

Wednesday, 3rd September, 1924

THE

COUNCIL OF STATE DEBATES

(Official Report)

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FOURTH SESSION

OF THE

COUNCIL OF STATE, 1924.



CALCUTTA : GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH
1925

Council of State

The President :

THE HONOURABLE SIR MONTAGU BUTLER, KT., C.B., C.I.E., C.V.O.
C.B.E.

Panel of Chairmen :

THE HONOURABLE SIR MANECKJI DADABHOY, KT., C.I.E.

THE HONOURABLE SIR ZULFIQUAR ALI KHAN, KT., C.S.I.

THE HONOURABLE SIR ARTHUR FROOM, KT.

THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI, P.C.

Secretary :

MR. G. H. SPENCE, I.C.S.

Assistants of the Secretary :

MR. W. T. M. WRIGHT, C.I.E., I.C.S.

MR. S. C. GUPTA, BAR.-AT-LAW.

Committee on Petitions :

THE HONOURABLE MR. PHIROZE C. SETHNA, *Chairman*.

THE HONOURABLE MAHARAJA BAHADUR KESHAVA PRASAD SINGH,
C.B.E., of Dumraon.

THE HONOURABLE COL. NAWAB SIR UMAR HAYAT KHAN,
K.C.I.E., C.B.E., M.V.O.

THE HONOURABLE SIR ANNAMALAI CHETTIYAR, KT.

THE HONOURABLE LALA SUKHBIR SINHA.

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COUNCIL OF STATE.

Wednesday, the 3rd September, 1924.

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

MEMBERS SWORN.

The Honourable Mr. Geoffrey Latham Corbett, C.I.E., (Commerce Secretary); the Honourable Mr. William Gregg McFarland (Madras : Nominated Official); the Honourable Saiyed Muhammad Padshah Sahib Bahadur (Madras : Muhammadan); the Honourable Mr. Claud Alexander Barron, C.S.I., C.I.E., C.V.O. (Punjab : Nominated Official); and the Honourable Mr. Yamin Khan (United Provinces West : Muhammadan).

QUESTIONS AND ANSWERS.

STRENGTH OF PIECE-WORK ESTABLISHMENT IN GOVERNMENT PRESSES AT CALCUTTA AND DELHI.

311. THE HONOURABLE MR. G. S. KHAPARDE: Will Government be pleased to state—

- (a) the strength of its piece-work establishment, department by department, in the Government presses at Calcutta and Delhi, respectively, in the year 1921 and at the present time, respectively; and
- (b) the strength of the salaried establishment, including the supervising staff, department by department, in the above presses, respectively, during the above periods, respectively?

THE HONOURABLE MR. A. H. LEY: I place on the table a statement containing the particulars required.

PIECE-WORK ESTABLISHMENT.

	CALCUTTA PRESS.		DELHI PRESS.	
	1921.	1924.	1921.	1924.
Composing Branch	742	242	292	126
Press and Machine Branch	177	150	20	15
Warehouse and Bindery	404	251	52	38
Foundry	132	2	..	..
Mechanical	5	3	..	..

SALARIED ESTABLISHMENT.

Superior Supervising Staff	7	6	2	1
Office	134	91	9	14
Publication Branch .. .. .	..	..	3	3
Composing Branch	94	84	36	41
Press and Machine	77	58	31	17
Warehouse and Bindery	31	28	3	3
Foundry	72	17	..	1
Mechanical	59	54	2	3
Reading	185	114	75	49
Inferior Services (Menials, Duffries, etc.)	172	143	73	61

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(905)

REDUCTION OF STAFF IN GOVERNMENT PRESSES.

312. THE HONOURABLE MR. G. S. KHAPARDE: (a) Is it a fact that nearly forty piece-work compositors, who had served in the Calcutta press for periods varying from nearly ten to twenty years, have been discharged from the above press for some break in their service for certain periods at the time of the general reduction of staff in Government presses?

(b) Is it also a fact that, at the time of the re-appointment of the above men, fines were realised from them as punishment and many were placed in the same class as they were in before?

(c) Is it a fact that some of the above men previous to their re-employment had served the Government from periods varying from ten to fifteen years?

(d) If the reply to the above is in the affirmative, what action do Government propose to take?

(e) Will Government be pleased to furnish the list of men whose services have been dispensed with under similar circumstances in the Delhi press?

THE HONOURABLE MR. A. H. LEY: The facts are not exactly as stated by the Honourable Member. A number of piece-work compositors were discharged on account of retrenchment. Some of the men discharged had served the press at earlier periods and had left Government employment for various causes and for varying periods. On their re-employment, small fines had been imposed in some cases. In selecting temporary employees for discharge, only continuous service was taken into account and those with the longest periods of continuous service to their credit were retained. Government have examined every individual case in which a petition was presented to them, and I shall be glad to give the Honourable Member details of these cases in my office. Government will be prepared to examine any further cases which have not already been submitted to them, but the publication of lists of the men discharged would not, in their opinion, serve any useful purpose.

NUMBER OF PERMANENT AND TEMPORARY MEN ON THE PIECE-WORK ESTABLISHMENT IN THE CALCUTTA AND DELHI PRESSES.

313. THE HONOURABLE MR. G. S. KHAPARDE: Will Government be pleased to state—

(a) the present number of permanent and temporary hands in its piece-work establishment respectively in the Calcutta and Delhi presses, press by press; and

(b) the number of piece-workers in the Calcutta and Delhi presses, respectively, who have been placed on the permanent list during the years 1922-23 and 1923-24, respectively?

THE HONOURABLE MR. A. H. LEY: (a) The numbers are:—

In Calcutta 193 permanent and 455 temporary.

In Delhi 99 permanent and 80 temporary.

(b) In the Calcutta press, none in either year. In the Delhi press, in 1922-23, 21 temporary men were replaced by permanent men transferred from other presses; in 1923-24 one piece-worker has been placed on the permanent list.

PENSIONS TO PIECE-WORKERS IN THE CALCUTTA AND DELHI PRESSES.

314. **THE HONOURABLE MR. G. S. KHAFARDE:** Will Government state—

(a) the number of piece-workers in the Calcutta and Delhi presses, respectively, who have been given pensions during the years 1922-23 and 1923-24, respectively; and

(b) the number of men in the above presses, respectively, who have applied for pensions during the above periods, year by year?

THE HONOURABLE MR. A. H. LEY: The numbers are as follows:—

(a) In Calcutta, 12 in 1922-23 and 14 in 1923-24; in Delhi 8 in 1922-23 and 4 in 1923-24.

(b) In Calcutta, 14 in 1922-23 and 17 in 1923-24; in Delhi 8 in 1922-23 and 5 in 1923-24.

ANNUAL CLASSIFICATION OF THE PIECE-WORK ESTABLISHMENT IN THE CALCUTTA PRESS.

315. **THE HONOURABLE MR. G. S. KHAPARDE:** (a) Is it a fact that no annual classification of the piece-work establishment was carried out in the Government Press at Calcutta after the year 1922?

(b) If so, why?

(c) Is it also a fact that, as a result of the classification carried out in the year 1922 in the Calcutta press, piece-workers, who have merited promotion of over two classes, have not even been given a single class promotion, while those of the above men, whose earnings have shown decrease, have been degraded even from four to five classes?

(d) If to the above question the reply be in the affirmative, what action do Government propose to take in the case of piece-workers who, in spite of their increased return of earning, have not been given promotion?

THE HONOURABLE MR. A. H. LEY: (a) Yes.

(b) The question of reclassification is under reconsideration.

(c) 217 piece-workers were promoted, 90 men maintained their class and 36 were reduced. In only 4 cases were men reduced more than 2 classes. In addition to those included in the above figures a large number of men in the Binding Department were not advanced in class.

(d) No further action is proposed in respect of the 1922 classification, as Government are satisfied that the men received adequate remuneration.

BINDING DEPARTMENT OF THE CALCUTTA PRESS.

316. **THE HONOURABLE MR. G. S. KHAPARDE:** (a) Is it a fact that no waiting time is given to the men in the Binding Department of the Calcutta Press for the last one year?

(b) Was it a practice in the Binding Department of the Calcutta press that, for making up plates, plans, maps, diagrams, etc., the binders were paid according to hour work rates ?

(c) Is it a fact that, for the last five months, the above practice has now been discontinued and the binders are being paid at the rate of 2 pies per thousand ?

