

22nd March, 1926

THE

# LEGISLATIVE ASSEMBLY DEBATES

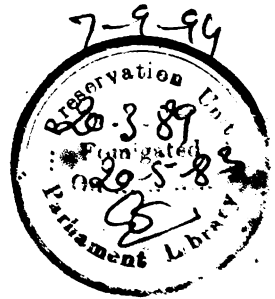
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OF THE

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# LEGISLATIVE ASSEMBLY.

Monday, 22nd March, 1926.

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

## QUESTIONS AND ANSWERS.

### TRANSFER OF ANTIQUARIAN FINDS IN SIND.

1326. \***Khan Bahadur W. M. Hussanally:** (a) Has the attention of Government been drawn to the telegram from Poona, dated 4th March, published in the *Indian Daily Mail* of March 7th, which reads "The Bharat Itihasa Samshodak Mandal, Poona, has passed the following resolution:

'We the Members of the Managing Committee strongly protest against any transfer of the antiquarian finds in Sind either originals or duplicates to any place in India on any condition whatsoever and urge the Government of India to take immediately all necessary steps to guard the claims of Indian scholars and historical research societies and museums'?"

(b) Will Government please state what orders have been passed by Government in the matter which has necessitated the above resolution?

(c) Do Government propose to remove the finds above-mentioned? If so, where and why?

(d) If not, what do Government propose to do with the finds?

**Mr. J. W. Bhore:** (a) Yes; but the protest was against the transfer of the finds to any place out of India.

(b) No orders have been passed by the Government of India.

(c) and (d). Nothing has yet been settled regarding the eventual disposal of the finds from Mohenjo-daro.

**Dr. K. G. Lohokare:** Do Government know that there is intense disappointment in India at this suggestion of removing the finds?

**Mr. J. W. Bhore:** I am not aware whether there is disappointment or not; but I have stated that Government have come to no conclusion in the matter, and the suggestion that removal will cause disappointment in this country will undoubtedly be borne in mind before any final conclusion is arrived at.

### RESERVATION OF CIVIL SURGEONCIES FOR EUROPEAN OFFICERS OF THE INDIAN MEDICAL SERVICE.

1327. \***Khan Bahadur W. M. Hussanally:** (a) Have Government issued any circular to Provincial Governments on the subject of reservation of Civil Surgeoncies for European Members of the I. M. S., which was criticised the other day in the Bombay Council as 'atrocious'? If so, will Government be pleased to place a copy of the same on the table?

(b) What is the total number of Civil Surgeoncies in India? How many of these have been reserved for Europeans, Anglo-Indians and Indians?

(c) Does the circular in question also affect the vested rights of Indian members of the I. M. S. already in service? If so, why?

(d) How many Civil Surgeoncies are there in the Bombay Presidency? How many of them are reserved for Europeans, Anglo-Indians and others separately?

(e) What is the European population of each of the Civil Surgeoncies reserved for Europeans and Anglo-Indians?

**Mr. J. W. Bhore:** The attention of the Honourable Member is drawn to my replies given on 1st February, 1926, to the supplementary questions to question No. 489. The Government of India are still considering the question and are not in a position to make any pronouncement on the subject at present.

#### REFUND OF EXCESS EXCISE DUTY PAID BY AHMEDABAD MILLOWNERS.

1928. **\*Mr. Kasturbhai Lalbhai:** (a) With reference to the answer given by the Honourable Sir Basil Blackett to question No. 607 by Mr. W. S. J. Willson, will the Government be pleased to state whether the representation made some time ago by the Ahmedabad Millowners' Association regarding excess excise duty paid by them would also be taken into consideration?

(b) Are the Government aware that it has been represented to the Secretary to the Government of India, Commerce Department, that Ahmedabad Mills were called upon to pay  $\frac{1}{2}$  per cent. to  $\frac{2}{3}$  per cent. more duty than Government could legitimately have collected?

(c) Will Government be pleased to state when they propose to announce a decision in this matter and whether a proper chance of representation will be given to those who have a grievance in this matter?

**Mr. A. H. Lloyd:** (a), (b) and (c). The Government of India are aware that the Ahmedabad Millowners' Association has in the past protested that some of the tariff values fixed under section 7 of the Cotton Duties Act were unduly high. There could, however, be no doubt of their legality. The complaints referred to in Mr. W. S. J. Willson's question No. 607 have been considered only in so far as they involved certain doubts as to the law and the Government of India are not prepared to refund any duty in cases where there is no doubt as to the legality of its collection.

**Mr. Kasturbhai Lalbhai:** Are Government aware that the Secretary to the Government of India in the Commerce Department was satisfied about the correctness of the statement made in part (b) and had promised to give due consideration to it when the proper time came?

**The Honourable Sir Charles Innes:** The Secretary in the Commerce Department did bring up this matter and it was considered.

**Mr. Kasturbhai Lalbhai:** What about the bleaching department to which the goods might have been issued by the mills and the duty paid to the Government while they have not been able to recover it from the consumers?

**Mr. A. H. Lloyd:** I have already said, Sir, that the Government of India are not prepared to refund any duty in cases where there is no doubt as to the legality of its collection.

**TERMINAL CHARGES LEVIED BY RAILWAYS ON GOODS TRAFFIC.**

1829. **\*Mr. Kasturbhai Lalbhai:** (a) Is it a fact that the Railway Board are inquiring into the reasonableness or otherwise of the terminal charges?

(b) If the answer be in the affirmative, will the Government be pleased to state when they propose to make any announcement on this subject and readjust these charges in the light of the inquiry?

(c) Will Government be pleased to state whether they propose to clearly define what items can be comprised under the terminal charges? If not, do they recognise the danger of different railway lines adopting different standards to the detriment of the commercial public?

**The Honourable Sir Charles Innes:** (a) and (b). The question of terminal charges levied on goods traffic is under examination by the Railways concerned and the result of that examination is awaited.

(c) The Honourable Member is referred to section 3 (14) of the Indian Railways Act, 1890.

**FREIGHT ON COAL FROM JHERRIA TO AHMEDABAD.**

1830. **\*Mr. Kasturbhai Lalbhai:** Will the Government be pleased to state the reasons for increasing the freight on coal by 88 per cent. from Jherria to Ahmedabad when the general increase was 80 per cent. and also for reducing from the 1st April by 8 per cent. only when the general reduction announced has been 10 per cent?

**The Honourable Sir Charles Innes:** I do not understand the Honourable Member's question. I presume that he is referring to my budget speech in which I gave average figures. The actual reduction that the Government have sanctioned is that on distances exceeding 400 miles the rates of freight for public coal should be reduced to the rate now in force for locomotive coal. On the average that means a reduction of about 10 per cent., but it does not mean a reduction of 10 per cent. in the case of every single station, and I should not have thought that it was necessary to explain this to the Honourable Member.

**Mr. Kasturbhai Lalbhai:** May I know the reason why in the case of Ahmedabad it has been only 8 per cent., while the general reduction has been 10 per cent.?

**The Honourable Sir Charles Innes:** The Honourable Member will find the reason in the answer I have just given.

**EXTENSION TO OTHER CHARITABLE INSTITUTIONS OF THE CONCESSION ALLOWED TO THE RED CROSS SOCIETY AND ST. JOHN'S AMBULANCE OF RECEIVING POST OFFICE CASH CERTIFICATES AS DONATIONS.**

1831. **\*Mr. Kasturbhai Lalbhai:** (a) Is it a fact that the Red Cross Societies and St. John's Ambulance are allowed to receive as donations postal certificates to any extent?

(b) If the answer is in affirmative, will the Government be pleased to state why the same right has not been extended to other charitable institutions?

**Mr. A. H. Lloyd:** (a) Yes, but the Honourable the Finance Member proposes to re-examine the concession.

(b) The concession was originally granted during the War to enable people to subscribe to deserving war funds who might find it inconvenient to do so in cash. The transfer of cash certificates from one holder to another involves the Post Office in a considerable amount of labour, and it is not considered desirable to extend the concession.

#### REFERENCE OF THE CASE OF MATCH MANUFACTURERS TO THE TARIFF BOARD.

1832. **\*Mr. Kasturbhai Lalbhai:** Is it a fact that the match manufacturers have been asking for some time past to refer their case to the Tariff Board? If so, will the Government be pleased to explain why so far their case has not been sent up to that body? Do Government propose to send their case and when? If not, why not?

