

LÉGISLATIVE ASSEMBLY DEBATES

THURSDAY, 21st JANUARY, 1926

Vol. VII—No. 2

OFFICIAL REPORT



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LEGISLATIVE ASSEMBLY.

Thursday, 21st January, 1926.

The Assembly met in the Assembly Chamber at Eleven of the Clock, and the President (the Honourable Mr. Vithalbhai Javerbhai Patel) took the Chair.

MEMBERS SWORN.

Lieutenant-Colonel Francis Charles Owens, M.L.A. (Burma: Nominated Official); Mr. Hubert Calvert, C.I.E., M.L.A. (Punjab: Nominated Official); Mr. Everard Reginald Neave, M.L.A. (United Provinces: Nominated Official); Khan Bahadur Afzalur Rahman, M.L.A. (Bengal: Nominated Official); Mr. John Thomas Donovan, M.L.A. (Bengal: Nominated Official); Mr. Walter Frank Hudson, C.I.E., M.L.A. (Bombay: Nominated Official); Mr. Harold Anslem Bellamy Vernon, M.L.A. (Madras: Nominated Official); Mr. Kashinath Shriram Jatar, C.I.E., M.L.A. (Central Provinces: Nominated Official); Mr. Walter Stuart James Willson, M.L.A. (Associated Chambers of Commerce: Nominated Non-Official); U. Tok Kyi, M.L.A. (Burma: Non-European); U. Ha, M.L.A. (Burma: Non-European); Mr. Sadasheo Dhundiraj Talatuley, M.L.A. (Central Provinces: Landholders); and Lala Lajpat Rai, M.L.A. (Jullundur Division: Non-Muhammadan).

QUESTIONS AND ANSWERS.

PROSCRIPTION OF THE *INDUSTRIAL AND TRADE REVIEW FOR INDIA* PUBLISHED IN BERLIN.

1. ***Mr. C. S. Ranga Iyer:** (a) Is it a fact that the monthly magazine *Industrial and Trade Review for India* published in Germany is proscribed under the Sea Customs Act?

(b) Who is the editor of this journal and who are its Indian contributors?

(c) On what grounds was the journal proscribed?

(d) Were the Government of India instructed to proscribe it by the India Office?

The Honourable Sir Alexander Muddiman: (a) Yes.

(b) The Government of India have no information in regard to the contributors. In the issue of January 15th, 1925, the names of the editors were given as A. Hussain and A. C. Nambiar.

(c) The review has been prohibited entry into India under the Sea Customs Act on the ground that its circulation in India is contrary to the public interest.

(d) No.

REPORT OF THE BRITISH LABOUR WOMEN'S DELEGATION TO SOVIET RUSSIA.

2. ***Mr. O. S. Ranga Iyer:** (1) Has the attention of the Government been drawn to the report of the British Labour Women's delegation to Soviet Russia?

(2) Will the Government be pleased to lay on the table a copy of the said report?

(3) Are the Government aware that the report says that the workers no longer had to do night work and they seemed to appreciate particularly their summer holiday with pay?

The Honourable Sir Bhupendra Nath Mitra: The answer to all three parts of the question is in the negative.

APPOINTMENT OF FEMALE WARDERS IN JAILS FOR ACCOMMODATING FEMALE PRISONERS.

3. ***Mr. Devaki Prasad Sinha:** (a) Is it a fact that in the jails in the territories directly under the control of the Governor General in Council women convicts who have to be locked into prisons have to submit to an examination of their garments and their body like all men convicts?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state whether such examination is conducted by a man or by a woman?

(c) Are any women employed in the jails for looking after the female prisoners? If not, do Government propose to appoint female warders for jails in which women are imprisoned?

The Honourable Sir Alexander Muddiman: The information is being collected and will be supplied to the Honourable Member in due course.

REPORTS OF THE ECONOMIC INQUIRY AND EXTERNAL CAPITAL COMMITTEES.

4. ***Mr. Devaki Prasad Sinha:** (a) What steps do Government propose to take on:

(i) the Report of the Economic Inquiry Committee;

(ii) the Report of the External Capital Committee?

(b) Do Government propose to appoint a Committee to inquire into banking facilities in India? If so, when, and what would be its personnel?

REPORT OF THE ECONOMIC INQUIRY COMMITTEE.

125. ***Mr. Chaman Lall:** Will the Government state what action they propose to take in regard to the Economic Inquiry Committee's Report?

RECOMMENDATIONS OF THE EXTERNAL CAPITAL COMMITTEE.

201. ***Mr. Kumar Sankar Ray:** Will the Government be pleased to state what steps they propose to take to give to the recommendations of the External Capital Committee?