(d) If the reply to the above question be in the affirmative, will Government be pleased to state the reasons for the discontinuance of the former practice ?

THE HONOURABLE MR. A. H. LEY : (a) As there has been sufficient work to keep the men in the Binding Department fully employed, waiting time was allowed only in the case of breakdown of the machinery.

(b) Such work as inserting plates on guards, lining or folding maps has always been done on hour work.

(c) The practice has not been discontinued : in some cases, on account of excessive charges, the hour slips were cut down after a careful check, but in no case was payment made at the low rate suggested by the Honourable Member.

(d) This does not arise.

PIECE-WORKERS' COMMITTEE'S REPORT.

317. THE HONOURABLE MR. G. S. KHAPARDE : Will Government state whether all the recommendations of the Piece-workers' Committee's Report have been given effect to ?

THE HONOURABLE MR. A. H. LEY : The recommendations of the Piece-workers' Committee have been given effect to in full subject to the following provisos :—

(a) the distinction between permanent and temporary establishment has been abolished, only so far as to give temporary hands the same right to pensions as permanent hands,

(b) the proposal to condone 16 days' absence each year, with retrospective effect in calculating qualifying service for pension has not been accepted.

NAMES OF CONTRACTORS FOR PRINTING WORK.

318. THE HONOURABLE MR. G. S. KHAPARDE : (a) Will Government be pleased to give the names of contractors with whom Government have placed their printing orders ?

(b) What is the volume of printing work, estimated in terms of cost, that has been done each year during the period 1920 to 1924 in the Government presses at Calcutta, Simla and Delhi, respectively, and at the establishments of the contractors separately during the above period, year by year ?

THE HONOURABLE MR. A. H. LEY : (a) Messrs. Lal Chand and Sons, Calcutta and Messrs. Karim Baksh Brothers, Calcutta.

(b) The information required is contained in the following statement :—

Year.				Government Presses.	Contractors.
				Rs.	Rs.
1920-21	..	..	..	18,71,849	6,23,564
1921-22	..	..	..	22,60,455	8,03,672
1922-23	..	..	..	20,10,492	5,64,241

The figures for 1923-24 are not yet available, but payments to Contractors show a very large decrease.

COST OF MACHINERY PURCHASED FROM 1922 TO 1924.

319. THE HONOURABLE MR. G. S. KHAPARDE: Will Government state the amount, in terms of cost, of machinery that they have purchased during the period 1922, 1923 and 1924, year by year?

THE HONOURABLE MR. A. H. LEY:

In 1921-22	..	..	..	1 lakh	70 thousand rupees.
In 1922-23	..	..	..	1 lakh	9 thousand rupees.
In 1923-24	..	..	..	6 lakhs	92 thousand rupees.

NUMBER OF COMPOSITORS HOLDING THE POST OF SECTION-HOLDERS IN THE CALCUTTA AND DELHI PRESSES.

320. THE HONOURABLE MR. G. S. KHAPARDE: Will Government state the number of compositors, who have been given the post of section-holders in the Calcutta and Delhi presses, respectively, during the year 1923-24 in accordance with the recommendation of the Piece-workers' Committee's Report of 1922?

THE HONOURABLE MR. A. H. LEY: In the year 1923-24 no compositor could be given the post of section-holder in the Calcutta press as no vacancy occurred. In the Delhi press there were no permanent vacancies, but one compositor is now acting as a section-holder in a temporary vacancy.

IMPERIAL OR PROVINCIAL GOVERNMENTS' RULES GOVERNING INCIDENCE OF WATER RATE.

321. THE HONOURABLE SARDAR JOGENDRA SINGH: Are there any rules framed by the Imperial or Provincial Governments governing the incidence of water rate?

THE HONOURABLE MR. A. H. LEY: Presumably the Honourable Member refers to rules prescribing the basis on which water rates should be determined. No such rules have been laid down by the Government of India nor, so far as they are aware, by any Provincial Government.

THE HONOURABLE SARDAR JOGENDRA SINGH: Then on what lines are increases made if there are no rules?

THE HONOURABLE MR. A. H. LEY: That is a question which should be addressed to the Local Governments concerned. The Government of India are in no way concerned.

REPORTS OF THE COMMITTEES APPOINTED IN THE UNITED PROVINCES AND THE PUNJAB ON LAND REVENUE.

322. THE HONOURABLE SARDAR JOGENDRA SINGH : Have the Government of India received reports of the Committees appointed in the United Provinces and the Punjab on land revenue ? Is it within the province of the Local Governments concerned to deal with these reports ?

THE HONOURABLE SIR NARASIMHA SARMA : The Government of India have seen the reports of the Committees appointed by the Punjab and the United Provinces Governments. The two Local Governments are competent to deal with these reports subject to the general powers of direction, superintendence and control vested in the Governor General in Council in regard to reserved provincial subjects.

THE HONOURABLE SARDAR JOGENDRA SINGH : When the general supervision is reserved to the Governor General in Council, how is it that discussion on land revenue and water rates is refused in this Council ?

THE HONOURABLE SIR NARASIMHA SARMA : The question of the admission or non-admission of any particular subject or Resolution does not arise now in relation to this question.

NEW PENSION RULES FOR PROVINCIAL CIVIL SERVICE OFFICERS.

323. THE HONOURABLE LALA SUKHBIR SINHA : (a) Have the Government of India received the recommendations with regard to the new pension rules for Provincial Civil Service Officers, referred to at page 25 of the proceedings of the United Provinces Legislative Council, dated the 26th February 1924, Volume XVII, No. 1 ?

(b) If so, will they be pleased to state the approximate time by which the new pension rules are likely to be published ?

THE HONOURABLE MR. A. C. McWATTERS : (a) Yes.

(b) The rules are now under the consideration of the Secretary of State. It is not possible to say when they are likely to be published.

PRISONERS FROM INDIA SERVING THEIR SENTENCES IN ENGLAND.

324. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : (a) Would the Government please state whether any prisoners from India have been sent to England to serve their sentences ?

(b) If so, would the Government please state their names and the nature of their offences and sentences ?

(c) Would the Government please state under what law and authority prisoners are so sent from India to England ?

(d) Is there any Act applicable to India of the nature of the Colonial Prisoners Removal Act, and is it permissible to remove prisoners from India excepting to recognised penal settlements ?

THE HONOURABLE MR. J. CRERAR : Prisoners can be sent from India to serve their sentences in England under the Colonial Prisoners' Removal Act and the Army Act. So far as can be ascertained since the year

1910, only two prisoners have been so sent under the Colonial Prisoners' Removal Act. No record is available of the number of prisoners sent under the Army Act.

AMENDMENT OF THE RULES REGARDING ADDITIONAL OR SUPPLEMENTARY GRANTS.

325. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY :

(a) Would the Government please state the reasons for, and circumstances in, which amendment was made of the rules concerning Legislative Assembly and Provincial Legislative Councils regarding additional or supplementary grants ?

(b) Would the Government please state whether proposals for such amendment and the reasons therefor were laid before the Reforms Inquiry Committee ? If not, why not ?

(c) Would the Government please state whether the Law Officers of the Government in India and England (including the Advocate General of Bengal) were consulted about such amendment ? If so, when ?

(d) Would the Government please lay on the table the papers and correspondence relating to such amendment ?

THE HONOURABLE MR. J. CRERAR : (a) As the Honourable Member is doubtless aware a temporary injunction was granted by the Calcutta High Court on the 7th July against the President of the Bengal Legislative Council, including in that term the Deputy President and the Panel Chairman, restraining them from putting a motion relating to a supplementary grant before the Bengal Legislative Council pending the final determination of a suit which had been filed in that Court. In the course of his order directing the issue of the injunction Mr. Justice Ghosh held that the motion could not be presented to Council because of the provisions of rule 32 of the Bengal Legislative Council Rules. It will be remembered that the Joint Select Committee of Parliament in their remarks on clause 11 of the Bill of 1919 suggested that the Governor would be justified, if so advised by his Ministers, when a Council had altered the provision for a transferred subject in resubmitting a provision to the Council for a review of their former decision. The Joint Committee intimated that they did not apprehend that any statutory prescription to that effect was required. As stated by the Secretary of State in the House of Lords on the 21st July, 1924, the Government of India and the Secretary of State agreed in thinking that the rules referred to did not in fact preclude such a motion as was proposed to be moved by the Government of Bengal. In view, however, of the opinion expressed by the learned Judge of the Calcutta High Court and of the fact that the Government of India understood that a similar motion was proposed to be moved in the Bombay Legislative Council, which was due to meet on the 21st July, the Government of India considered that it was desirable *ex majore cautela* to amend the rule. They accordingly made the necessary recommendations in regard to the Indian Legislative Rules and the Legislative Council Rules of each province. Their recommendations were sanctioned by the Secretary of State in Council, and amendments to remove all doubts as to the meaning of the rules were made on the 19th July and published on the 21st July. I would merely add that Mr. Justice Ghosh in

directing the issue of the injunction concluded his order by expressing the opinion that the rules required revision in the light of the events in the case before him.

