have to be taken into consideration in determining the area to be sown.

I will now give the House some figures of the actual area which has been under cultivation in recent years. Seven years ago in the United Provinces, which is practically the only important area in British India where opium is cultivated, the area under cultivation exceeded 200,000 acres. Three years ago, i.e., in 1922-23 the area was reduced to 141,000 acres. The area in 1923-24 was 134,000 acres. In the current year it has been reduced to 116,000 acres

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and in the year which will begin shortly, 1925-26, we have arranged to cultivate only 74,000 acres. This means that in the next season the area to be put under cultivation will be a little over one-third of the area cultivated 7 years ago, a little more than half that of three years ago, and will show a reduction of 36 per cent. on the amount put under cultivation in the current year. I think those figures are striking. As I have said, it is a result not only of our policy but of the fact that in the last two years we have had an exceptionally large outturn in the opium fields. It is this exceptional outturn which explains why we have had to come up recently for supplementary grants. It is not due in any sense to increase of acreage but to the exceptionally favourable seasons. The opium crop is a very variable one and in the last two years the outturn has been much above the normal. There is a further point in regard to the area of cultivation, a point to which the Honourable Member quite rightly referred. He quoted the evidence of Mr. Gibbs before the Taxation Inquiry Committee. Mr. Gibbs' point was that the area should be concentrated as far as possible. It is a point which Government have not overlooked. Out of 37 divisions or sub-divisions in the United Provinces, we have already abolished 9 and we contemplate closing down several more in the near future with the sole object of getting the cultivation more concentrated and more under our control. With regard to the small areas in the Punjab, the Local Government is considering the question of further restrictions and control in those areas. We have also reduced the price last year by Rs. 2, from Rs. 15 to Rs. 13, and we again contemplate further reduction.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: The price paid to the cultivator?

THE HONOURABLE MR. A. C. MCWATTERS: Yes, the price paid to the cultivator of opium. Then, there is another area from which we obtain considerable supplies, namely, the Malwa States. We have carefully reconsidered our engagements with the Indian States concerned and we have been able to reduce the amount for which we have contracted from 11,400 maunds in the current year to 6,500 maunds for next year. I think these figures show that Government have not overlooked the necessity of restricting the area and the production of opium in accordance with their policy, both external and internal, and in accordance with the requirements of the stock position.

I will now turn for a moment to the question of policy. I do not desire to repeat the whole of what I said in March last in this House. So far as consumption in India is concerned the House knows that the Central Government have no financial interest whatever in the opium supplied to the Provinces and I think the sense of the House was certainly with me when I took the view that the proper line of action was for us to co-operate with Local Governments in putting down abuses of opium—eating or smoking wherever they exist—and we have been pursuing that policy, in consultation with Local Governments. So far as exports are concerned, the House knows what financial sacrifices we have made in the past. I think it is sufficient to repeat that the average annual revenue of the Central Government from opium in the 3 years before 1913 was over 8 crores of rupees. The preliminary actuals of last year show

that the revenue last year was Rs. 1 crore and 42 lakhs. I think that everyone recognises that the Government of India have made very substantial financial sacrifices.

I think we are entitled to ask that if we are to push those sacrifices further, as we are prepared to do, we should endeavour to ensure that our efforts are not wasted and that the policy adopted should be one which will really bring to an end any abuses of opium eating or smoking that may exist and not merely result in the opium from India being replaced by opium from other countries. After all, with a crore and a half a good deal can be done and I think we are entitled to ask that our sacrifices should not be made for no purpose. We have, for some years past, as the House knows, adopted a system, so far as exports are concerned, of allowing export only under the certificate system. We either sell direct to foreign Governments under definite agreements or we allow export on a certificate from those Governments. It might have been a possible line to stop there and say that the importing country is responsible. We have, as a matter of fact, gone further in two instances. In the case of Macao and in the case of Persia we have actually ourselves taken the initiative and stopped export, although the opium was desired by those countries. Our attitude in regard to exports has now been again considered by the Government of India in the light of their commitments at Geneva. They are anxious to show to the world that they are prepared to fulfil their obligations in the spirit and not merely in letter. Therefore, I have the full authority of Government to tell the House that the Government of India are now prepared to accept some measure of responsibility even for licit exports covered by certificates. That is to say, they are prepared to prohibit or restrict export even where foreign Governments are prepared to furnish a certificate, if there is evidence that the opium is finding its way into the illicit trade. This is an important declaration of policy and I think that it should help to meet the complaint which the Honourable Mover made about Indian opium being smuggled out of the countries to which it is in the first instance consigned.

I now turn to the question of control. Last March when I dealt with this question, I said very little about control because I was speaking at some length upon other matters. I contented myself at that time with quoting the opinion of one of the most hostile critics of Indian opium policy and if the House will bear with me I will quote that opinion again. The quotation is from Miss Eileen de la Motte. This is what she said on the question of control :

" Every step relating to the control and output is carefully and systematically regulated and has been brought to the highest pitch of efficiency, a model and example to the rest of the world ".

Last March I left the matter at that. But, as the question of control has been definitely raised and as few people know how close and intimate that control is, I should like to give very briefly a few more details. In the first place as is known, the produce of poppy cultivated on Government account can only be obtained from Government. It has to be delivered to the Government Opium Department. From that Department it is issued only to licensed vendors wholesale or retail. The wholesale vendor can only sell such opium to other licensed vendors or to licensed druggists. The retail vendor may

[Mr. A. C. McWatters.]

sell to individuals. Thus the individual can only obtain opium produced in India from a licensed retail vendor or a licensed druggist. Each stage of the distribution down to the retail vendor is safeguarded by an elaborate system of transport passes, while the conditions governing the licence of a retail vendor are most stringent. He may not sell to any one person at one time more than the quantity of opium which an individual may lawfully possess ; he may sell only for cash and only on premises for which he is licensed ; he must not allow consumption on such premises, and he must keep correct daily accounts of his sales which shall be open at all times to inspection by excise officers. There are further still more stringent restrictions in regard to opium for smoking. It is a system which has been developed through many generations and it has been brought to a very considerable state of efficiency. To illustrate the extent of our control over the area under cultivation, I should like to mention that during the last 15 years the area which has actually been cultivated has been less than the area settled except in two years when there has been an excess of less than 4 per cent. This shows that our opium officers keep a very close control over the area which is cultivated.