**The Honourable Sir Charles Innes:** Yes. As the Honourable Member is aware, the Tariff Board has been and is likely to be fully occupied with inquiries of a more urgent nature.

#### THE STAFF SELECTION BOARD'S EXAMINATION HELD IN DECEMBER 1925.

1833. **\*Khan Bahadur Alimuzzaman Chowdhry:** Will Government please state:

- (a) the total number of outsiders who applied for permission to sit at the Staff Selection Board's examination held in December, 1925, and the number to whom permission was actually given;
- (b) the total number of departmental candidates holding substantive appointments in the lower division who were permitted to appear at the Board's examination to qualify themselves for the first division appointments from the (i) Secretariat (ii) branches of the Army Headquarters, separately;
- (c) the total number of candidates declared successful separately under (a) and (b) above; and
- (d) the total fees realized from candidates and the total cost of the examination?

**The Honourable Sir Alexander Muddiman:** (a) 729. The number of outside candidates who actually sat for the examination was 628.

(b) (i) 30; (ii) 48.

(c) (i) 102 outside candidates were declared successful, that is 42 for the second division and 60 for the third division.

(ii) The departmental results are not complete. Some candidates have still to be interviewed when the Board meets in Simla.

(d) The income from fees amounted to Rs. 9,250 and the cost of the examination was Rs. 6,549.

**TRANSFER OF CLERKS QUALIFIED FOR THE FIRST DIVISION FROM ONE DEPARTMENT TO ANOTHER.**

1384. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Is it a fact that Staff Selection Board generally refuses to consider the claims of persons holding substantive appointments in the lower division but qualified for the first division in first division vacancies arising in Departments other than those in which they are already employed?

(b) If so, are these men to look forward to promotions in their respective departments only?

(c) Is there any rule which precludes them from seeking first division appointments in other departments?

**The Honourable Sir Alexander Muddiman:** (a) The Board maintains lists of qualified outsiders only and on receipt of an application from a Department for the nomination of qualified candidates makes such nomination from these lists. When no further candidates are available from these lists the Board asks Departments if they can nominate a qualified candidate for any vacancy that may arise.

(b) Under the existing system each Department is, practically speaking, a separate unit, and promotion can ordinarily be looked for only within the Department.

(c) No, provided that a man seeking employment in another Department does so through the usual official channels and obtains the consent of his own Department.

**PERCENTAGE OF MARKS REQUIRED FOR PASSING THE STAFF SELECTION BOARD'S EXAMINATION.**

1385. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Will Government please state what percentage of marks are required to be obtained for passing the Staff Selection Board's examination in the first, second and third divisions for appointments in the Secretariat and attached offices respectively?

(b) If a man appears for the second division but obtains first division marks, is he declared to have passed in the first division? If not, why not?

(c) Is it necessary to obtain the minimum percentage of marks both in written and oral tests separately or are the aggregate marks taken for the purpose of determining the division of candidates?

**The Honourable Sir Alexander Muddiman:** (a) I understand that it is not the practice of the Board to divulge the percentages of marks adopted by them.

(b) Each candidate is required to state the qualification for which he desires to be examined and he is examined for that qualification only. It is not the usual practice in examinations, so far as I am aware, to declare candidates to have obtained a qualification for which they have not been examined.

(c) I understand that the aggregate marks are taken into account.



NUMBER OF CHANCES ALLOWED TO DEPARTMENTAL CANDIDATES TO QUALIFY FOR THE FIRST DIVISION.

1386. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Will Government please state how many chances are given to departmental candidates to qualify themselves for the first division?

(b) If a candidate fails even at the last chance is he given further chance?

(c) Is it a fact that some of the clerks from the permanent second and third divisions are given three or four chances while others are not given a single chance? If so, why so?

**The Honourable Sir Alexander Muddiman:** (a) The ordinary rule is that two chances are allowed.

(b) If a candidate appears and fails twice, a third chance is given only on the strong recommendation of the Department in which the candidate is employed.

(c) I have no information in the matter. It is for Departments concerned to decide.

COMPENSATION TO MILITARY CLERKS OF THE ARMY HEADQUARTERS WHO BECAME CIVILIANS AT THE SUGGESTION OF GOVERNMENT IN 1921.

1387. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Is it a fact that some of the military clerks of the Army Headquarters became civilians at the suggestion of the Government in 1921 on the understanding that the Secretariat rates of pay would be granted to them? If so, has this been granted to them? If not, why not?

(b) Is it a fact that certain military clerks surrendered their vested rights in order to become civilians at the invitation of the Government as a result of the recommendation of the Esher Committee? If so, have Government taken any steps to compensate them? If not, why not?

(c) Is it a fact that military clerks are not permitted by the Government to become members of the Uncovenanted Association of the Army Headquarters? If not, why not?

**Mr. E. Burdon:** (a) No undertaking of the kind was given by Government.

(b) Military clerks, on becoming civilians, necessarily forfeited all military privileges and assumed generally those associated with civilian status. No compensation was given and no compensation was necessary.

(c) Yes. They are subject to military discipline which precludes them from becoming members of an Association such as that referred to.

OFFICER SUPERVISORS IN THE DIFFERENT BRANCHES OF THE ARMY HEADQUARTERS.

1388. **\*Khan Bahadur Alimuzzaman Chowdhry:** Will Government please state the total number of Officer Supervisors employed in the different branches of the Army Headquarters? How many of them are (i) civilians and (ii) Indians?

**Mr. E. Burdon:** Twelve are employed. Six are civilians one of whom is an Indian on the permanent establishment whilst one Indian is officiating in a leave vacancy.

ENTERTAINMENT OF LADY CLERKS IN THE ARMY HEADQUARTERS OFFICES  
AT SIMLA DURING THE WINTER MONTHS.

1339. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Is it a fact that a number of girl clerks have been temporarily entertained in the branches of Army Headquarters at Simla for the winter months? If so, will Government please state whether the Staff Selection Board approved of their appointments?

(b) Do they possess any special qualifications? If so, what?

(c) What are the minimum educational qualifications required for a girl clerk to sit for the Staff Selection Board's examinations?

(d) Is there any age limit for the appointment of girl clerks? If so, what?

**Mr. E. Burdon:** (a) Yes. The approval of the Staff Selection Board was obtained. No qualified candidates were available for temporary vacancies in Simla till the results of examination held in December were known.

(b) No.

(c) The minimum qualifications required depend on the grade in which employed. Those employed during the winter were engaged on routine work. The minimum educational requirements for that work are the Matriculation or any equivalent examination.

(d) Ordinarily 25 years. But heads of departments may relax this limit for sufficient reason.

DUTIES OF THE ESTABLISHMENT OFFICER ATTACHED TO THE ARMY  
DEPARTMENT.

1340. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Will Government please state whether each branch of the Army Headquarters has a separate cadre for its clerical establishment?

(b) Is it a fact that (i) confirmation, (ii) promotion and (iii) grant of leave, etc., are controlled by the heads or deputy heads in consultation with the section officers of the branches concerned? If so, to what extent then does the Establishment Officer attached to the Army Department exercise his control over the clerical staff of the Army Headquarters?

(c) Is it a fact that the Establishment Officer forwards requisitions from the branches for the services of men required temporarily for short periods to the Staff Selection Board? If so, is it not possible for the heads of branches or the Officer Supervisors acting on their behalf to communicate direct with the Staff Selection Board in the matter?

(d) Is it a fact that the duties of the Establishment Officer are analogous to those of a Registrar in the regular Secretariat? If so, what was the justification for creating this appointment?

(e) Will Government please state whether the heads of branches were consulted when this post was created?

(f) Will Government please lay on the table the correspondence relating to the creation of this appointment?

**Mr. E. Burdon:** (a) Yes.

(b) No.

(c) To the first part of the question the answer is that the procedure described is not necessarily the invariable procedure. As regards the second part, it might be possible but it would not be desirable for each branch to communicate with the Staff Selection Board separately and independently.

(d) No. The second part does not arise.

(e) Yes.

(f) I lay on the table a copy of the only letter of importance. It will make clear a number of points on which my Honourable friend appears to be at present in doubt.

*Copy of the letter referred to in the reply to part (f) of starred question No. 1840.*

No. 511.

GOVERNMENT OF INDIA.

ARMY DEPARTMENT.