(b) The Reforms Inquiry Committee was not sitting at the time, and the proposals for the amendment and the reasons therefor were accordingly not laid before that Committee.

(c) The Government of India do not know whether the Law Officers of the Crown were consulted in England at the time. They did not themselves consult the Advocate General of Bengal.

(d) Government are not prepared to lay the correspondence on the table.

THE HONOURABLE MR. S. VEDAMURTI: Were these rules placed on the table of the House of Commons when they were brought into operation?

THE HONOURABLE MR. J. CRERAR: That is not a matter within my cognizance.

INDIANISATION OF THE SERVICES.

326. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY:

(a) Has the attention of the Government been drawn to the statement of the Right Honourable Viscount Peel in the House of Lords to the effect that "there was a great deal of opinion in India rather averse to making proper provision for the services, partly owing to the tendency to believe that complete Indianisation of the services might lead to their being placed on a more expensive basis"?

(b) Would the Government please state if any statements or despatches from the Government of India to His Lordship while Secretary of State for India afford justification or reason for such statement?

(c) If so, would the Government please lay such statements or despatches on the table?

THE HONOURABLE MR. J. CRERAR: The Government of India have seen a report of the statement referred to. So far as any inference can be drawn from a necessarily brief telegraphic summary, it would appear that Lord Peel had in mind the present public opinion in some quarters in India as expressed in the Legislature and the press and not any official documents addressed to him.

LORD OLIVIER'S STATEMENT IN THE HOUSE OF LORDS REGARDING REFORMS IN INDIA.

327. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY:

(a) Has the attention of the Governor General in Council been called to the statement of the Right Honourable Lord Olivier in the House of Lords that "His Majesty's Government recognised the only possibility that the result of the inquiry might impose on them was the duty of coming to a conclusion with regard to whether or not steps should be taken to re-examine the constitutional position. That would be the position only if it were proved to the satisfaction of the Government of India that there were certain defects or legitimate grounds

for complaint in the operation of the reforms that could not be redressed within the Act without some revision of its provisions " ?

(b) Do Government propose to make a representation to the Right Honourable the Secretary of State that such a pronouncement, before the Reforms Inquiry Committee completes its labours, is likely to prejudice them ?

THE HONOURABLE MR. J. CRERAR : (a) The Honourable Member has not quoted the Secretary of State correctly. What he said in his speech in the House of Lords on the 21st July was :—

" The proposal of the Swaraj Party in the Assembly, as I have quoted, was on the basis that they, the representatives of the Indian people, are entitled to draft and prescribe their own constitution and to have a round table conference for the purpose. A proposal that was mooted in the other house was that a Royal Commission should be sent out to investigate the constitutional situation. There may be other alternatives, but on none of those alternatives have His Majesty's Government come to any conclusion. They only recognise, and they cannot fail to recognise, that it is just possible that the result of this inquiry may impose upon them the duty of coming to such a conclusion—that is to say as to whether some steps should or should not be taken to re-examine the constitutional position. That will be the position if, and only if, it is proved to the satisfaction of the Government of India that there are certain defects, certain legitimate grounds for complaint in the operations of the Montagu-Chelmsford Reforms that cannot be redressed within the four corners of the Act without some revision of its provisions. That, I hope, is a satisfactory explanation of the position of His Majesty's Government. We are at present conducting a judicial inquiry in order that we may have evidence as to the operation of the Government of India Act. Until we have that evidence and the judgment of the Government of India upon it, we can come to no decision ourselves as to whether the Government of India Act is operating well or not and we cannot possibly come to any position as to what further steps shall be taken as a result of that inquiry."

(b) In view of the terms of the Secretary of State's announcement the question of making a representation to the Secretary of State in this connection does not arise.

REPORTS OF VARIOUS COMMITTEES APPOINTED BY LOCAL GOVERNMENTS TO EXAMINE THE LAND REVENUE QUESTION.

328. THE HONOURABLE SARDAR JOGENDRA SINGH : Will the Government lay on the table the reports of the various Committees appointed by Provincial Governments to examine the land revenue question ?

THE HONOURABLE SIR NARASIMHA SARMA : The Government of India have only received reports of the Committees appointed by the Governments of Madras, Punjab and the United Provinces. Copies of these reports will be placed in the Library for the convenience of Members.

THE HONOURABLE SARDAR JOGENDRA SINGH : Do these Committees recommend the revision of the standard and the extension of the period of settlement ?

THE HONOURABLE SIR NARASIMHA SARMA : Some of them do.

THE HONOURABLE SARDAR JOGENDRA SINGH : Is it within the province of the Provincial Governments to revise the standard or extend the period of settlement ?

THE HONOURABLE SIR NARASIMHA SARMA : There are rules governing the subject, and the Local Governments will have to consult the Government of India on the subject.

THE HONOURABLE SARDAR JOGENDRA SINGH : Is it within the province of the Provincial Governments to revise the rules ?

THE HONOURABLE SIR NARASIMHA SARMA : At present they would have to consult the Government of India.

THE HONOURABLE SARDAR JOGENDRA SINGH : Then the question can come before the Government of India for discussion in this Council ?

THE HONOURABLE SIR NARASIMHA SARMA : If raised in a proper form and at a suitable opportunity.

TENDERS FOR THE SUPPLY OF BRITISH PORTLAND CEMENT FOR THE SOUTH INDIAN RAILWAY.

329. THE HONOURABLE MR. LALUBHAI SAMALDAS : Will Government be pleased to state if they have noticed an advertisement of the South Indian Railway Company calling for tenders for the supply of British Portland cement in barrels, published in the *Indian Trade Journal*, dated the 10th July 1924, and, if so,—

(i) will they be pleased to say if they have made inquiries whether the Railway called for tenders from cement manufacturing companies in India ; and

(ii) if no tenders have been called for, what action do Government propose to take so that there may not be a repetition of incidents of this character as regards the purchase of railway and other stores ?

THE HONOURABLE MR. G. L. CORBETT : Government noticed the advertisement in question, and immediately wrote to the Railway Company concerned, and inquired why they had considered it necessary to specify British Portland cement. They ascertained that tenders from cement manufacturing companies in India were not called for, in the first place, because the engineers of the Railway prefer British cement, as in their experience it is more uniform in quality. The point here, of course, is whether Indian cement is sufficiently good for their purposes, and this point will be taken up with the Agent. Secondly, as regards Northern India cement, it is more expensive than British cement and in addition it is packed in bags instead of barrels. The result is that there is a risk of loss in transit ; and, moreover, cement is more apt to deteriorate in the damp climate of the South Indian area.

The Government of India are aware, of course, that many Departments of Government have found Indian cement to be sufficiently good for their purposes, and that is the very reason why they took up the matter with the South Indian Railway. They are inclined to think that the question of packing is one of great importance in connection with the extended use of Indian cement on Indian Railways, and this is a point on which the Tariff Board's report on the cement industry will no doubt throw considerable light.

EMPIRE PARLIAMENTARY ASSOCIATION.

330. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY :
(a) Would the Government be pleased to state whether any invitation or

communication was received by the Government regarding the Empire Parliamentary Association, and was there any representation thereon and delegation thereto by India ?

(b) Would the Government please also state whether there was any communication or representation by Government thereabout to the authorities in England or South Africa ?

(c) Would the Government please lay on the table the correspondence on the subject, if any ?

THE HONOURABLE MR. J. CRERAR: It is hoped that a delegation of the Empire Parliamentary Association will visit India during the ensuing cold weather and that the opportunity will then occur for arranging informal conferences between the delegation and Members of the two Houses of the Legislature to discuss the part to be taken by the Indian Legislature in the Association and other matters connected therewith.