I now come to a still more important point regarding control which is that at Geneva we have recently agreed that we will allow an independent Committee of the League of Nations to visit India, as it will visit other signatory countries, after 5 years in order to examine our system of control and to assure themselves that it is absolutely water-tight. To this independent examination we have quite willingly and readily consented.

I now turn to the third point, namely, the advances to cultivators. This is an administrative matter and I think that the Honourable Mover has made a good deal out of what is after all a small point. It is a very old practice indeed. It dates back, I believe, from the days of the Mughal Emperors. We have references to it even prior to 1764. It is a practice which is not confined to opium. It is specially suitable where there is a crop which requires more than the usual amount of preparation of the soil and where there is a single purchaser who requires an assured outturn to be dealt with on business methods. For these reasons this system of advances has frequently been resorted to for such crops as opium, sugar and indigo. Now, there are two main reasons why this practice has always been found to be useful. First it ensures our having a much closer control over the area which is cultivated. It is obvious that if advances are not made we should have less certainty of particular areas being cultivated with opium. Therefore, in order to obtain the outturn which we require, we should have to settle a larger area than we do at present. In fact, as the Honourable Member desires to restrict the area of cultivation, he should welcome the system of advances, as it gives us much greater control over that area. The second reason is that our advances keep the cultivator out of the hands of the money-lenders. The amount of advance is not very considerable. It is about one-fifth of the total amount eventually due to the cultivator. It is made only to enable him to sow his crop without having to resort to the money-lender. The only result of the abolition of these advances will be that Government will have to offer a higher price and will be paying a portion of the money-lender's profits. We have had this matter under consideration

on several occasions and we have always come to the conclusion that it would be a retrograde step to abolish the system.

That is all, Sir, I have to say on this Resolution. I have shown what we have done in the direction of restricting the area cultivated. I have made a statement about our policy which is, I think, important. I think the House will realise what is my fundamental objection to this Resolution, namely, that the question of policy must have precedence over the question of the restriction of area. With regard to control, I have given a short account of our system and I have made an important point, namely, that the Government have agreed to accept the investigation of an independent committee of the League of Nations. As regards advances, I consider that it enables us to keep a closer control over the area under cultivation and that it is both for the benefit of the cultivator and the Government that he should not have to resort to the money-lender.

For these reasons I do not think I can advise the House to accept the Resolution and I hope the Honourable Member will not find it necessary to press it after what I have said. I do hope that the House will also realise that we are not hostile to and indeed are anxious to receive any sound and practical suggestions for the improvement of our opium administration.

THE HONOURABLE DR. DWARKANATH MITTER (West Bengal: Non-Muhammadian) : Sir, in supporting this Resolution of the Honourable Dr. Sir Deva Prasad Sarvadhikary, I have in view the fact that the Honourable Mover of the Resolution is actuated by a very noble motive, namely, that of directing the policy of Government into a definite channel, that is to say, so far as home consumption of opium is concerned to reduce or diminish the drug habit of the people. The less the area of cultivation the less will be the production and the retail prices will consequently increase and opium will not be accessible so easily to the people who have cultivated the drug habit as it is when the area of cultivation is unrestricted. I do not know if the time has come when Government will agree to restrict the area of cultivation to the amount of opium which may be necessary for medicinal and scientific purposes. That is the millenium to come at some distant time. So far as India is concerned, the practice of swallowing or eating opium dates so far back as the sixteenth century and the habit cannot be eradicated in a day; but at the same time it has been stated by the Government, both by the Honourable Mr. McWatters and the Honourable Sir Basil Blackett, that the question of diminution of revenues will not prevent the Government of India from directing their policy into a channel which will really raise the condition of the people to this extent that there will be less and less of an indulgence in this pernicious habit either of eating or swallowing opium, or, so far as prepared opium is concerned, of smoking it. Honourable Members of the House will further notice that there is in some parts of the country, a practice which is very prejudicial and deleterious, namely, that of giving opium to children to keep them quiet amongst working mothers in certain industrial areas. Government will have to consider in future whether special measures will not be necessary to prevent that being done. I am bound to submit to this House that on account of the progressive increase in the retail price of opium there has been a considerable diminution in consumption in British India as I find from the figures and the Honourable Mr. McWatters will say if I am

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[Dr. Dwarkanath Mitter.]

right. The amount now consumed *per capita* is 18 grains, while in 1895 it was about 27 grains *per capita*. The Honourable Sir Basil Blackett said in his speech last September that so far as Government are concerned they have decided to restrict the amount of imports and exports from India. The fact that it involved a further reduction in the revenues of India will not for a moment be allowed to affect Government's attitude in this behalf. The Resolution has done good in drawing prominent attention to the fact that Government will have to accede to the policy which will restrict the area to such an extent as will be necessary for the proper use of opium either for medicinal or scientific purposes or what may be required for the moderate use of opium. I support the first part of the Resolution.

With reference to the second part of the Resolution I feel some difficulty in supporting it, because I find from the speeches of previous speakers that this has been a practice which has been in existence from very ancient times. I am not prepared to support the second part of the Resolution as it is a matter of detail which Government may at some future time consider. I support the first part of the Resolution that Government should see their way to restrict the area for cultivation. The Resolution however does not define to what extent or in what proportion the restriction should be made. I fully realise that there is sufficient force in the statement of the Honourable Mr. McWatters, that first you have to define the policy. The Resolution in one sense really puts the cart before the horse. The Resolution has, however, drawn prominent attention to this fact that Government must change their policy in the direction that public opinion desires. For these reasons I support the first part of the Resolution.

THE HONOURABLE MR. K. C. ROY (Bengal : Nominated Non-Official) : Sir, with your permission I move for the adjournment of the debate on this Resolution till the next cold weather Session in Delhi. We are indebted to the Honourable Mr. McWatters for his illuminating speech in which he has told us much about our commitments in general, and withheld some. He has given us no details. We have not even before us the report of the Indian Delegation of 1924-25. Mr. McWatters next took us into his confidence when he said that he was in correspondence with Local Governments about internal opium policy, but he has given us no details. It is consequently unfair that we should be asked to vote either for the Resolution or against it. In the third place, there is the insoluble problem of opium cultivation in Indian States. We know nothing about it and there is no data before us. On these three grounds, therefore, I beg to move, Sir, that the debate be adjourned till the next cold weather.

