

8th March, 1926

THE

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume VII, Part II

## FOURTH SESSION

OF THE

## SECOND LEGISLATIVE ASSEMBLY, 1926



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# Legislative Assembly.

## *The President :*

THE HONOURABLE MR. V. J. PATEL.

## *Deputy President :*

DIWAN BAHADUR T. RANGACHARIAR, M.L.A.

## *Panel of Chairmen :*

MR. K. C. NEOGY, M.L.A.

SIR DARCY LINDSAY, M.L.A.

LALA LAJPAT RAI, M.L.A., AND

MR. ABDUL HAYE, M.L.A.

## *Secretary :*

MR. L. GRAHAM, C.I.E., M.L.A.

## *Assistants of the Secretary :*

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

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

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

## *Marshal :*

CAPTAIN SURAJ SINGH, BAHADUR, I.O.M.

## *Committee on Public Petitions :*

DIWAN BAHADUR T. RANGACHARIAR, M.L.A., *Chairman.*

DIWAN BAHADUR M. RAMACHANDRA RAO, M.L.A.

COLONEL J. D. CRAWFORD, M.L.A.

MR. JAMNADAS M. MEHTA, M.L.A.

MR. ABDUL HAYE, M.L.A.

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# LEGISLATIVE ASSEMBLY.

Monday, 8th March, 1926.

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

## QUESTIONS AND ANSWERS.

### TRANSFERS OF HEAD CLERKS OF CANTONMENT BOARDS.

1050. \***Mr. S. Sadiq Hasan:** (a) Is it a fact that many of the head clerks of Cantonment Boards are never transferred from one place to another and that they spend their whole service at one station?

(b) Do Government propose to consider the advisability of the transfer of the head clerks of the Cantonment Boards within Military Districts or Commands?

**Mr. E. Burdon:** (a) and (b). Head clerks of Cantonment Boards are not transferred from one cantonment to another because they are not Government servants. They are paid out of local cantonment funds and are not borne on a combined roster. It will be evident therefore that my Honourable friend's suggestion is not really practicable.

### RESTRICTION OF THE OUTPUT OF RAILWAY-OWNED COLLIERIES.

1051. \***Sir Willoughby Carey:** 1. Will the Government be pleased to state if any orders have been issued to restrict the output of railway-owned collieries during 1926, on account of the present depression in the Indian coal trade?

2. If the answer is in the negative, do Government propose to consider the advisability of immediately issuing such instructions?

3. Do Government propose to consider the advisability of slowing down the development of new railway collieries throughout 1926 and until the present depression of the Indian coal trade shows signs of passing?

**The Honourable Sir Charles Innes:** The Government of India have nothing to add to what they said on this subject in their letter of 16th October last, to the Indian Mining Federation, which letter has been published.

### REMOVAL OF THE DISTRICT OR COMMAND HEADQUARTERS FROM POONA TO SECUNDERABAD.

1052. \***Dr. K. G. Lohokare:** (a) Will Government be pleased to say if they have under consideration any proposals to remove the District or Command Headquarters or the military station from Poona to Secunderabad?

(b) If so, what are the reasons which lead Government to think of discarding Poona in favour of Secunderabad? Have final orders been issued regarding this removal?

(c) Have Government received representations from the residents of Poona and Kirkee Cantonments praying Government to disapprove the proposal?

(d) Have Government seen in the newspapers reports of meetings held in Poona for the above purpose?

(e) Have Government under consideration more proposals to concentrate the troops of the Southern Command in the southern parts of India?

**Mr. E. Burdon:** (a) Certain discussions of the kind indicated in the question are proceeding between Army Headquarters and the local military authorities.

(b) No decision has been arrived at. The military authorities themselves have not yet framed their final opinion or submitted any recommendation to Government.

(c) Yes.

(d) Yes.

(e) The question is not understood. If my Honourable friend will be more precise, I will endeavour to answer him.

#### MAINTENANCE OF THE ROAD ON THE PAHARGUNJ RAILWAY OVERBRIDGE AT DELHI.

1058. **\*Dr. K. G. Lohokare:** Will Government be pleased to say if they intend to keep up the road on the Pahargunj railway overbridge at Delhi? If so, when is it expected to be rendered serviceable for vehicular traffic? If not, do they intend to remove the overbridge and when?

**The Honourable Sir Charles Innes:** It is usual in such cases for the local road authorities to take over the maintenance of the roadway on the completion of a new overbridge, but there has been some delay about their accepting this responsibility in this case. The Government have no intention of removing the overbridge.

#### THE DIRECTOR OF PUBLIC INFORMATION.

1054. **\*Mr. Gaya Prasad Singh:** (a) Is it a fact that Mr. John Coatman, Director of Public Information, entered the Police Department on 21st January, 1911? If so, what were his antecedents before he entered Government service?

(b) Is it a fact that he resigned Government service, or that his services were dispensed with at one time; if so, under what circumstances, and when; and when was he taken back into Government service again?

(c) What was Mr. Coatman's pay before he was appointed Director of Public Information, and what is his pay now?

(d) Was Mr. Coatman in any other Department of Government, except the Police service?

(e) Is it a fact that Mr. Coatman is now engaged in writing a history of Lord Reading's administration in India?

**The Honourable Sir Alexander Muddiman:** (a) Yes. Before he entered the Police Mr. Coatman took the B. A. degree at Manchester University in 1910 and was also a University Scholar in French and German.

(b) The answer is in the negative.

(c) Rs. 1,750. He now draws Rs. 2,000 per mensem.

(d) No.

(e) Yes.

**Mr. Gaya Prasad Singh:** Is it a fact that before his appointment as Director of Public Information Mr. Coatman was on special duty at Simla, where he was engaged in writing a book on Indian reforms which is now in the Press?

**The Honourable Sir Alexander Muddiman:** He was on special duty in my Department.

**Nawab Sir Sahibzada Abdul Qaiyum:** Are the Government aware that Mr. Coatman's literary attainments and academical qualifications were so high that his services were at one time requisitioned for a national institution and that he could not be spared?

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

#### REVISION OF THE PAY OF SUPERINTENDENTS OF POST OFFICERS.

1055. **\*Dr. K. G. Lohokare:** (a) Will the Government be pleased to state whether any revised scale of pay was proposed by the then Honourable Member in charge of the Department of Commerce and Industry, for Superintendents of Post Offices after receiving a deputation from the Postal Officers' Association in 1920, and whether any effect has been given to that proposal and also to state the nature of the proposal?

(b) If the answer to the last part of part (a) is in the negative, will the Government be pleased to give the reasons therefor?

**The Honourable Sir Bhupendra Nath Mitra:** (a) and (b). The revised scale of pay to which the Honourable Member alludes is probably that proposed in September, 1920, by the Director General, Posts and Telegraphs, namely, Rs. 300—25—550—30—850. After mature consideration the Government of India decided that no revision of the scale of pay sanctioned for Postal Superintendents by the Secretary of State in April 1920, was at that time justified.

#### MEMORIALS OF THE SUPERINTENDENTS OF POST OFFICES AND THE POSTAL OFFICERS' ASSOCIATION.

1056. **\*Dr. K. G. Lohokare:** (a) Will the Government be pleased to state whether (i) the memorials of July, 1924, by the Superintendents of Post Offices addressed to the Secretary of State for India, and (ii) the memorial of October, 1923, from the Postal Officers' Association to the Secretary of State for India, regarding the pay, pension and prospects of Postmasters-General have yet been forwarded to the Secretary of State for India?

(b) If so, will Government be pleased to state the dates on which each of these memorials was forwarded by them to the Secretary of State?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The Memorials have been forwarded to the Secretary of State for India. The memorials of the Superintendents of Post Offices have been withheld under the rules, but the subject matter of them is under the consideration of the Government of India and orders will issue shortly. A consideration of the memorial of the Postal Officers' Association regarding the pay, pension and prospects of Postmasters-General was deferred pending the report of the Royal Commission on the Superior Public Services in India and the Association apprised of the fact. The memorial is now under the consideration of Government.

(b) Does not arise.

#### ELIGIBILITY OF INDIAN OFFICERS HOLDING KING'S COMMISSIONS FOR LEAVE PASSAGE CONCESSIONS.

1057. **\*Sardar Bahadur Captain Hira Singh Brar:** (a) Will the Government be pleased to state whether the regular Indian Army officers of Indian nationality, either recruited and trained at Sandhurst, or trained at Indore and who are drawing the Indian Army allowance, are entitled to the same passage concessions to England as the Indians in the Indian Civil Service and the Imperial Police Service?

(b) If the answer to the above is in the negative, will the Government be pleased to state the reasons for the distinction?

**Mr. E. Burdon:** (a) Indian officers holding King's Commissions are not eligible for leave passage concessions. In this respect their position is the same as that of Indian officers of the I. C. S. recruited in this country, all Indian officers of the Indian (Imperial) Police Service and all Indian officers of all other services.

(b) The only Indian officers eligible for passage concessions are those Indian members of the I. C. S. who draw overseas pay. They were granted the concession on the special recommendation of the Lee Commission.

#### EMIGRATION OF INDIAN LABOURERS TO FOREIGN COUNTRIES.

1058. **\*Mr. C. S. Ranga Iyer:** (a) Will the Government be pleased to state into what countries Indian labour emigration still continues to pour?

(b) In what countries is the emigration of Indian labour prohibited?

(c) Is South Africa one of them?

**Mr. J. W. Bhore:** (a) and (b). Emigration for purposes of unskilled work is lawful only to Ceylon and Malaya. Emigration for the purpose of skilled work is lawful to all countries subject to the safeguards provided in Chapter IV of the Indian Emigration Act.

(c) The Union Government under their own Immigration law prohibit the entry of Indian emigrants into South Africa.

#### GRANT OF INCREASE OF PAY TO THE POSTAL OFFICIALS STATIONED IN PATNA.

1059. **\*Mr. Devaki Prasad Sinha:** 1. Is it a fact that the Postmaster of the Patna Head Office is empowered to exercise the functions of the postmasters of a first class Head Office?

2. Is it a fact that the Postal Committee of 1920 recommended a higher time-scale of pay for those men of the subordinate service in a first class Head Office than for those in a second class Head Office?

3. Is it a fact that the Patna Post Office was a second class Head Office when the Government accepted the recommendation of the Postal Committee and that the scale of pay fixed for a second class office was therefore given to the officials working there?

4. Is it a fact that even after the status of the Patna Post Office was raised to that of a first class Head Office the officials are still being paid the pay fixed for a second class office?

5. Why was the time-scale for a first class office not applied to Patna?

6. Do Government propose to consider the question favourably?

**The Honourable Sir Bhupendra Nath Mitra:** 1. Yes.

2. Yes, so far as the clerical staff is concerned. The reasons, however, for the recommendation of the Postal Committee of 1920, were that 1st class head offices are in large towns where the cost of living is comparatively high and that the work in them is usually more arduous and more difficult than in the smaller offices.

3. Yes.

4. The status of the Patna Head Office has not been raised to that of a first class Head Office. The position is as stated in the replies to parts 1 and 5 of the Honourable Member's question.

5. The town of Patna is not considered to be of sufficient importance postally to justify a gazetted Postmaster being placed in charge of the local head office. It is only for administrative convenience, *e.g.*, that the Postmaster, Patna, may have direct access to the Postmaster-General, that the head postmaster at Patna has been permitted to exercise the powers of a first class postmaster on his own pay. This administrative measure provides no ground for a general rise in the pay of the postal officials stationed in Patna.

6. For the reasons given in the reply to part 5, Government are not prepared at present to alter the existing arrangement.

**Mr. Devaki Prasad Sinha:** Will the Honourable Member state what justification he has for saying that Patna is not a place of sufficient importance?

**The Honourable Sir Bhupendra Nath Mitra:** That depends on the volume of work done by the Post Office.

**Mr. Gaya Prasad Singh:** Is not Patna the capital of a major province?

**The Honourable Sir Bhupendra Nath Mitra:** I am fully aware of that.

**Mr. Devaki Prasad Sinha:** Are the postal workers in Patna required to handle a smaller number of letters than the postal workers in the post offices of other provincial headquarters?

**The Honourable Sir Bhupendra Nath Mitra:** I have already said that the volume of work at Patna does not justify the raising of the status of the post office.

**Mr. B. Das:** Is it the opinion of the Honourable Member that the province of Bihar and Orissa has not attained its majority and that Bihar and Orissa is not a major province?

**Mr. President:** No questions asking for opinions can be asked?

GRANT OF ADVANCE INCREMENTS TO CERTAIN CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS.

1060. **\*Mr. Devaki Prasad Sinha:** (a) Is it a fact that an advance increment was granted only last year in the time-scale in favour of a clerk named Babu Murari Mohun Mukerjee of the office of the Director General, Posts and Telegraphs, remedying the anomalous position that existed in regard to the fixation of his pay since 1st March, 1921?

(b) If the answer to the above be in the affirmative, will the Government be pleased to say whether similar remedies were applied in respect of the anomalous cases as to the fixation of pay of certain other clerks of that office, senior to Babu Murari Mohun Mukerjee in service and who were drawing continuous acting allowance in the B cadre like him before December 1920 and up to March 1921? If not, why not?

(c) Are Government prepared to consider the cases of those clerks who have the same kind of grievances?

**The Honourable Sir Bhupendra Nath Mitra:** (a) No advance increment was granted but the pay of the clerk named was refixed.

(b) and (c). Government have no information. If any individual has a grievance, he is at liberty to appeal to Government in the usual manner.

CONCESSIONS TO THE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS ON TRANSFER TO DELHI.

1061. **\*Mr. Devaki Prasad Sinha:** (a) Is it a fact:

(i) that Government have already announced the concessions and remunerations to be given to the staff of the office of the Director General of Posts and Telegraphs when they are transferred to Delhi with the office:

(ii) that the staff considered those concessions as inadequate and submitted a petition last year addressed to the Director General:

(iii) that in an order dated the 28th November, 1925, of the Deputy Director General the staff were informed that their prayer regarding the concessions was under consideration of the Director General?

(b) What decision have the Government arrived at on the said representation?

**The Honourable Sir Bhupendra Nath Mitra:** (a). (i) No. The proposals of the Director General, Posts and Telegraphs, on the subject which were generally endorsed by the Government of India have received the approval of the Standing Finance Committee.

(ii) Yes.

(iii) Yes.

(b) There was no representation to the address of the Government of India. The joint petition was addressed to the Director General who, I

understand, considered that the concessions proposed by him were sufficiently liberal but that in matters of detail, slight modifications might be necessary; these are under his consideration.

**Mr. Devaki Prasad Sinha:** Will the Honourable Member state when he will be in a position to announce his final decision with regard to the representation referred to in (b).

**The Honourable Sir Bhupendra Nath Mitra:** As I have already said, there is no representation before Government.

**Mr. Devaki Prasad Sinha:** Am I to understand that the Director General will arrive at his decision without consulting the Government?

**The Honourable Sir Bhupendra Nath Mitra:** I do not quite understand what the Honourable Member is referring to. I have already said that a certain decision has been arrived at by Government.

**Mr. Devaki Prasad Sinha:** I understood the Honourable Member to say that some portions of the representation have not yet been disposed of and they are still under the consideration of the Director General of Posts and Telegraphs. Am I to understand that the Director General in arriving at that decision will act without consulting the Government of India?

**The Honourable Sir Bhupendra Nath Mitra:** If the expenditure involved is within the powers of the Director General, he will undoubtedly do so.

LETTER FROM THE PRIVATE SECRETARY TO H. E. THE GOVERNOR OF BOMBAY TO THE SECRETARY OF THE SIND HINDU ASSOCIATION REGARDING THE APPOINTMENT OF HINDUS TO HIGHER POSTS IN THE PUBLIC SERVICES IN SIND.

1032. **\*Mr. Harchandral Vishindas:** (a) Has the attention of the Government of India been drawn to the letter of His Excellency the Governor of Bombay's Private Secretary, dated the 5th November, 1925, to the address of the Secretary, Sind Hindu Association, which contains among others the following passage:

"In connection with the complaint made by your Association that Hindus are not being appointed or promoted to higher posts in the public services in Sind to the extent that they deserve, I am to send you the accompanying statement showing how the Sind Hindu members of the Legislative Council have voted since the Reformed Councils were started in 1921.

These figures indicate that during the three years of the first Reformed Council your representatives have recorded for and against Government the following percentage of the total number of votes cast by each:

|                               | For Government. | Against Government. |
|-------------------------------|-----------------|---------------------|
| Mr. Pahlajani . . . . .       | 9 per cent.     | 91 per cent.        |
| Mr. Jethanand Mukhi . . . . . | 14 "            | 86 "                |
| Mr. Ojha . . . . .            | 21 "            | 79 "                |

At the elections of 1923, your community had an opportunity of reconsidering the attitude of your representatives on the Legislative Council, with the result that they re-elected the two members who had been the strongest opponents of Government and replaced the most moderate of the three by Mr. Advani, who, has in the last two years voted against Government 70 times and for Government once. The percentage of votes against Government to total votes recorded by each member during 1924 and 1925 works out to the nearest figure as follows:

|                               | Against Government. |
|-------------------------------|---------------------|
| Mr. Advani . . . . .          | 90 per cent.        |
| Mr. Pahlajani . . . . .       | 90 "                |
| Mr. Jethanand Mukhi . . . . . | 72 "                |

It has been represented to His Excellency that these figures are not more than a dim reflection of the general attitude towards Government of the great majority of the Sind Hindu community, and specially of the Amil or bureaucratic section of it, which is most concerned with Government appointments; and it is said that these figures merely confirm what can be otherwise inferred from the activities of Amil agitators and the publications of Amil editors. It has been consequently suggested that, in making appointments to Government service, specially in making higher appointments, Government would do well, and would indeed be taking the only prudent course, to select their servants rather from among those who are its supporters than from those whose representatives have been its inveterate opponents."

(b) If so, have the Government of India circularized other Local Governments to adopt the principle indicated therein, that preference in patronage of appointments in Government service should be given to the community whose members in Legislative Councils vote with Government, or repudiating the said principle according as the Government of India approve or disapprove of the same?

(c) If the Government of India have not already so circularized other Local Governments, do they contemplate doing so?

(d) If not, why not?

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

(b) and (c). No.

(d) Because Government do not consider any such reference necessary or desirable.

**Diwan Bahadur T. Rangachariar:** May I ask the Honourable Member whether Government have issued any intimation expressing their disapproval of the course adopted by the Bombay Government?

**The Honourable Sir Alexander Muddiman:** If the Honourable Member had listened to my answer to (b) he would have gathered that we did not do so.

**Diwan Bahadur T. Rangachariar:** Do not the Government of India consider that it is objectionable to keep a record like this and punish the whole community?

**The Honourable Sir Alexander Muddiman:** I do not understand what the Honourable Member means. I do not propose to take any action.