SCARCITY OF SQUARE ONE-ANNA ENVELOPES AND STAMP BOOKLETS.

331. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: (a) Has the attention of the Government been called to the scarcity of square one-anna postal envelopes and one-anna stamp booklets and to the difficulty and inconvenience caused thereby to the public ?

(b) Would the Government please state the reasons for such scarcity ?

(c) Would the Government please state when and what steps will be taken to remove this difficulty and scarcity ?

(d) Would the Government please lay on the table figures showing the revenue from (i) postcards, (ii) one-anna stamps, and (iii) one-anna square envelopes for the last and the current year, month by month ?

THE HONOURABLE MR. A. H. LEY: (a) (b) and (c) Government are not aware that there is any such scarcity, nor has their attention been called to the matter otherwise than by the Honourable Member's question. They have however asked the Director General to look into the matter. •

(d) The information is not available. No separate account is kept of sales of the different kinds of postage stamps and postal stationery.

INDIAN TARIFF BOARD'S OBSERVATIONS *re* THE PENINSULAR LOCOMOTIVE COMPANY.

332. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: (a) Would the Government please state what consideration has been made and what action taken regarding the following observations of the Indian Tariff Board contained in its report (page 173, chapter 2, 3rd Report) that "The Peninsular Locomotive Company was not registered until more than two months after the Communiqué was published and, in these circumstances, part at least of the share capital was probably subscribed in view of the statements it contained. The Peninsular Locomotive Company is now placed in the unfortunate position that the demand for its products, which it was led to believe was certain, has ceased to exist. We recognise that the need for economy in Railway Administration is paramount, and that the Railway

authorities cannot be expected to purchase locomotives which they do not need. But the complete falsification of the forecast made by the Railway authorities little more than two years ago cannot but affect adversely the prospect of raising capital for Railway industries in India, and the position in which the Peninsular Locomotive Company has been placed deserves, and will no doubt receive, the special consideration of the Government of India”?

(b) If no consideration has been made and no action taken, would the Government please state when and what consideration will be made and what action will be taken?

(c) Would the Government please state if there has been any investigation regarding the locomotives industry since the date of the report of the Indian Tariff Board?

(d) Would the Government please state what number of locomotives has been ordered by the Bengal-Nagpur Railway since the date of the report of the Indian Tariff Board, and whether the number so ordered was included in or was partly in excess of 60, which the Government sometime ago indicated as the total requirements of all the Railways in India?

THE HONOURABLE MR. G. L. CORBETT: (a) and (b) The matter is under the active consideration of Government, but it is not possible immediately to make a statement on the subject.

(c) Government propose to make a further investigation, but I must warn the Honourable Member that it may take some time, since it will probably necessitate the deputation of an officer to England.

(d) The Bengal Nagpur Railway have ordered 37 locomotives since the report of the Indian Tariff Board was submitted. These 37 locomotives are not included among the 60 locomotives for which tenders were invited last November. The foot-note on page 346 of the Evidence, Volume III, accompanying the Tariff Board's report makes this clear.

IMPORT CERTIFICATES FOR OPIUM AND OTHER DRUGS.

333. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY: (a) Would the Government please state whether their attention has been drawn to the deliberations of the Geneva Consultative Committee of the League of Nations dealing with opium and other drugs, and its suggestion that Consular Agents should be authorised on receipt of telegraphic advice from their Government to deliver import certificates for opium and other drugs?

(b) Would the Government please state what action Government are taking or propose to take with regard to this suggestion?

(c) Would the Government please state whether early steps will be taken to discontinue opium sales in Calcutta and other centres of India, and whether the quantity of opium to be disposed of will be dealt with in the manner suggested in (a) above?

(d) Do the Government propose to take early steps for limiting the production of opium in India only for medicinal and scientific purposes?

THE HONOURABLE MR. A. C. MCWATTERS : (a) Yes.

(b) All exports of opium from India are already covered by import certificates supplied direct by the Governments of the importing countries, and it would make no difference to the severity of the régime if these certificates were received from the Consuls of the foreign countries concerned instead of from the Governments themselves. The action suggested would appear only to be necessary if foreign Governments request it for their own convenience.

(c) The Government do not propose to discontinue opium sales at an early date. The exportation of opium after sale, either by auction or by private treaty with foreign Governments, is strictly confined to the quantities for which import certificates have been presented by the Governments of the importing countries.

(d) With regard to the production of opium for export, the Government do not propose to reduce supplies of opium to foreign Governments which have adhered to the Hague Opium Convention and which comply with the conditions laid down under that Convention. If any foreign Government reduces its requirements, even to vanishing point, the Government of India will accept the decision regardless of the loss of revenue that will follow. As regards internal consumption, the problem is now mainly one for the Transferred Departments of Local Governments. The finding of the Royal Commission of 1893 was that it was neither possible nor desirable to restrict the use of opium in India to cases in which a qualified medical practitioner had recommended its administration.

DUTIES OF MAGISTRATES AS LAID DOWN BY THE RANGOON HIGH COURT.

334. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY :

(a) Has the attention of the Government been called to a Rangoon official notification "issued with the concurrence of the Judges of the High Court," warning Magistrates against the practice of absolving themselves from the duty of ascertaining the facts of cases and summoning additional witnesses ; and stating that Magistrates must remember that they are not in the position of a Judge who decides a case on the evidence as put before him and leaves it to the parties concerned to see that the evidence they produce is complete. The Magistrate's primary duty is the ascertainment of the facts and the punishment of the guilty if they warrant it, whether the case is being prosecuted by the Court prosecuting officer or not ?

(b) Would the Government please state if the Governor General in Council has any concern with or authority over this matter ?

(c) If they have such concern or authority, would the Government please state whether they propose to take any action with regard to such notification ?

(d) Would the Government please state the legal authority for such notification ?

THE HONOURABLE MR. J. CRERAR : The Government of India have traced the circular of the Burma Government to which the Honourable Member refers. The main object of the circular appears to be that of distinguishing between the functions of police officers appointed by Government

as Court prosecuting officers and the trying Magistrates in the prosecution of cases. In such matters, the Government of India have a general power of superintendence over Local Governments, but they would normally not interfere with the Local Government's discretion. The actual circular appears to be of a type which might have been issued by a Ministry of Justice in any country.

SEPARATION OF EXECUTIVE AND JUDICIAL FUNCTIONS IN PROVINCES.

335. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state what steps have been taken, so far, for separation of executive and judicial functions in various provinces ?

THE HONOURABLE MR. J. CRERAR :—The Honourable Member is referred to the answer given to Mr. Gaya Prasad Singh's unstarred questions Nos. 78—80 in the Legislative Assembly on the 11th February 1924. No action has so far been taken, and the final views of the Government of Madras on their scheme are still awaited.

GRANT OF A LOAN FOR THE DEVELOPMENT OF THE PORT OF CHITTAGONG.

336. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : (a) Has the attention of the Government been called to the following statement in the Administration Report of the Port Commissioners of Calcutta and Chittagong :—

“ The proposal for a loan of say Rs. 50 lakhs by the Government of India through the Local Government to the Port Commissioners for the purchase of a powerful dredger and the construction of a slip way for the development of the port is under the consideration of the Government ”?

(b) Would the Government please state when this proposal for the loan was first made and what effect has been given to the proposal ?

(c) If no effect was given to the proposal, would the Government please state if effect will be given to it and, if so, when and to what extent ?

THE HONOURABLE MR. G. L. CORBETT : (a) The Government of India have not yet received the Administration Report of the Port Commissioners ; but they have seen the statement in the Press to which the Honourable Member refers.

(b) and (c) The offer of a loan of Rs. 50 lakhs by the Government of India to the Bengal Government for the development of the Chittagong Port was made in May 1923. The exact terms of the loan, however, have not yet been finally agreed to.

VIZAGAPATAM AND COCHIN HARBOUR SCHEMES.

337. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state what progress has been made with regard to—

(i) the Vizagapatam Harbour Scheme ; and

(ii) the Cochin Harbour Scheme ?

THE HONOURABLE MR. G. L. CORBETT : (i) Estimates of the cost of construction have been prepared by the Bengal Nagpur Railway authorities, and are under consideration by Government.