THE HONOURABLE THE PRESIDENT : Amendment moved :

"That the debate be adjourned to a future Session".

I think that I should point out to the House that this amendment amounts to a proposal to close the discussion altogether, inasmuch as this Resolution will naturally disappear when the Council of State disappears.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : General) : Sir, I did not intend to speak on this Resolution of my Honourable Colleague to-day, but the motion for adjournment which has

been made by the Honourable Mr. K. C. Roy compels me to oppose it. The Honourable Mr. McWatters has very graphically and clearly explained the policy of the Government of India in the matter. He has in unequivocal language assured this Council that the Government of India have taken steps in the matter of the opium policy to restrict not only production but consumption. He has also pointed out that adequate measures have been adopted for the control of the industry. He has also given convincing reasons why these advances have been made by Government in the matter of the cultivation of poppy, and finally he has also informed the House that the Government of India have agreed after five years to an open examination of the condition of affairs by an impartial tribunal which will represent the League of Nations.

In view of these statements, and in view of the policy of Government also described in this Council last year very ably and fully by the Honourable Mr. McWatters in response to a similar demand, I consider that this Resolution is entirely unnecessary and superfluous and that no useful purpose would be served by adjourning the consideration of this measure till next cold weather, as my Honourable friend Mr. K. C. Roy has suggested. If the object of my Honourable friend Mr. Roy is to save this motion being defeated in this Council to-day, I entirely sympathise with him for having been so resourceful in having suggested this adjournment. (*The Honourable Sir Deva Prasad Sarvadikary*: "But we are so accustomed to defeat.") Sir, so far as the policy of the Government of India is concerned, no serious objection could be taken at this stage. When the Government of India sacrificed their finances in response to a certain class of faddist I was the first to raise my voice in opposition to the policy which was then adopted in the late Imperial Council. I then pointed out that the policy which the Government were then adopting would not receive a similar and sympathetic response from other countries; I then gave a warning to Government that they were throwing away their resources for the mere ideal and unattainable uplift of humanity, which would not be fully responded to by China where the bulk of our opium was shipped and other nations, and that their attempts would be fruitless. What I said 15 years ago, when Sir Guy Fleetwood Wilson was the Finance Minister in charge, has been borne out by a succession of events, and it is now a matter of common knowledge that the finances of India have been deplorably sacrificed to meet certain sentimental objections. Sir, the adoption of this Resolution is open to serious objection. Our finances have been put into order lately by heavy taxation. In the last three years taxation to the tune of 50 crores of rupees have been imposed on India, and now my Honourable Colleague to-day wants that a further slice of the revenue which we are entitled legally, morally and lawfully to obtain should be sacrificed, which would inevitably lead Government to a further imposition of additional taxation. That would be the natural implication of the acceptance of a Resolution of this character. Sir, the Government of India on successive occasions have made a definite declaration of their policy. Even the Finance Minister, the Honourable Sir Basil Blackett, in dealing with the subject of opium revenue, when discussing the last financial budget, clearly pointed out that it was the avowed policy of Government to go in steadily for a reduction and control of the growth of poppy. In view of all the circumstances, I consider it is absolutely

[Sir Maneckji Dadabhoy.]

unnecessary and wholly superfluous to consider this Resolution any further. I also oppose the motion for adjournment, and I think, in view of the assurance given by Mr. McWatters on behalf of Government, my Honourable friend there will see his way to withdraw his motion, but if he does not, there is only one course left to this Council, and that is to oppose and reject it.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE MAJOR NAWAB MOHAMED AKBAR KHAN (North-West Frontier Province: Nominated Non-Official): Sir, I quite sympathise with the Mover of the Resolution, which, as it stands, is very commendable. No doubt it concerns the welfare of the people of India, where opium is taken in large quantities. Every one in this House, I believe, will surely admit that of all the intoxicating drugs opium is the most harmful and cruellest enemy of mankind. It is the most injurious and enervating and not only deprives man of his energy and wisdom but it makes him idle and luxurious and degrades the one addicted to it in several respects. Knowing as we all do the most injurious effects of taking opium, I trust very strong measures will be adopted to discourage its use. But the question is, what sort of steps should be taken to prevent the taking of this injurious drug. My Honourable friend the Mover of the Resolution proposes restricting its cultivation by discontinuing the advances made to the cultivators of the drug in question. But I say that supposing its cultivation in British India is restricted by the measure proposed, what guarantee can we have as to its limited produce in Native States or the independent territories bordering on India. As it is, it is the Native States or the territories other than British India that traffic most in this most objectionable of all the licensed drugs. I am afraid, Sir, the placing of any such restriction on its cultivation in British India will not prove of any advantage. On the other hand it will result in its smuggling, as is the case with regard to cocaine. Cocaine, I think, is the most expensive of all the intoxicating drugs. Legal restrictions have been imposed by the Government on its use, but I think Honourable Members are aware of the fact that, in spite of these restrictions, cocaine is taken in very large quantities in this country. People who are addicted to it get it, no matter how expensive it is. No other result, I think, can be expected with regard to opium by placing any restriction on its produce, for those who are addicted to it will get it under any circumstances. Although in the Punjab and in the North-West Frontier Province we do not cultivate much opium, there are a vast number of people, especially of the Sikh community, who consume opium and it will be very difficult to stop those people from getting the drug they require. Moreover, the Resolution, if given effect to, would deprive the Government of a considerable amount of revenue and would consequently result in fresh taxation under which we are groaning already and reduction of which is very anxiously awaited by all of us. As the lion's shares of Indian taxes are contributed by the agriculturist classes, I am afraid, the imposition of any fresh taxation, levied to make up the deficiency in the central revenue caused by the

abolition of the opium duty, would be very hard on the poor Zamindars both in the Punjab and the North-West Frontier Province, whose incomes are already diminishing every day owing to the arable lands being water-logged. Under the circumstances I think the right and proper method of discouraging the use of opium would be to educate public opinion and bring home to the minds of people the injurious effects attendant on its use. Unless we do this and unless the public really realises the evil effects of using opium, I am afraid you will not be able to discourage its use by any legislative measure. I think, therefore, that instead of imposing any restriction on the cultivation of this special drug, we should start an anti-opium campaign, which, I believe, will prove of great advantage. In view of what I have said, I trust the Honourable the Mover will see his way to withdraw the Resolution and do something in the way of starting an anti-opium campaign by speeches and writing or some thing of that sort.