**Diwan Bahadur T. Rangachariar:** Do the Government of India keep such a record so far as the voting in this Assembly is concerned?

**The Honourable Sir Alexander Muddiman:** We have not yet instituted that procedure.

**Diwan Bahadur T. Rangachariar:** Why not?

**The Honourable Sir Alexander Muddiman:** Because it does not commend itself to me.

**Mr. Harchandrai Vishindas:** May I ask whether the Government do approve of this letter of the Bombay Government directly punishing a whole community for the sins of the Members of the Council?

**The Honourable Sir Alexander Muddiman:** The matter was not submitted to me, and it is not before me for my judgment. I do not propose to interfere in the matter.

**Mr. N. M. Joshi:** May I ask whether it is not a corrupt practice to influence the voting of the Members of the Legislature by offering a bribe to the community?

**The Honourable Sir Alexander Muddiman:** I will consider the Honourable Member's suggestion.

**Diwan Bahadur T. Rangachariar:** May I ask whether the Honourable the Home Member will consider the desirability of introducing a provision in the pending Corrupt Practices Bill that the Government should not do such a thing?

**The Honourable Sir Alexander Muddiman:** The Honourable Member is on the Select Committee. He can bring forward his own amendments.

**Diwan Bahadur T. Rangachariar:** I will try.

EMPLOYMENT OF THE INDIAN ARMY ON EXPEDITIONS OUTSIDE INDIA.

1068. \***Dr. K. G. Lohokare:** With reference to replies given to the starred question regarding the use of the Indian Army for purposes other than for India by Mr. Ranga Iyer on the 16th February, 1926, will Government be pleased to state:

- (1) On what occasions and for whom was the Indian Army used for purposes other than for India—during the last 30 years?
- (2) What were the units, the number of personnel, officers and transport and other military equipment lent on each occasion?
- (3) What amount was credited to the Indian Treasury on each occasion for such use by the authorities to whom the Indian Army was lent?
- (4) What is the number of personnel and officers killed, invalided or lost on each occasion?
- (5) What is the cost of military equipment lost, destroyed or otherwise rendered unserviceable on each occasion?
- (6) What, if any, compensation for loss of personnel and equipment has been recovered on each occasion from the authorities for whom the Army was used?
- (7) Whether injury and invalid pensions of personnel invalided and gratuities and pensions to families of personnel killed during the period were recovered from such authorities?
- (8) Whether pension contributions for the period the personnel served such authority have been recovered?
- (9) What is the amount paid out of the Indian Treasury to cover the full cost of maintenance, pensions, loss and damage, etc., on each occasion?
- (10) Whether figures as per above questions are available for occasions on which the Indian Army was used for non-Indian purposes before the last thirty years? If so, for what period and will Government be pleased to lay them on the table?

**Mr. E. Burdon:** (1) I lay on the table a statement giving the information desired by the Honourable Member.

(7) and (8). Yes, except that the extra non-effective charges arising out of the Great War are borne by India as part of the additional contribution to His Majesty's Government.

I regret that the information asked for in the other parts of the question is unobtainable.

*Statement giving the information desired in part (1) of starred question No. 1063.*

(a) Indian Army units have been used on the following expeditions since 1896 :

Mombassa 1896.  
 Jubaland 1898.  
 Uganda 1897.  
 Jubaland 1901.  
 China 1900.  
 Somaliland 1902-04.  
 Persia 1912.

Great War 1914—1918 and consequent post-war garrisons. These units were used for Imperial purposes.

(b) Units of the Indian Army have also been used as part of the normal peace time garrisons of :

Ceylon (pre-war).  
 Straits Settlements and Federated Malay States (pre and post-war).  
 China (pre and post-war).  
 Persian Gulf (pre and post-war).  
 Iraq (post-war).

These units were and are used for Imperial purposes.

(c) The following have not been included in the above :

- (i) Indians serving voluntarily in non-Indian Army units, such as Indian contingents of the King's African Rifles.
- (ii) Units stationed at Aden.

#### INDIAN REFRESHMENT ROOMS AT STATIONS ON THE EAST INDIAN, OUDH AND ROHILKHAND, AND BENGAL AND NORTH WESTERN RAILWAYS.

1064. \***Khan Bahadur Sarfaraz Hussain Khan**: 1. Will the Government be pleased to state :

- (a) the names of the stations on the East Indian, Oudh and Rohilkhand, and Bengal and North Western Railways, respectively, which have Indian refreshment rooms, and
- (b) if Patna Junction, Mokameh Junction, Moghalsarai Junction and Muzaffarpur stations have Indian refreshment rooms?

2. Do Government propose to open Indian refreshment rooms in all the important railway stations on the above Railways in the near future?

**The Honourable Sir Charles Innes**: 1. (a) and (b). The information required by the Honourable Member can be obtained from the published Time Tables of the Railways referred to.

2. The Honourable Member is referred to the debate on this subject on February 24th. It is a matter which is receiving constant attention.

#### ENHANCED CUSTOMS DUTIES ON INDIAN GOODS EXPORTED TO TURKEY.

1065. \***Mr. Gaya Prasad Singh**: Is it a fact that Indian goods exported to Turkey have now to pay eight times the ordinary custom duties? If so, since when, and why?

**The Honourable Sir Charles Innes**: Information was received recently that Turkey proposed to raise from five to eight the co-efficient of increase of duties on goods coming from countries with which Commercial Treaties or Conventions had not been concluded and representations were received

from traders that it was intended to apply the enhanced duties to Indian goods. The Government of India had however already adhered to the Commercial Convention with Turkey, and they therefore consider that differential enhancements in duties are not applicable to goods imported into Turkey from India. The Government have therefore asked for exact information.

CONSTRUCTION OF THE PROPOSED RAILWAY BETWEEN MUZAFFARPUR AND SITAMARHI.

1066. **\*Mr. Gaya Prasad Singh:** (a) With reference to starred question No. 154 of the 25th January last, and the reply of the Government that the proposed railway line between Muzaffarpur and Sitamarhi (Bengal and North Western Railway) in Bihar and Orissa "is already included in the programme of new lines likely to be considered for construction in the near future", will the Government be pleased to say when the survey is likely to be completed, and the work taken in hand?

(b) In what time is the line likely to be completed?

**The Honourable Sir Charles Innes:** The question of the construction of the proposed railway between Muzaffarpur and Sitamarhi was discussed at the beginning of last month by the Agent of the Bengal and North Western Railway with the Government of Bihar and Orissa.

The line is not likely to prove remunerative and the Agent reports that the Local Government does not consider the project an urgent one and is not prepared to guarantee it.

In the circumstances, Government do not propose to take any further action at present.

PRESCRIPTION OF CONDITIONS OF SERVICE FOR POSTS EARMARKED FOR THE INDIAN EDUCATIONAL SERVICE.

1067. **\*Mr. Gaya Prasad Singh:** (a) Will the Government be pleased to state if any correspondence has passed between the Government of Bihar and Orissa and the Government of India, referred to in the reply to question No. 156 in the Bihar and Orissa Legislative Council on the 16th February, 1926, regarding the conditions of service which may be prescribed for the posts now earmarked for the Indian Educational Service? If so, what is the final decision arrived at?

(b) Have the Government received any memorial from members of the Provincial Educational Service on the subject?

**Mr. J. W. Shore:** (a) Yes. No decision has yet been reached in the matter.

(b) The answer is in the negative.

IMPROVEMENT OF THE RAILWAY FERRY SERVICE BETWEEN MONGHYR AND MONGHYR GHAT.

1068. **\*Kumar Ganganad Sinha:** (a) Are Government aware that there have been numerous complaints against the railway ferry service between Monghyr and Monghyr Ghat in Bihar and Orissa?

(b) Will the Government be pleased to state when the East Indian Railway propose to take direct charge of the said ferry service? If not, will the Government consider whether the said ferry service should be

handed over to the Bengal and North Western Railway, if the latter undertakes to run the ferry directly under its own charge, and not through a contractor? If not, what steps do Government propose to take to improve the said ferry service?

**The Honourable Sir Charles Innes:** (a) The Honourable Member is referred to the reply given to question No. 1848 asked in this Assembly on 15th September 1924.

(b) So far as Government are aware the East Indian Railway does not at present propose to take over the working of the ferry service. The Bengal and North Western Railway applied to the Railway Board for permission to establish a ferry service, but the Board after consulting the Local Government decided not to interfere with the existing arrangements.

#### IMPROVEMENT OF THE LAW RELATING TO INCOME-TAX AND SUPER-TAX.

1069. **\*Mr. C. S. Ranga Iyer:** (a) Are Government aware that the super-tax is felt to be a form of double taxation?

(b) Was not the super-tax a war measure as originally conceived? Do they propose to abolish it at the earliest opportunity? If so, when?

(c) Will the Government be pleased to state whether they propose to assimilate the rules for the refund of the super-tax, so long as it remains, with the rules for the refund of income-tax, the refund to be on the basis of the whole of the profits and not merely on dividends declared?

(d) Do Government propose to consider the equity of making provision for business losses when counting income-tax and making it permissible for an assessee to carry forward losses for a period of three years?

(e) If answers to (c) and (d) be in the negative, will the Government be pleased to state the reasons?

**The Honourable Sir Basil Blackett:** The late Sir W. Meyer specifically declared both in his speech on the Budget for the year 1917 and in the debate on the Super-tax Bill (1917) itself that the tax was not intended to be a temporary financial expedient. The question of the improvement of the law relating to income and super-tax which is, I gather, the purpose of the latter portions of the question, will be taken up in connection with the report of the Taxation Inquiry Committee.

**Mr. Devaki Prasad Sinha:** Are Government aware that in every other country super-tax is considered to be the most scientific form of taxation?

**The Honourable Sir Basil Blackett:** It depends on who is asked to consider that question.

#### RECOMMENDATIONS OF THE INDIAN MERCANTILE MARINE COMMITTEE.

1070. **\*Mr. C. S. Ranga Iyer:** (a) Did the Indian Mercantile Marine Committee recommend the establishment of a training ship for the purpose of nautical training, the reserving of the coasting trade of India to vessels owned and managed by Indians; starting and developing the ship-building industry in India by liberal help from the State?

(b) What have the Government done to give effect to the recommendations of the said Committee?

(c) Do they propose to give effect to all or any of them? If so, when and how? If not, why not?

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

(b) and (c). The attention of the Honourable Member is invited to the answer given to similar questions asked by Messrs. Kumar Sankar Ray and B. Das on the 26th January, 1926.

**Diwan Bahadur T. Rangachariar:** How long, may I ask, will a similar answer be given?

**The Honourable Sir Charles Innes:** The Honourable Member will have an opportunity of putting that question later on in the debate on this grant.

PARTICULARS RELATING TO CANDIDATES SELECTED FOR SANDHURST UP TO THE YEAR 1925, ETC.

1071. \***Mr. N. M. Joshi:** Will Government be pleased to supply the following information:

(A) (1) The name, caste and province of the candidates selected for Sandhurst up to 1925 ending and the year of selection of each candidate;

(2) Educational qualifications of these selected candidates;

(3) Whether appeared for the entrance examination or not;

(4) Whether passed or not;

(5) Whether selected by the Government of India or directly by the Secretary of State;

(6) Whether secured Commission or not;

(7) Whether educated at Dehra Dun or other institutions, if so, which;

(8) Whether from the Indian States, and if so, how related to the Princes or Chiefs;

(9) Whether parent or *de facto* guardian in the civil or military service of Government or whether of a person who rendered great assistance to Government, holding titles if any;

(10) Whether any of those selected for Sandhurst but unable to get King's Commission were provided in the auxiliary services of the Army or under any department of Government. If so, what are their names, the salaries they draw and the departments in which they work;

(11) How many students appeared each year for selection to Indian Sandhurst?

(B) Does the number 10 of admissions to Sandhurst include King's Cadets and King's Honorary Cadets; if so, how many were such and their names from 1918 to 1925?

(C) The number of Indian officers holding King's Commission who command British personnel?

(D) The total number of officers holding King's Commission and employed in the British and Indian units?

**Mr. E. Burdon:** (A), (1)—(10) and (B). The collection of the information in the form desired by the Honourable Member would involve the expenditure of an amount of time and labour which, in the opinion of the Government of India, would be incommensurate with the result attainable. If the Honourable Member, however, would let me know the object for which he requires these statistics, I might be able to furnish him with the

information in a simpler and more convenient form. At the same time, I would add that the matters to which the information sought would be relevant are actually those which are being studied by the Indian Sandhurst Committee and I think the purpose which the Honourable Member appears to have in view would be sufficiently served by waiting for the Committee's Report.

(C) and (D). The information desired is given in the Indian Army List for January, 1926, to which I would refer the Honourable Member.

#### EXPENDITURE ON THE ROYAL MILITARY COLLEGE AT DEHRA DUN.

1072. \***Mr. N. M. Joshi**: Will Government be pleased to state the total expenditure incurred on the Royal Military College at Dehra Dun each year since its inauguration?

**Mr. E. Burdon**: The information desired by the Honourable Member will be found in the Finance and Revenue Accounts for the year 1921-22 and succeeding years. The amount spent in 1924-25 was Rs. 1,76,786, and the total maintenance expenditure from the inception of the College up to that point was Rs. 5,85,490.

#### EXPENDITURE ON THE INSTRUCTIONAL AND OTHER STAFF OF THE ROYAL MILITARY COLLEGE AT DEHRA DUN, ETC.

1073. \***Mr. N. M. Joshi**: Will Government be pleased to state:

1. What amount is spent on the teaching staff and other staff employed in the Royal Military College, Dehra Dun?
2. What is the net expenditure for the cadets for boarding and lodging?
3. What is the income from the fees of these cadets?

**Mr. E. Burdon**: 1. The cost of the instructional and other staff for the year 1926-27 is estimated at Rs. 83,730.

2. I am not in a position to furnish this information as the fees payable by students include the cost of tuition, stationery, books, messing, school servants, washing, etc.; moreover, the buildings in this case are not assessed to rent. I may, however, state that the cost of the messing for students works out to Rs. 38,660.

3. The amount is estimated at Rs. 91,000 for the ensuing year.

**Mr. Gaya Prasad Singh**: Is it a fact, Sir, that riding and shooting are not taught in the Dehra Dun Military College?

**Mr. E. Burdon**: It is, Sir.

#### EDUCATIONAL QUALIFICATIONS OF SIGNALLERS ON THE NORTH WESTERN RAILWAY.

1074. \***Khan Bahadur W. M. Hussanally**: 1. Has the attention of Government been drawn to a leaderette in the *Muslim Advocate* of January 30, 1926, headed "Railway Department Appointments"?

2. (a) Is it a fact as stated therein that the North Western Railway Administration have passed a rule recently that in future recruits for training as Signallers at railway stations, should have passed the School Leaving Certificate Examination (otherwise known as Matriculation)?

(b) If so, when was such a rule passed?

8. (a) Since the passing of the rule in question how many such recruits have been employed on the North Western Railway to be trained as Signallers?

(b) How many of such recruits are Hindus and how many Mussalmans?

(c) How many of them are Sindhi Hindus and how many Sindhi Mussalmans?

4. Has any other Railway passed any such rule?

**The Honourable Sir Charles Innes:** (1) Yes.

(2) and (3). Government have no information.

(4) As want of education amongst the existing lower subordinate employees prevents them from qualifying for higher subordinate ranks, it is under contemplation to lay down a minimum educational qualification for recruits on all State Railways in future.

NUMBER OF SINDHI MUSSALMANS EMPLOYED IN CERTAIN SPECIFIED APPOINTMENTS ON THE SIND SECTION OF THE NORTH WESTERN RAILWAY, ETC.

1075. \*Khan Bahadur W. M. Hussanally: (1) How many Sindhi Mussalmans are serving in the Sind section of the North Western Railway as:

(a) Station masters;

(b) Assistant station masters;

(c) Booking and other clerks on stations;

(d) Signallers;

out of a total of how many?

(2) Kindly give the number of non-Sindhis (Hindus and Mussalmans) serving in the above capacities?

EDUCATIONAL QUALIFICATIONS FOR SIGNALLERS ON THE NORTH WESTERN RAILWAY.

1076. \*Khan Bahadur W. M. Hussanally: (a) Is it a fact as stated in the leaderette of the *Muslim Advocate*, dated 30th January, 1926, that 95 per cent. of the Signallers now serving on the North Western Railway are those who have passed no such examination mentioned therein?

(b) If not what is their percentage?

(c) Are these men doing their work well? If yes, what is the reason for the introduction of the new rule?

**The Honourable Sir Charles Innes:** I propose, Sir, with your permission, to reply to questions Nos. 1075 and 1076 together.

Government have no information. They published already information relating to the representation of the different communities in railway service and they cannot undertake to go further and to ascertain from what provinces the representatives of the different communities are drawn.

## EMPLOYMENT OF NON-SINDHIS IN THE RAILWAY SERVICE IN SIND.

1077. \***Khan Bahadur W. M. Hussanally**: (a) Are Government aware that the Province of Sind is educationally more backward than the Punjab and the other Provinces?

(b) If yes, will not the rule referred to in the leaderette of the *Muslim Advocate*, dated 30th January, 1926, attract more non-Sindhies to the railway service in Sind?

**The Honourable Sir Charles Innes**: Judging by the statistics of 1921-22 Sind is not more backward in the matter of education than the Punjab. Part (b) therefore does not arise.

## EMPLOYMENT OF THE VARIOUS COMMUNITIES IN THE RAILWAY SERVICES?

1078. \***Khan Bahadur W. M. Hussanally**: (1). (a) Is the Railway Department aware of the circular issued by the Home Department last year on the subject of the due admixture of the several communities in the services?

(b) If so, do the Railway Board propose to advise the Railway Administrations to follow that circular.

(2). (a) Are the Railway Board aware of the circulars issued by the Bengal and Bombay Governments on the same subject?

(b) If so, do they propose to advise the Railway Administrations to follow the spirit of those circulars?

**The Honourable Sir Charles Innes**: The Honourable Member is referred to the reply I gave to Mr. Muhammad Yakub in the course of the debates on the Railway Budget on 25th February last. I may add that the general question raised in the Home Department circular is under the consideration of the Railway Department.

## CANCELLATION BY THE MEXICAN CONSUL OF HONGKONG OF A PASSPORT GRANTED TO ONE DHANTA TO PROCEED TO MEXICO.

1079. \***Lala Duni Chand**: I. Is it a fact that one Dhanta, son of Nihala, Caste Jat Sikh, resident of M. Chak Kalan, Tehsil Nakodar, District Jullundur, was granted a passport by the Punjab Government for Fiji in the year 1921?

II. If so, was it changed by the Government of Bengal for Mexico and signed by the Mexican Consul at Calcutta?

III. Did the aforesaid Dhanta leave Calcutta *en route* to Mexico for Hong Kong?

IV. Was his passport cancelled by the Mexican Consul at Hongkong and he was obliged to return to India?

V. Did he present himself before the Mexican Consul at Calcutta after his return and after that did he go to the Government of Bengal for redress in the matter and hand over his passport to the official concerned?