(ii) The Cochin Harbour Scheme was recently referred to an expert Committee of Harbour Engineers in England who, as we have been informed by telegraph, have just submitted a favourable report. The receipt of this report is awaited.

TRAINING OF INDIANS IN OCEANOGRAPHY AND ALLIED SUBJECTS.

338. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state whether steps are being taken or will be taken for training Indians in oceanography and allied subjects ?

THE HONOURABLE MR. G. L. CORBETT : Government are considering what steps should be taken to train Indians as officers for the mercantile marine. The curriculum recommended by the recent Indian Mercantile Marine Committee is a sound, general and mathematical education, together with education in the practice and art of navigation and seamanship. The Government of India do not see what useful purpose would be served by training Indians in oceanography.

UNIVERSITY FOR RAJPUTANA.

339. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state what, if any, progress has been made with regard to the establishment of a University for Rajputana ?

THE HONOURABLE MR. J. P. THOMPSON : The scheme is under consideration locally. A meeting was held at Mount Abu on the 20th June 1924. The general sense of the meeting was that it would be premature to proceed with the scheme until the possibilities of affiliation with Delhi or Agra had been further explored. The Honourable the Agent to the Governor General in Rajputana is in communication with the Delhi University authorities and also with the United Provinces Committee regarding the Agra scheme.

RECOMMENDATIONS OF THE INDIAN MERCANTILE MARINE COMMITTEE.

340. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : (a) Would the Government please state what steps have been taken for giving effect to the recommendations of the Indian Mercantile Marine Committee of 1923-1924 ?

(b) If no steps have been taken, would the Government please state what steps are proposed to be taken and when ?

THE HONOURABLE MR. G. L. CORBETT : The recommendations of the Indian Mercantile Marine Committee are still under the consideration of the Government of India, and, until a decision has been reached, it is not possible to say what action will be taken or when.

INDIAN FISCAL COMMISSION'S RECOMMENDATION *re* ABOLITION OF THE COTTON EXCISE DUTY.

341. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state what action has been taken by the Government or is proposed to be taken and when, regarding the recommendations

of the Indian Fiscal Commission about the abolition of excise cotton duty, as contained in paragraphs 169 and 170 (pages 97 and 98 of the Fiscal Commission's Report) ?

THE HONOURABLE MR. G. L. CORBETT : The Government considered the recommendations of the Fiscal Commission in this matter, and decided that for financial reasons the immediate abolition of the cotton excise duty was not a practical proposition. The question was raised in a Resolution moved in the Legislative Assembly last March, but the Assembly refused to discuss it. There the matter rests.

KENYA QUESTIONS.

342. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Would the Government please state what action the Government propose to take regarding the pronouncement of the Right Honourable the Secretary of State for the Colonies about the Kenya questions ?

THE HONOURABLE SIR NARASIMHA SARMA : The Government of India will avail themselves of a suitable opportunity to make further representations. In this connection, Sir, I would, with your permission, like, on behalf of His Excellency the Viceroy, the Government and myself to express our high appreciation of the work of the Colonies Committee which the Government of India appointed last March. The Committee had a delicate and difficult mission and have discharged it with great credit to themselves and advantage to Government.

PUBLICATION OF THE CORRESPONDENCE RELATING TO KENYA.

343. THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI : (a) Will the Government of India now publish, wholly or in part, the correspondence relating to the Kenya question after obtaining, if necessary, the consent of the authorities concerned ?

(b) What action, if any, do Government propose to take to watch the interests of India and her nationals in so far as they may be affected, although indirectly and by implication, by the inquiries of the various Committees and Commissions recently announced by the Colonial Secretary in respect of East Africa and other territories ?

(c) What further steps, if any, are contemplated to secure a modification of the existing state of things in Kenya with regard to (i) the franchise, (ii) the highlands, and (iii) the admission of duly qualified Indians to the higher ranks of the public service ?

THE HONOURABLE SIR NARASIMHA SARMA : (a) The Right Honourable gentleman is referred to the statement made by me in this House on the 10th March 1924 in reply to a Resolution moved by him on behalf of the Honourable Mr. Natesan. The Government of India feel that the Kenya question is still a live issue, and that it would not be possible just at present to obtain the consent of all the parties concerned to the publication of the correspondence ; but the Right Honourable Member's suggestion will be taken into consideration.

(b) The Government of India are in communication with the Secretary of State for India on the subject.

(c) The Right Honourable Member's attention is invited to the answer given by me to the Honourable Dr. Sir Deva Prasad Sarvadhikary's question No. 342.

THE HONOURABLE MR. S. VEDAMURTI : Is it a fact, Sir, that at the opening of the Legislative Council in Kenya on Wednesday, August 20th, the Council Chamber segregated the Indian reporters ?

THE HONOURABLE SIR NARASIMHA SARMA : I have no information on the subject.

NON-APPOINTMENT OF AN INDIAN TO BE THE LEADER OF THE INDIAN DELEGATION TO THE ASSEMBLY OF THE LEAGUE OF NATIONS.

344. THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI : (a) With reference to the reply by the Honourable the Law Member to the Resolution moved in the Council of State on the 10th March 1924 by the Honourable Mr. Phiroze C. Sethna, will Government state why an Indian was not appointed to be the leader of the Indian delegation to the Assembly of the League of Nations for this year's session ?

(b) Was the reason for the non-appointment of an Indian the fact that Government considered that certain subjects to be discussed at Geneva were subjects on which their views could not be properly expounded or defended by a delegation of which the leader was an Indian ? If so, what were those subjects ?

(c) Will Government state whether the suggestion to appoint Lord Hardinge to the Geneva Assembly originated from the Secretariat here or from the India Office at Whitehall ?

(d) If the latter, was the Secretary of State, before he made his decision, placed in possession of the proceedings of the Council of State on the resolution moved by the Honourable Mr. Phiroze C. Sethna ?

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI : (a) From the answer given in the House of Commons by the Under Secretary of State for India to Mr. Mackinder's question No. 56, dated the 21st July, 1924, a copy of which is placed on the table, the Right Honourable Member will observe that the Secretary of State decided, after the most careful consideration, to appoint Lord Hardinge as leader of the Indian delegation. Every consideration was given to the assurance conveyed on behalf of Government in the debate to which the Right Honourable Member refers, before this decision was reached.

(b) The consideration suggested was not one of those on which the decision was based.

(c) Government have no information.

(d) Yes.

Question No. 56, dated 21st July 1924.

MR. MACKINDER : To ask the Under Secretary of State for India, whether his attention has been drawn to the assurance given by Sir Mian Muhammad Shafi, Legal Member of the Council of the Governor General of India, on 10th March 1924, that the proposal that an Indian of suitable rank and qualifications to be leader of the delegation representative of India at the assembly of the League of Nations would receive the most

careful consideration of the Government of India when the time for appointment comes ; whether this consideration has been given ; and what are the reasons why an Indian has not been appointed.

Answer to Mr. Mackinder's Question No. 56, dated 21st July 1924.

The answer to the first part of the question is in the affirmative. After the most careful consideration my Noble Friend, in agreement with the Government of India, decided to appoint Lord Hardinge as leader of the Indian delegation.

INDIA'S REPRESENTATIVES AT THE CONFERENCE *re* FUTURE DOMINION REPRESENTATION.

345. THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI : Who will be the representative or representatives of the Government of India at the Conference, which will be held in London in October next, as recently announced by the Colonial Secretary, to consider the points as to future Dominion representation raised by the Government of Canada ?

THE HONOURABLE MR. J. CRERAR : The Government of India understand that the question of the holding of the Conference referred to by the Right Honourable Member is still under the consideration of His Majesty's Government.

INDIANIZATION OF THE ESTABLISHMENTS UNDER THE CONTROL OF THE HIGH COMMISSIONER FOR INDIA.

346. THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI : (a) Will Government kindly furnish a statement, with reference to the office of the High Commissioner for India and the departments under him, showing the number of European and the number of Indian officials drawing salaries —

(i) of £500 a year and above ;

(ii) of £250 a year and above, but below £500 ; and

(iii) of £100 a year and above, but below £250 ?

(b) Are there any rules or instructions for the guidance of the High Commissioner in filling up vacancies in the establishments under him, such, for instance, as that he should advertise them in India as well as in England or that he should apply to the appropriate departments in India for the loan or transfer of suitable officers before recruiting in England ?