*Simla, the 1st April 1921*

# MEMORANDUM.

His Excellency the Commander-in-Chief and Army Member has directed that, with effect from the 1st April 1921, the administrative control of all the clerical and menial establishment of Army Headquarters shall be transferred to the Secretary to the Government of India in the Army Department, who will administer these establishments through the Establishment Officer, Mr. R. Tharle-Hughes, whose appointment was notified in the last Gazette of India.

2. It will be the duty of the Establishment Officer to watch and control the working of the whole clerical and subordinate staff at Army Headquarters, to advise regarding appointments and promotions, to keep himself closely in touch with the interior economy of each branch with a view to giving further clerical assistance where needed or to reducing establishments where the work is declining. It is the intention that he should be the confidential and trusted adviser of the Principal Staff Officers and the Secretary in the Army Department in all matters relating to office establishments and procedure, including such matters as the economical use of stationery, typewriters, government printing, etc., and that he should work in close relationship with the ministerial heads of Branches. He will work directly under the Secretary in the Army Department.

With effect from the date of this memorandum, it is requested that no promotions, appointments, transfers, or grant of leave (other than casual) be made in any branch of Army Headquarters without prior references to and sanction of the Establishment Officer, who will communicate to the Branch concerned the orders of the Secretary in the Army Department. For the present the existing system under which pay is disbursed will be continued.

It is hoped that Principal Staff Officers and Heads of Branches will co-operate in making this revised system a success. Mr. Tharle-Hughes' advice and assistance will be readily available at all times, and it is hoped that full advantage will be taken of his knowledge and experience.

(Sd.) G. FELL,

*Secretary to the Government of India.*

To

The Principal Staff Officers,  
and Heads of Branches.

**REFUSAL OF THE OFFICER SUPERVISORS AND THE ESTABLISHMENT  
OFFICER, ARMY HEADQUARTERS, TO FORWARD APPLICATIONS  
FROM CIVILIAN CLERKS FOR APPOINTMENTS IN OTHER  
DEPARTMENTS, ETC.**

1341. **\*Khan Bahadur Alimuzzaman Chowdhry:** (a) Is it a fact that applications submitted by the civilian clerks of the Army Headquarters for transfer or better appointments elsewhere are not forwarded by the Officer Supervisors and the Establishment Officer? Is there any bar to their seeking appointments elsewhere to better their prospects?

(b) Is it a fact that on an application submitted by a clerk belonging to a branch of the Army Headquarters for transfer to an office which is not permanently located at Simla the Establishment Officer remarked that a man who is so delicately constituted as to be unable to withstand the comparative mildness of the Simla winter is quite unfit for Government service and is most distinctly unfit for Army Headquarters? If so, will Government please state whether this is the personal opinion of the Establishment Officer or the opinion of the Government of India or that of the medical authorities?

(c) Is it a fact that a certificate of physical fitness is required before a man is confirmed in Government service? If so, is the certificate granted by the medical authorities concerned after satisfying themselves that the person examined is able to stand the winter months in Simla?

(d) If the answer to (c) above is in the affirmative, will Government please state whether the same test is equally applicable to all Government servants?

**Mr. E. Burdon:** (a) No.

(b) The answer to the first part is in the affirmative. The opinion was that of the Establishment Officer.

(c) Yes; in regard to the second part, the terms of the certificate are as stated in Article 49, Civil Service Regulations. I should imagine the medical authorities do not apply specifically the criterion suggested.

(d) Yes.

**SECURITY FOR INDIAN PILGRIMS PROCEEDING TO THE HEDJAZ.**

1342. **\*Mr. Mahmood Schamnad Sahib Bahadur:** Will the Government be pleased to say whether there is peace and security in the Hedjaz now and whether the Indian pilgrims can safely proceed to the Hedjaz this year?

**Sir Denys Bray:** Yes, so far as Government are aware.

**EXPULSION FROM THE HEDJAZ OF MEMBERS OF THE DEPUTATION SENT  
BY THE KUDDAMI-HARAMANI SOCIETY OF INDIA.**

1343. **\*Mr. Mahmood Schamnad Sahib Bahadur:** Is it a fact that the members of the Hedjaz deputation sent by the Kuddami-Haramani Society of India were ordered to leave the Hedjaz at once and were also imprisoned for 3 days under the orders of Ibn Saud?

**Sir Denys Bray:** The members of this deputation were requested by Sultan Bin Saud to leave the Hedjaz as the local authorities reported that they were inciting the residents of Mecca to revolt. They were in regular

correspondence with the British Agency during their stay in Jeddah and made no complaint that they had been imprisoned. Some restrictions are understood to have been placed upon their movements in Jeddah.

**Mr. K. Ahmed:** What is the short history of the Kuddami-Haramani Society?

**Sir Denys Bray:** I think the Honourable Member had better address that question to somebody else.

**Maulvi Muhammad Yakub:** Is it a fact that the reports issued by the members of this deputation about sacrileges committed on the sacred buildings at Medina were totally groundless and false?

**Sir Denys Bray:** I submit, Sir, that question hardly arises.

#### RECOGNITION BY THE GOVERNMENT OF INDIA OF BIN SAUD AS THE RULER OF THE HEDJAZ.

1344. **\*Mr. Mahmood Schamnad Sahib Bahadur:** (a) Will the Government be pleased to say whether they have recognised Ibn Saud as the ruler of the Hedjaz?

(b) Is there any clause for the protection of Indian pilgrims in the Treaty or Agreement concluded with Ibn Saud recently?

**Sir Denys Bray:** (a) The Government of India have no direct dealings with Bin Saud.

(b) No, Sir. A copy of the agreements recently concluded with Bin Saud has been placed in the Library.

#### DATE OF THE NEXT SIMLA SESSION OF THE LEGISLATIVE ASSEMBLY, ETC.

1345. **\*Mr. Mahmood Schamnad Sahib Bahadur:** (a) Will the Government be pleased to say when the next Simla session of the Assembly will be held?

(b) When will the next general election of the Assembly and Provincial Councils be held?

**Mr. L. Graham:** (a) and (b). Government have no information.

#### CONSTRUCTION OF THE SAMNI-DAHEJ BRANCH OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

1346. **\*Khan Sahib M. E. Makan:** (a) Will the Government please state if the survey for the construction of the Samni-Dahej branch of the Bombay, Baroda and Central India Railway is completed?

(b) If so, will the Government please state how far the scheme has progressed? Do Government propose to construct this line *via* Miyan Gaon, Amod, Kervora and Gogra to Dahej?

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

(b) The Government have decided to sanction the construction of a line from Samni to Dahej *via* Vagra.

**ALTERNATIVE ROUTE OF THE PROPOSED EXTENSION OF THE BROACH-JAMBUSAR BRANCH OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY TO KAVI.**

1347. \***Khan Sahib M. E. Makan:** (a) Will the Government please state if they have received an application from the inhabitants of the Jambusar Taluka, Broach District, to so alter the scheme of the proposed extension of the Broach-Jambusar branch of the Bombay, Baroda and Central India Railway to Kavi that the railway line may pass through the town of Sarod?

(b) If so, will the Government please state if they have considered the feasibility of the proposed alteration?

**The Honourable Sir Charles Innes:** (a) A petition was received by the Local Government in 1920.

(b) The alternative route to pass through Sarod was considered when the line was surveyed, but the proposed route was selected as the best and it has been approved of by the Local Government.

**RECONSTRUCTION OF THE RAILWAY BRIDGE OVER THE RIVER NARBADA ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

1348. \***Khan Sahib M. E. Makan:** (a) Will the Government please state if they intend to reconstruct the railway bridge over the river Narbada on the Bombay, Baroda and Central India Railway?

(b) If so, when?

(c) If not, have the Government considered the question whether the bridge is safe to carry heavy locomotives over it, and if so, for how long?

**The Honourable Sir Charles Innes:** Inquiry has been made, and the Government understand that there is no present necessity to reconstruct the bridge, as there is no reason to doubt the ability of the existing bridge to carry the traffic now offering. If, however, it should be decided in the future to run heavier engines over this bridge, it will be reconstructed or suitably strengthened.

**ALLEGED MALPRACTICES IN THE ADMINISTRATION OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

1349. \***Khan Sahib M. E. Makan:** (a) Will the Government please state if their attention has been drawn to the open letters written by one Mr. J. N. Chinoy of Bombay to the General Traffic Superintendent, Bombay, Baroda and Central India Railway, about the malpractices in the administration of that Railway?

(b) If so, will the Government please state if they have made any inquiries to verify the truth of the statements made in the said letters?