VI. How do the Government propose to redress this person's grievance?

**Sir Denys Bray:** The facts are substantially as suggested. As regards section II of the question however I should make it clear that it was at Dhanta's own wish that the endorsement was granted for Mexico. On his return to Calcutta the Mexican Consulate was addressed on the matter, but before any definite reply was received by the Consulate from Hongkong, the Consulate was closed. It has recently been re-opened and further inquiries are being made; but the Honourable Member will realise that until further information is available it is not possible to give any reply at all to his last question.

[SUBJECTION OF THE KAZIKHEL FAMILY OF LANDI YARGHAJO, PESHAWAR DISTRICT, TO THE JURISDICTION OF THE HONORARY MAGISTRATE OF THE ARBAB FAMILY.

1080. \***Lala Duni Chand:** (a) With reference to the matter of the exemption of the Kazikhel family of Landi Yarghajo, Peshawar District, their relations, etc., from the jurisdiction of the Honorary Magistrate, is it a fact that it was after the Deputy Commissioner, Peshawar, had refused to pay any heed to their representation that the representatives of the Kazikhel family were obliged to wait upon the Honourable the Chief Commissioner, North-West Frontier Province? If so, will the Government be pleased to state what action the Honourable the Chief Commissioner has taken on their representation?

(b) Are Government aware of the existence of extremely strained feelings between the Arbab and the Kazikhel families? If this is a fact, do the Government propose to invite the attention of the Honourable the Chief Commissioner to the desirability of not subjecting the Kazikhel family to the jurisdiction of the Honorary Magistrate of the Arbab family?

AMOUNT OF LAND AND HOUSE PROPERTY ACQUIRED BY ARBAB MOHAMMAD AKRAM KHAN, HONORARY MAGISTRATE, WITHIN HIS MAGISTERIAL JURISDICTION.

1081. \***Lala Duni Chand:** Will the Government be pleased to state the amount of land and house property which has been acquired either by purchase or by mortgage by Arbab Mohammad Akram Khan, Honorary Magistrate, First Class, within his magisterial jurisdiction since his appointment as Honorary Magistrate up to 21st July, 1925?

AMOUNT OF ASSISTANCE RENDERED BY ARBAB MOHAMMAD AKRAM KHAN IN CONNECTION WITH DACOITIES AND MURDERS COMMITTED DURING THE LAST 8 YEARS IN VILLAGE LANDI YARGHAJO.

1082. \***Lala Duni Chand:** (a) Is it a fact that out of 10 Government rifles meant for village Landi Yarghajo, 8 are with Arbab Mohammad Akram Khan and K. B. Arbab Mir Ahmad Khan, Honorary Magistrates of the said village, and if so, will the Government be pleased to state what assistance they rendered in connection with the several dacoities and murders committed by the outlaws during the last 8 years in the said village?

(b) Is it a fact that the shop of one Sant Singh which is situated just below the tower of Arbab Mohammad Akram Khan was looted and no assistance was rendered by the said Arbab?

**Sir Denys Bray:** The information asked for in questions Nos. 1080, 1081, and 1082 is being obtained from the local Administration and a reply will be furnished to the Honourable Member in due course.

#### CONSTRUCTION OF A RAILWAY BRIDGE ACROSS THE INDUS AT KALABAGH.

1083. **\*Lala Duni Chand:** Is it a fact that a railway bridge across the river Indus at Kalabagh for a broad gauge line is sanctioned? If so, when will its construction be taken in hand?

#### GAUGE OF THE DERA ISMAIL KHAN-TANK RAILWAY.

1084. **\*Lala Duni Chand:** Are Government contemplating to convert the Dera Ismail Khan-Tank Railway into a gauge of the same dimensions as that of the Lakhi Pezu-Tank Railway line?

#### RAILWAY CONNECTION BETWEEN FORT SANDEMAN AND HINDUBAGH.

1085. **\*Lala Duni Chand:** Is it a fact that Fort Sandeman in Baluchistan is to be connected with Hindubagh by railway and, if so, when?

**The Honourable Sir Charles Innes:** I propose, Sir, to reply to questions 1083, 1084, 1085 and 1088 together. I would refer the Honourable Member to the reply given by me in this House on the 1st February, 1926, to question No. 507 by Sir P. S. Sivaswamy Aiyer, which covers identically the same ground.

#### CONSTRUCTION OF A METALLED ROAD BETWEEN DERA ISMAIL KHAN AND FORT SANDEMAN.

1086. **\*Lala Duni Chand:** Is the question of connecting Dera Ismail Khan with Fort Sandeman either through Mahsud territory or Sherani territory by metalled road under contemplation?

**Sir Denys Bray:** Not at present.

#### THE GHAZNI KHEL DARABAN ROAD.

1087. **\*Lala Duni Chand:** When is the Ghazni Khel Daraban road expected to be completed?

**Sir Denys Bray:** For all practical purposes the road has now been completed; only a few minor improvements are still in hand.

#### PROPOSED RAILWAY BETWEEN DERA ISMAIL KHAN AND FORT SANDEMAN.

†1088. **\*Lala Duni Chand:** Is it a fact that before the Great European War the survey of a railway line between Dera Ismail Khan and Fort Sandeman was completed and if so, will the Government be pleased to state if the scheme is likely to materialise?

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†For answer to this question, see answer below question No. 1085.

**ALLEGATIONS AGAINST MUFTI AZIZ-UL-RAHMAN, DISTRICT INSPECTOR OF SCHOOLS, DERA ISMAIL KHAN.**

1089. \***Lala Duni Chand:** (a) Is it a fact that Mufti Aziz-ul-Rahman, B.A., District Inspector of Schools, Dera Ismail Khan, has been there for the last 20 years, first as Head Master and later on as District Inspector and if so will the Government be pleased to state if his stay for such a long time in one place is not opposed to the general practice observed by the Government?

(b) Are the Government aware of the fact that the said gentleman has greatly contributed to the bitterness of feelings between the Hindus and Muhammadans there?

(c) Has it come to the notice of the Government that the said Mufti Aziz-ul-Rahman made an anti-Hindu speech in the town hall last March thereby wounding the feelings of the Hindus?

**Mr. J. W. Bhore:** (a) The officer in question joined the service of the Municipal Board, Dera Ismail Khan, in 1907, and was appointed Headmaster of the Municipal Board High School by that Municipality. He was made District Inspector of Schools, Dera Ismail Khan, which is a Government post, in 1915. There is no such practice with regard to educational appointments as that indicated in the latter part of the question.

(b) and (c). The answer is in the negative.

**APPOINTMENT OF HINDUS AS HEAD MASTERS OR AS DISTRICT INSPECTORS OF SCHOOLS IN THE NORTH WEST FRONTIER PROVINCE.**

1090. \***Lala Duni Chand:** Is it a fact that since 1901 not a single Hindu has been appointed throughout the whole North-West Frontier Province either as Head Master or as District Inspector and if so, do the Government propose to undo this wrong done to the Hindu community of the North-West Frontier Province?

**Mr. J. W. Bhore:** No. There are two Hindus officiating as Headmasters of Government High Schools.

**Nawab Sir Sahibzada Abdul Qalyum:** Is it not a fact that a certain Hindu was appointed as District Inspector of Schools in the Bannu district but, that he refused to accept the appointment owing to the dangers of such an Inspector touring in the district?

**Mr. J. W. Bhore:** I really do not know; I must ask for notice.

**WORK DONE BY THE JUDICIAL COMMISSIONER, NORTH WEST FRONTIER PROVINCE AND A SINGLE JUDGE OF THE LAHORE HIGH COURT.**

1091. \***Lala Duni Chand:** (a) Will the Government be pleased to lay on the table a comparative statement showing the work done by the Judicial Commissioner, North West Frontier Province, and a single Judge of the High Court, Punjab, respectively, during the years 1922-1923-1924-1925?

(b) How many cases were pending on the 1st January, 1926, in the Court of the Judicial Commissioner, North West Frontier Province?

**The Honourable Sir Alexander Muddiman:** (a) and (b). Statistics of work done by the Lahore High Court and the Judicial Commissioner's Court, North West Frontier Province, are available in the Civil and

Criminal Justice reports of the Punjab and North West Frontier Province. The latest information available is for the year 1924. No information is available in regard to work done by a single Judge of the Lahore High Court.

OFFICIATING JUDICIAL COMMISSIONER, NORTH WEST FRONTIER PROVINCE.

1092. \***Lala Duni Chand:** Is it a fact that on Mr. H. Fraser, the permanent Judicial Commissioner, North West Frontier Province, going on leave last year there was found not a single capable judicial officer in the Political Department to officiate for him and therefore Colonel Frizelle, a District Judge from the Punjab, had to be imported?

**Sir Denys Bray:** Yes, of the qualified officers in the department none could be made immediately available.

ADOPTION OF PERSIAN AS A COMPULSORY SUBJECT FOR THE 4TH PRIMARY CLASS IN HINDU AND SIKH SCHOOLS IN THE NORTH WEST FRONTIER PROVINCE.

1093. \***Lala Duni Chand:** (a) Will the Government be pleased to give reasons why Persian is made compulsory for the Hindu students of the 4th primary class in the Hindu and Sikh schools? Is it a fact that the majority of them have to give it up next year in favour of Hindi or Sanskrit?

(b) Do Government propose to recommend to the Education Department of the Frontier Province to keep Hindi as an alternative compulsory subject for the Hindu boys in the 4th Primary Class; if not, why not?

**Mr. J. W. Bhore:** (a) and (b). The information desired has been called for and will be communicated to the Honourable Member in due course.

APPLICATIONS FOR CENTRAL STATE SCHOLARSHIPS FROM CANDIDATES IN THE NORTH WEST FRONTIER PROVINCE.

1094. \***Lala Duni Chand:** (a) Will the Government be pleased to state whether the Government provided for the selection of a State scholar this year for studies in England from the Group comprising the North West Frontier Province, British Baluchistan, Manpur, and Administered Areas in Native States?

(b) When was the North West Frontier Province Government asked by the Government of India to submit applications from candidates in that Province with their recommendations?

(c) Is it a fact that the Local Government, North West Frontier Province, wrote on the 14th December last to the Director of Public Instruction, North West Frontier Province, to submit his recommendation within an interval of less than a month from that date, which included the Christmas and New Year holidays when all offices were closed?

(d) Was any public notice given by the Local Government North West Frontier Province or the Director of Public Instruction inviting applications from the candidates in the North West Frontier Province?

(e) Were the Deputy Commissioners of the Districts asked to invite and submit applications from candidates in their Districts?

(f) How many applications were received from that Province?

(g) When did the Director of Public Instruction submit his recommendation?

(h) If the answers to (d) and (e) be in the negative, do Government propose to defer their final selection and ask the Local Government to submit other applications that may have been received or that may be received after public notice?

**Mr. J. W. Bhoré:** (a) A candidate from the group mentioned was to have preference this year; but in the absence of a suitable candidate from a specified group, whose turn it is to receive preference, the Government of India are free to select a scholar from amongst the candidates nominated by local Administrations included in the other group.

(b) The Provisional Rules, which issued in May, 1925, laid down that applications should be submitted to the Government of India by the 15th of January every year. Government's policy in regard to the grouping of the several areas under their control for the purpose of this scholarship was, however, communicated to all local Administrations concerned, including the North West Frontier Province, on the 2nd December, 1925.

(c) Yes.

(d) Notices were issued by the Director of Public Instruction to the Principals of the two first grade colleges in the Province from which alone candidates could be obtained.

(e) No.

(f) Three applications were received in the office of the Director of Public Instruction of which only one was received before January 15th.

(g) January 12th, 1926.

(h) The Government of India have already awarded the scholarship to the nominee of the Chief Commissioner, North West Frontier Province.

#### RECRUITMENT FOR THE INDIAN RAILWAY SERVICE OF ENGINEERS AND THE PROVINCIAL ENGINEERING SERVICE.

1095. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that the Railway Board is proposing to appoint men from outside by recruiting locally and from England, Assistant Engineers in provincial and imperial services as temporary and permanent Engineers in preference to the Supervisors and Sub-Engineers who are working now in the State Railways?

(b) If the answer be in the affirmative, will the Government be pleased to state the reasons for such recruitments?

**The Honourable Sir Charles Innes:** (a) and (b). Permanent appointments to the Indian Railway Service of Engineers are made by direct recruitment in England and in this country and to the Provincial Engineering Service by direct recruitment locally. Upper subordinates—i.e., Sub-Engineers and Supervisors—are, if deserving, promoted to the Provincial Engineering Service, and similarly Members of the Provincial Engineering Service are promoted to the Indian Railway Service of Engineers.

Temporary Engineers are appointed, not to the Indian Railway Service of Engineers or Provincial Engineering Service, but outside these services, when a temporary addition to the Engineering staff is necessary.

**Mr. B. Das:** May I know if Government will give effect to the policy of 75 per cent. Indianization in the recruitment of Engineers?

**The Honourable Sir Charles Innes:** Will the Honourable Member kindly repeat his question? I could not catch him.

**Mr. B. Das:** May I know if Government will give effect to their promise to this House of 75 per cent. Indianization in the recruitment of Indian Engineers who are to be recruited in England or in India?

**The Honourable Sir Charles Innes:** I should not have thought it necessary for the Honourable Member to ask that question, because when Government give a promise, they invariably carry it out.

#### PROMOTION OF SUPERVISORS TO THE GRADES OF SUB-ENGINEERS ON STATE RAILWAYS.

1096. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that in the State Railways Supervisors of the first grade have not been promoted to the grades of Sub-Engineers for the last 5 years although there are vacancies in the Railways?

(b) If the answer be in the affirmative, will the Government be pleased to state why they have not been promoted?

**The Honourable Sir Charles Innes:** (a) No.

(b) Does not arise.

#### ABOLITION OF THE PROVINCIAL SERVICES ON RAILWAYS.

1097. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that there is already a proposal in the Railway Board to do away with the provincial services or stop the promotion of subordinates to the provincial services?

(b) If so, why?

**The Honourable Sir Charles Innes:** (a) and (b). At a meeting of the Central Advisory Council held on 22nd August, 1925, the question of abolishing the provincial services was raised. The matter is still under examination.

#### SUPPLY OF SLEEPERS FOR THE GREAT INDIAN PENINSULA RAILWAY.

1098. **\*Sir Hari Singh Gour:** (a) Is it a fact that the Railway Board have given notice inviting tenders for the supply of jarrah wood sleepers worth Rs. 2,29,000 for the use of the Great Indian Peninsula Railway as published in the *Indian Trade Journal* of the 4th February, 1926?

(b) Is it a fact that the Government received a protest from the Burma Indian Chamber of Commerce against the practice of inviting tenders for the supply of foreign sleepers although teak wood and jungle wood suitable for railway sleepers is available in abundance in India and Burma?

(c) Will the Government be pleased to state why tenders were not invited for sleepers made of Indian wood?

(d) At what rate are jarrah wood sleepers sold and what will be the approximate cost of the quantity for which tenders have been invited?

(e) What is the relative cost of jarrah wood and Indian wood sleepers, and what is the life of each?

**The Honourable Sir Charles Innes:** (a) The fact is that the Agent, Great Indian Peninsula Railway, has invited tenders for the supply of 225,000 jarrah wood sleepers.

(b) Yes.

(c) The Chief Engineer of the Great Indian Peninsula Railway's original estimate for the year 1926-27 for main line sleepers from Eastern Group was 175,000, and an indent for this quantity was placed with the Sleeper Control Officer, Eastern Group, and he was asked to supply 6,000 sal wood and 169,000 Burma teak sleepers. The price quoted for teak sleepers was, however, prohibitive and as at this time the Sleeper Control Officer, Eastern Group, was not able to give any definite information as to delivery of sal wood sleepers it was decided to advertise for jarrah wood sleepers. At the same time, however, as the advertisement was inserted in the papers for the jarrah wood sleepers, the Sleeper Control Officer, Eastern Group, was asked if he was in a position to supply all or part of the requirements in sal wood sleepers. In the event of sal wood sleepers being available at a favourable rate and on favourable terms of delivery no action will be taken on the tenders for jarrah wood sleepers.

(d) The latest quotation available for jarrah wood sleepers is Rs. 8 each and the total cost of the quantity required would, therefore, be Rs. 18,82,000.

(e) The latest figures available for the cost of jarrah wood and Indian hard wood sleepers are as follows:

Jarrah—Rs. 8 c.i.f.

Deodar—Rs. 6-15-0 f.o.r.

Sal—Rs. 8 f.o.r.

Teak—Rs. 11-8-0 c.i.f. Calcutta.

As all the sleepers in question are required for the Bombay end of the Great Indian Peninsula Railway, not only is the price of deodar sleepers, when freight is taken into consideration, prohibitive, but in the Bombay climate they require renewal about every 8 years. They are, therefore, not an economic proposition. As regards the life of each sleeper, the Honourable Member is referred to the reply given on 24th March, 1923, to part (8) of his question on the same subject.

#### SUPPLIES OF BUNKER COAL AT BOMBAY AND KARACHI FOR GOVERNMENT TROOPSHIPS AND HIRED TRANSPORTS.

1099. **\*Khan Bahadur W. M. Hussanally:** (1) Is it a fact that Government troopships and hired transports usually take their supplies of bunker coal at Bombay or Karachi?

(2) Will Government be pleased to state the names of the firms at either of these places from whom such supplies were taken during the three years 1922-23, 1923-24, and 1924-25, as also the quantities, descriptions of coal and rates of such supplies?

(3) Is it a fact that the coal supplied to several such hired troopships and transports during the season 1923-24 at Bombay and Karachi was found to be of defective description and unsatisfactory quality? If so, will Government please name the vessels that were supplied with such unsatisfactory bunkers?

(4) Will Government be pleased to state the names of the firms who supplied such defective bunkers?

(5) Will Government be pleased to state what action, if any, was taken against the firms concerned for the unsatisfactory supplies affected by them, and referred to in part (3)?

(6) Will Government be pleased to state whether tenders were invited for supplies to troopships and transports at both the ports mentioned above during the season 1924-25? If not, how were the supplies arranged for?

**Mr. E. Burdon:** (1) Yes, Sir.

(2) I lay on the table a statement which gives the information desired by the Honourable Member.

(3), (4) and (5). The reply is in the negative so far as Bombay is concerned. As regards Karachi, the only complaint received was about the supply of coal to a single ship in February, 1924. No action was taken against the contractor on that occasion; the report showed that the coal supplied was small and dusty, rather than defective in quality.

(6) The answer to the first part of the question is "Yes". The second part does not arise.