THE HONOURABLE SRIJUT CHANDRADHAR BOROOAH (Assam : Non-Muhammadan) : Sir, I come from a province the inhabitants of which have a right to be heard on this matter. Opium is nowhere more consumed in India than in the province of Assam. I believe the Geneva Conference fixed the maximum quantity of opium for every 10,000 of the population at 6 seers. You will be surprised to hear that there are some districts in Assam where this limit has gone up to 159 seers. I am of course open to correction, for I speak from memory. But, even if I am wrong, I am sure I am not very wrong. I have seen the evil effects of opium with my own eyes. Opium thoroughly degenerates its victim intellectually, morally and physically. It makes a man weak in body and in mind ; and whenever the opium-eater is ill, the doctors are at a loss what to do ; because no medicine will act on his system. Opium eaters are timid, indolent and proverbial liars. There is no humiliation which the opium eater cannot stoop to, no disgraceful thing which he cannot do, for a single dose of opium. He will readily part with everything he has got in the world, he will ungrudgingly do the most disgraceful things, in order to get his dose of opium. It is very sad to think how many happy families in my province have been ruined, how many are being ruined, and how many will still be ruined by this great monster. The people of Assam have always asked the Government to abolish the opium traffic in the province altogether. Even the opium-eaters themselves would like this for the good of their children and their grand-children, provided only that they get their own dose of opium as long as they live. The Assam Government have taken some steps to remove this evil. They have reduced the number of opium shops ; they have also reduced the quantity of opium supplied to these shops ; and they have lately introduced a system of registration of the opium eaters. But these have not produced the desired result. The people want the Government to do more. They are even prepared to make good the loss in opium revenue by some other means. They say, " Impose some other tax and take away this opium from us." But the Government will not go as fast as the people would like them to. The Resolution has been opposed by some Honourable Members, but I am afraid, these gentlemen do not know the mischief done by opium in my province. They come from places where the opium habit does not exist, or where even if it exists, it is on a very small scale. The Resolution before us wants to reduce the production of opium, and as I

[Śrījūt Chandradhar Borooah.]

think it is my sacred duty to support it. I am thankful to the Honourable mover for bringing it in. I support the Honourable Dr. Sir Deva Prasad Sarvadhikary's Resolution with the greatest pleasure.

THE HONOURABLE SIR DINSHAW WACHA (Bombay : Nominated Non-Official) : Sir, I shall not detain the Council for many minutes; neither am I going to speak physiologically on the subject or in any other way. I only want to say a few words on the policy of the Government in regard to this matter. Sir, I may claim to be one of the oldest and most vigorous critics of the Government opium policy. I have been a critic from the year 1885 when there was a discussion brought forward in Parliament by the Archbishop of Canterbury. I was one of the persons who very often discussed this question in the Press and on the platform. I was also one of those who took part in a large mass meeting which was held in the Town Hall by the Bishop of Bombay, Dr. Mylne. Then, later on, in 1897, when I was in London I addressed along with my old friend the late Sir Surendranath Banerjea a large meeting specially held in Exeter Hall, and since those days I have constantly and closely watched very carefully the policy of the Government in regard to opium. I was exceedingly glad when the treaty with China was concluded some 15 or 12 years ago. From that time forward every Member of the Council must have seen how the opium revenue has steadily dwindled down and down. 12 crores was the maximum that we had about the time the treaty was under negotiation till we have now less than 2 crores of rupees. The only opium we now grow is the opium for internal consumption, more or less for medicinal purpose and a little for export. We may feel assured that the Government will still bring down the cultivation of opium to the minimum. We may fully rely on the assurance given by our Financial Secretary, that the Government will steadily pursue the policy. That being the case, I think the Council will act wisely by not prolonging this debate unnecessarily, and I do hope, and sincerely hope, that my friend, Sir Deva Prasad Sarvadhikary, who has brought forward this Resolution with the best of intentions, being a reasonable man and a man of practical common sense, will withdraw his motion. With these words, I take my seat.

THE HONOURABLE THE PRESIDENT: Honourable Members do not seem inclined to speak on the amendment that the discussion be postponed to a future Session. I think we might get that amendment out of the way. The Honourable Mr. K. C. Roy's amendment was that the discussion be postponed for a future Session. The question is that that amendment be adopted.

The motion was negatived.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: Sir,

3 P.M. it has been one of my ambitions in life to earn the approbation of my Honourable friend from Bombay in whose good company I have all along been in the crusade against opium and drugs and liquor. I should not lightly want to lose that approbation. On the present occasion, however, matters are on a slightly different basis. We have had pronouncements and announcements from the

Honourable Mr. McWatters that make my position, at all events with regard to the first portion of the Resolution, stronger and more unassailable than ever. He has been good enough to say, and I congratulate him and Government on the announcement, that there have been steady efforts at restriction of acreage. That being so and there being an admission of the need for restriction, I fail to understand why so commonplace and obvious a Resolution like that commending further restriction to the attention of the Government should not be acceptable to Government, unless it be for reasons which I do not want to attribute to the Government, namely, that to be told to do the right will not suit them unless they make up their mind to do the right on their own account. Sir, I do not think that the request of the Council of State, if my Honourable colleagues are with me, with regard to at least the first portion of the Resolution can possibly come amiss to the Government. A case for restriction has been made out and a case for restriction has been admitted by the Government. I may not be able to say definitely, clearly and unequivocally how far further restriction shall go, because, Sir, as has been pointed out and as my Honourable friend claimed in his speech, the questions of policy and of restriction must go hand in hand. I could not dictate the policy, and I am supposed to have chosen what my Honourable friend called the wrong end of the stick. But any end of the stick is good enough for certain purposes if that purpose can be even partially achieved. I say that though you have been restricting the cultivation, this restriction has not been enough. You say that I have not yet defined my policy. Whose fault is that? There are your Geneva commitments. There is public opinion insistently wanting you to lay down your policy regarding the absolute minimum of cultivation under the present circumstances and you have not yet framed your policy. That is not the fault of this House or of those outside it who are urging the Government to have a more restricted policy. Therefore, Sir, I find it difficult to fall in with the views of those of my friends who have advised me to withdraw my Resolution.