(c) If not, why not?

**The Honourable Sir Charles Innes:** The Honourable Member is referred to the reply given in this Assembly to question No. 615, asked by Mr. Chaman Lal on the 3rd February, 1926.

**PROVISION OF INTERMEDIATE CLASS ACCOMMODATION ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

1350. **\*Khan Sahib M. E. Makan:** Will the Government please state why no intermediate class compartments are attached to the through trains running between Bombay and Delhi on the Bombay, Baroda and Central India Railway, and whether such compartments are invariably attached to trains running on other main lines of the Indian Railways?

**The Honourable Sir Charles Innes:** Government understand that the question of the provision of intermediate class accommodation on the Bombay, Baroda and Central India Railway is under the consideration of the Railway Administration and where traffic justifies it, it has already been provided.

The reply to the second part of the question is in the negative.

**CONSTRUCTION OF PLATFORMS AT GODHRA AND KOSAMBA STATIONS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

1351. **\*Khan Sahib M. E. Makan:** (a) Are Government aware that there are no platforms at the Godhra and Kosamba railway stations on the Bombay, Baroda and Central India Railway, and that much trouble and inconvenience is caused to the passengers?

(b) Do Government propose to issue orders for the construction of platforms at the above-mentioned stations?

**The Honourable Sir Charles Innes:** (a) Government have no information.

(b) The Railway Administrations have discretion to provide such facilities where traffic offering justifies such provision. A copy of the question and the answer will be sent to the Agent, Bombay, Baroda and Central India Railway, for such action as he considers necessary.

**CONSTRUCTION OF A RAILWAY LINE FROM AKLESWAR TO HANSUT IN THE BROACH DISTRICT.**

1352. **\*Khan Sahib M. E. Makan:** Do Government propose to construct a railway line from Akleswar to Hansut in the Broach district?

**The Honourable Sir Charles Innes:** Government do not at present propose to undertake the construction of this line.

It is not included among those recommended by the Local Government for early construction and the result of an investigation carried out in 1923 indicated that the line would not prove remunerative. The Agent, Bombay, Baroda and Central India Railway, however, intends to re-examine the prospects of this line along with others, as soon as staff is available for the purpose.

**Dr. K. G. Lohokare:** May I know, Sir, if, in this case, when the Honourable Member does not know English, it is possible for him to put supplementary questions on the replies to his original ones?

**Mr. President:** It is not the fault of the Government.

**CARRIAGE OF MAILS AND PARCELS BETWEEN RAWALPINDI, MURREE AND KASHMIR.**

1353. **\*Mr. B. Das:** (a) Will the Government be pleased to state if tenders are called for the carriage of postal mails and parcels between Rawalpindi, Murree and Kashmir?

(b) When was the last tender called for?

(c) Is it a fact that the period for the contract as per advertisement of tender was for five years with effect from 1st March, 1922, and should continue thereafter till six calendar months' notice of termination is given by either of the contracting parties?

(d) Is it a fact that the agreement between the contracting parties contains terms different from the terms advertised? Is it a fact that the following passage occurs in the agreement:

"the contractors should daily (including Sundays and holidays) during the continuance of this agreement that is to say for the period of five years to be computed as commencing on the 1st day of June, 1924, and after a completion of this period. It will continue automatically until 12 calendar months' notice of termination is given by either party or until this agreement shall be determined by such notice as is hereafter mentioned or otherwise in due course of law (hereinafter referred to as 'the said contract period')"

(e) Is it a fact that the contract according to the tender should come to an end before March 1927? Is it a fact that according to the agreement the contract will terminate in May 1929?

(f) Will the Government be pleased to state why this discrepancy exists between the tender and the agreement?

(g) Are Government aware that fresh invitation of tenders in accordance with the original advertisement will bring a substantial saving?

(h) Are Government aware that the contractors will be ready to take up the contract at a much cheaper rate?

(i) Are Government aware that the price of motor vehicles, accessories, etc., has considerably come down since 1922 and that the postponement of invitation of the tender will mean the sacrifice of a distinct advantage to the Government?

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

(b) August, 1921.

(c) Yes.

(d) Yes.

(e) The original agreement, which was entered into with effect from 1st March, 1922, was for a period of five years from that date to continue thereafter till six calendar months' notice of termination had been given by either of the contracting parties.

Subsequently a fresh agreement was entered into with effect from 1st June, 1924, for a period of five years to continue automatically until twelve calendar months' notice is given by either party.

(f) The departmental motor service between Rawalpindi, Murree and Srinagar and the local service in the station of Rawalpindi was replaced.



as I have already stated, with effect from the 1st March, 1922, by a contract motor service on a mileage basis. A revised agreement was introduced with effect from the 1st June, 1924, for a service between Rawalpindi, Murree, Srinagar and Tangmarg, because the mileage basis was found to be inconvenient and uneconomical.

(g) No.

(h) No.

(i) Government understand that this is the case but they are unable to agree that the postponement of the call for tenders will mean the sacrifice of a distinct advantage. The agreement of 1924 was accepted by Government and by the contractors, and Government have no intention of repudiating it.

#### RECRUITMENT OF DEMOBILIZED INDIAN OFFICERS AS EXECUTIVE OFFICERS OF CANTONMENTS.

1354. **\*Mr. S. Sadiq Hasan:** 1. Is it a fact that the posts of Executive Officers in the Cantonments were thrown open to Indian officers of all ranks both on the effective and non-effective lists under an Army Order in February 1924?

2. Is it a fact that during the last two years no Indian officers on the non-effective lists have been recruited for the service as Executive Officers and that all such candidates who have hitherto been held eligible for the post are now debarred from recruitment?

3. Are Government aware that the bar against recruitment of demobilized officers has caused discontent amongst such officers?

4. Do Government propose to take into consideration the claims of demobilized officers and throw open to them a fixed number of posts of Executive Officers in the Cantonments?

**Mr. E. Burdon:** (1) The answer is in the affirmative, but I must explain that the provisional arrangements announced in the India Army Order referred to have since been superseded by permanent arrangements of wider scope announced in Army Instruction, India, No. 987 of 1925, to which I invite my Honourable friend's attention.

(2) Under the provisional arrangements first adopted, three Indian officers on the effective list and one on the non-effective list were appointed to be Executive Officers of Cantonments. Under the permanent arrangements, pensioners are not eligible.

(3) and (4). Representations have been received from time to time from pensioners wishing to receive appointments as Executive Officers, but the Government of India do not propose to modify the arrangements laid down in Army Instruction, India, No. 987 of 1925. If my Honourable friend will study that Instruction, he will, I think, agree that, as a permanent arrangement, the system now in force is suitable.

#### REVISION OF THE ELECTORAL ROLLS OF THE LEGISLATIVE ASSEMBLY.

1355. **\*Mr. K. Venkataramana Reddi:** (a) Will the Government be pleased to state whether the electoral rolls of the Legislative Assembly will be revised this year?

(b) If the answer is in the affirmative, will the Government be pleased to state the last date when new names can be enrolled?

**Mr. L. Graham:** (a) Sub-rule (4) of rule 9 of the Legislative Assembly Electoral Rules requires a fresh electoral roll to be prepared on the expiration of the period of three years for which the existing roll is in force. There is power under the proviso to direct the earlier preparation of a fresh roll but no power to defer its preparation after the expiry of three years. That period will in all provinces expire during the current year and the Honourable Member may therefore take it that a fresh electoral roll for all the constituencies of the Legislative Assembly will be prepared this year and that the question of revising the existing rolls will not arise.

(b) Under the Electoral Regulations the dates for the completion of the various processes involved in the preparation of an electoral roll are fixed by Local Governments.

**Mr. Harchandrai Vishindas:** Can it be said by what time, in what month, the electoral rolls will be completed?

**Mr. L. Graham:** I have already said that the Local Governments fix the dates.

**Mr. K. Ahmed:** Do Government propose to take immediate steps so that a revision of the rolls may be made as early as possible in order that candidates who stand for the next election will be given sufficient time to see the electoral rolls?

**Mr. L. Graham:** I think some of the Local Governments are already taking action.

**Dr. K. G. Lohokare:** May I know if there will be no misplacing of dates, as happened last time, when the dates of nomination papers to the provincial Councils were fixed before this House was prorogued?