*Statement giving the information desired in part (2) of starred question No. 1099.*

| Period and station. | Name of firm by whom coal was supplied. | Quantity.        | Description.                        | Rate per ton.   |
|---------------------|---|------------------|-------------------------------------|-----------------|
| 1923-23.<br>Bombay  | Messrs. Cowasjee Framjee and Company.   | Tons.<br>3,550   | Welsh, 2-3rd large and 1-3rd small. | Rs. 39<br>As. 0 |
| Karachi             | Messrs. Cowasjee and Sons.              | 1,600            | Ditto.                              | 88 10           |
| 1923-24.<br>Bombay  | Messrs. Cowasjee Framjee and Company.   | ( 1,600<br>2,500 | Ditto.<br>Welsh, all large.         | 34 0<br>38 9    |
| Karachi             | Messrs. Cowasjee and Sons.              | 1,180            | Welsh, 2-3rd large and 1-3rd small. | 36 0            |
| 1924-25.<br>Bombay  | Messrs. Hiralal Himatlal & Sons.        | 4,088            | Welsh, all large.                   | 86 0            |
| Karachi             | Messrs. Cowasjee and Sons.              | 443              | Best Welsh                          | 83 0            |

**Khan Bahadur W. M. Hussainally:** May I put a supplementary question, Sir.

(1) Is it a fact that in spite of this unfavourable record of the firms responsible for the unsatisfactory supplies, they have been allowed to make further supplies for Government troopships and transports?

(2) If so, will Government be pleased to state the reasons which induced them to place further orders with firms with such an unsatisfactory record?

(8) In view of the unsatisfactory results of the existing method of obtaining such supplies, which involves loss to the public revenues, will Government be pleased to issue instructions to the Department concerned invariably to invite tenders for their future requirements?

**Mr. E. Burdon:** Sir, I think the question is long enough to justify me in asking for notice of it.

IMPOSITION UPON AMERICANS RESIDENT IN INDIA OF DISABILITIES  
SIMILAR TO THOSE IMPOSED UPON INDIANS IN THE UNITED STATES  
OF AMERICA.

1100. **\*Mr. Gaya Prasad Singh:** With reference to starred question No. 724 of the 9th February, 1926, regarding the ineligibility of Indians for naturalization in the United States of America, do Government propose to impose upon the American residents in India similar disabilities as have been imposed upon Indians in America by virtue of the decision of the Supreme Court? If not, why not?

**The Honourable Sir Alexander Muddiman:** The question is being examined.

CANADA AND THE LOCARNO PACT.

1101. **\*Mr. Gaya Prasad Singh:** Is it a fact that the Government of Canada has decided to introduce a Resolution in her Legislature declaring that Canada dissociates herself from the obligations of the Locarno Pact?

**Sir Denys Bray:** Government have no information, but inquiries are being made.

**Mr. Devaki Prasad Sinha:** May I ask a supplementary question, Sir. Is Government a masculine gender or a feminine gender.

**Sir Denys Bray:** It depends on what Government it is.

THE SOUTH AFRICAN LIQUOR LAW AMENDMENT BILL.

1102. **\*Mr. C. S. Ranga Iyer:** (a) Is it a fact that the Minister of Justice, Union Government, South Africa, has published a Bill to amend the Liquor laws of the Union?

(b) Will the Government be pleased to lay on the table a copy of the full text of the Bill?

(c) Have the Government examined the Bill in all the aspects affecting Indians in South Africa?

(d) What is the object of the Bill?

(e) Is it a fact that if the Bill be passed, it will prevent the employment of Asiatics and Natives of South Africa in any occupation connected with the manufacture, sale or distribution of intoxicating liquor?

(f) Is it a fact that if the Bill becomes law, it will prevent the employment of Indians in breweries, distilleries or hotels?

(g) Is it a fact that a large number of Indians are employed in the manufacture, sale and distribution of intoxicating liquor?

(h) Is it a fact that such Indians are the indigenous inhabitants of South Africa, born of Indian parents who had become domiciled in South Africa?

(i) Is it a fact that the passing of this Bill will throw out of employment a large number of Indians?

(j) Have the Government made any representation to the Union Government on this subject, and if so, with what result?

(k) Have the Government of India issued special instructions to the members of their deputation in South Africa? If so, what are the instructions? If not, why not?

(l) What is the number of Indians who will be thrown out of employment as a consequence of the passing of the Colour Bar Bill and the Liquor Law Amendment Bill?

(m) How do the Government propose to remedy the evil?

**Mr. J. W. Bhore:** I regret I am not in a position to add anything on the subject of the Liquor Law Amendment Bill and the Colour Bar Bill to the replies which I gave to private questions Nos. 1 and 3 asked by Pandit Motilal Nehru on the 23rd February, 1926. The text of the former Bill which was despatched from Cape Town on February 11th, has not yet reached the Government of India.

NOMINATIONS OF DELEGATES FOR THE 8TH AND 9TH SESSIONS OF THE  
INTERNATIONAL LABOUR CONFERENCE AT GENEVA.

1108. **\*Mr. C. S. Ranga Iyer:** (a) Are Government aware that questions relating to shipping are to come up before the 8th and 9th sessions of the International Labour Conference at Geneva in May-June next?

(b) Will the Government be pleased to state if they propose to send as delegate and adviser qualified Indians in active touch with Indian shipping to represent India at the said Conference?

(c) Will the Government be further pleased to state if they have received any communications from Indian commercial bodies relating to nominations to the said Conference? If so, from whom? How many communications were received till the 22nd February, 1926?

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

(b) I must ask the Honourable Member to wait and see.

(c) Yes. I must remind the Honourable Member that the date fixed by the Government of India as the last date for receiving nominations was 15th January, 1926. Up to that date nominations for the Employers' delegate had been received by the Government of India from the Bengal, Bombay and the United Provinces Chambers of Commerce, the Indian Merchants Chamber, Bombay, and the Buyers and Shippers Chamber, Karachi.

**Mr. C. S. Ranga Iyer:** Were any representations received after that date?

**The Honourable Sir Bhupendra Nath Mitra:** Will the Honourable Member kindly speak up?

**Mr. C. S. Ranga Iyer:** Were any representations received after that date?

**The Honourable Sir Bhupendra Nath Mitra:** Louder still, I am very sorry.

**Mr. C. S. Ranga Iyer:** Were any representations made after that date to which the Honourable Member referred?

**The Honourable Sir Bhupendra Nath Mitra:** Yes.

**Mr. C. S. Ranga Iyer:** Have the Government chosen the representatives who are to go?

**The Honourable Sir Bhupendra Nath Mitra:** I am very sorry, Sir, I cannot still hear the Honourable Member. If he will kindly put that question down, I shall be in a better position to answer it.

**Mr. C. S. Ranga Iyer:** Have Government chosen their representatives?

**The Honourable Sir Bhupendra Nath Mitra:** Yes.

THE MADRAS LAND REVENUE BILL.

1104. **\*Mr. A. Rangaswami Iyengar:** Will the Government be pleased to state whether they have come to any decision in regard to the draft Land Revenue Bill for the Madras Presidency now under consideration? If so, will they please state whether they have accepted the proposals of the Madras Government and if not in what respects they propose alterations in the said Bill? Will the Government be pleased to state whether they have any information as to when the Bill is proposed to be introduced in the Madras Legislative Council?

**Mr. J. W. Bhore:** No. The views of the Madras Government in regard to the points which have been referred for their further consideration have not yet been received. I regret I am not in a position to give any further information on the subject at this stage or to say when the Bill is likely to be introduced in the Madras Legislative Council.

**Diwan Bahadur T. Rangachariar:** In connection with the recommendations of the Taxation Inquiry Committee, may I ask whether the Government intend to appoint a Committee of the House to go into that Report?

**The Honourable Sir Basil Blackett:** I am not quite sure where that question arises from.

**Diwan Bahadur T. Rangachariar:** One of the proposals of the Taxation Inquiry Committee is . . . .

**The Honourable Sir Basil Blackett:** That is the next question.

RECOMMENDATIONS OF THE TAXATION INQUIRY COMMITTEE ON THE SUBJECT OF LAND REVENUE.

1105. **\*Mr. A. Rangaswami Iyengar:** Will the Government be pleased to state whether they have considered the recommendations of the Taxation Inquiry Committee along with the draft Land Revenue Bill and if so whether any recommendations which they have made with reference to land revenue will be put before the Provincial Government of Madras for consideration in connection with the final draft of the Bill to be placed before the Madras Legislative Council?

**Mr. J. W. Bhore:** The recommendations which have been made by the Taxation Inquiry Committee on the subject of land revenue will be taken into consideration both by the Madras Government and the Government of India before the final draft of the Bill is placed before the local Council.

**Diwan Bahadur T. Rangachariar:** May I repeat that question, Sir?

**The Honourable Sir Basil Blackett:** I am afraid I must ask the Honourable Member to repeat it once more on paper.

**Diwan Bahadur T. Rangachariar:** On paper?

REDRESS OF MUSLIM GRIEVANCES REFERRED TO IN THE *ALAMAN* OF DELHI, DATED THE 23RD DECEMBER, 1925.

1106. **\*Maulvi Muhammad Yakub:** Has the attention of Government been drawn to an article in the *Alaman* of Delhi, dated the 23rd December, 1925? If so, will Government kindly state what action has been taken on it to redress Muslim grievances?

**Mr. J. W. Shore:** The article has now been brought to the notice of Government. The Honourable Member may rest assured that the claims of his community will be equitably dealt with.

STAFF OF THE VARIOUS SCHOOLS IN THE DELHI PROVINCE.

1107. **\*Maulvi Muhammad Yakub:** (a) Are the following figures with regard to the staff of the various schools in the Delhi province correct:

|  | Hindus. | Muhammadans. | TOTAL. |
|--|---------|--------------|--------|
| Municipal Board Schools                                  | 103     | 23           | 126    |
| District Board Schools                                   | 140     | 11           | 151    |
| Imperial Delhi Capital Committee Middle School, Raisina. | 10      | 3            | 13     |
| TOTAL  | 253     | 37           | 290    |

(b) If the above figures are incorrect, will Government kindly give exact figures?

**Mr. J. W. Shore:** (a) The figures are for practical purposes correct.

(b) Does not arise.

APPOINTMENT OF MUHAMMADANS AS DISTRICT INSPECTOR AND TEACHERS IN THE DELHI PROVINCE.

1108. **\*Maulvi Muhammad Yakub:** (a) Is it a fact that prior to 1886 Muhammadans were predominant in the educational service in Delhi?

(b) Is it a fact that since 1886 education in Delhi has been wholly in the charge of Hindu Inspectors, District Inspectors and that no Muhammadan has ever been appointed as Inspector or District Inspector in this province?

(c) Do Government propose to appoint a Muhammadan District Inspector and to increase the number of Muhammadan teachers?

**Mr. J. W. Bhore:** (a) No.

(b) No.

(c) The Chief Commissioner, Delhi, will bear in mind the points referred to by the Honourable Member.

**Maulvi Mohammad Yaqub:** Is it not a fact that before 1894 the number of Mussalman teachers was 47 out of 150, the total number?

**Mr. J. W. Bhore:** I do not carry the figures in my head. I must really ask for notice of that question.

ALLEGED RUDE BEHAVIOUR OF A GUARD AT BEGU SARAI ON THE  
BENGAL AND NORTH WESTERN RAILWAY TO BABU RAJINDRA  
PRASAD.

1109. **\*Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the *Searchlight* of Patna, dated the 3rd February, 1926, in which there is published a letter of Babu Rajindra Prasad, complaining of the ill-treatment and rude behaviour of a guard at Begu Sarai on the Bengal and North Western Railway?

(b) What are the facts of the case, and what steps have the Government taken in the matter?

**The Honourable Sir Charles Innes:** (a) and (b). Thanks to the courtesy of the Honourable Member himself, the Government have now seen the letter referred to. They note that it is addressed to the Traffic Manager of the Railway who is fully competent to deal with the matter and who will no doubt take such action as is necessary.

**Mr. Gaya Prasad Singh:** Will the action taken on the matter be reported to this House?

**The Honourable Sir Charles Innes:** No.

MUSLIM REPRESENTATION IN THE IMPERIAL SERVICES IN THE BOMBAY  
PRESIDENCY.

1110. **\*Khan Sahib M. E. Makan:** (a) Has the attention of the Government been drawn to the address which was presented by the Anjumane Islam Broach District to His Excellency the Governor of Bombay on the 3rd February, 1926?

(b) Do the Government propose to provide for the Musulmans more appointments in the Imperial services of that Presidency?

**The Honourable Sir Alexander Muddiman:** (a) I have seen a newspaper report of the reply given by His Excellency the Governor of Bombay to the address to which the Honourable Member refers, but have been unable to obtain a copy of the address itself.

(b) I am afraid that I have nothing to add to the announcement made by me in another place on the 2nd March, 1925, and my reply in this House to question No. 1276 on the 24th March, 1925, in which the policy of Government was fully explained.

THE WORKS AND MINES ACT AMENDING BILL IN SOUTH AFRICA.

1111. \***Mr. C. S. Ranga Iyer:** (a) Has the attention of the Government been drawn to the Mines and Works Act 1911 Amending Bill introduced by the Union Government in their Legislature?

(b) Does the Bill restrict the employment in or about mines, works and machinery to Europeans, coloured persons and Malays excluding Asiatics and the Natives of South Africa?

(c) Is it a fact that the Bill introduces a statutory economic bar in South Africa which did not exist there hitherto?

(d) Is the Bill so comprehensive as to include any and every industry? What industries are outside its scope?

(e) (i) Did the Bill meet with the opposition of General Smuts in 1925?

(ii) Will the Government be pleased to place the text of General Smuts' speech on the table?

(iii) Did General Smuts not approve of the ban on Indians?

(f) Did the Government of India make any representation to the Union Government on this particular subject? If yes, with what result? Will they place the representation on the table and the reply thereto; if any, from the South African Government?

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

(b) The Bill empowers the Governor General in making regulations regarding the grant, cancellation, and suspension of certificates of competency to managers, overseers and surveyors in mines, mechanical engineers, engine drivers, blasting miners, and such other persons employed in or about mines, works, or machinery as may be required to be in possession of certificates of competency, to prescribe that in such provinces or areas as may be specified such certificates shall be granted only to Europeans, Cape Coloured, and Cape Malayans. It also empowers him in making other regulations under the Mines and Works Act to restrict certain classes of work to and impose duties and responsibilities on the above classes of persons, provided that they furnish such proofs of efficiency as may be prescribed, and generally to apportion work as between the above classes and other persons respectively in respect of mines, works and machinery.

(c) In the regulations made under the Mines and Works Act, a number of discriminations were previously in force as between white and coloured persons, particularly in respect of the Transvaal and Orange Free State. But in the case *Rex v. Hildick-Smith* the Transvaal Provincial Division of the Supreme Court in 1923 held that no power was conferred either in express terms or by necessary implication to discriminate under this law against coloured persons on the ground of their colour. In regard to mines, works and machinery, therefore, such economic bars as previously existed were not statutory.

(d) The definitions of mines, works and machinery are so wide as to be capable of covering practically all industries.

(e) Yes. A copy of General Smuts' speech has been placed in the Library of the House.

(f) Yes. Government made representations last year with the result that the wording of the Bill was altered and Asiatics and Natives were no longer directly referred to. They have recently made further representations but are not in a position to place the correspondence on the table.

**Mr. O. S. Ranga Iyer:** Will Government place those representations on the table?

**Mr. J. W. Bhore:** I have just said that we are not yet in a position to place the correspondence on the table.

**Mr. O. S. Ranga Iyer:** When will Government be in a position to do so?

**Mr. J. W. Bhore:** I regret I cannot tell him now.

**Mr. O. S. Ranga Iyer:** Are Government considering the desirability of placing those representations on the table at an early date?

**Mr. J. W. Bhore:** The correspondence, Sir, cannot be placed on the table until the negotiations have been brought definitely to a conclusion one way or the other.

**Mr. O. S. Ranga Iyer:** Are the Government aware that there is intense feeling in the matter throughout the country?

**Mr. J. W. Bhore:** I am quite aware of it, Sir.

**Mr. O. S. Ranga Iyer:** That is all the more reason why the Honourable Member should place the representations on the table.

ALLEGED INTERCEPTION OF MONEY ORDERS ADDRESSED TO THE HEAD OFFICE OF THE CENTRAL JAMIAT TABLIGH-UL-ISLAM, AMBALA.

1112. **\*Mr. Abdul Haya:** 1. Are Government aware that there is a registered association of Mussalmans of India called the Central Jamiat Tabligh-ul-Islam, which has been constituted for religious propaganda and to avert apostasy among Moslems, and that it has its head office at Ambala City in the Punjab?

2. (a) Is it a fact that in the years 1924-25 numerous complaints were made to the postal authorities, by the General Secretary of the Jamiat Tabligh-ul-Islam at Ambala City, that money orders sent to his address, from various parts of the country were being designedly and systematically intercepted by some mischievous employees of the Post Office?

(b) Did the postal authorities inquire into these complaints, and was it established that in many cases the money orders addressed to this Association were found missing? Have they been able to lay their hands upon the culprit or culprits responsible for this mischief?

(c) Do Government propose to make a full statement as regards the inquiries made and the conclusions arrived at by the authorities concerned?

DATES OF PAYMENT OF CERTAIN MONEY ORDERS ADDRESSED TO THE SECRETARY, CENTRAL JAMIAT TABLIGH-UL-ISLAM, AMBALA.

1113. **\*Mr. Abdul Haya:** Will the Government please lay a statement on the table showing whether the following money orders have been duly paid to the Secretary, Central Jamiat Tabligh-ul-Islam, Ambala? If so, will the Government be pleased to give the dates of payment of the money orders, pointing out in each case the delay caused and the reasons

for the belated payments, and whether the payments were made by means of original or duplicate forms?

- (a) Money Order No. 4044, dated 21st July 1925, for Rs. 21, sent from Nowshera by one Mr. Fazl-i-Karim.
- (b) Money Order No. 7862, dated 15th August 1925, for Rs. 20, sent from General Post Office, Bombay, by one Syed Mohd. Ishaq Shah.
- (c) Rs. 50-8-0 sent by Syed Innayat Ali from Banat District, Muzaffarnagar, on 12th August 1925.
- (d) Money Order for Rs. 15, sent by the Superintendent, All-India Moslem Educational Conference Office, Aligarh, on 26th August 1925, from Aligarh.
- (e) Another Money Order for Rs. 15 by the same, sent on 2nd September 1925, from Aligarh.
- (f) Money Order for Rs. 128, sent by one Minhaj-ud-Din, Naib Tehsildar, Tonk. The date of first information to office of destination (Ambala) being 1st March 1924.
- (g) Money Order for Rs. 5 sent by M. Md. Ismail, Auditor, Gujranwala. Date of first information to office of destination 21st April 1924.
- (h) Money Order for Rs. 20, sent by one Tufail Ahmed, Delhi. Date of first information 23rd April 1924.
- (i) Money Order for Rs. 25, sent by M. Ali Mohd., A. D. I. Schools, Garhshanker, Hoshiarpore District. Date of first information to office of destination is 19th May 1924.
- (j) Money order for Rs. 40, sent by M. Asraf Beg, Pay Office, Police Sialkot. Date of first information 30th May 1924.
- (k) Money Order No. 1570, dated 20th October 1925, sent from Gogra City P. O., by M. Mohd. Husain, Canal Munshi.
- (l) Money Order No. 4056, dated 3rd November 1925, sent from Simla P. O., by M. Chiragh Din, Clerk, Simla P. O.
- (m) Money Order No. 3745, dated 18th November 1925, sent from Jhang City Sub-office, by Syed Mehr Ali Shah, Pensioner, Sub-Inspector of Post Offices.