REPORT OF THE EXTERNAL CAPITAL COMMITTEE.

246. *Khan Bahadur Sarfaraz Hussain Khan: (1) Have Government considered the Report of the External Capital Committee, 1925?

(2) If so, will they please state if they have accepted all or only some of the recommendations made by it?

(3) If they have accepted only some, will they please state which of the recommendations they have accepted?

REPORT OF THE ECONOMIC INQUIRY COMMITTEE.

323. *Khan Bahadur Sarfaraz Hussain Khan: (a) Have Government considered the Report of the Indian Economic Inquiry Committee 1925 and arrived at a decision?

(b) If so, will they please communicate their decision to the House?

(c) In view of the importance and complexity of the problems, as pointed out in the summary of conclusions and recommendations and Appendix B of Volume 1 of the Report, do Government propose to consult the Assembly before taking steps to inaugurate a wider inquiry?

The Honourable Sir Basil Blackett: I propose to answer questions 4, 125, 201, 246 and 323 together.

The Government have addressed Provincial Governments as regards the further action to be taken on the Reports of both the Committees. I am afraid I shall not be in a position to give a detailed reply on the subject until those replies have been received and considered.

LABOUR LEGISLATION IN INDIA.

5. *Mr. Devaki Prasad Sinha: (a) Has the attention of Government been drawn to an article on Labour legislation in India, written by Lady Chatterjee in the *Asiatic Review* of September or October 1925? If so, what steps do Government propose to take to give effect to the suggestions contained therein?

(b) How many prosecutions have taken place under the Indian Factories Act since that Act has been on the Statute-book? How many industries or factories have been exempted from the operation of certain clauses of the Indian Factories Act?

(c) How many Indians are employed as Inspectors of Factories in each of the provinces of India? What steps do Government propose to take for the Indianisation of the service?

(d) Is it a fact that not a single woman is employed as a Factory Inspector, even where there is a large number of women employed in underground work? When do Government propose to employ women as Factory Inspectors?

(e) Are Government aware that the Iron and Steel Factory at Jamshedpore, contrary to the provisions of the Indian Factory Act, never grants a weekly holiday to its employees? If so, has any step ever been taken to prosecute the employers for this breach of the law?

(f) Do Government propose introducing some form of Truck Act for India?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. Many of the suggestions, including those on which the Honourable Member has based parts (b), (c) and (d) of his question, relate to matters which are not primarily the concern of the Government of India. If the Honourable Member will indicate more precisely the points on which he requires information, I shall endeavour to provide it.

(b) The number of persons convicted during the years 1894 to 1924 is 2,380. The number of factories in which the majority of operatives are exempted from the provisions of certain sections was, in 1924, as follows:

| | | | | | |
|---------|-----|-----|-----|-----|-------|
| Sec. 21 | ... | ... | ... | ... | 1,458 |
| Sec. 22 | ... | ... | ... | ... | 1,474 |
| Sec. 27 | ... | ... | ... | ... | 1,096 |
| Sec. 28 | ... | ... | ... | ... | 45 |

(c) So far as the Government of India are aware, there are 15 Indian Inspectors of Factories. As the appointments are made by Local Governments, the Indianization of the service is not primarily the concern of the Government of India.

(d) The answer to the first part is in the negative. The Government of India understand that there is one lady inspector of factories, employed by the Bombay Government. The question of the further employment of women as inspectors is primarily the concern of Local Governments.

(e) So far as the Government of India are aware the provisions of the law are not infringed by the Iron and Steel Factory at Jamshedpur.

(f) The Honourable Member is referred to the answer given to Khan Bahadur Sarfaraz Hussain Khan's question No. 233, on 26th January, 1925.

ESCAPE FROM INDIA OF TWO AMERICAN PRISONERS.

6. ***Mr. C. S. Ranga Iyer:** (i) Is it a fact that the two Americans, H. W. McWilliam and E. L. Sheehy, were convicted and sentenced for committing a brutal and unprovoked assault on a respectable Indian gentleman at Murree?

(ii) Is it a fact that they escaped?

(iii) How did they manage to escape?

(iv) (a) Did the convicts leave India by the S.S. "Geneva"?

(b) If yes, did the Government grant them passports?

ESCAPE FROM INDIA OF TWO AMERICAN PRISONERS.

20. ***Mr. Gaya Prasad Singh:** With reference to my starred question No. 983 of the 16th September, 1925, will the Government be pleased to say if the two American convicts who were sentenced in the Murree assault case, but escaped out of this country, have been arrested; and what punishment has been meted out to those who were responsible for their escape?

ESCAPE FROM INDIA OF TWO AMERICAN PRISONERS.