**Mr. L. Graham:** The Honourable Member is talking of elections. We were talking of the electoral roll.

#### INTERPRETATION OF RULE 6 OF THE LEGISLATIVE ASSEMBLY ELECTORAL RULES.

1956. **Mr. K. Venkataramana Reddi:** (a) Will the Government be pleased to state whether, under Rule 6 (1) (a) which defines the qualifications of elected Members, a voter of a Provincial Council either in the general or special constituency is entitled to stand as a candidate for the Legislative Assembly, although he is not entitled to be a voter for the Legislative Assembly?

(b) If the answer is in the affirmative, are Government prepared to consider the advisability of issuing instructions to that effect to Local Governments in view of the coming elections?

**Mr. L. Graham:** (a) The question raises a point of interpretation. In the view of Government the answer is in the affirmative.

(b) Government are not prepared to issue executive instructions on a point of interpretation.

**Mr. K. Venkataramana Reddi:** With regard to the answer to (a) will Government be pleased to state whether they have consulted their law officers whether this interpretation is correct?

**Mr. L. Graham:** Government have consulted themselves, Sir,

**Mr. K. Ahmed:** If a candidate is qualified to stand for the Council of State, what are the reasons that he will not be qualified and be able to stand for the Assembly?

**Mr. L. Graham:** That question does not arise.

**Mr. K. Venkataramana Reddi:** Do Government propose to consult their law officers as to the correctness of the interpretation they have put on the rule referred to in (a)?

**Mr. L. Graham:** I have already said that Government are quite satisfied with their own opinion.

**Mr. K. Ahmed:** Are the Government aware that any Member of a provincial Council or a Member of any other legislative body is qualified to stand for the Council of State election? Why should he not be qualified similarly to stand for the Legislative Assembly?

**Mr. President:** That question does not arise out of the original question.

DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT  
OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.

1957. **\*Sardar V. N. Mutalik:** Will the Government be pleased to state if it is a fact that Miss Bhoji Sipahimalani, a fourth year student of the Lady Hardinge Medical College, Delhi, was operated upon for appendicitis by Dr. (Miss) Campbell, the Principal of the College, and did the girl student die on the operation table while under chloroform?

DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT  
OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.

1359. **\*Sardar V. N. Mutalik:** Is it a fact that in her report Dr. (Miss) Mithai the anæsthetist in attendance, has stated that while under chloroform the girl began to get blue, that the pulse having suddenly gone down to 80 and then to 75, gradually disappeared from the wrist, that she immediately reported the matter, pulled the tongue forward and cleared the throat, that the second swab she used to wipe out the throat got loose, that she tried to take it out at once, reporting the matter at the same time, and that the patient was getting blue and pulse becoming slow before she used the throat swabs?

DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT  
OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.

1850. **\*Sardar V. N. Mutalik:** (a) Is it a fact that in her official report sent to the higher authorities by the Principal a day after the incident, she stated that while she was inserting sutures through the superficial tissue after the operation had been completed, her attention was drawn by the anæsthetist to the fact that the patient's lips had turned blue, that the Principal expressed the opinion that a few more minutes passed after this when the anæsthetist drew her attention to a swab in the patient's throat?

(b) Is it a fact that Dr. Campbell says in her report that Dr. Mithai stated that the swab was in the throat of the girl two minutes before she reported the matter, and that the patient was dead "before I was told there was a foreign body in her throat"?

**DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.**

1360. **\*Sardar V. N. Mutalik:** Is it a fact that in her first official report the Principal attributed the death of the girl to the sticking of the swab in the throat, that in her letter appearing in the *Hindustan Times*, dated the 10th January, 1926, the Principal suggests the possibility of the death being due to some other cause "in the form of a persistent thymus gland, or obscure lesion of the heart or other vital organ", and that in the reply given by Government to Diwan Chaman Lall's interpellation on the 25th January, 1926, it was stated that "it was doubtful whether the examination, if performed, could have resulted in any other verdict than death by chloroform poisoning during anæsthesia?"

**DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.**

1361. **\*Sardar V. N. Mutalik:** Is it a fact that the anæsthetist selected to administer chloroform at the operation of Miss Sipahimalani, was one Dr. (Miss) Mithai, a fresh graduate from Madras, who was still under training and that the person selected to assist the operator (the Principal Dr. Campbell) was a student?

**DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.**

1362. **\*Sardar V. N. Mutalik:** Is it a fact that the father of the girl had wired to the Principal that there should be an X-ray examination before any operation was performed? If so, was such examination held? If not, why not? Was the heart examined before the operation was decided upon?

**DEATH DURING AN OPERATION OF MISS BHOJI SIPAHIMALANI, A STUDENT OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.**

1363. **\*Sardar V. N. Mutalik:** Will Government lay on the table the reports or statements made by Dr. Campbell and Dr. Mithai in regard to the incident of Miss Sipahimalani's death including all correspondence that has passed between Dr. Campbell and the higher authorities?

**Mr. J. W. Bhore:** With your permission, Sir, I propose to reply to questions Nos. 1357 to 1363 together. Government have already given all the information in their possession in regard to this most regrettable incident in reply to Mr. Chaman Lall's question No. 109, Lala Duni Chand's question No. 259 and Mr. Harchandrai Vishindas' question No. 490 on the 25th and 26th January, and the 1st February, 1926, respectively, and they do not consider that any useful purpose will now be served by reopening the question.

**Mr. Harchandrai Vishindas:** I wish to put a supplementary question, if the Honourable Member in charge is prepared to answer, considering that this is the last reply. Is it not a fact that the statements of the two ladies, namely, Dr. Campbell and Dr. Mithai, were conflicting as regards the cause of death?

**Mr. J. W. Bhore:** I do not think you can describe their statements as conflicting in regard to the cause of death. As I have already explained

in reply to a question put by the Honourable Member himself, the cause of death can never now be ascertained. The only avenue for ascertaining that, namely, by means of a *post-mortem* examination, is now closed for ever.

**Mr. Harchandral Vishindas:** Might I know whether it is not a fact that Dr. Mithai said that the blueness and the weakness of the pulse appeared first and the insertion of the sutures took place afterwards and that this was quite contrary to the statement of Dr. Campbell?

**Mr. J. W. Bhore:** I do not think, Sir, that these details are really relevant so far as the actual cause of death is concerned. A most complete and detailed examination of the whole question was conducted by an independent doctor and that doctor came definitely to the conclusion that, having regard to the evidence available, no definite conclusion could be arrived at in regard to the cause of death.

**Mr. K. Ahmed:** Do Government propose for the benefit of the country to hand over all the papers to the Public Prosecutor, so that he may be in a position to do what is needful and send up the accused to the nearest Magistrate if that is necessary for the ends of justice?

**Mr. J. W. Bhore:** I do not think that the Honourable Member knows exactly what he is saying.

**Mr. Harchandral Vishindas:** Might I inquire if it is a fact—and it is a fact—that Dr. Mithai resigned, and considering that she was made to resign, was the inquiry directed to find out whether she was really guilty, and if so, of what?

**Mr. J. W. Bhore:** I think that the inquiry that was conducted was a most complete inquiry. Dr. Mithai was not made to resign. It was never held that she was directly responsible for the cause of death, but it was felt that possibly a transfer of her labours to another sphere than that in which this unhappy event occurred might be of advantage to her. She resigned of her own accord.

**Mr. Harchandral Vishindas:** Considering that in one of the answers given it was said that Dr. Mithai was not sufficiently qualified for discharging the duties of an anaesthetist, why was not the medical officer in charge of the ward summoned as had happened before when the usual chloroform giver was absent?

**Mr. J. W. Bhore:** I dispute the correctness of that statement. Dr. Mithai was a graduate, an M.B.B.S. of the Madras University. She was fully qualified and she had had experience in the administration of anaesthetics.

**Dr. K. G. Lohokare:** May I know how many abdominal operations of this kind had Dr. Campbell done before this?

**Mr. J. W. Bhore:** I am not in a position to give the Honourable Member that information.

**Mr. K. Ahmed:** Are Government aware that qualified and distinguished medical men have also been prosecuted for their gross negligence in the conduct of operations?

PROHIBITION AGAINST THE IMPORTATION OF INDIAN TEA SEED INTO  
CEYLON.

1924. \***Sir Darcy Lindsay:** (a) Are Government aware that the Ceylon Government prohibit the importation of Indian tea seed into Ceylon while freely admitting tea seed from Java when accompanied by a Government certificate and that Java is importing large quantities of tea seed from India?