(c) If not, will Government make such rules or issue such instructions as will bring about the progressive Indianization of the establishments ?

THE HONOURABLE MR. G. L. CORBETT : (a) The following statement gives the information required. It is based on the list of the establishment of the High Commissioner on the 1st October 1923 :—

			No. of officials drawing £500 a year and above.	No. of officials drawing £250 a year and above but below £500.	No. of officials drawing £100 a year and above, but below £250.
Europeans	..	..	31	76	204
Indians	..	..	1	4	9
TOTAL	..	..	32	80	213

(b) No.

(c) I think the Right Honourable Member is sufficiently familiar with conditions in England to realise that the High Commissioner's establishment could not at present be Indianised without greatly increasing the cost of the office. Suitable Indians would not ordinarily be willing to accept appointments in England on the pay which is sufficient for Europeans. There are however, a certain number of Indians already in England who are content with European rates of pay, and it is understood that it is the practice of the High Commissioner to appoint such Indians to fill vacancies in his office when possible.

SUTLEJ VALLEY CANALS PROJECT.

347. THE HONOURABLE SARDAR JOGENDRA SINGH: Will the Government be pleased to lay on the table the Sutlej Valley Project and the scheme to colonize the Crown lands?

THE HONOURABLE MR. A. C. MCWATTERS: Numerous alterations have proved necessary in the original project estimate of the Sutlej Valley Canals Project, and a revised estimate of the scheme as it will actually be constructed is now under preparation by the Government of the Punjab. The same remark applies to the scheme for the colonization of the Crown lands under the project, fresh proposals for which are now being formulated. The question of laying these papers on the table will be considered when they are received from the Local Government.

CIRCULATION OF RUPEES AND RUPEE CURRENCY NOTES.

348. THE HONOURABLE SARDAR JOGENDRA SINGH: Will the Government be pleased to give the amount of rupees and rupee currency notes in circulation on the 1st of January 1924 and on 1st of June 1924, and also on 1st of January 1920?

THE HONOURABLE MR. A. C. MCWATTERS: As regards the amount of rupees in circulation, I would invite the Honourable Member's attention to paragraph 24 of the Report on the operations of the Currency Department for 1921-22. No later calculations have been made. As regards rupee currency notes, if the Honourable Member means one-rupee notes, he will find the figures for the 31st March 1920, 1921 and 1922 in Statement XVII of that Report and for 31st March 1923 in the similar Report for 1922-23. If he means our Currency notes generally, he will find the figures required in the weekly abstracts of the accounts of the Currency Department published in the Gazette of India.

THE HONOURABLE SARDAR JOGENDRA SINGH: Have the Government decided on the cancellation of the rupee notes without making any calculation as to the circulation of silver rupees and the rupee notes in the country?

THE HONOURABLE MR. A. C. MCWATTERS: I am not quite sure if I have understood the question.

THE HONOURABLE SARDAR JOGENDRA SINGH: I read in the Notification the other day that the rupee notes will be cancelled. If they are being cancelled, have the Government decided to cancel them without calculating the amount of silver rupees.

THE HONOURABLE MR. A. C. MCWATTERS : The Honourable Member is under a misapprehension. He is referring to the Communiqué which was published the other day stating that the contract for one rupee notes has come to an end. There is no question of calling in notes already in circulation. They will gradually disappear in course of time.

THE HONOURABLE SARDAR JOGENDRA SINGH : Then no further one rupee notes have been printed ?

THE HONOURABLE MR. A. C. MCWATTERS : No further one rupee notes are being printed.

THE HONOURABLE SARDAR JOGENDRA SINGH : In that case, are Government going to coin fresh rupees ?

THE HONOURABLE MR. A. C. MCWATTERS : The Government will have no difficulty in supplying silver coin from stocks already in hand.

THE HONOURABLE SARDAR JOGENDRA SINGH : Would it mean any deflation of currency ?

THE HONOURABLE MR. A. C. MCWATTERS : No, Sir.

ABSORPTION AND HOARDING OF CURRENCY.

349. THE HONOURABLE SARDAR JOGENDRA SINGH : (a) Is natural absorption and hoarding of the currency in progress ?

(b) Has there been a decrease in the currency ? If so, how has it been met ?

THE HONOURABLE MR. A. C. MCWATTERS : (a) and (b). The Government have no information. But quite apart from the question of any actual decrease in circulation, the Government have tried to meet the stringency in the money market by the issue of currency from the Paper Currency Reserve in India against deposit of sterling in the Reserve in London (*see* paragraph 60 of the Honourable Finance Member's Budget Speech in the Legislative Assembly on the 29th February 1924) and also by the issue of emergency currency under section 20 of the Indian Paper Currency Act, 1923.

THE HONOURABLE SARDAR JOGENDRA SINGH : As a layman, I only wanted to inquire and ascertain if the currency has really decreased within this period and to that I have got no answer.

THE HONOURABLE MR. A. C. MCWATTERS : No absolutely definite answer can be given. I think the answer is in the affirmative ; but no exact figures are available.

THE HONOURABLE SARDAR JOGENDRA SINGH : In any case, the Finance Department must be in a position to know if the currency has really decreased within these years ; and, if so, to what extent. It is a very important question, Sir, and it is on this that the price of everything is based.

(No answer was given.)

THE HONOURABLE SARDAR JOGENDRA SINGH : Is there no answer to my supplementary question, Sir ?

THE HONOURABLE MR. A. C. MCWATTERS : The remarks of the Honourable Member did not appear to be in the form of a question.

THE HONOURABLE THE PRESIDENT : The Honourable Member's previous remarks were not in the form of a question.

THE HONOURABLE SARDAR JOGENDRA SINGH : Then I would put my remarks in a better form. What I wish to ascertain is this. Has there been any decrease in the currency within these years? If so, to what extent? A definite answer to that question is required.

THE HONOURABLE MR. A. C. MCWATTERS : I have already answered that question by saying that it is, I think, the case that there has been some decrease from the highest point. The exact amount, however, cannot be ascertained.

TIGHTNESS OF THE MONEY MARKET IN THE WHEAT SEASON.

350. THE HONOURABLE SARDAR JOGENDRA SINGH : (a) Was there tightness of the money market in the wheat season?

(b) What was the Bank rate during the wheat season?

(c) How do the Government propose to meet the demand for money in the coming cotton season and to keep the Bank rate down?

THE HONOURABLE MR. A. C. MCWATTERS : (a) The reply is in the affirmative.

(b) I would refer the Honourable Member to the weekly statements of the affairs of the Imperial Bank of India which are published in the Gazette of India.

(c) The Honourable Member will no doubt have seen the Government's recent reply to the representation by the Bengal Chamber of Commerce. The adoption of measures other than those cited will continue to receive the careful consideration of the Government.

INCLUSION OF REPRESENTATIVES OF AGRICULTURISTS AS GOVERNORS OF THE IMPERIAL BANK.

351. THE HONOURABLE SARDAR JOGENDRA SINGH : Do the persons nominated by the Governor General in Council as Governors of the Imperial Bank under Section 28 (1) (iii) of the Imperial Bank of India Act include any representative of agriculturists?

THE HONOURABLE MR. A. C. MCWATTERS : None of the present nominated Governors have been appointed specifically as representatives of the agriculturists.

THE HONOURABLE SARDAR JOGENDRA SINGH : Will the Government consider the desirability of such a nomination?

THE HONOURABLE MR. A. C. MCWATTERS : Yes, Sir.

PROHIBITION OF THE EXPORT OF WHEAT.

352. THE HONOURABLE LALA SUKHBIR SINHA : (i) Will the Government be pleased to state—

(a) when the embargo on the export of wheat was removed;

(b) since then how much wheat has been exported every year ; and

(c) to what countries is wheat exported nowadays and by what firms ?

(ii) Do Government propose to prohibit the export of wheat as was done before ?

THE HONOURABLE SIR NARASIMHA SARMA : (i) (a) On the 28th September 1922.

(b) The exports of wheat during the period October 1922 to March 1923 and for the whole of the year 1923-24 were 218,779 tons and 638,252 tons, respectively.

(c) All the information available regarding the countries to which wheat is exported is contained in the published Accounts relating to the Sea-borne Trade of British India. Copies of this publication are in the Library and the Honourable Member is referred to them. The Government have no reliable information as to what firms export wheat. The Government are making inquiries to obtain accurate information as to what firms have been exporting wheat.