128. ***Mr. Chaman Lall:** (a) Will Government kindly state whether they have any information regarding the present whereabouts of the Americans who were the accused in the Murree assault case?

(b) Will Government state the names of the authorities who were responsible for granting passports to those Americans?

(c) Will Government state if these passports were in order?

(d) Will Government state if the bail application of those Americans was opposed by the Public Prosecutor?

(e) Will Government state if the fact that those Americans were about to abscond was brought to the notice of any of the officials?

(f) Has any protest been lodged with any of the consular authorities who gave visas on the passports of those Americans?

ESCAPE FROM INDIA OF TWO AMERICAN PRISONERS.

175. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the Government reply to the second supplementary question to starred question No. 983 asked in the meeting of the Legislative Assembly held on 16th September, 1925, regarding the escape from India of two Americans sentenced to imprisonment in the Murree assault case, will Government please state who the police officers were who were responsible for allowing the culprits to get out of this country without their knowledge?

ESCAPE FROM INDIA OF TWO AMERICAN PRISONERS.

202. ***Baba Ujagar Singh Bedi:** (a) Have the Government seen an article in the *Tribune*, dated 3rd December, 1925, with regard to certain questions which were asked in the Punjab Legislative Council in connection with two American convicts who assaulted Rai Sahib Beshashar Nath, at Murree, and were convicted by the court and who, while on bail in the Sessions Court, absconded and sailed away from India?

(b) What diplomatic action, if any (as was assured by the Honourable Sir John Maynard, in the Punjab Legislative Council, according to the *Tribune*, dated 3rd December, 1925), have the Government taken or propose to take to get back or rearrest these assailants and absconders to vindicate law and justice?

(c) Do Government propose to inquire from the American and Italian Consuls respectively in India, the granters of the passports in this case (as was stated by Sir John Maynard in the Punjab Council, according to the *Tribune* of 3rd December, 1925), whether or not they were acquainted with or alive to the fact that these two persons to whom they issued the passports, were convicted in the Rawalpindi District and were at large on bail granted by the Sessions Court, while a case was pending against them?

(d) What action do Government propose to take for the future to prevent the recrudescence or the repetition of this sort of evasion by such convicts of foreign countries?

The Honourable Sir Alexander Muddiman: With your permission, Sir, I propose to reply to questions 8, 20, 128, 175 and 202 which deal with the same subject in a single reply.

These two Americans received neither passports nor visas from any British authority. They presumably possessed American passports, but the Government of India have not made any inquiries from the Consular authorities and do not consider it necessary to make such inquiries, as under the existing law no passport is required in order to enable a person to leave India. The men left India on an Italian ship bound for Italy and

the Government of India have been unable to follow their movements since their departure. The Government of India informed the Secretary of State of the occurrence by telegram as soon as they heard of it and asked him to take such action for the arrest of the men as was possible. His Majesty's Ambassadors at Rome and Washington were instructed to ascertain whether it would be possible for the Governments of Italy or the United States of America to arrest the absconders and bring them to justice, but the extradition treaty with neither of these countries covered the offence of causing grievous hurt, and the Secretary of State intimated that no further steps to apprehend the men could be taken unless they were found in British territory. The Government of India asked that a careful watch should be kept in case the men proceeded to America via England or Gibraltar and the Secretary of State addressed both the Home and Colonial Offices in the matter. All possible steps therefore were taken by the Government of India to have the men arrested, but I regret without result.

2. I need only add that these men were on bail and that it is not usual for such persons to be placed under police surveillance, so that the police were in no wise responsible for their failure to surrender to their bail. A case of this kind has, so far as I am aware, never occurred before, and it did not apparently occur to the local authorities that special precautions might be necessary. The accused had been on bail while under trial in the Magistrate's Court and though the original application for bail after conviction was opposed, that opposition was withdrawn. I must, however, entirely repudiate the suggestion contained in one of the questions that any official had the slightest knowledge of the intention of these men to abscond. The action of the local authorities is mainly a matter for the consideration of the Local Government and the Government of India do not propose to issue any general orders in regard to it.

Mr. Chaman Lall: Is the Honourable Member aware, Sir, that the official in charge, i.e., the Deputy Commissioner, Rawalpindi, was actually informed that these persons were about to abscond and whether he took any action or not?

The Honourable Sir Alexander Muddiman: That is an entire falsehood, Sir, according to my information.

Mr. Chaman Lall: May I ask the Honourable Member, Sir, if he took any steps to obtain any statement from the gentleman who informed the Deputy Commissioner?

The Honourable Sir Alexander Muddiman: I have not taken any steps because I do not believe in the allegation. If the Honourable Member will give me the name of anybody who informed the Deputy Commissioner, I will have inquiries made.