(b) If the answer is in the affirmative, are Government aware why the Colony of a Foreign Power is placed in a more favourable position than India, an integral part of the British Empire?

(c) Do Government propose to make suitable representation to the Ceylon Government with a view to securing the admission of certified Indian tea seed on like terms?

**The Honourable Sir Charles Innes:** (a), (b) and (c). The Government of India understand that the matter has recently been brought to the notice of the Indian Tea Association and that it is now under the consideration of that body. If the Association require the assistance of the Government of India, no doubt it will apply for it.

65 out of 121 tons of tea seed exported from India in the last 2 years were sent to Java.

GRANT OF SCHOLARSHIPS TO MUHAMMADAN STUDENTS FOR TRAINING  
IN THE CENTRAL TRAINING COLLEGE AND THE MEDICAL  
COLLEGE, LAHORE

1925. \***Maulvi Muhammad Yakub:** (a) Is it a fact that the Delhi Administration makes an annual contribution to the Punjab Government for the training of students from Delhi in the Central Training College and the Medical College, Lahore, and if so, will Government kindly give the names and numbers of candidates sent to these colleges for training for the last five years?

(b) Was there any Mussalman amongst these students?

(c) Will Government kindly give reasons why no Muhammadan has ever been sent to these colleges for training on Government scholarships?

**Mr. J. W. Bhore:** (a) Yes. Complete information relating to the second part is not readily available.

(b) Yes.

(c) Does not arise.

PAUCITY OF MUHAMMADANS IN THE EDUCATION DEPARTMENT, DELHI.

1926. \***Maulvi Muhammad Yakub:** (a) Is it a fact that Sir Malcolm Hailey, during his tenure of office as Chief Commissioner, Delhi, issued a circular letter to the educational authorities drawing attention to the paucity of Muhammadans in the Education Department of Delhi?

(b) Will Government kindly state how many Muhammadans have been appointed since the issue of the above circular, excluding those Muhammadans who were appointed by the Muhammadan officiating District Inspector of Schools in 1925?

(c) Will Government kindly state why no action was taken on the Chief Commissioner's letter above referred to?

**Mr. J. W. Shore:** (a), (b) and (c). Government are not aware of the issue of such a circular letter.

**PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA FOR THE ARMY DEPARTMENT AND THE RAILWAYS.**

1367. **\*Mr. K. Rama Aiyangar:** (a) Will the Government be pleased to state whether to avoid lapse of funds large orders for purchase of stores are placed by the High Commissioner for purchase in the closing months of the financial year?

(b) If so what has been the total amount for which orders have been placed and for what materials in the months of January, February and March during the last three years for the Army Department and the Railways?

(c) Will the Government be pleased to state whether in such cases the same could have been avoided by purchases being made in India at a later date and if so, with what profit or loss?

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

(b) and (c). Do not arise.

**PURCHASE OF COAL FOR STATE RAILWAYS.**

1368. **\*Mr. K. Rama Aiyangar:** (a) Will the Government be pleased to state if Teetulmari and Mudidih coals have been purchased at Rs. 5 when tenders for Rs. 4 and Rs. 4-4-0 were available?

(b) Have Jambad and Faridpur coals been purchased at Rs. 4-11-0 and Rs. 5 when there were tenders at Rs. 4?

(c) Have Kusunda and Nyadee coals been purchased at Rs. 8-12-0 when there were offers at Rs. 8?

(d) If the answers to parts (a), (b), and (c), be in the affirmative, will the Government be pleased to state the reason why the higher rates were accepted in each case?

(e) Will the Government be pleased to lay on the table a list of tenders made and those accepted?

**The Honourable Sir Charles Innes:** As regards (a), (b), (c) and (d), the Honourable Member is referred to the reply given on 15th March, 1926, to questions Nos. 1271 and 1272 of Sir Hari Singh Gour and as regards (e) to the reply given on 15th February, 1926, to Mr. Neogy's question No. 153 on the same subject.

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**UNSTARRED QUESTIONS AND ANSWERS.**

**PUBLICATION OF THE REPORT OF THE ARMY ACCOUNTS COMMITTEE.**

248. **Dr. K. G. Lohokare:** (1) Will Government please say whether the Army Accounts Committee appointed by the Government of India in November 1925 for the investigation of the working of the Cost Accounting System, has concluded its labours and submitted a Report?

(2) If the reply to (1) is in the affirmative will Government please state whether the Committee's Report and recommendations will be published for the information of the public? If not, will Government please give the main features of the Committee's Report and recommendations?

(3) Has the Committee suggested any improvement or simplification of the system and if so, do Government contemplate any reduction of establishment in the Military Accounts Department?

(4) If the answer to (3) is in the affirmative, will Government please give the approximate number of Deputy Assistant Controllers, accountants and clerks by which, and the date from which, the permanent strength of the Department will be reduced?

(5) If the answer to the concluding portion of (1) is in the negative, will Government please say when the Committee is likely to conclude its labours and whether the Report that will be rendered by it will be available to the general public?

**The Honourable Sir Basil Blackett:** (1) The Army Accounts Committee has, I understand, concluded its inquiry but has not yet submitted its Report to Government.

(2) to (5). When the Report has been received, it will be considered what further action is necessary.

#### MINIMUM SERVICE FOR ELIGIBILITY TO THE MAXIMUM RATE OF PENSION.

244. **Dr. K. G. Lohokare:** Will Government please state whether any reduction in the minimum service required to be rendered by a Government servant for eligibility to the maximum rate of pension is under contemplation? If so, will Government please say when their orders are likely to issue?

**The Honourable Sir Basil Blackett:** No such question is directly under the consideration of Government. They have, however, under consideration a revision of the existing pension rules in which it is proposed to calculate pension on the basis of duty instead of on the basis of qualifying service which includes a certain amount of leave. It is not possible to state now when the revised rules will be issued.

#### LOCATION OF THE NEW HEADQUARTERS OF THE GENERAL OFFICER COMMANDING-IN-CHIEF, SOUTHERN COMMAND.

245. **Dr. K. G. Lohokare:** Will Government please state:

- (1) the number of regiments, regimental and departmental officers—both British and Indian troops and clerks that are proposed to be moved from Poona in the proposed change of headquarters;
- (2) whether they have under consideration any proposal to move the office of the Controller of Military Accounts, Poona District to the new headquarters, and
- (3) where the headquarters of the General Officer Commanding-in-Chief, Southern Command will be located?

**Mr. E. Burdon:** In reply to a previous question I have informed the House that as yet there is no such proposal before Government: and the military authorities themselves have not yet framed a final detailed scheme to put before Government.



REMOVAL OF THE OFFICE OF THE CONTROLLER OF MILITARY ACCOUNTS,  
BOMBAY DISTRICT, FROM POONA TO BOMBAY.

246. **Dr. K. G. Lohokare:** Will Government please say whether the shifting of the Office of the Controller of Military Accounts, Bombay District, from Poona to Bombay is under consideration and if so, when is the removal of the office anticipated to take place?

**The Honourable Sir Basil Blackett:** The reply is in the affirmative, but no final decision regarding the move has yet been arrived at.

FORMATION OF A MILITARY PENSION PAYING OFFICE AT SATARA.

247. **Dr. K. G. Lohokare:** Will Government please state whether arrangements are being made for the formation of a Military Pensions Paying Office at Satara? If so, when is the Office to be opened?

**The Honourable Sir Basil Blackett:** The matter is under consideration, but no final decision has yet been reached.

GRANT OF HELP TO GOVERNMENT SERVANTS FROM A FUND STARTED  
BY THE CONTROLLER OF MILITARY ACCOUNTS, QUETTA.

248. **Dr. K. G. Lohokare:** Is it a fact that the present Controller of Military Accounts at Quetta, has opened, with the Quetta branch of the Punjab National Bank, a fund, which he has called the "C.M.A's Fund" and to start which the sale proceeds of his office furniture has formed the nucleus? Is it also a fact that the Controller makes payment from this Fund to help Government servants who are on favourite terms with him? If so, will Government please say how far the institution of the fund and payment thereof to Government servants are authorised? Do they propose to make full inquiries into this matter?

CLAIM MADE BY THE CONTROLLER OF MILITARY ACCOUNTS, QUETTA,  
FOR THE CONVEYANCE FROM MEERUT TO QUETTA OF HIS  
MOTOR CAR, WHICH HE IS ALLEGED TO HAVE SOLD AT  
MEERUT.