INDIGENOUS SYSTEM OF MEDICINES.

353. THE HONOURABLE LALA SUKHBIR SINHA : (a) Is it a fact that the Madras and Bengal Governments have appointed committees on the indigenous system of medicines, and that they are making inquiries, but that the Bombay, United Provinces, Punjab and other Local Governments have not done so ?

(b) Do Government propose to draw their attention to this matter and to recommend to Governments, who have not taken action, to appoint similar committees without any further delay ?

THE HONOURABLE SIR NARASIMHA SARMA : (a) The Government of India understand that the Governments of Madras and Bengal have appointed such Committees, but have no information regarding other Provinces.

(b) Medical Administration is a Provincial Transferred subject and the matter is one which primarily concerns Local Governments. The Government of India do not, therefore, feel that their intervention is called for.

RAILWAY CONCESSION RETURN TICKETS.

354. THE HONOURABLE LALA SUKHBIR SINHA : Will Government be pleased to state on what railways concession return tickets have been re-introduced, and whether, and if so, from what date, this will be done on other railways ?

THE HONOURABLE MR. G. L. CORBETT : Concession return tickets have been or are now being introduced on the Assam-Bengal, Bengal Nagpur, Bombay, Baroda and Central India, Burma, Eastern Bengal, East Indian, Great Indian Peninsula, H. E. H. the Nizam's Guaranteed State, Jodhpur-Bikaner, Madras and Southern Mahratta, North-Western and Oudh and Rohilkhand Railways. This is a matter within the competence of Railway Administrations, and Government are not in a position to say from what date such concessions will be introduced on other railways.

REDUCTION OF TELEGRAPHIC RATES TO THE PRE-WAR LEVEL.

355. THE HONOURABLE LALA SUKHBIR SINHA : Are telegraphic rates going to be reduced to what they were before the war ? If so, when ?

THE HONOURABLE MR. A. H. LEY : There is no immediate intention of reducing the rates, nor am I able to say when this is likely to happen.

DEATHS OF NAWAB MUHAMMAD ABDUL MAJID AND KHAN
BAHADUR USMAN SAHIB BAHADUR.

THE HONOURABLE THE PRESIDENT : Before we proceed with the business of the day I should like to refer to the loss the Council has sustained since we last met through the deaths of Nawab Muhammad Abdul Majid and Khan Bahadur Usman Sahib Bahadur. The Nawab was a very old Member of the Indian Legislature and had been a Member of this Council from its inception. Owing to recurring ill-health he had been unable to attend the meetings of the Council recently ; but, none the less, we all feel his loss. The case of Khan Bahadur Usman Sahib Bahadur is a pathetic one. He joined this Council in place of his cousin, Sir Ahmedthamby Maricair, in June last. He served the Council during those few sittings and, on his way back home, had an attack of sun-stroke, and died in the train at Jhansi. I am sure the Council will wish me to express their sympathy with the relatives of our late Colleagues.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member) : Sir, as Leader of the House, I rise to associate my Honourable Colleagues and myself with the regret which has been expressed by you at the sad death of our two Honourable Colleagues. My friend, the late Nawab Abdul Majid, was one of the leading landholders of the province of Agra, was a prominent figure in Muslim public life in the days when the Minto-Morley Reforms were under discussion and was elected a member of the first Minto-Morley Reform Council. He had in those days done most useful work in the old Imperial Legislative Council in which I had the honour of being one of his colleagues. On the introduction of the Chelmsford-Montagu Reforms, when this Council of State came into existence, he was elected a Member from the United Provinces of Agra and Oudh to this Council. Latterly, as you have observed, Sir, he was in failing health and in consequence was unable to attend the meetings of this House. I am sure we all mourn his loss and it would be in the fitness of things for you, Sir, as the President of the Council of State, to communicate our sincere sympathy to his bereaved family.

As you observed, Khan Bahadur Usman Sahib Bahadur was only very recently elected a Member of this House in the place of his cousin, Sir Ahmedthamby Maricair, who was a prominent figure amongst us. Khan Bahadur Usman Sahib Bahadur was a member of the Madras Provincial Civil Service and by reason of faithful and conscientious discharge of his duties as a member of that service, he rose to the position, I believe, of a Deputy Commissioner in the Madras Presidency at the time of his retirement and was soon after elected as a Member of this House.

We all sincerely regret his untimely death under the tragic circumstances described by you, and it would be in the fitness of things in his case as well to communicate the sympathy of this House to the members of his family.

THE HONOURABLE MR. YAMIN KHAN (United Provinces West : Muhammadan) : Sir, I associate myself with every word that has been said by my Honourable friend Sir Mian Muhammad Shafi about the two gentlemen who have departed from this world. I specially associate myself with the feelings which have been expressed by Sir Muhammad Shafi about the loss which has been caused to this House and to the Province which I have the honour to represent by the sad death of the late Nawab Abdul Majid. He had been a very prominent figure in our Provinces for a considerable period of time. He was a prominent barrister; he was, as a matter of fact, the oldest barrister in the United Provinces and he entered politics at a time when very few people thought of taking to politics. His views had always been very sober and he was very well respected among the intelligentsia of the Provinces and outside. By his loss his duties in this Chamber have devolved on me, and therefore I have to express my views specially about that loss. I assure this House he is mourned not only in this House but everybody in the Provinces is feeling his great loss as a personal loss to themselves in politics. With these few words I associate myself with the references that have been made to the departed gentlemen.

THE HONOURABLE SARDAR JOGENDRA SINGH (Punjab : Sikh) : I wish to associate myself with what my friends have said. Nawab Abdul Majid was an old friend and colleague of mine, a well known landlord and barrister. His activities in many directions were very beneficent and though in later days we did not see him much in this Council his influence was there, and he was always a steadying influence in the country. I am quite sure that the Hindus and the Muhammadans in the United Provinces and the *taluqdars* of Oudh mourn his loss deeply, and I wish to support this motion that the sympathy of this Council may be conveyed to his family.

THE HONOURABLE THE PRESIDENT : The House may rest assured that I shall convey to the relatives of our deceased colleagues an expression of the Council's sympathy.

BILLS ASSENTED TO BY H. E. THE VICEROY.

SECRETARY OF THE COUNCIL : Sir, information has been received that His Excellency has been pleased to grant his assent to the following Bills, namely :—

The Indian Soldiers Litigation (Amendment) Act, 1924.

The Indian (Specified Instruments) Stamp Amendment Act, 1924.

The Steel Industry (Protection) Act, 1924.

ELECTION OF MEMBERS OF THE LEGISLATURE TO SERVE ON THE COMMITTEE TO CONSIDER THE FLOW OF CAPITAL INTO INDIA FROM EXTERNAL SOURCES.

THE HONOURABLE MR. A. C. McWATTERS (Finance Secretary) : With your permission, Sir, I have a statement to make to the House. In pursuance of the promise which was made by the Honourable the Commerce Member in the other House when the Steel Industry (Protection) Bill was under discussion, the Government have decided to appoint a Committee to consider the question of the flow of capital into India from external sources. Honourable Members are probably aware that when what is now section 5 of the Act was under discussion various suggestions were made as to restrictions which should or should not be imposed upon capital other than Indian capital. The Honourable Sir Charles Innes in accepting clause 5, now section 5 of the Act, which carries out the policy which the Government had accepted as a result of the Indian Fiscal Commission, promised that the further questions which had been raised in discussion regarding foreign capital would be considered by a committee, and he further promised that the members of the committee who would be appointed from the other House should be elected by that House. Honourable Members will observe that the terms of reference to the Committee, while including the particular matters discussed in the other House, are framed in more general terms. The proposal of Government is that this Committee should be presided over by the Honourable the Finance Member, that the Honourable the Commerce Member should also be a member of it, that there should be four members elected by the other House and three members from this House. I think it is probable that the Members of this House will also wish to elect from their number the members to be appointed to this Committee, and therefore I propose, if the House is agreeable to this suggestion, that arrangements should be made for the election of three Members from this House to serve on the Committee.

THE HONOURABLE THE PRESIDENT : I take it that the Council will gladly avail themselves of the invitation of the Government to elect their three Members.

(The Members assented.)