LOSS OF MONEY ORDERS ADDRESSED TO THE SECRETARY, JAMIAT  
TABLIGH-UL-ISLAM, AMBALA.

1114. \*Mr. Abdul Haya: Is it a fact that on complaints made by the Secretary of the Jamiat Tabligh-ul-Islam the Postmaster, Ambala, in his letter No. C.M.O./866, dated 17th November, 1925, said that the loss of a money order was nothing unusual and he further asked the Secretary to receive remittances in insured covers instead of by means of money orders? Is it a fact that the Postmaster in this letter also pointed out that such complaints instead of mending matters were likely to increase the trouble?

LOSS OF MONEY ORDERS ADDRESSED TO THE SECRETARY, JAMIAT  
TABLIGH-UL-ISLAM, AMBALA.

1115. \***Mr. Abdul Haya**: Will the Government please state if there is also any other individual or Association in Ambala who has lost so many money order remittances in 1924-25 as the Secretary of the Central Jamiat Tabligh-ul-Islam at Ambala City?

DISCOURAGEMENT OF REMITTANCES BY POSTAL MONEY ORDERS.

1116. \***Mr. Abdul Haya**: Is it a fact that the Government want to discourage remittances being sent by means of postal money orders? If not why did the Postmaster, Ambala, suggest this course in his letter No. C. M. O./366, dated 17th November 1925?

**The Honourable Sir Bhupendra Nath Mitra**: With your permission, Sir, I will answer questions Nos. 1112 to 1116 together.

Government have seen in the Press references to the Association named by the Honourable Member, which is described as a registered association.

The reply to the first part of question No. 1116 is in the negative.

The other matters referred to in these questions are being investigated and I will inform the Honourable Member of the result in due course.

RECORDS MAINTAINED BY THE POSTAL DEPARTMENT OF MONEY ORDERS  
DURING TRANSIT.

1117. \***Mr. Abdul Haya**: (a) Is it a fact that in the Postal Department, at present no record is maintained of money orders during transit, and hence it is very easy for postal employees to intercept money order forms without running the risk of being detected?

(b) If the answer to part (a) is in the affirmative, what steps do the Government propose to remedy this defect?

**The Honourable Sir Bhupendra Nath Mitra**: (a) No record is maintained of money orders during transit. Unless there are six or more money orders for any one office, they are sent loose and treated like ordinary letters. It is true that money orders sent loose can be intercepted without much risk of detection. But ordinarily the risk is negligible because postal employees are not interested in money orders in transit. The incident referred to in the previous questions by the Honourable Member, if true, is exceptional.

(b) The system of sending money orders loose has not been found to be defective.

MEMORIALS SUBMITTED TO THE AGENT OF THE NORTH WESTERN  
RAILWAY.

1118. \***Mr. S. Sadiq Hasan**: Will the Government please state what branches of the North Western Railway Traffic Department submitted their memorials to the Agent in the year 1925?

MEMORIALS OF THE BOOKING CLERKS OF THE NORTH WESTERN  
RAILWAY.

1119. \***Mr. S. Sadiq Hasan**: Will the Government please state what action, if any, has been taken by the North Western Railway administration in respect of the memorials submitted by the booking clerks' section in July 1925?

NUMBER OF EUROPEANS EMPLOYED IN THE TRAFFIC BRANCH OF THE  
NORTH WESTERN RAILWAY.

1120. \*Mr. S. Sadiq Hasan: (a) Will the Government please state whether there are any Europeans employed in the Traffic Branch of the North Western Railway?

(b) Is it a fact that Europeans are not allowed in this branch because of the small salaries and scanty prospects?

INCREASE OF AUDIT WORK IN THE TRAFFIC DEPARTMENT OF THE  
NORTH WESTERN RAILWAY.

1121. \*Mr. S. Sadiq Hasan: Will the Government please state whether there has been any increase of audit work in the Traffic Department of the North Western Railway during the last five years?

BOOKING CLERKS OF THE NORTH WESTERN RAILWAY.

1122. \*Mr. S. Sadiq Hasan: 1. Will the Government please state the total amount of shortages and deficits and other debits which were charged to the clerks of the booking clerks' section of the North Western Railway administration during the last five years?

2. (a) Will the Government be pleased to state whether any higher posts are open to the employees of this section?

(b) If the answer to part 2 (a) is in the affirmative will the Government be pleased to state how many members of this section have been appointed to these higher posts during the last five years? If not, why?

3. Will the Government please state the total number of clerks in this branch and also the number at present drawing the maximum pay, sanctioned under the rules?

4. Will the Government be pleased to state whether any committee has yet been appointed to inquire into their grievances with a view to redress them at an early date?

**The Honourable Sir Charles Innes:** Sir, with your permission, I propose to reply to questions Nos. 1118 to 1122 together.

The Government have no information on the points raised in the first four questions and in parts 1 to 3 of the fifth question and they do not propose to inquire. The answer to part 4 of the last question is in the negative.

MAULVI FAZIL AND SANSKRIT TEACHERS IN THE NORTH WEST FRONTIER  
PROVINCE.

1123. \*Mr. S. Sadiq Hasan: (a) Is it a fact that the grade of Maulvi Fazil and Sanskrit teachers in the North West Frontier Province is lower than the grade of Maulvi Fazil and Sanskrit teachers in the Punjab?

(b) Do Government propose to consider the question of raising their grades and bringing them to a level with the Punjab?

**Mr. J. W. Bhore:** (a) In the North West Frontier Province, Munshi Fazil, Maulvi Fazil and Sanskrit teachers are appointed on Rs. 40 per mensem in the grade of Rs. 40—4/2—60. They can rise to Rs. 100 in the grade of Rs. 70—6/2—100.

So far as is known the ordinary rates in the Punjab are not more favourable, being Rs. 35—8—50 and Rs. 55—3—70. The highest grades in the Punjab, *vis.*, Rs. 110—5—135 and Rs. 140—10—190, are very few and it is understood that they are reserved for specially qualified men holding posts requiring greater literary attainments than are needed in ordinary Government schools like those in the North-West Frontier Province.

(b) The question of improving the pay of oriental teachers in the North West Frontier Province was considered, but had to be dropped owing to the retrenchment consequent on the recommendations of the Incheape Committee.

FACILITIES FOR FIRMS IN INDIA TO TENDER FOR GOVERNMENT CONTRACTS IN CROWN COLONIES.

1124. \***Mr. W. S. J. Willson:** 1. Has the attention of Government been drawn to the serious harm done to Indian trade by the attitude of the Crown Agents to the Colonies in London and, in particular, to the fact that orders which were until very recently placed direct by the Iraq Government with Indian manufacturers have now to go through the Crown Agents in London?

2. With reference to the reply by the Crown Agents to the representation on this subject made by the Government of India in April last, will Government be pleased to indicate what further steps they propose to take in order to remove the difficulties placed in the way of Indian manufacturers by the action of the Crown Agents to the Colonies?

**The Honourable Sir Charles Innes:** (1) and (2). The resolution and discussion at the meeting of the Associated Chambers of Commerce in December 1924, on the subject of giving more facilities for firms in India to tender for Government contracts in Crown Colonies were forwarded to London with support. In that discussion the case of Iraq was also stated. The Colonial Office replied that they had given their most careful consideration to this request and that they did not consider any alteration in the present procedure whereby orders were placed and inspection was arranged for by the Crown Agents was practicable. The Crown Agents are prepared, as they always have been, to place on their list suitable manufacturers in India who apply to them and to invite them to quote when opportunities occur. This reply was communicated to the Associated Chambers and the Government do not consider that any further action can usefully be taken by them.

TENDERS FOR SLEEPERS FOR THE LLOYD BARRAGE.

1125. \***Mr. Harchandrai Vishindas:** 1. Are Government aware, that the lowest tenderer for the contract of Lloyd Barrage sleepers who was the subject matter of my starred questions Nos. 567 and 568 answered on the 2nd February 1926, has been for long on the approved list of the Indian Stores Department, P. W. D. in Sind, Lloyd Barrage, Karachi Municipality, Karachi Port Trust, Karachi Customs, North Western Railway and others, whereas that the contractor whose tender was actually accepted by the Controller of Purchases, Karachi, was only recently brought by that Controller on his list?

2. Are Government aware that the tenderer whose tender was actually accepted was the fourth lowest tenderer and not the second lowest, as erroneously stated by me?

3. If so, will Government be pleased to state why the successful tenderer was allowed to leap over the heads of three lower tenderers?

4. Do all these three tenderers labour under the disability of not being in a position to fulfil the provisions of this particular tender, the explanation surmised by the Honourable the Government Member in answer to Sir Hari Singh Gour's supplementary question appearing at page 600 of this year's official report?

5. Is it a fact that the Controller of Purchases, Karachi, sent a tabulated list of tenderers including all the above-mentioned three lower tenderers to the Executive Engineer, No. 2 Division, Larkana, for whose requirements these tenders were called?

6. Did the said Executive Engineer write the Purchases Controller, Karachi, that orders were placed with the lowest tenderer the firm of Messrs. Hiranand and Dowlatram and that the contractor should be expedited to supply early and notwithstanding this the Karachi Purchases Controller gave the contract to the fourth lowest tenderer?

7. Is it true that the accepted tender was for the supply of Calicut sleepers, whilst the lowest tender was for the supply of Kalpanee sleepers, which is superior stuff?

8. Is it true that the lowest tender was for Rs. 8,925, whilst the accepted tender was about Rs. 1,000 higher?

9. Is it true that after the action of the Karachi Controller was unfavourably commented upon by the Karachi Press, both Anglo-Indian and Indian, the lowest tenderers, the firm of Hiranand and Dowlatram was boycotted by the Karachi Controller by not inviting tenders from them although the Chief Controller of Stores, Delhi, continues inviting tenders from them?

10. If the answer to part 9 is in the affirmative, what action do Government propose to take against the Controller of Purchases, Karachi, to prevent the recurrence of such retaliation?

**The Honourable Sir Bhupendra Nath Mitra:** (1) Government are aware of the dates on which the two firms in question were brought on to the approved list of contractors of the Indian Stores Department. but have no information in regard to the dates of their registration on the approved lists of other departments. In any case these dates would not affect the award of a contract.

(2) I have had the matter further examined and find the answer is in the negative. The tenderer whose tender was accepted was the second lowest tenderer as previously stated.

(3) and (4). Do not arise.

(5) The Controller of Purchases, Karachi, sent a tabulated list of all tenders received to the Executive Engineer, No. II Division, Larkhana.

(6) I would refer the Honourable Member to the reply given by me to part (2) of question No. 981 on the 26th February, 1926, by Khan Bahadur W. M. Hussanally.

(7) The origin of the sleepers quoted for was not mentioned in either of the tenders which were merely for pen wood sleepers as specified in the invitation to tender.

(8) No. The lowest tender was for Rs. 8,925 and the accepted tender was originally Rs. 9,260.

(9) In withholding tenders from the firm of Hiranand Daulat Ram the Controller at Karachi is acting under instructions issued to him by the Chief Controller of Stores. By an oversight tenders have been called for from that firm by the Chief Controller himself, but no orders have been placed with them recently.

(10) Does not arise.

EXPENDITURE ON REPAIRS TO THE CHURCH AT HOSHANGABAD.

1126. \***Pandit Shambhu Dayal Misra:** (a) Will the Government be pleased to state whether there is a church building at Hoshangabad, constructed at the cost of the State and when it was constructed?

(b) Will the Government be pleased to state whether that church is in the course of reconstruction, and to state also the probable cost of the same?

(c) Is it a fact that no troops are stationed at Hoshangabad, and that there is no probability of their being stationed there? If so, will the Government be pleased to state why the church is being reconstructed or money spent on its repairs?

(d) Will the Government be pleased to state the number of Europeans in Hoshangabad, officials and non-officials (if any) who require the use of this church?

**The Honourable Sir Charles Innes:** (a) to (d). There is a church at Hoshangabad which belongs to Government. It was constructed in 1866, partly at Government and partly at private cost. The church is not being reconstructed, but is under special repairs which have been undertaken owing to report that the condition of the building was unsafe. The estimated cost of repairs is Rs. 3,061. The number of Europeans and others including families using the church is approximately twenty.

NUMBER OF WIRELESS LICENCES FOR AMATEUR TRANSMISSION GRANTED IN BRITISH INDIA.

1127. \***Colonel J. D. Crawford:** Will the Government be pleased to state what wireless licences for amateur transmission are granted in British India?

**The Honourable Sir Bhupendra Nath Mitra:** 79 private persons have been granted non-commercial licenses, class one, which authorise the licensee to transmit for experimental or instructional purposes but prohibit the transmission of broadcast matter which is defined in the license to be "concerts, lectures, educational subjects, weather reports, theatrical entertainments and other matter (including news and other information) from time to time approved by the Director General of Posts and Telegraphs". Eight of these licensees have however applied for and been granted authority to transmit music since this is technically desirable for certain tests of wireless telephones.

2. The Radio Clubs of Bengal, Bombay, Madras, Rangoon and Karachi have been granted non-commercial licenses, class one, with a special schedule authorising the transmission of Broadcast Matter. The licensee is the President of the Club concerned who is responsible for the matter broadcasted.

All non-commercial licenses specify the licensed apparatus and the place at which such apparatus may be established, maintained and worked.

## UNSTARRED QUESTIONS AND ANSWERS.

### SHORTAGE OF ACCOMMODATION FOR OFFICIALS AT RAISINA.

202. **Mr. K. C. Neogy:** Will Government be pleased to state if it is a fact that the accommodation required for officials at Raisina next cold weather is likely to be 25 per cent. to 30 per cent. short of requirements?

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

### RUNNING OF THE WESTERN HOSTEL, RAISINA, AS A HOTEL BY SOME COMPANY OR CONTRACTOR.

203. **Mr. K. C. Neogy:** Is it a fact that after advertising for tenders in order that the Western Hostel might be run as a hotel by some company or contractor, Government withdrew the offer? If so, why?

**The Honourable Sir Bhupendra Nath Mitra:** Yes. The offer was withdrawn as it was found incompatible with the necessity for reserving a certain number of quarters for Members of the Legislature.

### CONSTRUCTION OF HOTELS BY PRIVATE ENTERPRISE IN THE NEW CAPITAL.

204. **Mr. K. C. Neogy:** What encouragement, if any, are Government offering to private enterprise to construct hotels in the New Capital?

**The Honourable Sir Bhupendra Nath Mitra:** Sites are being reserved in the New Capital for hotels, and negotiations have been entered into with persons interested, but so far no leases have resulted. No special inducements have been offered to private enterprise to construct hotels.

### CONSTRUCTION BY A COMPANY OF A HOTEL IN NEW DELHI.

205. **Mr. K. C. Neogy:** (a) Have Government ascertained the possibility of any company coming forward to build a hotel in New Delhi, so long as the Government of India run a hostel?

(b) Are Government aware that the commercial world regard their action as being unfair competition with private enterprise?

**The Honourable Sir Bhupendra Nath Mitra:** (a) I would refer the Honourable Member to the reply given to his previous question.

(b) Government have no information.

## AVERAGE ANNUAL LOSS ON THE WESTERN HOSTEL, RAISINA.

206. **Mr. K. C. Neogy**: Will Government be pleased to state what the loss was in the cold weather of 1924-26, and what the loss is likely to be in 1925-26, through the Western Hostel being run on its present lines?

**The Honourable Sir Bhupendra Nath Mitra**: The loss averages about Rs. 15,000 annually.

## PROVISION BY FOREIGN GOVERNMENTS OF PRIVATE HOSTELS FOR THEIR EMPLOYEES.

207. **Mr. K. C. Neogy**: Are Government aware of any other country where Government provide private hostels for their employees?

**The Honourable Sir Bhupendra Nath Mitra**: Government have no information.

## AMENDMENT OF THE BAMBOO PAPER INDUSTRY (PROTECTION) ACT.

208. **Dr. L. K. Hyder**: Have the Government of India completed the examination, promised last September by the Honourable the Commerce Member, to determine whether the Bamboo Paper Industry (Protection) Act requires any amendment to provide especially for super-calendered paper, whether imported in reels or not? If so, what is the result?

**The Honourable Sir Charles Innes**: All Local Governments were requested to consult presses and publishing houses in their provinces to ascertain the extent to which imported super-calendered paper was used and the form in which it was imported, whether on reels or in sheets. It was clear from the replies received as in fact the Tariff Board had already reported, that the term super-calendered does not denote the composition of paper but merely the finish given to any paper. Paper manufacturers in India do produce paper with this finish. It further appeared that presses and publishing houses which use imported super-calendered paper of a composition which renders it liable to the new duties import it for the most part in sheets and not in reels. It was also reported that the *Illustrated Times of India Weekly*, in connection with which the discussion was started, have already adapted their purchases to the new duties.

2. Owing to the dissolution of the Council of State, the Departmental Advisory Committee was not in existence, but these facts were placed before three members of the old Advisory Committee who are also Members of the Assembly, namely, Sir Purshotamdas Thakurdas, Mr. Willson and Diwan Bahadur M. Ramachandra Rao. They all agreed that on the facts reported no amendment of the Bamboo Paper Industry (Protection) Act is required. This was also the conclusion arrived at by Government and therefore it is not proposed to take any further action.

## RECRUITMENT OF MUSLIM SORTERS IN THE RAILWAY MAIL SERVICE, MULTAN DIVISION.

209. **Sayyad Ghulam Abbas**: Are the Government aware that the number of Muslim sorters in the Railway Mail Service, Multan Division, is very small? Do the Government propose to take steps to recruit more Muslims in that Department?

**The Honourable Sir Bhupendra Nath Mitra**: Yes. Muhammadan applicants possessing the requisite qualifications are usually given employment. The Superintendent of the Division has been asked to encourage the recruitment of Muhammadan sorters.

## ELECTION OF THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

**Mr. President:** I have to announce for the information of Honourable Members that in accordance with the motion adopted by the House on the 25th February last, nominations for the Central Advisory Council for Railways will be received up to 12 noon on Friday, the 12th March, and the election, if necessary, will be held on Monday, the 15th March, in this Chamber by the usual method, namely, the single transferable vote.