249. **Dr. K. G. Lohokare:** (1) Is it a fact that the present Controller of Military Accounts, Quetta, sold his motor car while he was at Meerut?

(2) Did he prefer a claim against Government for its conveyance when he was transferred to Quetta?

(3) Is it a fact that this payment was sanctioned by himself as a Controller of Military Accounts?

(4) If so, will Government please say whether this payment is regular, and if not, what steps they propose to take in the matter?

**The Honourable Sir Basil Blackett:** Inquiry will be made and a reply furnished when information has been received.

PUBLICATION OF THE REPORT OF THE ANDAMANS DEPUTATION.

250. **Haji S. A. K. Jeelani:** (a) Will the Government be pleased to say when they intend to publish the recommendations of the Andaman deputation's Report?

(b) Do they intend to give effect to the same, and if so, when? If not, why?

**The Honourable Sir Alexander Muddiman:** The Report has only recently been received and no decisions in regard to the recommendations contained in it have been reached. The question of its publication will be considered.

**STOPPAGE WITHOUT NOTICE OF THE GHEE CONTRACT OF MR. SUNDER SING MALLEY BY THE SUPPLY AND TRANSPORT AUTHORITIES AT MHOW.**

**251. Mr. S. Sadiq Hasan:** 1. Are the Government of India aware of the circumstances under which the Supply and Transport authorities at Mhow (C. I.), without any notice of warning, stopped the ghee contract of one Mr. Sunder Sing Malley, Contractor, on the 10th of September, 1920?

2. If the answer to the question is in the negative, will the Government be pleased to make suitable inquiries and place on the table all the relevant papers and the result of their inquiries before this House?

3. If the answer to the above question is in the affirmative, will the Government be pleased to state why, since two items of the contractor's claim have already been granted, the other items of his claim are being withheld?

4. Is it a fact that this contractor has in his various representations challenged the authorities concerned to hold an independent inquiry to prove his claim and has approached His Excellency the Commander-in-Chief in India, but the authorities have neither disputed his claim nor are agreeable to hold an inquiry as suggested by the contractor?

**Mr. E. Burdon:** 1. Government are fully aware of the circumstances. It is not a fact that the contract was stopped without any notice of warning. The term of the contract expired in the ordinary course. A short extension was granted, at the contractor's request, to enable him to complete the supply due under the contract, which he failed to do. A request for a further extension was refused.

2. Does not arise.

3. Because each item of the claim was dealt with on its merits.

4. Government have throughout disputed those parts of the claim which have not been granted. They did not then and do not now think it necessary to hold any special inquiry.

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**MESSAGE FROM THE COUNCIL OF STATE.**

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

"I am directed to inform you that the Council of State have, at their meeting held on the 19th March, 1926, agreed without any amendments to the following Bills which were passed by the Legislative Assembly on the 15th March, 1926:

A Bill further to amend the Indian Tariff Act, 1894.

A Bill further to amend the Madras Civil Courts Act, 1873."

## RESOLUTION *RE* EMIGRATION OF INDIAN UNSKILLED LABOURERS TO BRITISH GUIANA.

**Mr. J. W. Bhore** (Secretary, Department of Education, Health and Lands): Sir, I beg to move:

"That this Assembly approves the draft notification which has been laid in draft before the Chamber specifying the terms and conditions on which emigration for the purpose of unskilled work shall be lawful to British Guiana and recommends to the Governor General in Council that the notification be published in the Gazette of India."

Sir, I do not propose to weary the House with a lengthy history of Indian emigration to British Guiana. I do not propose to go further back than the year 1919. In that year a deputation from British Guiana visited this country and laid before a Committee appointed by the Governor General in Council on the recommendation of the Legislative Council a scheme for the colonisation of British Guiana by means of assisted emigration from this country. The Committee were inclined to view that scheme very favourably, but before finally recommending its acceptance they suggested that a deputation consisting of three competent persons should visit British Guiana, investigate local conditions and report. Accordingly a deputation consisting of Diwan Bahadur Kesava Pillai, Mr. Tiwari and Mr. Keatinge visited British Guiana in 1922 and their report was published in January 1924. In that year a second deputation from British Guiana visited this country and the press communiqué issued on the 7th June, 1924, states the events that transpired during this visit. From that communiqué it will be seen that the Standing Emigration Committee were inclined to regard this colonisation scheme favourably, but desired an officer of the Government to visit British Guiana and report on certain specific points. Accordingly Kunwar Maharaj Singh was deputed to visit British Guiana and his report has been in the hands of Honourable Members for some time. The final result of all these negotiations has now been embodied in the draft notification which I am asking the House to approve. I venture to think that this draft notification contains eminently satisfactory conditions. I may say that practically all the important recommendations made in the Pillai-Tiwari Report have received attention. In addition the Government of British Guiana have given an assurance that, subject to the approval of the Combined Court in cases involving expenditure, they accept in principle certain other recommendations made by us. I would like to read out to the House what these recommendations are. We recommended "firstly, the preparation by Government of a preliminary list of eligible voters as recommended in the Pillai Report, secondly, a change in the provisions governing Indian marriages on lines suggested to the British Guiana Government by our Special Officer, thirdly, opportunities for cremation, if so desired, for new emigrants, fourthly, non-employment of children of school-going age in Creole gangs, fifthly, fulfilment of the promise made to local resident families by Sir Joseph Nunan in his note, dated 30th April, 1923, in Combined Court First Special Session 1923, sixthly, Indian representation on all important public boards and committees, seventhly, creation of advisory board with Indian representation in connection with Immigration Department, eighthly, establishment of a farm colony for Indian destitutes of George Town, ninthly, a limited number of Indian ministers of religion should be granted free passages to British Guiana with free return passages if desired, and tenthly, a few school teachers should be recruited from India." Now, Sir, the draft notification read with the assurance given on these points constitutes, I venture to say, as complete a safeguard for intending colonists as we can reasonably expect. There is one other point, I think, in regard to which the House will want a categorical assurance,

and that is that the rights of Indians as British citizens have been effectively safeguarded. In regard to that I need only say that the British Guiana Declaratory Ordinance of 1923 assures to all British subjects equal rights without distinction of race or caste or creed and subjects of British Indian States are also included in that Declaration. Sir, I commend to the House the motion which I have moved. I commend it, Sir, because I feel that this scheme of colonisation opens up a brighter future for at any rate some in this country who would otherwise be condemned to a hopeless prospect in life, due to the force of circumstances of iron customs and of inexorable social laws. I commend it to the House because it will enable us to improve very considerably the lot of Indians, some Indians at any rate, who are already settled in British Guiana and I commend it to the House because I see in this exodus of sturdy Indian peasantry, restricted though it may be, visions of a greater India beyond the seas, established not by force or by fraud but by the honourable labour of a thrifty, industrious and intelligent people.

**Mr. N. M. Joshi** (Nominated: Labour Interests): I rise to make a few remarks on the Resolution moved by the Honourable the Secretary in the Department of Education, Health and Lands. At the outset I would like to ask for a piece of information from the Honourable the Secretary of the Department on the point whether breach of contract of service is going to be continued as an offence in the labour legislation of British Guiana. I had occasion to study the labour law of British Guiana and I found that in their Labour Code breach of contract of service or desertion was an offence. When we allowed emigration to Ceylon, Malaya and Mauritius we insisted that breach of contract of service will not be regarded as an offence by the law of the colony to which we had allowed emigration. As far as I remember, when the British Guiana deputation was in India, I asked them a question whether they were willing to repeal the legislation making breach of contract of service an offence and they expressed their willingness to do so. I want the Government of India to tell me whether they have any information on this point and what is going to be their attitude also on this point. Let them remember that they had insisted in the case of Ceylon that that legislation would be repealed and I hope that the Government of India, even if they have forgotten on this occasion to secure the repeal of this legislation penalising breach of contract of service, will do so without delay.

Then, Sir, I would like to make also one other remark about what we should do to secure the best interests of the emigrants when they go there. I make it quite clear that I am not against emigration of Indians to British Guiana. I think the scheme proposed is a fairly good one, but if the emigration of Indian labour to British Guiana or any other Colony is to be successful we must first see that the people who go there receive adequate facilities for their education. I know, Sir, that the Report of Kunwar Maharaj Singh lays great emphasis on this point, but I am anxious that the Government of India should take every step to see that education is promoted in these Colonies very soon, because I feel that whatever protection the Government of India may give to the emigrants in British Guiana it cannot be very much. Those people who go and colonise other lands must depend upon themselves to protect their interests and if they do not receive education they will not be able to do so.