I see, however, greater force with regard to their suggestions in the second part of the proposal. And if you, Sir, be good enough to put the Resolution in two parts, I shall be quite prepared to fall in with the views of my friends who advise me to withdraw my Resolution with regard to the second part. I am myself not at all convinced by what my Honourable friend Mr. Yamin Khan or for the matter of that other Honourable Members have said with regard to the propriety of continued advance. I do not agree that unless you want me to nurse an industry of agriculture like sugar, there is occasion or justification for an advance. Certainly not from public revenue. It so happens in this case that Government are the monopolists and not in the position of a Government pure and simple. They are more like private dealers giving advances and taking a *quid pro quo*. That has been the ancient practice but it is not necessarily the correct practice, at least now when people have realised what can be done if they take to the cultivation within such areas as Government may think fit to prescribe. Sir, I am quite in sympathy with those of my friends who want to keep the cultivator out of the hands of the money-lenders and I wish that their good wishes and good feelings could materialise in various other directions where such help is much more needed for the agriculturists proper.

[Dr. Sir Deva Prasad Sarvadhikary.]

than for the opulent and flourishing opium trade. Therefore, that argument does not weigh with me.

Reference has been made, Sir, to indigo advance. I wish my Honourable friend had not referred to that. It has a doleful, un-cheery and regretful history behind it which we do not want to re-call. It will die its natural death and we do not want it to be resurrected from the end that it has properly attained. In spite of all that, Sir, I am prepared, having regard to the administrative reasons that have been urged, to withdraw the second portion of my Resolution.

With regard to the first portion, Sir, I am sorry to have to divide the House. I am sorry that I have been the unwilling cause of bringing them after the mid-day adjournment and I hope Honourable Members will not mind that. As some fundamental questions have been raised, I am afraid I shall have to go a little more in detail in my reply than I would otherwise have done. Government may on this occasion well cry to be saved from their friends. They themselves have not put forward financial reasons. They do not mind the dwindling revenue under the opium head. But there are friends of Government here who regret the good old days when "nations could be uplifted" in their own words—what nations I do not know—out of the revenue that the Government was accustomed to derive from the old opium head. Whatever uplifting that might have been it must have been at the expense of some other nations. The argument that "if these foolish nations do not want to behave, what does it matter to us; we shall go on making money as we have been doing out of opium and let them do what they like" will no longer answer. That is a proposition that did not appeal to people in the near past. We have embarked upon a settled policy from which there is no going back that the opium revenue shall be sacrificed. I am sure a crore and a half will not be much of a matter now to be taken into consideration after we consulted to the loss of many more crores, having regard to commitments that have been already referred to.

Incidentally, Sir, let me refer to the 50 crores that we are supposed to have been paying in the shape of additional taxation. That was the dictum of an expert whose opinion is always entitled to great respect. But has it been all or largely because of the loss of opium revenue? No. Moreover an expert not far from me here reminds me that it was nearer 90 crores than fifty that we have been paying in the near past in the shape of additional taxation. Surely loss of opium revenue is not answerable for this. I shall however leave that matter to be settled by experts. Anyway, Government and the people have agreed that the question of financial loss shall not stand in the way of the ultimate solution of this question. With regard to the moral aspects of the question about which my Honourable friend Mr. Yamin Khan has still doubts, I think the Honourable Member from Assam has fully answered him and if I might give him one or two extracts from medical opinion, I think it would serve my purpose all the better.

Dr. S. K. Datta speaking in the Assembly on this very question pointed out last March that the document of 1911 (Lord Hardinge's pronouncement) laid down that opium possessed certain medicinal properties. In the first place it

was supposed to be a specific against malaria, an exploded theory. During the luncheon interval one of the Honourable Members hailing from the neighbourhood of the Godavari District said to a suffering member that it was an antidote against malaria. I said on Dr. S. K. Datta's authority that it was not. In the second place it was claimed to be an anodyne, and there according to Dr. Datta, certainly experience was with the Government of India. In the third place, it was supposed to be necessary for the ailments of children. This is an absolutely exploded theory which is borne out by the testimony of well-known Doctors, like Doctor Jibanu Mistri of Bombay who says :

"The percentage of opium-eating under medical advice is very small. The greatest abuse to which it is put is the prevailing habit of dosing children with it to keep them (a) from crying, even when it is due to such legitimate cause as insufficiency of mother's milk, or (b) to keep them quiet while the mother goes out to work, or (c) from a prevailing false impression that it is good for the healthy growth of a child."

I do not want to labour the point further because I think it is generally agreed that neither on moral nor medical grounds, in spite of the findings of the Royal Commission of 1895, which have been seriously challenged, can it be said that in the interests of the people of India the consumption of opium cannot be reduced.

Regarding exports my Honourable friend has himself admitted that if abuse is proved, Government will be prepared to reconsider the question of exports under the certificate system. That there is room for such reconsideration is indicated by the Geneva report to which I did not think it necessary to refer in my opening speech, because I thought that it was not likely to be challenged. One of the opinions expressed by Sir John Jordan was as follows. He declared that, unless the Committee could take effective measures to prevent the large export "it was better to abandon the matter." He hoped other Governments would follow India's practice of not attaching importance to import certificates. He added that nearly the whole of the exports from the Persian Gulf were nominally destined for Vladivostock, but they were really landed elsewhere.

I do not for a moment suggest that the Government of India have been at all remiss with regard to this matter, but instances of abuse are clearly indicated which will make Government, in the light of what my friend has told us to-day, reconsider the situation and revise the certificate procedure under which export is allowed. Even in these Geneva Conferences I do not think statements of fact are always accurate and can be implicitly relied on, and I should like to take them with the usual reservation. For example, when certain people were attacking the Portuguese Government with regard to the situation in Macao, the Portuguese delegate said that in Macao the consumption of opium was relatively negligible. Sir Malcolm Delevingne drew attention to certain inaccuracies in the Portuguese report concerning re-exports of opium from Macao. Therefore there is a great deal of room for reconsideration of the whole question of export as well as internal consumption. The matter was fully gone into in the debates here as well as in the other House in March last. Therefore I do not want to tire the patience of the House by referring to that at length. I submit, however, that the first part of the Resolution at all events should be accepted. Regarding the other part, I am in your hands and in the hands of this Honourable House, and I have indicated my views on that point.