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## THE INDIAN INCOME-TAX (AMENDMENT) BILL.

### PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): Sir, . . . .

**Mr. President:** The Honourable Member is very impatient. Sir Basil Blackett.

**The Honourable Sir Basil Blackett** (Finance Member): Sir, I lay on the table the Report of the Select Committee on the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes.

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## THE INDIAN FACTORIES (AMENDMENT) BILL.

### PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): Sir, I beg to lay on the table the Report of the Select Committee on the Bill further to amend the Indian Factories Act, 1911.

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## THE GENERAL BUDGET—LIST OF DEMANDS.

### SECOND STAGE.

#### *Expenditure from Revenue.*

#### DEMAND No. 16—CUSTOMS.

**Mr. President:** The House will now proceed to consider the Budget, Part II, Second Stage.

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): I was, Sir, impatient because the motions made by the Finance Member and the Honourable Member for Industries were not on the agenda; and, Sir, I am very much afraid of the Government Members when they get up, because one does not know how they will try and corner us when it suits them. Sir, I have given notice and my notice is this, that I wish to move that the consideration of Demands Nos. 16 to 27 be adjourned and that the consideration of Demand No. 28 be taken up first. Sir, according to the practice which was established in this House last year, the Government on that occasion agreed to this course, namely, that a particular Demand

should be taken up out of its order. I shall read to you what took place on that occasion. My Honourable friend, Diwan Bahadur Ramachandra Rao, raised the question and said :

“ May I ask you, Sir, and through you, the Honourable the Home Member, whether a variation of the Demands, so as to bring up Nos. 28 and 81 which relate to the Executive Council and the Secretary of State respectively, to-morrow morning, can be made? In view of the statement which has been made to-day by my Honourable friend, Pandit Motilal Nehru, it seems to me that an opportunity should be afforded by the Government for the discussion of the question raised in the adjournment motion this morning. I therefore suggest that these two Demands, Nos. 28 and 81, should be taken up first to-morrow morning.”

You, Sir, at that time were a Member of this House and you followed and said :

“ *Mr. V. J. Patel*: May I intervene and ask whether it is not within the power of the Chair to take these Demands in any order that it thinks proper, or whether the Home Member has got anything to do with the matter?”

Then the ruling of the President was :

“ The order in which the Demands for Grants appear, as far as the procedure of this House is concerned, is more or less arbitrary. If we were to follow the usual Parliamentary practice in England, the order in which they will be taken would be arrived at by agreement between the Chief Whip of the Opposition and the Leader of the House. I do not know whether there is a Chief Whip of the Opposition Party. I understand that Mr. Ramachandra Rao has for the moment usurped those functions. Therefore it is not so much for the Chair to decide in what order the Demands should be taken, as for the Opposition and the Government between them to decide as a matter of convenience how they will proceed. Provided notice is given, it will be reasonable on the part of the Government to meet the wishes of the House as far as possible in matters of that kind.”

Then, Sir, Mr. V. J. Patel said :

“ Is the Chair bound to accept the agreement arrived at between the two Parties ?”

“ *Mr. President* : It is almost a hypothetical question. I do not say that the Chair is bound to accept it, but as a matter of convenience if the two sides of the House agree, that a Demand should be taken up in a certain way, the Chair is always ready to meet the convenience of the House on that matter. Do I understand the Honourable Member to object to the proposed arrangement ?”

Then, Sir, Mr. V. J. Patel said :

“ I do not object to anything. I think it is the right of the Chair to take the demands in any order the Chair thinks fit. The Home Member should have nothing to do with it”.

After that threat from you, the Honourable the Home Member promptly agreed to the arrangement that the Demand No. 28 should be taken up first the next morning, and it was, in accordance with that agreement, taken up the next morning out of the order as it was arranged by the Government.

Now, Sir, on this occasion, on the 4th of March, before I could approach the Honourable the Home Member, the Leader of the House, he had suddenly disappeared. Perhaps he was so pleased that the discussion concluded so soon that he was not available, and, therefore, the next Member that I could approach was the Honourable the Finance Member. And certainly it is more his domain, although he is not the Leader of the House, and I thought that he was the next important Member of Government whom I could approach in this matter, and I put it to him that we on this side desired,—and I made it clear to him that I was speaking not

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only on behalf of my Party but also on behalf of the Swaraj Party who had authorised me to come to an arrangement with the Government, that the Executive Grant should be taken up first. He then told me that he would consider the matter and if possible he would discuss it with the Leader of the House and let me know. He was very kind in sending me a very prompt reply on the 4th of March, 1926, and with his permission I shall read it. This is what he says :

“ I have not been able to see the Honourable Sir Alexander Muddiman ”,  
—so even he, Sir, failed to trace the Home Member . . . .

**The Honourable Sir Alexander Muddiman** (Home Member): Sir, I do not want to interrupt the Honourable Member, and I trust I have not been impatient. I have listened to him carefully, but I should like to know whether the Honourable Member is making an appeal to me or whether he is moving an amendment. If he is moving an amendment, I should like your ruling whether the Honourable Member is in order in moving it now?

**Mr. M. A. Jinnah:** If the Honourable Member will allow me to continue, he will know whether I am making an appeal to him or I am making a motion. It is now too late for him to interrupt me at this moment when I have proved that it was difficult to trace him.

Then, Sir, I proceed :

“ But the answer to your question ”

—says the Finance Member—

“ as to the order in which the Demand for Grants will be taken up is, I think, clear. In the absence of directions to the contrary from the House, the Demands will be taken up in their numerical order. It is now too late for the Government to alter the order in which they appear on the paper. Whether the President would accept a motion for the postponement of the discussion of the particular Demand in order to expedite the discussion of another Grant seems to be a matter entirely for the President to decide ”.

After that, Sir, I thought that the only course that I could adopt was this, that I should give notice to the Secretary, to yourself, to the Honourable the Home Member, the Leader of the House, and also to the Finance Member, and that notice was given on the 5th March, 1926, pointing out that I propose to suggest that Grant No. 28 should be taken up first and that the consideration of the Grants Nos. 16 to 27 should be postponed. After that I understood that the Honourable the Home Member, the Leader of the House, felt that I had not approached him and so I appealed to him to come to an arrangement with us. But, Sir, when I received the letter from the Honourable the Finance Member on the 4th of March, it was from a Member of Government, and he distinctly informed me that it was not possible to change the arrangement, and therefore I thought that the only thing I could do was to give a formal notice, which I did. But thereafter I thought that my Honourable friend, for whom I have always the greatest respect—I always walk into his room, though I do not always find him there,—I thought that he felt that I had not approached him. I therefore informed him also on the telephone. And here now I met his point while he interrupted me and I appealed to him that following the practice of last year the Government should meet us

in our wishes in taking up Grant No. 28 first. Sir, he said with his usual courtesy and geniality that he would give the matter his very careful consideration and let me know, and this is the letter dated 7th March, 1926, I received from him, which, I think, will make his position clear. I shall read that:

“ I have received your notice in which you inform me that you propose to move for the postponement of certain Grants in order to take up Grant No. 28, and you appear to have given notice not only to me,”

—he objects, Sir, that I should give notice to other people,—

“ you appear to have given notice not only to me, but to the President and the Honourable Sir Basil Blackett ”

I do not know why he should object to that so long as he gets notice himself. As a matter of fact this notice was given because we were informed by the Secretary that a notice should be given.

“ It struck me ”—says he—“ the moment I saw it that it was out of order, and after consulting Mr. Graham, I find no reason to change that view. Had any application been made to me to consider the question whether as a matter of arrangement the order of the Grants should be altered. I should have given the matter full consideration, but no such application was made although I noticed in the telegrams some two days ago a statement to the effect that this had been arranged. I promptly had this contradicted, for no such application was made to me.”

Now, Sir, I shall pause here for the moment. The notice I gave to the Honourable the Home Member was on the 5th of March, and he never then suggested to me if we desired to do this by an arrangement or by our moving a formal motion. He never took any notice of it at all. It was only after I had telephoned to him and pressed him that, even as a matter of arrangement it should be done, that he was good enough after consideration to write his letter. The letter of the Honourable the Home Member proceeds:

“ I should have given the matter full consideration, but no such application was made. In view of your telephonic message I gather that you now ask that as a matter of agreement Grant No. 28 should be taken first. It seems to me that unless I have an application from all parties ”

—he never asked me whether it was the desire of any other party or not—

“ I could not even consider it, because obviously those persons who have put down cuts on the earlier Grants are equally concerned, and the President might also very well take the line that his consent was necessary. Furthermore, I fail to see what advantage it is proposed to offer me for agreeing to this course ”.

Now, I ask what advantage does the Honourable the Home Member ask me to offer him? Am I to pay him a certain fee for it?

**Ms. Bipin Chandra Pal** (Calcutta: Non-Muhammadan Urban): That is the order of the day.

**Mr. M. A. Jinnah:**

“ The so-called constitutional issue could easily well be raised on any Grant and as far as I can see, I will merely be inviting the full force of the opposition to Government by taking Grant 28 out of its course.”

I think the House can very well judge of the motives of the Leader of the House in putting all these difficulties in my way. He was afraid  
12 Noon. of the “full force of the opposition to Government” by taking Grant No. 28.

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"As you know"

—here of course, I must not leave the House in doubts; here comes his courtesy and geniality—

"As you know, I am always willing to meet you as far as I can, but the course that has been followed . . ."

—what course he thinks of, I do not know—

"precludes me from altering the order at this late stage".

Now, Sir, this last argument of "late stage" is absolutely unwarrantable and cannot be justified. What is the late stage? All that the Government required of us on the last occasion and the plea they put forward on a similar occasion last year was this, that we should not suddenly change the order on the list, because, naturally, and very rightly—and I shall in a moment quote what the Honourable the Leader of the House said on this point last year—naturally, if Honourable Members come here to discuss the first 5 or 6 or 7 or 10 Grants and suddenly the order is upset, it of course upsets their arrangement. Now, Sir, on this occasion the notice was given to the Finance Member on the 4th of March.

**The Honourable Sir Basil Blackett** (Finance Member): Too late.

**Mr. M. A. Jinnah:** The Honourable the Finance Member says, "Too late". I say then that you are not fit to manage your business. If on a notice of four days you cannot discuss a particular Grant, then I say that you are not fit to conduct your business.

**Mr. R. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Whoever doubted it?

**Mr. M. A. Jinnah:** This is what the Honourable the Leader of the House said on that occasion:

"In the first place let me say that in dealing with this matter I should naturally be very largely guided by the views of the Chair . . ."

—I hope he will do so now—

" . . . and indeed my action must be taken after considering any ruling the Chair may give. I may, however, point out that this is a somewhat late period in the course of our debates to put forward a question of this kind. The House has been taking the Demands in the order in which they appear on the order paper and obviously my Honourable friend will have no difficulty in agreeing with me that any sudden change in the order would dislocate what the Government regard as the reasonable course of business. Now, Sir, my Honourable friend has put a point to me to which I feel I must give full consideration especially in view of your ruling this morning that the matter which my Honourable friend on my right is very anxious to bring forward for discussion could be taken up under Demand No. 28. I understood that to be your ruling and therefore as regards Demand No. 28, I, speaking on behalf of Government, will be quite ready to take that first to-morrow."

This was on the 18th March, 1925. Now, Sir, I submit that the Government have taken up this time a most unreasonable attitude. They cannot say that this change in the order is sudden, because I have satisfied the House that the first notice was given on the 4th of March, after the

general discussion was over. I ask the House whether we are going to be dictated to by Government in this fashion. I know what they will say. I know what they will rely upon. They will say that under Standing Order 7, they are masters of the position and they can compel this House to discuss any particular motion that they choose and in any particular manner they desire. But I challenge that position altogether. Standing Order 7 runs as follows:

“On days allotted for the transaction of Government business, the Secretary shall arrange that business in such order as the Governor General in Council may direct.”

This Order does not give the Government any more power than merely to arrange the business in such order as the Governor General in Council may direct. That is only for the purpose of being brought up before this House for consideration. In the case of non-official business the arrangement is made by that mysterious instrument, the ballot. That is the only difference. But I say that it is the right of this House to say that we shall arrange that order and postpone any particular Grant and take up any particular Grant that we may desire. The only complaint that the Government can make is “You must not make a sudden change, because, if you make a sudden change, it will be inconvenient and unreasonable on your part and we shall not be able to meet it.” Therefore, Sir, with regard to the plea of sudden change, I have satisfied the House that I have given ample opportunity and ample notice to the Government and this opposition, on the part of Government is unwarrantable and unjustifiable. It is put forward by the Government merely because the Leader of the House does not wish to face the full force of the opposition. And why not? You can always certify. You are well entrenched behind safeguards.

**The Honourable Sir Alexander Muddiman:** Do you want me to do it?

**Mr. M. A. Jinnah:** Certainly. I want you to do it on this occasion, if you can and must because, as I said before,—the Honourable the Home Member does not seem to remember what has happened in the past—as I have said before, this is the only unequivocal manner in which we can constitutionally prove that the Government are defeated without doubt. If I make a cut, you may say, “Well, it does not matter very much.” I want you to be defeated as far as your constitution goes. There is no analogy of course between this constitution and the constitution which you think of in any full-fledged Parliament. Therefore, it is no use saying,—I know the old argument—“Do you want us to certify?” I want you to certify and I want that to be put on record. That is the only way in which we can put it on record and constitutionally say that you remain there defeated. And you do not resign because you have got no self-respect.

**The Honourable Sir Alexander Muddiman:** Sir, I must confess that even to the end of my Honourable friend's speech I have been in some doubt as to whether he was making an appeal or whether he was making a demand.

**Mr. President:** Or was he giving a threat.

**The Honourable Sir Alexander Muddiman:** He is giving a threat. I think, however, that he has satisfied the main object of his speech. He has been able to deliver himself of a speech which I think he might not

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have been able otherwise to deliver himself of and thereby he lost no opportunity of doing so. Now, Sir, if it was intended as an appeal, I would suggest to the House that it was not a fortunately worded one. If it was intended . . . .

**Mr. M. A. Jinnah:** I have failed in my appeal. I made an appeal and I got a reply from the Honourable the Home Member. I have read his letter to the House. He has declined to meet my appeal. I therefore stand on my rights here.

**The Honourable Sir Alexander Muddiman:** The Honourable Member, I understand, gives up that part of his case which rests on an appeal.

**Mr. M. A. Jinnah:** If the Honourable the Home Member is willing to reconsider the matter, I will appeal once more most gracefully.

**The Honourable Sir Alexander Muddiman:** I understand the Honourable Member gives up that part of the case which rests on appeal . . . .

**Mr. M. A. Jinnah:** I do not. I appeal again.

**The Honourable Sir Alexander Muddiman:** . . . . having read the letter which I sent him. It expresses my views perfectly frankly and I have nothing whatever to withdraw in regard to that letter. Again, it has been suggested that it is a reply to this formal notice which was given by Mr. Jinnah. The notice, Sir, is a formal notice which was given to the President, and contains no suggestion that he had any consultation with any part of the House or he wished to have any consultation with me or that he did anything or was going to do anything more than place the motion on the paper, and that he would endeavour to carry it out. The notice is a formal notice. He says: "I intend moving that so-and-so should be postponed. I intend further to move that the Demand be omitted." As regards the second part of that, it is obviously essential that he should give notice because, if he did not give notice, he would not be able to move the motion. There is no suggestion that he was in correspondence or in conference with any of the other gentlemen who sit in this House. The Honourable Member knows me very well and he knows also that I am always accessible. The Honourable Pandit will bear me out when I say that whenever he wished to see me I always made myself accessible. It is true that owing to the unfortunate way in which the general discussion took place I was enabled to get a little of the recreation that I think I deserved, and I hope that nobody in this House will grudge me that. I have met the point of appeal. The question whether this motion is in order is for you to decide and I am quite content to leave it in your hands. But if it is put to the House I shall have to divide the House against it.

**Khan Bahadur W. M. Hussanally** (Sind: Muhammadan Rural): I have to say a few words on this occasion on the appeal made by my Honourable friend, Mr. Jinnah. He quoted from your own speech last year as to what was said in the matter of the postponement of certain Grants in that year and tried to bind you to the opinion which was expressed then. There is one thing which I want to bring to your notice and that is the difference between what happened last year and what has happened this year. The proposal made last year was made one day before, that the particular Grant be taken up the next day and discussed in the House, so that the whole House had notice. This year whatever may have been the correspondence between my Honourable friend Mr. Jinnah and the

Government Members, we on this side know nothing of what transpired between them. We are now taken by surprise by the proposal that Demand No. 28 be taken up to-day all of a sudden. We never expected that this particular Grant No. 28 would be taken up to-day. In fact, in the usual course of things one or two Grants are done in a day, so that we cannot be expected to have come prepared with that particular Demand No. 28. If the House decides that the Grant No. 28 be taken up to-day, we are entirely in the dark about that Grant and we can say nothing about it or discuss it. I appeal to you before you decide whether my Honourable friend Mr. Jinnah is in order to-day. I have no objection to the Grant being taken up to-morrow because we will then have had a day's notice to come prepared. At any rate, to-day we on this side of the House, barring perhaps a few Members of Government, are entirely in the dark, and therefore I appeal to you to take that matter into consideration before you decide the point.

**The Rev. Dr. E. M. Macphail** (Madras: European): I wish to protest against the idea put forward by my Honourable friend, Mr. Jinnah, that this Assembly should be omnipotent and be able at any moment to take up anything and have it voted upon. As to this particular Demand, I do not care in the least in what order it is taken up, but I do think Mr. Jinnah's proposal raises a very serious constitutional question. It may not be so at the present time, but in the days to come it may be very serious that a popular assembly should have the right to change the order of business at any moment and without due notice decide upon a question by a snap vote and make a change because there happens to be at the time a majority on one side. It is, as I have said, a matter of indifference to me whether we vote on this particular Demand or on that Demand now, but I do think that the matter is extremely important from the constitutional point of view. Moreover, my Honourable friend Mr. Jinnah has not given us one single reason why the order should be changed.