Mr. Chaman Lall: Will the Honourable Member withdraw his remarks that it is an entire falsehood?

The Honourable Sir Alexander Muddiman: As far as the information in my possession goes—information obtained after all with due care and consideration—I repeat my remarks that there was nothing in the papers before me to show that there is the slightest justification for such a statement.

Mr. Chaman Lall: Does the Honourable Member think that he has considered the question with due consideration without having made inquiries from the person who makes the allegation?

The Honourable Sir Alexander Muddiman: I am not aware of the allegation. I have no information that anybody made the allegation. I have made inquiries from the proper source which is open to me, and that is the Deputy Commissioner himself.

Mr. Chaman Lall: Is it not the Honourable Member's business to find out who makes the allegation?

The Honourable Sir Alexander Muddiman: I have never heard of the allegation before. If the Honourable Member will let me know the name of the person, I will have inquiries made.

Mr. Chaman Lall: The allegation is in this question.

The Honourable Sir Alexander Muddiman: If the Honourable Member will give me the name, I will have inquiries made. (*An Honourable Member:* "Give him the name.")

Mr. Chaman Lall: The man himself who was the assaulted person. They know the name perfectly well. The assaulted person himself, Sir.

INDENT FOR PLANT FOR THE ELECTRIFICATION SCHEME ON THE GREAT INDIAN PENINSULA RAILWAY.

7. ***Mr. T. C. Goswami:** (a) Is the report in the *Statesman* (Town edition, 20th October 1925), that a contract worth five million pounds, in connection with the electrification scheme for the Great Indian Peninsula Railway, has been placed in England, correct?

(b) If so, will Government be pleased to state:

- (i) Whether tenders were called for in India, in England, in Continental Europe and in America;
- (ii) Names of important firms which responded to the call for tenders;
- (iii) The lowest tender received;
- (iv) The name or names of firm or firms which has or have been given this contract;
- (v) The reason for preference?

(c) Are any commissions received by either (i) any agent of the Railway, or (ii) any one in the Government of India or in the Secretary of State's Office or (iii) any intermediary, in respect of transactions of this kind, whether legally or extra-legally? If so, on what basis, if any?

(d) Which is the final authority for sanctioning contracts of this kind?

The Honourable Sir Charles Innes: The newspaper report referred to by the Honourable Member is not correct. The Government have ascertained that an indent for plant required in connection with the electrification of the Great Indian Peninsula main line from Bombay to Igatpuri and from Kalyan to Poona has recently been transmitted by the Great Indian Peninsula Railway to the London Stores Department. In the circumstances (b) in the Honourable Member's question does not arise. The answer to (c) is 'No', and to (d) the Government of India.

**APPOINTMENT OF A CIVILIAN OFFICER AS MILITARY ACCOUNTANT
GENERAL.**

8. ***Shaikh Mushir Hosain Kidwai:** (a) Why was not Sir (then Mr.) B. N. Mitra succeeded by a civilian officer of the Finance Department in the post of the Military Accountant General?

(b) Is it not a fact that Accountants General of Provinces, Posts and Telegraphs, Railways and all other Departments except the Military Accounts Department are all civilian officers of the Finance Department?

(c) What are the educational qualifications of the Accountants General and those of military officers serving as Military Accountants General and Command Controllers of Military Accounts?

(d) Were not adverse comments made by Deputy Auditors General from time to time on the merit and work of military officers serving as Heads of Military Accounts Offices?

The Honourable Sir Basil Blackett: (a) The post of Military Accountant General is an appointment on the cadre of the Military Accounts Department and, though the Government reserve discretion to fill the appointment from outside the Department, they did not consider it necessary to do so in the present instance.

(b) The reply is in the affirmative.

(c) Accountants General are either officers belonging to the Indian Civil Service, who have had special accounts training, or senior officers of the Indian Audit and Accounts Service. Military officers serving in the posts in question have passed through the Royal Military Academy or through Sandhurst and have spent the greater part of their service in the Military Accounts Department.

(d) So far as the Government are aware, no such general comments have been made, but the question is too general for me to make a specific answer.

SELECTION OF DEPUTY ASSISTANT CONTROLLERS OF MILITARY ACCOUNTS.

9. ***Shaikh Mushir Hosain Kidwai:** (a) Is it a fact that in a recent conference of Command Controllers held in the Office of the Military Accountant General it has been decided to select certain accountants for the vacant posts of Deputy Assistant Controllers of Military Accounts quite independent of their standing in the roster of accountants and educational qualifications?

(b) How many such vacancies have occurred in the posts of Deputy Assistant Controllers of Military Accounts, permanent and sub. *pro tem.*?