The second point which I would like to press upon the attention of the Government of India is to see that every facility is given also for the organisation of these workers who go to the different Colonies,

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because I feel that if the workers are to be protected, they can be protected by their own organisations much better than by anything that the Government can do. I do not say that to-day there are any impediments in British Guiana in the way of organisation, but there is one impediment in the way of the organisation of Indian labour that goes to the Colonies and it is this, that they do not receive guidance from educated Indians because there are very few educated Indians in these Colonies. I therefore want the Government of India to take every step to see that at least a few educated emigrants emigrate along with the workers that emigrate to British Guiana. I do not say that all the educated Indians who may emigrate will help the workers, for I know that amongst the educated Indians who may go there there may be some who may exploit them as much as the foreign capitalist; but, Sir, I feel that if a sufficiently large number of educated Indians go there at least some of them will sympathise with our workers and help them in their organisation.

**Mr. R. D. Gordon** (Bombay: Nominated Official): Go yourself.

**Mr. N. M. Joshi:** That is not quite impossible. I had heard a great complaint especially about Indians in British Guiana cutting the wages of even the Negroes in that Colony. I met a gentleman who took an interest in the organisation of Negro workers in British Guiana. He was himself a Negro and he told me that there is no one in British Guiana who takes an interest in the organisation of Indian workers. I know there is an organisation there of the Indian community but that Indian community is not necessarily all workers. It is necessary, therefore, that some facilities should be given to see that the workers who emigrate to British Guiana will be organised in their own organisations.

Then, Sir, I want to ask the Government one more question and that question is whether they propose to appoint their own Agent in British Guiana or not. They have not made it clear in the notification which they have issued, nor did the speech of the Honourable the Secretary of the Department make it clear whether the Government of India have decided to appoint their Agent in British Guiana or not. I know, Sir, that the Government of India did not appoint their Agent when emigration was allowed to Mauritius. We also know the consequences of that step. Before therefore I vote for this Resolution I want an assurance from the Government of India that they have decided to appoint an Agent to protect the interests of Indian workers in British Guiana. There is very great necessity for this appointment because those who have read the Report of Kunwar Maharaj Singh will find that wages in British Guiana have gone down since 1921 and wages may still go down. Therefore, it is necessary that there should be an officer of the Government of India to watch the interests of the workers who may go there. Again, although the British Guiana Government have made it quite clear that the emigration which they want now is really the emigration of colonisers and settlers, still those who have read the papers can very well guess that a large number of planters wish that at least some portion of the emigrants will go to work on their plantations as ordinary labourers. Therefore, it is necessary that when we send 500 families to British Guiana there must be somebody on behalf of the Government of India to watch and see that these emigrants get land and become real colonists and are not forced to take up service as ordinary labourers on the plantations. I therefore want the Government of India to give a clear indication as to whether they propose to appoint an Agent or not. I also make it quite clear that

if the Government of India do not now tell me that they have decided to appoint an Agent to go to British Guiana along with the emigrants, I shall vote against this Resolution.

**Dr. S. K. Datta** (Nominated: Indian Christians): Sir, I am very glad that the Government of India have not been deterred by uninformed public criticism from going ahead with this scheme which I believe will be of real benefit to the people of India. Sir, I have been amazed at the ignorance of people in this country who criticise Government for allowing Indians to go abroad. I myself have visited some of these Indian colonies overseas, and while I realize that conditions there are not as good as they might be, yet for the agricultural labourer they are infinitely better than in British India. When I go down (as I have to occasionally) to the place where our intending colonists are housed in Calcutta, and see the disappointment in their faces when they are told they cannot go back to the Colonies—crowds of men, women and children who are demanding because of depressing conditions in this country to go abroad—I consider it is nothing short of cruelty to say to them that they cannot proceed any further. I am glad, therefore, Sir, that the Government of India have not been deterred by criticism in this country.

Sir, there was a very important point made by my Honourable friend, Mr. Joshi, regarding the welfare of the Indian communities abroad. Now, what happens when Indians go abroad? Let us remember that the old traditions are broken, caste and its restrictions very largely modified, the old village system with its morality gone, and our colonists, strangers in a strange land, as individuals are up against strong and well organized interests ready to exploit them, and I am afraid up against tremendous temptations. Is it to be wondered at that they succumb? Now, Sir, the way of meeting this is by education, education, again education of our people in these Colonies. I see that there is a reference in the Report before us to what the Colonial Government has said with regard to the education of Indians. We are supplied with figures of Indian children under education in Fiji, but I am afraid they reflect the unsatisfactory position in which we find ourselves in India; far fewer girls are in school than boys. However, that may be due of course to the composition of the population itself. But, Sir, will the Government of India be prepared to give facilities to workers from India who will go out there for philanthropic purposes? My Honourable friend, Mr. Joshi, belongs to a great society. Is it not possible for members of his society to go and give exactly that direction to his own people in a distant country like British Guiana?

**Mr. N. M. Joshi:** Why not members of your organization?

**Dr. S. K. Datta:** My organization does send men and will send more in the future, but I am making the suggestion to him specifically.

Lastly, Sir, I am glad that Indians are to have a foothold on the continent of South America. Those of us who have interested ourselves in the literature that has been published in these days regarding the disposition of the races of mankind have been amazed at the suggestions which are made from time to time as to how the world should be divided up. Europe and North America we are told should be preserved for the white races. Asia and Africa are to be preserved for the coloured races; Australia again is to be preserved for the white race, but South America's destiny is yet unknown, the northern races desiring to preserve that continent for the whites. But the eyes of India and other Eastern nations have also been turned to South America. Unfortunately, Sir, in spite of the refusal of the Honourable the Foreign Secretary to give us information in this House

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when we inquired whether exclusion laws against Indians were in operation in the countries of South America—there are exclusion laws in various countries in South America, and I can give him chapter and verse for that. Yet Indians are finding opportunities in South America. I remember a batch of 20 or 80 Sikhs from Fiji who were tired of conditions there, chartering a 20-ton schooner to go right across the Pacific to the coast of South America to settle in Chile. But I am glad, Sir, that there is a prospect of vigorous Indian colonies being established under the British flag and the British Crown in the north of the South American continent. I do trust, Sir, that this draft Resolution which has now been placed before this House will be accepted and that the Government of India will ensure that the best type of colonist is sent to South America under the protection of the British flag and yet with the purpose of upholding in those distant regions the traditions of their own country.

**Mr. J. W. Bhore:** Sir, it is a matter of much gratification to see the manner in which this Resolution has been received by the House, and I am personally very grateful for the criticisms and the suggestions made by the two Honourable Members who have just now spoken. In regard to the first point raised by my Honourable friend Mr. Joshi, namely, the existence in the law of British Guiana of penalties for breach of contract of service, I may say that we have not yet gone into this matter, but he may rest assured that it will have our attention. He has raised questions in regard to the organization of workers, the number of educated Indians at present in this Colony and other matters which to my mind have an intimate connection with the state of education in the colony. Now in regard to that we have been perfectly clear in our own minds, and if you will turn to clause 13 of the draft notification you will see that we have made the application of the Ordinance enjoining compulsory education in British Guiana to the same extent in the case of Indian children as in the case of children belonging to all other communities one of the conditions of emigration. Of course, that Ordinance may take some time to have any widespread effect, but this is the first step, it seems to me, in the right direction and I hope time will not be far distant before its strict application will result in raising generally the standard of education of Indians in British Guiana. The only other point I think of importance which has been raised is the suggestion made by my Honourable friend Mr. Joshi that the Government of India should have its own Agent in British Guiana. Now in regard to this matter I agree generally with my Honourable friend, and I can give him this assurance that the matter is at the present moment receiving our serious attention, and we will not allow a single intending colonist to leave our shores until we are absolutely satisfied that the conditions that we regard as necessary to secure for him have been fully ensured. I do not think, Sir, that there is any other point for me to meet. I thank the House for the manner in which they have received my Resolution.

**Mr. President:** The question is that the following Resolution be adopted:

"That this Assembly approves the draft notification which has been laid in draft before the Chamber specifying the terms and conditions on which emigration for the purpose of unskilled work shall be lawful to British Guiana and recommends to the Governor General in Council that the notification be published in the Gazette of India."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 24th March, 1926.