THE HONOURABLE MR. A. C. McWATERS: Sir, I do not propose to inflict a second speech upon the House but I was glad that the Mover on reconsideration has decided that the second part of his Resolution had better be left out. I think the administrative reasons that I gave are quite conclusive. As regards the first part I was still waiting to hear my main objection to this Resolution answered, which is that you must define your policy first and on this account the Resolution as it stands is in my opinion practically nugatory. It is a Resolution which, if the House adopted it, would serve no useful purpose whatever. I took great trouble in my speech to show what real advance we had made in regard to opium exports. The reply of the Honourable Member has more or less confirmed what I said in regard to the action which Government are taking. With regard to the restriction of area, we have already made great restrictions after full and careful consideration of the policy which we have accepted. As regards any further restriction in general terms such as this, I would say that it is absolutely meaningless. I must, therefore, oppose the Honourable Member's Resolution.

THE HONOURABLE THE PRESIDENT: I shall put the Resolution in two parts. I think that is the proper course and it will be open for the Honourable Member to let the second part of his Resolution go by default.

The first part of the Resolution is :

“ That this Council recommends to the Governor General in Council that—

(i) the area for cultivation of opium be restricted and brought under stricter control ”.

The question is that that part of the Resolution be adopted.

The Council divided :

AYES.—11.

Aman Ali, Khan Bahadur.
Boroach, Srijut Chandradhar.
Haroon Jaffer, Mr. Ibrahim.
Karandikar, Mr. R. P.
Mannohandas Ramji, Mr.

Mitter, Dr. D. N.
Ramadas Pantulu, Mr. V.
Ram Saran Das, Rai Bahadur Lala.
Raza Ali, Mr.
Roy, Mr. K. C.
Sarvadhikary, Dr. Sir Deva Prasad.

NOES—29.

Abbott, Mr. E. R.
Akbar Khan, Major Nawab Muhammad.
Amiruddeen Ahmad Khan, Nawab Bahadur, Sir.
Chadwick, Mr. D. T.
Charanjit Singh, Sardar.
Chettiyar, Sir S. M. Annamalai.
Cretar, Mr. J.
Currie, Sir William.
Dadabhoi, Sir Maneckjee.
Dutt, Mr. P. C.
Fazl-i-Husain, Mjan Sir.
Froom, Sir Arthur.
Khaparde, Mr. G. S.
Laird-MacGregor, Mr. E. G. L.

McWatt, Major-General Sir Charles.
McWatters, Mr. A. C.
Misra, Pandit S. B.
Mitra, Mr. K. N.
Natesan, Mr. G. A.
Parsons, Mr. A. A. L.
Rampal Singh, Raja Sir.
Sarma, Sir Narasimha.
Sen, Mr. B. C.
Sethna, Mr. Phiroze C.
Tek Chand, Diwan.
Thompson, Mr. J. P.
Wacha, Sir Dinshaw.
Yamin Khan, Mr.
Zahir-ud-din, Khan Bahadur Saiyid.

The motion was negatived.

THE HONOURABLE THE PRESIDENT: I will now take the second part of the Resolution. That will run :

“ This Council recommends to the Governor General in Council that the practice of making advances to opium cultivators be discontinued with effect from the next season for making advances and that this be notified in advance as soon as possible ”

The question is that that part of the Resolution be adopted.

The motion was negatived.

THE HONOURABLE THE PRESIDENT. Mr. Yamin Khan.

THE HONOURABLE SAIYID RAZA ALI: Sir, I rise to a point of order in connection with the procedure governing the introduction of a Bill in the Chamber on the eve of its dissolution. Paragraph 78B of the Manual of Business and Procedure makes it quite clear that, unless a Bill is passed in the Chamber in which it has been introduced, it automatically lapses with the dissolution of the Chamber. Further, paragraph 66 shows that no action can be taken by Government with reference to a Bill if merely leave to introduce it has been given by a Chamber which is subsequently dissolved. The position, therefore, Sir, that arises will be rather anomalous, and as there is some doubt about the interpretation of these rules, I ask you, Sir, to kindly enlighten us with a ruling as to what will happen if this House gives leave to the Honourable Member to introduce his Bill. As I have submitted, after leave being accorded, with the dissolution of the Council the Bill will automatically lapse, so that the only point that will have been gained, if I am correct in my interpretation of paragraph 66 of the Manual of Business and Procedure, will be the according of formal leave which will lead to nothing. I ask you, Sir, to kindly give us a ruling as to whether it will be possible for Government even to circulate this Bill for public opinion and public criticism if leave is granted. As I have already submitted, it seems from paragraph 66 of the Manual that such action cannot be taken legally by Government.

THE HONOURABLE THE PRESIDENT: I think the point raised by the Honourable Saiyid Raza Ali is not a difficult one. Under the rule, which was added to the Indian Legislative Rules not long ago, any Bill which is introduced in the Council of State will, when the Council is dissolved, lapse unless at the time of the dissolution it has been passed by both Chambers. In the particular case of the Bill which the Honourable Mr. Yamin Khan seeks leave to introduce to-day it does not necessarily follow that the Bill will lapse, though on the face of it it does seem a practical impossibility that the Bill will be passed into law by both Chambers before the end of the current Session. The Honourable Saiyid Raza Ali asked one more question, and that was whether it would be legal for the Government to circulate a Bill introduced to-day in the manner in which the Honourable Mr. Yamin Khan seeks to introduce his Bill. The answer is that it would not only be legal, but, if before the end of the Session a motion were moved and carried that the Bill should be circulated for opinion, it would be obligatory on the Government to circulate the Bill for opinion. What would happen to these opinions when received would be another matter.

AMENDMENT OF THE LAW RELATING TO INTEREST BILL.

THE HONOURABLE MR. YAMIN KHAN (United Provinces West-Muhammadian): Sir, before asking for leave to introduce this Bill, I might point out with reference to one of the objections which has been raised by the Honourable Saiyid Raza Ali, that it may not be possible to circulate the Bill for opinion, but it may be quite possible, even in this Session, to take the Bill into consideration and to pass it. There is ample time during this Session and these motions can be moved in this House.