(c) How many of the men so selected are graduates and how many are non-matriculates or men who have failed in the Senior Cambridge Examination? What was the percentage of graduates amongst the permanent Deputy Assistant Controllers before this?

(d) In selecting such men what criterion has been kept in view for the purpose of determining their fitness for these posts in supersession of the claims of men who are senior in service and in standing and have no bad record? In the latter case how many such senior men have been superseded by juniors?

(e) What is the object underlying this new departure in the matter of selection of Deputy Assistant Controllers by verbal conference only instead of on the basis of past reports, as is done in case of all other Departments?

(f) What is the percentage of Anglo-Indians amongst the men so selected?

The Honourable Sir Basil Blackett: (a) The answer is in the negative.

(b) Six permanent and three sub. *pro tem.* vacancies between April and October 1925.

(c) Of the men selected one is a graduate while two are non-matriculantes. The percentage of graduates on 1st April was 15.

(d) Due regard was paid to relative seniority but this was only one factor in the selection which was determined by the comparative efficiency, physical fitness and general character of the several candidates. Eight men have been superseded by men junior to them.

(e) Selection continues to be made on the basis of past confidential reports, but it is considered more satisfactory that it should be carried out by a Board of senior and experienced officers of the Department, a system which is by no means confined to this instance.

(f) About 20 per cent. in recent selections.

COUNTING OF TEMPORARY SERVICE OF ACCOUNTANTS TOWARDS PROMOTION AND PENSION.

10. ***Shaikh Mushir Hosain Kidwai:** (a) Why has not temporary service from the date of appointment of temporary accountants appointed in 1916 from men of superior educational qualifications and of temporary clerks been allowed to count towards promotion and pension when temporary service of temporary Indian Medical Service officers on consolidated rates of pay has been allowed to count by the Secretary of State? Will the Government now sanction it or obtain the sanction of the Secretary of State to it?

(b) Is it not a fact that Mr. B. N. Mitra, the then Military Accountant General, gave assurances in interviews that their case would be treated like that of temporary Indian Medical Service officers, as regards promotion and pension in the Department?

(c) Is it a fact that one temporary accountant left the Military Accounts Department after securing an appointment in the Subordinate Provincial Service, Bengal, and that his temporary service as a temporary accountant has been allowed by the Bengal Government to count towards increment in his appointment as Sub-Deputy Collector?

(d) Is it a fact that the Temporary Accountants' Association, Poona, was not recognised by the Military Accountant General and that when they protested in 1920 against the treatment and interpretation of their terms of appointment, the Military Accountant General said that their resignation (after three or four years' temporary service) would be accepted if they were not satisfied?

(e) Why were not the temporary accountants provided with appointments in the accountants' grade in preference to 4th grade clerks who had passed the S. A. S. Examination in 1919 as was done in the case of certain graduate clerks of the Military Accountant General's Office who were promoted as sub. *pro tem.* accountants from the same date, i.e., 1st January

1920, subject to passing the S. A. S. Examination in preference to 5th grade clerks who had passed the S. A. S. Examination in 1919? How do the Government explain this anomaly, as this concession was granted to temporary graduate clerks of the Military Accountant General's Office on grounds of efficiency as stated by the Financial Adviser in reply to memorials of 5th grade clerks who had passed the S. A. S. Examination in 1919? What steps have since been taken to regularise it in the case of temporary accountants (possessing higher educational qualifications than those clerks) who were directly recruited for the first time as an experimental measure because of their superior educational qualifications with a view to increase the efficiency of the Department?

(f) Will the temporary service of temporary accountants be taken into account while selecting Deputy Assistant Controllers from accountants as many senior accountants actually served under them before fixing the post-war cadre and as the former are considered to be too junior to aspire to promotion to that grade, being placed low in the accountants' roster owing to inequitable interpretation of their terms of appointment and supersession by 4th grade clerks who had passed the S. A. S. Examination in 1919?

The Honourable Sir Basil Blackett: (a) No analogy exists between temporary Indian Medical Service officers and temporary subordinates in the Military Accounts Department.

(b) The answer is in the negative.

(c) and (d). The Government have no information on these points.

(e) Men who were directly appointed as temporary accountants during the period of the late war were, in accordance with the undertaking given to them by Government in 1916, appointed as sub. *pro tem.* accountants from 1st January, 1920, subject to passing the Subordinate Accounts Service Examination. No graduate clerks in the Military Accountant General's office were given the concession referred to by the Honourable Member. The points referred to in the other portions of the question do not arise.

(f) The answer is in the negative.

GRANT OF AN INCREASE OF PAY TO CLERKS OF THE MILITARY ACCOUNTS DEPARTMENT.