**Mr. President:** The Honourable Member from Bombay desires that Demand No. 28 should be discussed first. He suggests in the first place that if possible it should be done by common consent. By common consent I believe he means the consent of a majority of the Members of the House, Government and the Chair. So far as the Chair is concerned, it is always anxious and willing to meet the convenience of the House. No appeal from the Honourable Member is required for that purpose. If the Chair is convinced that the majority of the House desires a particular course it is always willing to meet them. But the difficulty is, as suggested by the Honourable Member from Bombay, the difficulty raised by Government. If Government agree to the course proposed by the Honourable Member from Bombay and if the Chair is satisfied that a majority of the Members of the House desire that course to be adopted, there cannot be the slightest difficulty. I find, however, that the Government are not willing to meet the Honourable Member from Bombay on the ground stated by the Honourable the Home Member. Under these circumstances it is not possible for the Chair to do anything in the matter. Of course, the Chair can always advise Government to take up a reasonable attitude in all matters. In this matter also I would advise them, if they are satisfied that Members of this House desire a particular course to be adopted, to meet their wishes. If the House thinks that the Government are unreasonable, the House has always the remedy in

[Mr. President.]

its own hands, and that is to adjourn every item when it comes for discussion by its vote and thus bring up Demand No. 28, for discussion. That is a remedy which Government know very well the non-official Members have in their hands and I do not think that Government would be so unreasonable as to compel non-official Members to resort to that course if the Government are satisfied that there is a strong feeling in the House to take up Demand No. 28 first. But the difficulty is to find out whether such a feeling really exists. That is the difficulty which faces both the Chair and the Government. (*Some Honourable Members: "Divide the House. Take the vote of the House."*)

As regards the second point raised by the Honourable Member from Bombay, namely, if the Government do not give their consent to take up Demand No. 28 first, he has a right to make a motion in that behalf and divide the House on it, I am afraid I must rule against the Honourable Member. On non-official days the order of business is determined by ballot and the House has no power to change that order by its vote. Any Member in whose name any motion is put down according to the result of the ballot is entitled to move it in that order. That motion becomes the property of the House after it is actually moved and the House is then entitled to adjourn its further consideration. (*Sir Hari Singh Gour: "That is on account of the ballot."*) Similarly on a Government day it is Government who are in charge of the business of the day and they arrange the order in which that business is to be taken up. Once any motion set down is moved, it becomes the property of the House and further consideration of it could be adjourned by the vote of the House. It is, therefore, open to the Honourable Member from Bombay or any other Member of this House when the first Demand is moved to get up and say, "I move the adjournment of the debate on this Demand" and to make similar motions with regard to subsequent Demands till Demand No. 28 is reached. But it is open to him or to any other Member of this House to move directly that any particular Demand be taken up first, for discussion. Therefore I rule that the motion of the Honourable Member from Bombay is out of order.

\***Mr. M. A. Jinnah:** Will you allow me to make my position clear? I entirely bow to your ruling. May I ask you, Sir, as soon as the Demand under Customs is moved, to give me permission formally to move the adjournment of the consideration of that Demand, and I want the House to be divided on that in order to take a vote. That I am entitled to do according to your ruling, and I am prepared to do that and wait.

#### DEMAND No. 16—CUSTOMS.

**The Honourable Sir Basil Blackett:** I beg to move:

"That a sum not exceeding Rs. 71,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1927, in respect of 'Customs'."

\***Mr. M. A. Jinnah:** I formally move that the consideration of this motion be adjourned. I do not wish to repeat anything which I have already said. I will only meet one point that the Honourable Member

\*Speech not corrected by the Honourable Member.

there made, that I have given no reason whatsoever why I wanted this Executive Council Demand to be taken up first. (*An Honourable Member*: "Convince him.") There are also other Honourable Members who may want to know. I want to give the reason to the House quite frankly. We want to raise the question of the general policy of the Government. We want to pass a vote of censure on the Government and the most appropriate Grant for that will be the Executive Council Grant. Sir, I will quote again the language of the Leader of the House and I will point out that he himself recognised it by an arrangement. I will only read five lines of his speech last year. This is what he said:

"Sir, the Demand before the House is Demand No. 28 which deals with one of the most important of the Demands, the tour expenses of the Governor General's Council. That, Sir, has been made, certainly with the connivance, if not with the consent of the Government, the ground for the general examination of the policy of Government. I have been told that the vote that has been moved by my Honourable friend, Pandit Motilal Nehru, is a vote of censure on Government and that it has been taken up as such on all sides of the House. The House has arraigned at its bar, under the name of the travelling expenses of the Governor General's Council, the general policy of that body."

That is the reason why I desire that this Grant should be taken up first and I want to make that the beginning before I deal with the rest of the Grant before this House. I therefore insist upon this and shall certainly ask for a division of this House.

**The Honourable Sir Alexander Muddiman**: I do not propose to weary the House with a long speech on this motion for adjournment. If the occasion were an ordinary one, I should be willing to meet the wishes of the majority or a very considerable number of this House. This, however, raises a question of considerable constitutional importance. My Honourable friend says that he desires that a constitutional debate should take place on the travelling allowances of members of the Executive Council. What he really intends to do is to endeavour to induce the House to refuse supplies and if that is the case, what better opportunity has he got than the Demand under Customs? He thinks he will get some tactical advantage by adopting the course he has in view. On the last occasion when I agreed to a change of the order of the Grants I must remind the House of the circumstances. It was on the last day of the debate. It was the desire of the House that we should have a constitutional debate and I changed the order of one Grant only. If it is the desire of my Honourable friend to censure Government, he can satisfy it by rejecting the Customs rather than by refusing the travelling expenses of my Honourable colleagues. If it was a question of their salary, it might be another matter. Therefore, Sir, as the constitutional debate can take place just as easily on Grant No. 16, and as it is first on the list of business, I oppose my Honourable friend's motion.

**Pandit Motilal Nehru** (*Cities of the United Provinces: Non-Muhammadan Urban*): It is time that I make the position of this side of the House clear. It is perfectly immaterial to us what Demand for Grant is taken up first. We are here under a mandate to-day with clear and specific instructions how to act, and these will apply to any Demand that is put forward first. Therefore, if any division is asked for on this question, which is quite immaterial to us, we shall abstain from taking part in it.

**\*Mr. Bipin Chandra Pal:** I desire to say only one word on this motion and it is this. We want the Demand relating to the Executive Council to come first because, as my friend and leader Mr. Jinnah has said, we want to discuss the general constitutional question. My Honourable friend the Home Member has assured us that that question can be raised on Customs also but we have our difficulties in regard to Customs. We do not want, I for one personally do not want, to throw out the whole Customs Demand. (*An Honourable Member:* "Why?") For this simple reason that the Government in that case may restore some and refuse to restore others. For this reason I think, it is only fair that we should be allowed an opportunity, as we had last year, of raising the constitutional issue not upon Customs or any other Demand but upon the particular Demand which has been referred to by my friend Mr. Jinnah. We know what is passing in the minds of my friends opposite, and the House ought also to understand the tactics of the Government—how they want to put us in a difficulty; and I hope, understanding the tactics of the Government, the House will decide to support my friend the Honourable Mr. Jinnah.

**Dr. K. G. Lohokare** (Bombay Central Division: Non-Muhammadan Rural): I am afraid the Treasury Benches have been putting us in a fix. The Honourable the Home Member has expressed the view that the constitutional issue can be dealt with by a refusal of supplies. Does he wish to see the House throw out the whole Grant by putting the Customs Grant first? I should as well like to know if he considers a cut in the first Demand, the Customs Grant, sufficient to express the constitutional issue. I am sorry we are missing the issue. It is therefore extremely desirable that Government should do justice to the House and allow the Grant as requested by Mr. Jinnah to be discussed first; or else the Honourable the Home Member puts the House and other Members in a position in which we have no other alternative but to refuse supplies. It is the Government who put us in that position. That is the warning I want to give him.

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

"That the further discussion of this motion be now adjourned."

The Assembly divided:

AYES—29.

Abdul Haye, Mr.  
Abul Kasem, Maulvi  
Ahmad Ali Khan, Mr.  
Aiyangar, Mr. K. Rama.  
Ariff, Mr. Yacoob C.  
Chanda, Mr. Kamini Kumar.  
Das, Mr. B.  
Datta, Dr. S. K.  
Deshmukh, Mr. R. M.  
Ghazanfar Ali Khan, Raja.  
Ghose, Mr. S. C.  
Ghulam Abbas, Sayyad.  
Ghulam Bari, Khan Bahadur.  
Gour, Sir Hari Singh.

Hyder, Dr. L. K.  
Ismail Khan, Mr.  
Jeelani, Haji S. A. K.  
Jinnah, Mr. M. A.  
Joshi, Mr. N. M.  
Makan, Khan Sahib M. E.  
Mutalik, Sardar V. N.  
Neogy, Mr. K. C.  
Pal, Mr. Bipin Chandra.  
Ramachandra Rao, Diwan Bahadur M.  
Sadiq Hasan, Mr. S.  
Talatuley, Mr. S. D.  
Venkatapatiraju, Mr. B.  
Vishindas, Mr. Harchandrai.  
Yakub, Maulvi Muhammad.

\*Speech not corrected by the Honourable Member.

## NOES—43.

Abdul Qaiyum, Nawab Sir Sahibzada.  
 Aiyer, Sir P. S. Sivaawamy.  
 Ajab Khan, Captain.  
 Akram Hussain, Prince A. M. M.  
 Bajpai, Mr. B. S.  
 Bhore, Mr. J. W.  
 Blackett, The Honourable Sir Basil.  
 Bray, Sir Denys.  
 Burdon, Mr. E.  
 Calvert, Mr. H.  
 Clow, Mr. A. G.  
 Cocke, Mr. H. G.  
 Dalal, Sardar B. A.  
 Donovan, Mr. J. T.  
 Gidney, Lieut.-Colonel H. A. J.  
 Gordon, Mr. R. G.  
 Graham, Mr. L.  
 Hazlett, Mr. J.  
 Hira Singh Brar, Sardar Bahadur  
 Captain.  
 Hudson, Mr. W. F.  
 Hussanally, Khan Bahadur W. M.  
 Innes, The Honourable Sir Charles.  
 Jatar, Mr. K. S.

Lloyd, Mr. A. H.  
 Macphail, The Rev. Dr. E. M.  
 Mitra, The Honourable Sir Bhupendra  
 Nath.  
 Muddiman, The Honourable Sir  
 Alexander.  
 Muhammad Ismail, Khan Bahadur  
 Saiyid.  
 Naidu, Rao Bahadur M. C.  
 Neave, Mr. E. R.  
 Owens, Lieut.-Col. F. C.  
 Rahman, Khan Bahadur A.  
 Raj Narain, Rai Bahadur.  
 Rau, Mr. P. R.  
 Reddi, Mr. K. Venkataramana.  
 Roffey, Mr. E. S.  
 Sarda, Rai Sahib M. Harbilas.  
 Singh, Rai Bahadur S. N.  
 Singh, Raja Raghunandan Prasad.  
 Tonkinson, Mr. H.  
 Vernon, Mr. H. A. B.  
 Vijayaraghavacharyar, Sir Tiru-  
 valangadi.  
 Wajihuddin, Haji.

The motion was negatived.

**Pandit Motilal Nehru:** Sir, this is the third and the last occasion in the life of this Assembly for Honourable Members to treat the Treasury Benches with the annual feast of grievances.

**The Honourable Sir Basil Blackett:** Sir, I rise to a point of order. I would like to know whether the Honourable Member is moving the motion which does not stand on the paper, of which we have only had recent notice, that the demand be omitted. I feel that I am entitled to object to that motion being put. in view of the fact that we have had such short notice and the result of its being carried would be that the questions that are raised in the other motions that had priority over it would not be discussed; and in particular I should be left not knowing why Rs. 101 was to be cut owing to the inefficient administration of Customs. I think that is not a position in which I should be left.

**Mr. President:** I think the Honourable Member is making a general statement as to the position of his party, in regard to all the Demands for Grants.

**The Honourable Sir Basil Blackett:** Then he is not moving the motion?

**Pandit Motilal Nehru:** No, I am not moving the motion. Sir, I was talking of the annual feast of grievances which is provided by the vicious system of government under which we have the misfortune to live, and I was going to say that this is the third and the last occasion in the life of this Assembly which gives an opportunity to Honourable Members to provide that feast for the delectation of the Treasury Benches. Sir, the system itself is a perennial grievance, and therefore it is not necessary for this House to pick and choose from among the Demands which have been laid before us. As I intimated to the House, we are here to-day under a mandate. Our instructions are quite clear and precise, and it is under these instructions that I crave your indulgence to permit me to

[Pandit Motilal Nehru.]

make a statement. We have on the two previous occasions taken part in the discussion on the Budget. We told the British Government that we refused to be consenting parties to the administration which has been forced upon against our will. We took the opportunity to convey a message to the people of the United Kingdom that, unless that system was changed according to the wishes of the people of India, there would be no contentment in this country. That message, Sir, has so far been unheeded; and the latest utterances of high and responsible Members of the Government have shown the utter futility of any further action that can be taken in this House. We come here to-day under a definite mandate to deliver to the Government the message of the Indian National Congress. For that purpose we avail ourselves of the rules of procedure, and I take the liberty to rise on the motion which has been made by my Honourable friend, Sir Basil Blackett. The message of the Indian National Congress to the Government and its mandate to us are embodied in this Resolution which was passed by the All-India Congress Committee only the day before yesterday:

"This meeting, having taken into consideration the pronouncements made in the Council of State and the Legislative Assembly by the Governor General and the Home Member and referred to in the Report of the Special Committee, is of opinion that the insistence of the Secretary of State and the Government of India on full co-operation by the representatives of the people under existing conditions clearly demonstrates the intention of the Government to coerce the nation into abject submission without making any advance on the present vicious system of Government. The Committee therefore has no option but to adopt the recommendations of the Special Committee and to call upon the Swarajist Members of the various Legislatures to follow the course laid down in the Resolution (herein quoted) of the Indian National Congress passed at Cawnpore.

"This Committee hereby calls upon the Swaraj Party in the Assembly to leave their seats after raising the constitutional issue once again on the first motion on the 8th March. This Committee hereby calls upon the Swarajist Members of all the Legislatures to conform to the other directions contained in the said Resolution of the Congress and to engage themselves in carrying out the programme hereinafter laid down."

I need not trouble the House with the programme which has been laid down, and confine myself to the mandate which I have just read. We are here to act on that mandate, and you will soon hear, Sir, that we are acting on the rest of the programme. I crave the indulgence of the House to state briefly what has led to the action we are taking. As I have said, we took part in the budget debates of the last two years. We did this on the time-honoured principle of "grievances before supplies". The Treasury Benches replied by piling up upon us all the obloquy and ridicule which they could, for presuming to use a weapon which we had not the strength to wield. After subjecting generations of the people to a long-continued process of emasculation, they took a cruel delight in reminding them that they were helpless and could not enforce their rights as free men could do. Well, Sir, we admit that at present we cannot; the Government are welcome to derive such consolation as they may from that fact and to gloat over our helplessness. They are welcome to jubilate over their own shame. But however much we may be enfeebled in body, our soul, tormented as it is, has never been and will never be killed! Your much-boasted Reforms are not acceptable to us, and we shall not have them. We said so before they came into operation. We refused to have anything to do with them when they were first put into operation. The Government replied by repression and oppression of an unprecedented

magnitude. During the first period of the operation of the so-called Reforms, thousands of our best men were ruthlessly locked up in jails under various pretexts. They bore it all patiently and courageously. Then came the second period. Some of those who had abstained from coming into the Councils during the first period made up their minds to enter them when the second period began. This they did with the double object of testing the *bona fides* of the Government and showing their determination not to rest till they achieved what was their due. And what did they do? I, who was honoured by those who entered the Assembly by being elected as their Leader, began by making this humiliating confession to the House. What I said was:

"We have come here to do something which we have not been doing so far. Sir, we have come here to offer our co-operation, non-co-operators as we are, if you will care to co-operate with us. That is why we are here."

I call this a humiliating confession advisedly and I wish I could convey to the House even a very faint idea of what I felt when I uttered those words. But the words were well-considered and carefully weighed before they were uttered. The humiliation involved was of my own seeking. I sought it and I got it. But the tragedy conveyed no lesson to the unfeeling, stone hearts of the bureaucracy. They rejoiced at what they considered our weakness and tried to rub it in. But they failed to take note of the sentence which followed the one that I have just read. It runs thus:

"If you agree to have it"

—referring to co-operation—

"we are your men. But if you do not, we shall like men stand upon our rights and continue to be non-co-operators."

Sir, the co-operation we offered has been contemptuously rejected and it is time for us to think of other ways to achieve our object. I shall not trouble the House with the details of what followed. They must be fresh in the memory of Honourable Members. First came a departmental inquiry and then another more or less public, which is known as the Muddiman Inquiry. The last inquiry culminated in a Majority and a Minority Report. These reports have been the subject of consideration and important pronouncements by responsible Members of the Government, by the Secretary of State, the Governor General and by my friend, the Honourable the Home Member. They have been fully discussed in this House and the Resolution of the 8th of September last was the result of the deliberations by this House. Then, Sir, we waited and waited. We were told from time to time that the matter was receiving the great consideration, the careful thought, that it deserved and that in the fulness of time the Secretary of State and the Governor General would announce their final decisions. Now, up to the 21st of January last, my Honourable friend the Home Member, when he answered certain questions, was in the same waiting frame of mind. The question asked of him by Mr. Gays Prasad was:

"Will the Government kindly state what conclusions, if any, they have arrived at regarding the amendment passed by the Legislative Assembly on the 8th September 1925 on the Muddiman Committee Report? Have they sent any despatch to the Secretary of State for India; if so, when, and are Government prepared to lay a copy of it on the table?"

[Pandit Motilal Nehru.]

There were other questions of the same kind. I have read one to show the nature of them all. I will now read the answer given by the Honourable the Home Member. He answered all these questions together. He said:

"As was stated by His Excellency the Governor General in his valedictory speech on the occasion of the dissolution of the first Council of State, it was and remains the intention of the Government of India to formulate their conclusions on the debates in both Houses on the Reforms Inquiry Committee. No despatch to the Secretary of State has yet been issued, and though the subject has been discussed the Government of India are not yet prepared to arrive at a decision on a matter of the greatest importance, on which it is essential that the Government should have ample time for the fullest consideration."

Sir, this was in answer to the question which was asked as to what was being done on the Resolution passed by this House and the matter is here said to be "of the greatest importance on which it is essential that the Government should have ample time for the fullest consideration". It would strike the ordinary reader, as it struck this House at the time, that the Government were yet in the early stages of their consideration of this matter, this most important matter, and that the "ample time" that was required would extend to some months. But what do we find? In less than a month, the matter came up before the Council of State, and there a Swarajist Member, Seth Govind Das, moved an amendment to the Resolution of the Honourable Mr. Sethna asking for a Royal Commission earlier than at the time appointed in the Statute. The amendment of the Honourable Seth Govind Das was that action be taken by the Government on the Resolution of the Assembly at the earliest possible moment. Now, what was it that my friend, the Honourable the Home Member, said in that House? I will only read one passage which is enough for my purposes. He said:

"On this amendment I am in a position to give the considered opinion of the Government of India."

Remember the amendment was to take action under the Resolution passed by the Assembly not only on the 18th of February 1924 but also that of the 8th of September 1925. On the 21st of January the Government were in deep meditation, engaged in consulting the members of the British Cabinet, and they did not know where they were. But on the 18th of February the mind of the Government was made up on this amendment which was none other than the Resolution passed by this Assembly. The Honourable the Home Member said:

"I am in a position to give the considered opinion of the Government of India. It was brought forward in September. We considered it then and we put forward the provisional opinion of the Government of India then. We have considered it since then and after the debates in both Chambers I have authority to say that the Government of India are unable to make any such recommendation to His Majesty's Government in the terms of the amendment."