THE HONOURABLE THE PRESIDENT: I do not know whether the Honourable Member clearly understood me. Even though this motion may be moved and passed by this House and even if the Bill should be passed by this House, nevertheless if by the end of the Session the Bill has not been passed by the Assembly also, the Bill will lapse.

THE HONOURABLE MR. YAMIN KHAN: That is what I was saying. It might be quite possible that it might be passed by the Assembly also because there is ample time. Any how, Sir, it is on the agenda for me to ask for leave to introduce this Bill. I have stated in the Statement of Objects and Reasons fully what leads me to ask for leave to introduce this Bill, and it is a very simple measure. By this Bill I want only to stop the accumulation of interest beyond the capital amount which had been advanced by the money-lender. It is for the benefit of the zemindars and agriculturists. This is an old Hindu law which prevailed up to 1855 in the whole of India. It was prevalent during the Moghul period. It is prevalent at present in Indian States; it is prevalent in the Bombay Presidency to a certain extent; it is prevalent in Calcutta town proper to a certain extent, and in Berar. A change was brought about in 1855 by Act XXVIII. Since then the present law is to allow the accumulation of interest to go on. By this Bill I propose to incorporate the old Hindu law into the law of India. It is not the proper time now for me to give illustrations or to discuss fully what mischief the introduction of the Act of 1855 has caused to the zamindar community and how many houses have since then been ruined on account of the present law. I will deal with these matters at a later stage. At present it will suffice for me, Sir, to lay before the Council the fact that in 1855, when the new change was brought in, there was neither a Muhammadan or a Hindu sitting in the Council and therefore at that time their laws could not properly be represented. The effects of that change will be discussed by me at a future stage. The Government, taking into consideration the great hardship which had been caused to different kinds of debtors introduced the Usurious Loans Act in 1918; but that does not go far enough in providing a remedy for the mischief which I propose by this enactment to stop. The old Hindu law was very sound, it was well fitted to the needs of the country for which it was made and it remained the law for centuries.

With these few words I ask for leave to introduce this Bill.

THE HONOURABLE THE PRESIDENT: Does the Honourable Member (Sir Annamalai Chettiyar, who had risen to speak) propose to oppose the Bill?

THE HONOURABLE SIR S. R. M. ANNAMALAI CHETTIYAR (Madras: Non-Muhammadian): Yes, Sir, I rise to oppose this Bill. I may be permitted

to observe that no new facts have been adduced justifying the introduction of a Bill so recently rejected by this House as February this year. It has been repeatedly brought before this House and before the other House in some shape or other and permission for its introduction has as often been refused. I should think that the author of the Bill feels very strongly on the subject and so he brings it up again and again. While we can respect the strength of his convictions, I doubt very much if we will be justified in permitting the introduction of the Bill. He seems to labour under a misconception in thinking that the banker or money-lender wants to deprive his debtors of their properties. If my experience is a correct guide, I should think that nothing is farther from the truth. The banker or money-lender will only be too glad to receive regular payments of interest and principal. His business is to make money roll and so yield more, and not to have it locked up. But, Sir, it has become a fashion in these days to blame the creditor for whatever evils the debtor may bring on himself. The creditor helps the debtor in a time of need. There are debtors and debtors. The creditor's repeated requests for payment of his dues are ignored. The debtor purposely allows the interest to accumulate because he is sure of the protection afforded by the Usurious Loans Act. There are again cases where the debtor finds it to his convenience to put off payment.

THE HONOURABLE MR. YAMIN KHAN : Sir, is this speech in opposition at the present stage in proper order ?

THE HONOURABLE THE PRESIDENT : The Honourable Member is so far quite in order.

THE HONOURABLE SIR S. M. ANNAMALAI CHETTIYAR : Sir, I am only stating the reasons why I am opposing this motion. When the creditor presses, the debtor says, " Look here, have I not got enough property, why do you press me ? You know this year has been a bad one and I can hardly pay you unless I sell some of my properties and the value of property goes down in lean years. I expect a better return, a larger income, next year. Can you not wait till then ? I am sure to be able to pay you." The creditor waits but the interest accumulates. Is he at fault ? A series of bad years comes on which are not uncommon and the same request is repeated and the accumulation of interest is inevitable. To blame the creditor for this is hardly reasonable. Why should the sins of the debtor be visited on the creditor ? Sir, in this country money-lending is not limited to one particular community or communities. All who can spare some money take to banking. Professional people, such as lawyers, doctors, and the agriculturists themselves, invest their money in loans. Perhaps this type of creditors and not the professional money-lenders may in some way be responsible for the evils complained of. The money-lenders as a class are not responsible for that although there may be exceptions here and there. But we should not proceed to generalise from those exceptions.

Sir, only one word more. It is well to remember that the money of the money-lender and banker has played no mean part in the development of the country and contributes much towards its material progress in agriculture, trade and industry.

[Sir S. M. Annamalai Chettiyar.]

What will be the effect of this Bill on the free flow of money ? Agriculture, trade and industry will suffer most and get paralysed for want of Capital. For your information, Sir, I will tell you—perhaps most of the Honourable Members here are aware of it—that almost all the Local Governments are against this Bill. I must oppose this Bill.

THE HONOURABLE THE PRESIDENT: The question is:

“That leave be given to introduce a Bill to amend the Interest Act.”

The motion was adopted.

THE HONOURABLE MR. YAMIN KHAN: Sir, I introduce the Bill.

RESOLUTION *RE* INTEREST ON DEPOSITS IN POST OFFICE SAVINGS BANKS OPENED BY MUHAMMADAN DEPOSITORS.

THE HONOURABLE THE PRESIDENT: The Council will now resume discussion on the Resolution* moved by the Honourable Mr. Haroon Jaffer on the 16th March which is set out on the paper. The discussion on the Resolution on that occasion was adjourned on the motion of an Honourable Member no longer with us to enable Government and the Honourable the Mover and other Members of the Council to ascertain the views of the Local Governments and particularly of the Muhammadan community in regard to the proposal contained in the Resolution; and I think it would serve to shorten the debate and possibly to keep it on the right lines if I ask the Honourable Mr. McWatters, who on behalf of Government has been making inquiries, to inform the House what the result of those inquiries has been. Thereafter if it is necessary, I may be able to indicate to the House the lines on which the debate should proceed and the scope of the speeches which may be made by Honourable Members who have already spoken in the debate.