11. ***Shalkh Muehr Hosain Kidwai:** (a) Is it a fact that in the Civil Accounts Department increase of pay according to length of service, temporary and permanent, has been sanctioned to clerks, wherever it is more advantageous?

(b) If so, why has not this concession been granted to clerks of the Military Accounts Department?

(c) Is it not a fact that this led to a great anomaly inasmuch as the pay of an undergraduate clerk of 8 years' service was fixed on 1st April 1920 at Rs 70 p.m. whereas that of a clerk (non-matriculate) of less than 2 years' service was fixed at Rs. 90 p.m. on that date?

(d) Will this anomaly be remedied when the next revision of pay takes place? Will the graduate clerks be given a higher starting salary?

(e) Is not an increase of pay sanctioned according to length of service wherever Europeans are affected and in all superior services?

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

(b) From experience gained in earlier revisions it was found that the rule of length of service was generally unsuitable, and therefore after careful consideration the Government discarded this principle in favour of one which gave more uniform results and which was applied to the Military Accounts Department amongst others.

(c) and (d). There have inevitably been some anomalies and these points were considered by the Government in connection with the latest revision of pay of the Military Accounts Department but it has been found impracticable to effect a change.

(e) Generally speaking posts in the superior services are on a time-scale rate of pay but this is not the invariable rule nor is there any differentiation by domicile.

ACTION TAKEN ON THE REPORT OF THE REFORMS INQUIRY COMMITTEE.

12. ***Mr. Gaya Prasad Singh:** (a) 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?

(b) Have they sent any despatch to the Secretary of State for India on the subject?

(c) If so, when; and are the Government prepared to lay a copy of it on the table?

ACTION TAKEN ON THE REPORT OF THE REFORMS INQUIRY COMMITTEE.

126. ***Mr. Chaman Lall:** In view of the Resolution passed by this House on the Muddiman Committee's Report and its reference to the Secretary of State for India, will Government inform the House what action they propose to take?

ACTION TAKEN ON THE REPORT OF THE REFORMS INQUIRY COMMITTEE.

132. ***Sir Hari Singh Gour:** Will the Government be pleased to announce their decision on the Muddiman Committee's Report which the Government were to have considered after ascertaining the views of both Houses of the Legislature?

MINIMUM DEMAND OF THE LEGISLATIVE ASSEMBLY REGARDING REFORMS.

402. ***Mr. B. Das:** (a) Has the attention of the Government been drawn to the Congress resolution at Cawnpore whereby the minimum demand put forward by the Assembly last September Session has received the full sanction of the Indian National Congress?

(b) Is it not also a fact that the Muslim League, the Liberal Federation and even the Conventionists have given their sanction to the minimum demand of the Assembly of last September?

(c) Will Government be pleased to state if they have communicated to the Secretary of State for India and the British Cabinet this sanction of the people of India on different platforms to the minimum demand of the Assembly on reforms?

MINIMUM DEMAND OF THE LEGISLATIVE ASSEMBLY REGARDING REFORMS.

408. ***Mr. B. Das:** (a) Will Government be pleased to state what decision the Government of India reached on the minimum demand of the Assembly last September, and will they be pleased to inform the House if the same has been forwarded to the Secretary of State for India?

(b) Will Government be pleased to state if the Secretary of State accepts their decision and will Government be pleased to lay all the correspondence on the table?

ACTION TAKEN ON THE REPORT OF THE REFORMS INQUIRY COMMITTEE.

429. ***Diwan Bahadur M. Ramachandra Rao:** (a) Will the Government be pleased to state what action has been taken by the Government (i) in regard to the Resolution passed by the Legislative Assembly on the 18th February, 1924, (ii) in regard to the Resolution passed by the Legislative Assembly on the 8th September, 1925, regarding the recommendations of the Reforms Inquiry Committee?

(b) Will the Government be pleased to state whether any decision has been reached on the subject by the Government of India and the Secretary of State and to state the decision they have come to, if any?

The Honourable Sir Alexander Muddiman: With your permission, I will answer this question as well as Nos. 126, 132, 402, 408 and 429. 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 report of the Reforms Inquiry Committee. No despatch to the Secretary of State has as yet been issued and, though the subject has been much 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 Government should have ample time for the fullest consideration.

Pandit Motilal Nehru: Will the Honourable Member please state how long the Government of India are likely to take to arrive at a decision?

The Honourable Sir Alexander Muddiman: I am not in a position to say definitely how long the Government of India will take to arrive at a decision.

Diwan Bahadur M. Ramachandra Rao: Not even approximately?

The Honourable Sir Alexander Muddiman: Not even approximately, but I hope soon.

Pandit Motilal Nehru: Has any progress been made at all in that direction?