(An Honourable Member: "Shame.") Within this short period of less than a month, the Government of India came to the final conclusion on that Resolution. What they were unable to achieve in six months was accomplished in this period of less than a month. Can the answer given on the 21st January, examined in the light of the statement made on the

18th of February, be called an honest one? Is it conceivable that the Government were absolutely blank on the 21st of January and some new light suddenly dawned upon them during the short

interval between that date and the 18th February which enabled them to come to final decisions in the matter? And what were the decisions? They were the self-same decisions which under the name of provisional opinions had been announced from time to time by the Secretary of State and by the Governor General and of which the key note was: "Co-operate with us fully and then we will consider what more we can do for you". Sir, we are not children; and the Government know very well how far it is possible for this section of the House to go with them on the road to full co-operation. The late Mr. C. R. Das offered generous terms for honourable co-operation. Government rejected them. And what was it that we have been doing in this House? I say that it amounts to the fullest co-operation that we Swarajists are capable of under existing conditions. The reports of the proceedings of the House and of its Committees will amply bear out what I am saying. Sir, we strained our capacity to co-operate to the breaking point. But none so blind as those who will not see: not that they could not see; they saw that no more was possible and yet in the utterances to which I have referred more and more was expected. We were threatened that, unless it was the fullest co-operation in the sense of working all the details of these Reforms without any demur, and doing as the Government told us to do, unless we put ourselves in that submissive frame of mind, nothing further would be done for us. Have the Government done anything to deserve the full co-operation they demand? A measure of co-operation, however small, was admittedly given even by this section of the House to the Government. This has been acknowledged in the utterances I have referred to but it was taken only as a sign of better things to come—more co-operation to come. What the Government have done to deserve it is that they have repeatedly flouted the opinions of this House, the considered Resolutions of this House, the Bills that were passed by great majorities in this House. They have passed laws by certification which have been aptly described as lawless-laws. This is what they have done. This Assembly came into being just before the Labour Government came into power. What was the first fruit of it? An Ordinance was passed shutting up some of the noblest sons of India without trial in jails. Those sons of India are till rotting in jails. This House passed a motion of adjournment only the other day in which attention was called to the ill-treatment, the cruel treatment to which the detenus were subjected. (*An Honourable Member on the Government Benches*: "Question.") If that is questioned, then I say that nothing will appeal to the Government Benches. What was the meaning of the extract read in this House from the evidence which Colonel Mulvany gave before the Jails Committee?

**The Honourable Sir Basil Blackett**: That did not explain why they went on hunger-strike. We did not know.

**Pandit Motilal Nehru**: Why, because every man is judged by his antecedents and we know your antecedents. These antecedents have been described by your own countryman, a countryman against whom you cannot possibly say that he has not told the truth. Has Colonel Mulvany stated or not stated the truth? Was he a liar? (*An Honourable Member on the Government Benches*: "Yes.") (*Lala Lajpat Rai*: "And you are not!") (*An Honourable Member*: "Who is the liar?") Was the person who suggested a lying report to Colonel Mulvany a lesser liar or greater liar than he was according to you? Is that not a fact? Have you had

[Pandit Motilal Nehru.]

the courage to deny that Colonel Mulvany was instructed to send a lying and perjured report? There are those instructions in black and white and you now, behind the back of an Englishman, your own countryman, have the audacity to say that he is a liar. (*Cries of "Shame."*) I know that in order to maintain your grip on this country you will do anything, you will go to any length; you will even desert your own countrymen.

Now, what are the other favours bestowed by you upon India? There was first the Lee loot. After taking the Lee loot, you gave some eye-washes. An announcement was made the other day by His Excellency the Commander-in-Chief of a Royal Indian Navy. It seemed indeed to be something very grand to have the Royal Indian Navy that was coming to us even before our right of entering the Army was conceded, even before the Skeen Committee had succeeded in exploring avenues for the supply of ten men from the whole length and breadth of India to fill ten vacancies—not in the Commissioned ranks, but for training at Sandhurst: they were hard put to find these ten men; but they find no difficulty in making an announcement that India is to have a Royal Navy of its own. Well, yes; just as India has an Army of its own; and when you look at the terms of the announcement and work it all out, God only knows whether within a hundred years we will have even a tenth part of that Navy manned by Indians. That is the announcement.

Then there is the Royal Commission on Agriculture. A very tempting announcement indeed. In a country which has agriculture as its staple industry, and depends solely upon it, anything to improve the industry would be welcome news to all classes of the public. Of course the Commission is coming. We shall know what good it will do when it has come and gone; but we know enough from the reservation of matters which are not to be within its jurisdiction to foresee that it is not to be anything very grand or a thing which will carry us very far.

Sir, I do not propose to go into other matters. They have been fully discussed on the floor of this House. I do not wish to exhaust the list of the grievances of the public or of the wrongs inflicted by the Government. They are all to be found in the reports of the debates in this House and are public property, but I should like to call attention to one passage in the statement which was made by Lord Birkenhead in the House of Lords, the famous statement on the Reforms. That statement has been fully discussed on the floor of this House, and quoted from in the speeches of the Governor General delivered from time to time, and His Excellency's inaugural addresses in this Assembly and in the Council of State. I do not wish to comment on those speeches to-day, but I do wish to notice this remarkable passage occurring in the speech of Lord Birkenhead. He says:

"We shall not be diverted from its high obligations"

—high obligations of what? Of the Preamble to the Act—

"We shall not be diverted from its high obligations by the tactics of restless impatience. The door of acceleration is not open to menace; still less can it be stormed by violence".

("Hear, hear" from the Government Benches.) Now, it is all very well for Lord Birkenhead to have thundered forth those words, and for the Benches opposite to applaud them and shout "hear,

hear", but who in the world ever tried to accelerate reforms by menace, by threat or by violence? You will say there are criminal conspiracies, secret conspiracies and secret societies. Surely when Lord Birkenhead made that statement he was making it on the demand by this House, and can it by any stretch of reasoning be said that that demand was accompanied by any kind of threat or menace? As for the existence of anarchical societies, I do not feel it necessary to go into that question to-day. I have gone into that question fully, and I only warn you that if you do not take care, you will find the whole country from end to end honeycombed by these anarchical societies. Sir, violence of any sort, as you know, so far as my party is concerned, does not enter our ethics. We resort to no menace or threat. We know the great power that this Government wield. We know our own weaknesses. We know that in the present state of the country, rent as it is by communal discord and dissensions, civil disobedience, our only possible weapon, is not available to us at present. But we know also that it is equally unavailing to us to remain in this Legislature and in the other Legislatures of the country any longer. We go out to-day not with the object of overthrowing this mighty Empire. We know we cannot do so even if we wished it. We go out in all humility with the confession of our failure to achieve our object in this House on our lips. We should indeed have done so much earlier, but the superior diplomacy and tactics of the Government put us off from day to day. We never believed in their professions, but we did not wish to put ourselves in the wrong, and we waited till a clear answer to our demand was forthcoming. It has now come clear and crisp from my Honourable friend the Home Member. There is no more use for us here. We go out into the country to seek the suffrage of the electorates once more. We do not give up the fight. We fully agree in the sentiment contained in the lines misquoted by Lord Birkenhead in the statement to which I have just referred. They are quite opposite but not in the sense in which Lord Birkenhead used them. They run thus:

" He either fears his fate too much  
Or his deserts are small;  
Who dares not put it to the touch  
To win or lose it all."

We have no misgivings either about our fate or our deserts, and we go forth into the country to put it to the touch to win or to lose it all. We feel that we have no further use for these sham institutions, and the least we can do to vindicate the honour and self-respect of the nation is to get out of them and go back to the country for work. In the country we will try to devise those sanctions which alone can compel any Government to grant the demands of the people. We hope and trust that the nation will give a suitable reply to the truculent rejection of our demands and will send us again in larger numbers with a stronger mandate, and, God willing, with the sanction for fulfilling its aspirations and enforcing its commands. These are the few remarks, Sir, that I wished to make in order to make the position of the Swaraj Party clear. I now beg your permission to withdraw, and I call upon all Swarajist Members of this House to follow me.

(On the conclusion of his speech Pandit Motilal Nehru and all the Members of the Swaraj Party walked out of the Chamber in a body.)

**The Honourable Sir Alexander Muddiman:** Sir, I do desire to know if my Honourable friend wishes to leave the House—I see he is leaving the House—without giving me some opportunity of replying to the remarks that

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he has made before finally leaving this House. He has said that he is going to take his desert, but, Sir, I fear greatly that he is going into the desert. It is to me a matter of considerable regret that in future these debates, and my own life in particular, will not be enlivened by remarks from the opposite Benches. However, as a sincere well-wisher of India, I cannot help feeling that no good has been done to the cause which so many have at heart. Sir, I am old enough to remember many exoduses. I cannot indeed remember the exodus from Egypt, but I do remember the exodus from the Calcutta Corporation. My Honourable friend, the Honourable Mr. Pal, also probably recollects that. I am one of those who believe that very little is done by exodus. I prefer to rely on Genesis.

**Diwan Bahadur T. Rangachariar** (Madras City: Non-Muhammadan Urban): Except perhaps the exodus to the hills.

**The Honourable Sir Alexander Muddiman**: Exodus to the hills. That, Sir, is a form of travelling I always enjoy as far as possible. Last year the House was somewhat unkind in endeavouring to deny me the travelling allowance to go there . . . .

**Mr. Bipin Chandra Pal**: That exodus to which you referred, Sir . . . .

**The Honourable Sir Alexander Muddiman**: It is essential that I should make a few remarks on this question of refusal to further aid the House or aid the Government in its deliberations. My Honourable friend the Pandit, whose benevolent countenance I shall miss very much indeed, has gone out and has deprived this House of two very definite immediate services which I hoped he would have placed at our disposal. The one is the speech which we had all been waiting for on the Frontier Resolution and the other is his assistance in the South African debate. We are deprived of that, Sir, and I think many of the Members of the House will feel some distress on that account.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): They will return if the contingency arises.

**The Honourable Sir Alexander Muddiman**: I do not know whether my Honourable friend is more in the secrets of the Party than I am. I understood the withdrawal was definite.

**Maulvi Muhammad Yakub**: That is in the Resolution passed at Cawnpore.

**The Honourable Sir Alexander Muddiman**: My Honourable friend seems to know more than I do. I endeavour to collect what information I can from speeches delivered in this House. Now, Sir, it was said that those who now unfortunately have left us lonely—and I feel lonely—left us because they had decided to come in for two reasons—(1) to test the good faith of Government and (2) to tender co-operation. Sir, was that the language that was employed when they entered these Legislatures?

(At this stage, Rai Sahib Harbilas Sarada came and occupied one of the seats vacated by the Swarajists.)

**Mr. President**: Order, order. No Honourable Member should occupy any of the Benches just vacated without the permission of the Chair.

**Rai Sahib M. Harbilas Sarda** (Ajmer-Merwara: General): I came here at the request of the Secretary of the Legislative Assembly. He asked me to occupy this seat, and therefore I came here.

**Mr. L. Graham** (Secretary, Legislative Department): A personal explanation is due from me, Sir. The Honourable Member is deaf and I thought he might temporarily take that seat.

(Rai Sahib M. Harbilas Sarda then vacated the seat he had occupied on the Swarajist Benches.)

**The Honourable Sir Alexander Muddiman**: I am sorry, Sir, that your ruling should deprive at least one Member of the House of the pleasure of listening to me. When I was interrupted I was developing the point that in the speech we have just listened to, it was said that the Party in question entered this House for a double purpose, one of testing the good faith of the Government and the other of co-operating, or at any rate co-operating within limits. Sir, my recollection of these matters is always doubtful and I fear to attempt to state facts without verifying them. But my impression, which I think will be confirmed by the recollection of other Members of this House, is that the avowed object with which the entry was made into the Councils was to destroy and not to construct. I recognise, and I recognise with interest, that it is impossible to associate with a House of this kind without developing constructive tendencies. I was extremely interested to see that constructive work has been done in spite of those who said that nothing would induce them to do that work. It is by that, Sir, that advance will be made. I speak as a sincere friend of India—I at any rate and my bureaucratic friends who to my mind consider the best interests of India,—desire to see this constitution worked to its full. It is in my judgment the only way by which you will advance. It has been admitted to be the only way, and you cannot, in my judgment—right or wrong—go by any other path, and I should rise under a feeling of extreme discouragement to-day did I not recollect that we are too close, too near to examine these matters critically. We are inclined to attach too much importance to what will be described, I fear, as a contemptuous gesture but will finally be regarded as merely a pose, an attitude. We must take a broader view. We must endeavour to look at these things from a somewhat more distant standpoint. What are the facts? In the first Assembly we had none of that brand of thought. In the second Assembly, what have we? For 2½ years, till the very verge of the dying of the Session, we have this Party with us and I have not the faintest doubt that if all the sheep come back from the wilderness, they will be with us in the third Session till the last day of that Session. My Honourable friend behind me interrupts, "They will walk out". No, Sir. They will not walk out. They will remain and they will co-operate, and by doing that, they will have made the first advance, the first real step, towards the goal which all of us have so much at heart.

(Pandit Madan Mohan Malaviya then rose in his place.)

**Mr. President**: Does the Honourable Member desire to speak on this motion?

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): What is the motion, Sir? There is no motion before the House.

**Mr. President:** There is the motion moved by the Finance Member.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): I beg to ask, Sir, whether I am entitled to offer any observations on the observations which have been made by two Members of this House, Pandit Motilal Nehru and the Honourable Sir Alexander Muddiman.

**Mr. President:** The Honourable Member may speak.

**Mr. M. A. Jinnah:** I understood, Sir, that Pandit Motilal Nehru asked your permission, as a matter of special consideration to him, that he should be allowed to make a statement and withdraw from this House. I submit, Sir, that we can only raise the constitutional question on the Executive Grant and I have already given notice of a motion to that effect. Therefore, so far as this particular Grant is concerned, there is no motion on the paper which seeks the rejection of that Grant.

**Mr. President:** Order, order. No motion for the rejection of that Grant is necessary. The Honourable Pandit Motilal Nehru has set the ball rolling and it is open to any other Member to follow it up. If the Members choose to follow it up and discuss the constitutional issue, they will not be entitled to raise the question again on any other motion.

**Pandit Madan Mohan Malaviya:** Sir, it is a matter of pain to me that I should have to speak at this moment on the issue that has been raised. I should have preferred not to do so.

**The Honourable Sir Basil Blackett:** On a point of order, Sir. I should like your ruling what constitutional issue we are discussing. We are discussing, as far as I know, the proposal for a certain number of lakhs to be granted for Customs and there is no motion on that motion for its rejection.

**Mr. President:** Honourable Members are entitled to follow up the constitutional issue raised by Pandit Motilal Nehru without any motion in that behalf.

**Mr. M. A. Jinnah:** According to the practice, Sir, you must state in your motion for a cut or rejection or omission the ground on which you will raise the debate. I do not find anything on the agenda.

**Pandit Madan Mohan Malaviya:** Sir, I am very sorry that I should have to speak on this motion, or rather on the observations which have been laid before this House by my Honourable friend Pandit Motilal Nehru and the Honourable Sir Alexander Muddiman. I feel, Sir, that the remarks made by the Honourable Pandit Motilal Nehru deserved to be taken in a better spirit than that in which they have been taken by the Honourable the Home Member. It cannot be a matter of satisfaction to the Government or to the country that there should be such a sharp and serious difference between the representatives of the people and the Members of the Government. It cannot be a matter of congratulation to the Government that so many of those who joined this Council should consider it their duty now to retire from it. The Honourable the Home Member has treated the matter somewhat in a spirit of ridicule. He talked of the exodus, of some of the famous exoduses in history. But here we have certain

very plain and simple facts before us. They have been narrated in a dignified manner by the Honourable Pandit Motilal Nehru which justify or at any rate offer an explanation for the action which he and those who think with him have taken. In view of that statement I think Government ought seriously to consider how far they have by their own action given strength to those who believe that the Government do not really want co-operation. The Honourable the Home Member questioned whether the Swarajists came here with the object of co-operating. I consider that, in the face of the very clear statement made by the Honourable Pandit Motilal Nehru on the first occasion when he put forward the demand for constitutional reform in this House, and which he repeated to-day, it is not open to any Member to raise a question about the motive of those who came in with him. They came to co-operate and they have given you the reasons why they feel that co-operation is now fruitless. They may be right, they may be wrong, I do not agree with all that they do, I do not agree with all the opinions they expressed; but they have placed before this House the reasons why they have not been able to continue to work here, and I submit that in this situation a responsibility is cast upon the Government to consider whether they have done all that they should have done in order to satisfy public opinion. To-day these Members have left the House. They will go to the people to tell them that they have tried to work with the Government and that the Government have not responded to their co-operation. It is the duty of the Government to consider whether, in view of the repeated demands of this House, they should not take such action as should satisfy the country. On the question of further reforms practically the entire body of Indian representatives in this House were united when the national demand was put forward in February, 1924. On the second occasion when the Majority Report of the Muddiman Committee was being considered, this House again expressed its opinion more fully by a large majority. In the face of that expression of opinion by this House, what have the Government done to satisfy the people of this country? I submit that the Government have not done their duty, and that they ought to adopt a better attitude and treat the expression of opinion such as we have had from the Honourable Pandit Motilal Nehru and the action which he and his Party have solemnly and seriously taken, in a better spirit if they want to have the good opinion of the people of this country in carrying on administration here.

**Mr. President:** The Chair regrets the circumstances which have necessitated the withdrawal from this Chamber of the largest party in this House. Whether the crisis could have been averted or not by tactful and wise handling is not a question on which the Chair is called upon to make any statement. The fact, however, remains that the House ceases to be representative in the sense in which it was intended to be by the Government of India Act, and it is for Government to consider how far they should continue this House or not. There is absolutely no doubt that the Assembly, as it is constituted now, is merely there to register the decrees of the Executive Government. It cannot be anything else and therefore it is for Government seriously to consider how long they should allow this House to function. But so long as it is allowed to function I would advise Government to bring forward only such business as is absolutely necessary for the purpose of carrying on the administration and not to bring forward any controversial measures. The Chair has a duty to see that the machinery of the Government of India Act is not abused to the prejudice of the people of this country and for that purpose the Chair possesses sufficient powers in

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the shape of the adjournment of the House *sine die* or in the shape of refusing to put any motion to the House. I hope and trust that the Government will so act in carrying on the business of this Assembly hereafter that the Chair will not be compelled to resort to its extraordinary powers. I think it is necessary in the present atmosphere to adjourn this House till to-morrow morning at 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 9th March, 1926.

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