THE HONOURABLE MR. A. C. McWATTERS (Finance Secretary): Sir, the action taken by Government after the debate on the 16th of March last was to consult all Local Governments and to ask them to give us their opinion on the various issues raised in that debate after consulting representative Muhammadan opinion all over the country. The replies are beginning to come in; we have only received two replies from the major Local Governments and we have not yet material enough to enable us to arrive at a definite decision on the questions at issue. I should like, however, to give this assurance to the Honourable Mover that if there is a weight of opinion in favour of the scheme which has been proposed or something on those lines, the Government are quite prepared to give the matter their serious consideration.

*“This Council recommends to the Governor General in Council that Government may be pleased to keep a separate account of the interest payable by Government on deposit accounts in Post Office Savings Banks opened by Muhammadan depositors who, owing to their religious belief, have requested that no interest should be credited to them, and that this sum should be set aside as a special fund, to which also any interest on Government securities foregone by Muhammadan holders under similar circumstances should be credited and that this fund should be utilised in awarding Scholarships to poor Muhammadan students in the Muslim University, Aligarh.”

THE HONOURABLE THE PRESIDENT: The Council seems to be in no better position for discussing the Resolution than it was in March last. With reference to the remarks that fell from the Honourable Mr. McWatters, I think the Council would like to hear the remarks of the Mover on the views of and assurances given by the Honourable the Finance Secretary.

THE HONOURABLE MR. HAROON JAFFER (Bombay Presidency: Muhammadan): I want to know whether the amendment on the agenda is to be moved by the Honourable Saiyid Raza Ali.

THE HONOURABLE THE PRESIDENT: The amendment will come later. It will not arise if the Resolution is otherwise disposed of. I asked the Honourable Member if he had any remarks to make with regard to the assurances given by the Honourable the Finance Secretary.

THE HONOURABLE MR. HAROON JAFFER: Sir, from the information which my Honourable friend Mr. McWatters has just given, I find that he has received replies only from two Governments, and unless he receive replies from all the other Provincial Governments, he cannot decide whether it will be possible for him to accept my Resolution or not. It is now nearly six months since the Government of India have been trying to ascertain opinions and so far, I am sorry to say, they have not succeeded. Surely this matter might have been expedited in view of the fact that the life of this Council ends with this Session. It would have been better for me to have asked you to again postpone the consideration of this Resolution, but as there is no further Session of this Council, I cannot do so. Besides Government also cannot give effect to it because all the replies have not been received. Under the circumstances, I have no other alternative left but to accept the assurance just given that the Government will give effect to my Resolution if the majority of the Muhammadans approve of it. I beg to throw out a suggestion that, if there is no majority, at least those provinces which are in favour of it may have the advantage of my Resolution. I do not press my Resolution and I ask permission to withdraw it.

THE HONOURABLE MR. A. C. McWATTERS: I wish to repeat the exact form of the assurance which was given by me. I said, if there was a weight of opinion in favour of the proposal or something on those lines, Government will give the matter their serious consideration.

THE HONOURABLE SAIYID RAZA ALI (United Provinces East: Muhammadan): Sir, the announcement made by the Honourable Mr. McWatters is, I believe, quite satisfactory. I hope my Honourable friend has carefully followed his words. The words were that if the weight of opinion invited by the Government of India favoured the proposal contained in the Resolution, Government would be willing to give effect to it.

THE HONOURABLE MR. A. C. McWATTERS: Government will give it their serious consideration.

THE HONOURABLE SAIYID RAZA ALI: I am told that the words used were "serious consideration." Even if the Resolution is carried, what will be the effect? Resolutions passed by any Chamber of the Indian Legislature are not binding on the Government. They can at best be seriously considered

[Saiyid Raza Ali.]

by the Government and no more. Therefore I believe I am in order in moving that the discussion be adjourned *sine die*.

THE HONOURABLE THE PRESIDENT: I think the simpler way of disposing of the Resolution would probably be for the Honourable Member to ask for leave to withdraw if he is still of the same opinion.

THE HONOURABLE MR. HAROON JAFFER: Yes.

The Resolution was withdrawn by leave of the Council.

RESOLUTION *RE* INDIANIZATION OF THE ESTABLISHMENT OF THE HIGH COMMISSIONER FOR INDIA.

THE HONOURABLE THE PRESIDENT: I understand that the Honourable Mr. Sethna does not propose to move his Resolution* and I therefore refrain from calling him.

DATE FOR DISCUSSION OF THE RESOLUTION *RE* THE REFORMS INQUIRY COMMITTEE'S REPORT.

THE HONOURABLE THE PRESIDENT: I may inform the House with reference to certain remarks made in the Council the other day that I have received notice of a Resolution from the Honourable Mr. Crerar with regard to the Reforms Inquiry Committee's Report. I understand that it has not yet been circulated to Honourable Members. I mention it now because the Honourable the Home Secretary has asked me to waive the full period of 15 days' notice, so as to enable his Resolution to be taken up some time next week. The Resolution will be circulated almost at once, but in the meantime I might read its terms to the House. The Resolution runs:

"This Council recommends to the Governor General in Council that he do accept the principle underlying the majority report of the Reforms Inquiry Committee and that he do give early consideration to the detailed recommendations therein contained for improvements in the machinery of Government."

I am quite prepared to accede to the request for shortening the full period of 15 days' notice, provided the period is not unduly shortened; and it will be for the convenience of the House if the Home Secretary could indicate the probable date on which the Resolution will be put on the list of business, a date which should not be earlier than the middle or the latter half of next week.

It will be possible no doubt to find time for it. But I should like to hear from the Home Secretary if he has any proposal to make, in the absence of the Leader of the House, as to the date on which it should be taken up.

THE HONOURABLE MR. J. CRERAR: Dates are under consideration at present. I think they will be the 11th and the 12th of September. But this

* "This Council recommends to the Governor General in Council that steps be taken to Indianise the staff and establishment of the High Commissioner for India in the United Kingdom."

is provisional. I can certainly promise that the period of waiving the notice will not be shortened to any date within those dates. I believe that those dates will actually be sanctioned.

THE HONOURABLE THE PRESIDENT: I hope it will be possible to give the House definite information within a day or two as to the date on which this Resolution will be brought forward.

The Council then adjourned till Eleven of the Clock on Wednesday, the 2nd September, 1925.