The Honourable Sir Alexander Muddiman: Certainly, the Government of India have been giving the matter their most careful attention, and I have been watching many events with interest. (Laughter.)

Diwan Bahadur M. Ramachandra Rao: May I ask the Honourable Member whether any decision will be announced before the end of the Session?

The Honourable Sir Alexander Muddiman: I am not in a position to say that, but I should think so, probably.

Pandit Motilal Nehru: Are there any specific events which they expect to happen before then?

The Honourable Sir Alexander Muddiman: I would refer the Honourable Member to the very eloquent speech made by His Excellency the Governor General yesterday, which I think he heard.

Pandit Motilal Nehru: Are we to take His Excellency's speech as containing any indication as to what the final decision is going to be?

The Honourable Sir Alexander Muddiman: I think the Honourable Member must put his own construction on it.

Pandit Motilal Nehru: Is it the last word on the subject so far as His Excellency is concerned?

The Honourable Sir Alexander Muddiman: The last word is never said in these things till the end of time.

Mr. B. Das: Will the Honourable Member kindly say if the answer which he just gave applies to my question No. 402 also?

The Honourable Sir Alexander Muddiman: Will the Honourable Member kindly repeat his question?

Mr. B. Das: My question is:

"(a) Has the attention of the Government been drawn to the Congress Resolution at Cawnpore whereby the minimum demand put forward by the Assembly last September Session has received the full sanction of the Indian National Congress?"

"(b) Is it not also a fact that the Muslim League, the Liberal Federation and even the Conventionists have given their sanction to the minimum demand of the Assembly of last September?"

"(c) Will Government be pleased to state if they have communicated to the Secretary of State for India and the British Cabinet this sanction of the people of India on different platforms to the minimum demand of the Assembly on reforms?"

The Honourable Sir Alexander Muddiman: I have answered part (c) of his question, and, as regards parts (a) and (b), I am quite prepared to take it from the Honourable Member.

PROSCRIPTION OF THE *INDUSTRIAL AND TRADE REVIEW FOR INDIA*
PUBLISHED IN BERLIN.

13. ***Mr. Gaya Prasad Singh:** Will the Government be pleased to say if they have proscribed the monthly magazine, called the *Industrial and Trade Review for India* published in Germany? And if so, what are the reasons?

The Honourable Sir Alexander Muddiman: Yes, that is correct. We have proscribed the paper on the ground that its entry into India is contrary to the public interests.

VISIT OF SIR FREDERICK WHYTE TO CERTAIN COUNTRIES TO INQUIRE
INTO THE RELATIONSHIP BETWEEN CENTRAL AND
PROVINCIAL GOVERNMENTS.

14. ***Mr. Gaya Prasad Singh:** (a) Is there any truth in the report that Sir Frederick Whyte has been asked by Government to visit certain countries to make investigations in regard to the relationship between the Central and Provincial Governments? If so, what is the exact nature of the duty, and the countries he is to visit?

(b) Has Sir Frederick Whyte submitted any report to Government in regard to the subject?

The Honourable Sir Alexander Muddiman: (a) No.

(b) The monograph prepared by Sir Frederick Whyte has already been published and I suggest that the Honourable Member, if he has not already done so, should buy a copy.

Pandit Motilal Nehru: Will copies be presented to the Members?

The Honourable Sir Alexander Muddiman: If the Honourable Member would like a copy to be presented to the Members, I would certainly do so.

THE PUBLIC SERVICE COMMISSION.

15. ***Mr. Gaya Prasad Singh:** What conclusions, if any, have the Government arrived at regarding the constitution and personnel of the Public Service Commission?

The Honourable Sir Alexander Muddiman: I have received notice of several questions regarding the Public Service Commission and with your permission, Sir, I propose to answer them in a single reply. The present position is that the Government of India have prepared draft rules regulating, (a) the conditions of service of members of the Commission, and (b) the functions of the Commission, for the consideration of the Secretary of State in Council, who is the authority for making the rules. The general question of the constitution of the Public Service Commission was before the House in the Resolution which I moved on the 10th September, 1924, and the Government of India do not now propose to lay the matter before the House again. The personnel of the Commission is under the consideration of the Secretary of State in Council. I am unable to publish any of the correspondence that has taken place between the Secretary of State and the Government of India.

INDENT FOR PLANT FOR THE ELECTRIFICATION SCHEME ON THE GREAT INDIAN PENINSULA RAILWAY.

16. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that orders amounting to about five million sterling have been placed in England for the purchase of plant and machinery for the Great Indian Peninsula Railway electrification programme?

(b) If so, were tenders from elsewhere also invited; and what was the lowest tender; and was any attempt made to obtain as much of the plant and machinery as may be available in India?

(c) Did Continental or other firms decline to agree to conditions of timely execution?