In that case the names of candidates should be sent in by 3 P.M. on Saturday next. I will then deal with the matter on Monday when we meet again.

INDIAN SOLDIERS (LITIGATION) BILL.

THE HONOURABLE MR. J. CRERAR (Home Secretary) : I move for leave to introduce a Bill to consolidate and amend the law to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under special conditions.

It will be within the recollection of the House that last May when I submitted to the House proposals to amend section 11 of the Act, I intimated that Government had in contemplation a somewhat wider consolidating and amending measure. It is this measure which I now ask for leave to introduce, and I shall do so in a very few words. The object of this Bill is to reaffirm, to render more effective and in some respects to extend the principle of the existing legislation. The principle of that legislation is that Indian soldiers

serving under military conditions which preclude them, owing to prolonged absence from their homes which their service entails, from taking adequate measures to safeguard their civil interests in property and other matters should be in this respect protected. I think the House will have no difficulty in agreeing with me that it is incumbent upon all citizens, and more particularly upon the Legislatures, to see that their fellow-citizens who voluntarily undertake that high and responsible service should not suffer any detriment in consequence.

That is the simple principle of the Bill. It is the principle of the existing legislation and it is to give further effect to that principle that this Bill is designed. I will merely add a few general remarks upon the principal provisions of the Bill.

As Honourable Members will note, from the Statement of Objects and Reasons, the necessity of making some provision for the protection of Indian soldiers first arose in a very acute and very intense form during the course of the late war, and an Ordinance was passed to grant them some measure of protection. But these disabilities though they, as I have observed, emerged in a very intense form during the war, had been the cause of long-standing complaint, and it is with the object of applying a more complete remedy that this Bill has been designed. The first therefore and the most salient provision of the Bill is that war conditions, the conditions of service, now provided for in the Act, receive a considerable extension. But there is no real modification in the principle. The principle is that if a soldier by reason of his military service is precluded from taking measures that any other citizen is at liberty to take to defend his own interests he should in that respect receive protection. It is therefore immaterial from that point of view whether the soldier is actually serving in a campaign or whether he is serving overseas or in other conditions which preclude him from exercising the normal and natural rights of a citizen. That is the object of this extension.

There are one or two limitations imposed upon this protection in order not unduly to impinge upon the rights of the public. The House will observe that in the case of a pre-emption suit discretion is vested in the Court. Discretion is also vested in the Court in the case of the Indian soldier who is a *pro forma* defendant, or in cases where his interests can be adequately and substantially protected by other parties to the suit or proceeding.

I do not think I need add anything to that brief statement. I regret that I have not the support which I am sure I should otherwise have had from the presence of His Excellency the Commander-in-Chief and my Honourable and gallant friend, Sir Umar Hayat Khan. But in spite of my not being at present supported by their powerful advocacy, I am confident that I can leave the principle of this measure to the approval and sympathy of the House.

THE HONOURABLE THE PRESIDENT : The question is :

“ That leave be given to introduce a Bill to consolidate and amend the law to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under special conditions.”

The motion was adopted.

THE HONOURABLE MR. J. CRERAR : Sir, I introduce the Bill.

PROVIDENT FUNDS BILL.

THE HONOURABLE MR. J. CRERAR : (Home Secretary) : Mr. President, I move for leave to introduce a Bill to amend and consolidate the law relating to Government and other Provident Funds.

The general object of this Bill is to make more effective the purpose of the existing Act, and with that purpose I am sure the House will fully and warmly sympathise. One of the primary objects of the formation of a Provident Fund is of course to encourage thrift and, in particular, to secure that the family and dependants of deceased employees of Government and of Railway Administrations shall not be left destitute, and shall so far as possible receive a competence. I am sure, as I say, that that principle will have the full sympathy of the House, and it is mainly to give fuller effect to that principle that this Bill is designed. The House will observe that the principal provisions of the Bill are to confer, with certain limitations, upon dependants as defined in the Bill the same privileges as now are granted to the wives and children of deceased depositors. The deposit to the credit of a deceased depositor under the existing law now vests in his widow or children that survive him : that is to say, the money forms no part of his estate and immediately on his demise vests absolutely in his widow or his children. The first object of the Bill therefore is to give to the dependants as defined in the Bill the same privilege except that, in respect of assignments which may have been made before the commencement of the Act, the interests of third parties are protected.

Another important provision of the Bill is to facilitate the disbursement of amounts not exceeding Rs. 5,000. The House will readily recognise that, in the event of the decease of a depositor in one of these Provident Funds, it is frequently of the utmost importance that the money to his credit should be made immediately available for his dependants or nominees. It not infrequently happens that, owing to the delay involved in obtaining probate, letters of administration, succession certificates and the like, very acute distress is caused to his dependants. Within the limit therefore of Rs. 5,000 the Act is designed to expedite the disbursement of moneys.

Another important provision is that when nominations have once been made by a depositor they cannot be varied by testamentary dispositions or otherwise : that is to say, if the depositor desires to change his nominee he must do so specifically by varying his nomination. That again is designed mainly to prevent delay and disputes at the stage where the money at the credit of a depositor is due to be disbursed.

With these few remarks I commend this measure to the House.

THE HONOURABLE THE PRESIDENT : The question is :

“ That leave be given to introduce a Bill to amend and consolidate the law relating to Government and other Provident Funds.”

The motion was adopted.

THE HONOURABLE MR. J. CRERAR : Sir, I introduce the Bill.

INDIAN MOTOR VEHICLES (AMENDMENT) BILL.

THE HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I move for leave to introduce a Bill further to amend the Indian Motor Vehicles Act, 1914, for certain purposes.

The object of this small measure is so fully explained in the Statement of Objects and Reasons that I do not think that at this stage I need add anything. I move for leave to introduce the Bill.

THE HONOURABLE THE PRESIDENT: The question is:

"That leave be given to introduce a Bill further to amend the Indian Motor Vehicles Act, 1914, for certain purposes."

The motion was adopted.

THE HONOURABLE MR. J. CRERAR: Sir, I introduce the Bill.

OBSCENE PUBLICATIONS BILL.

THE HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I move for leave to introduce a Bill to give effect to certain articles of the International Convention for the Suppression of the Circulation of, and Traffic in, Obscene Publications.

It will be within the recollection of the House that last March I moved a Resolution inviting the Council of State to recommend to the Governor General in Council that India should ratify the International Convention for the Suppression of the Circulation of, and Traffic in, Obscene Publications. The House will remember that I pointed out that, as a consequence of that ratification, if it took effect, it would be incumbent on the Government of India to propose certain legislation. Our law in the matter was for most purposes and in most respects adequate to the requirements of the Convention, but there were one or two points in which it fell somewhat short. Those points are contained in Articles 1 and 5 of the Convention. Article 1 makes it incumbent upon us to extend the provisions of sections 292 and 293 of the Indian Penal Code and also of section 98 of the Criminal Procedure Code. Further, in the final Act of the International Conference, a recommendation was made that, in the legislation to be enacted, it should be provided that, where an offence was committed in respect of a minor, there should be an enhanced punishment, which is provided for in the Bill now before the House. I now beg leave to introduce the Bill.

THE HONOURABLE THE PRESIDENT: The question is:

"That leave be given to introduce a Bill to give effect to certain articles of the International Convention for the Suppression of the Circulation of, and Traffic in, Obscene Publications."

The motion was adopted.

THE HONOURABLE MR. J. CRERAR: Sir, I introduce the Bill.

**STATEMENT OF BUSINESS FOR THE 8TH, 10TH, 15TH AND 16TH
SEPTEMBER 1924.**

THE HONOURABLE THE PRESIDENT : Is the Honourable the Leader of the House in a position to make a statement with regard to the course of public business ?

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member) : Sir, at the meeting to be held on Monday next, motions will be made that the Indian Soldiers (Litigation) Bill and the Indian Motor Vehicles (Amendment) Bill, which have been introduced to-day, be taken into consideration and passed. On Wednesday, the 10th September, similar motions will be moved in respect of the two other Bills introduced to-day, namely, the Provident Funds Bill and the Obscene Publications Bill. In the week opening on Monday the 15th September, two days will be allotted for the discussion of the Honourable Mr. Crerar's Resolution on the subject of the Lee Commission's recommendations. Further legislative business in this Council must depend on the course of business in another place.

The Council then adjourned till Eleven of the Clock on Monday, the 8th September, 1924.