The Honourable Sir Charles Innes: The Honourable Member is referred to the answer just given to Mr. T. C. Goswami's question No. 7 on the list.

Mr. N. M. Joshi: Mr. Goswami's question has not been replied to here?

The Honourable Sir Charles Innes: If the Honourable Member had been in his place, he would have heard the answer.

ALLEGED INSULT IN RAILWAY TRAIN TO MISS TARA BAI.

17. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to an account published in the *Hindustan Times*, dated the 30th October, 1925, under the heading "Rajput Lady Hercules insulted in railway train. Miss Tara Bai's experience"?

(b) Are the facts stated therein substantially correct; and what steps have been taken on the complaint of Miss Tara Bai?

(c) Are Government aware that cases of insult or annoyance on the part of railway servants towards third class passengers are very frequent?

The Honourable Sir Charles Innes: (a) Yes.

(b) No. The lady and part of her theatrical company were travelling in an ordinary third class compartment with excess baggage and the amount due was collected at Quetta.

(c) No.

ALLEGED ILL-TREATMENT OF AN INDIAN LADY PASSENGER BY AN INSPECTOR OF CUSTOMS AT DANUSHKODI.

18. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the report of gross ill-treatment of an Indian lady passenger, the daughter of Mr. T. P. Masilomany, published in the *Hindustan Times*, dated the 22nd October, 1925? Is the account given therein correct; and has the attention of the Government been drawn to the letter of Mr. T. P. Masilomany, published in the *Amrita Bazar Patrika*, dated the 25th October, 1925, in this connection?

(b) Was any inquiry made into the allegation, and with what result?

The Honourable Sir Basil Blackett: (a) and (b). The Government of India have not seen the articles referred to either in the *Hindustan Times* or in the *Amrita Bazar Patrika*, but the facts are as follows:

Under the law a musical instrument is exempt from customs duty only if (1) it is in actual use by the person bringing it or (2) it is an instrument used by him in the exercise of his profession or calling. At Danushkodi it had been usual to ask the passenger to play upon the instrument in order to prove that it was in actual use by him, a test which has repeatedly resulted in the detection of attempted frauds on the revenue. Mr. Masilomany refused to pay duty and claim refund afterwards; nor would he give the Inspector any information as to his position in life when questioned. The Inspector explained the law to Mr. Masilomany and finally—in accordance with past practice—insisted on the passenger, in this case his daughter, playing on the instrument for a minute. The lady was not put any insulting questions nor was she asked if she was a professional musician.

On learning of this incident in October last, the Collector of Customs, Madras, immediately conveyed his personal apologies both in writing and orally for the Inspector's failure in courtesy, the Inspector himself was suitably dealt with, and steps have been taken to prevent a recurrence of the incident.

Mr. Gaya Prasad Singh: May I know, Sir, why the attention of Government was not drawn to the *Hindustan Times* of the 22nd October? May I make a present of it to him? Do not the Government subscribe to the paper?

The Honourable Sir Basil Blackett: I certainly do not read it regularly.

DEPUTATION OUT OF INDIA AT STATE EXPENSE OF NON-OFFICIAL
MEMBERS OF THE PRESENT LEGISLATIVE ASSEMBLY.

19. ***Mr. Gaya Prasad Singh:** Will the Government be pleased to lay on the table a statement, showing the names of the non-official Members of the present Legislative Assembly, who have been sent out of India at State expense, and giving the following particulars?

| Number. | Names of members. | Where sent. | Object of visit. | Year of visit. | Total expense incurred in each case. | REMARKS. |
|---------|-------------------|-------------|------------------|----------------|--------------------------------------|----------|
| | | | | | | |

The Honourable Sir Alexander Muddiman: The statement asked for is laid on the table.

Statement.

| No. | Names of members. | Where sent. | Object of visit. | Year of visit. | Total expense incurred in each case. | REMARKS. |
|-----|---|-------------|--|----------------|--------------------------------------|---|
| | | | | | Rs. A. P. | |
| 1 | Diwan Bahadur T. Rangachariar, C.I.E., M.L.A. | London | As member of the Government of India Colonies Committee to make representations to the Colonial Office on certain questions relating to Indians in Kenya and Fiji. | 1924 | 15,924 4 0 | |
| 2 | Mr. K. C. Roy, C.I.E. | Do. | Ditto | 1924 | 16,045 2 0 | |
| 3 | Mr. N. M. Joshi | Geneva | As workers' representatives to the International Labour Conference. | 1925 | | The accounts of both these Members have not yet been settled, but the expenditure incurred up to the end of November on account of Mr. Joshi was Rs. 3,928 and on account of Mr. Chaman Lall Rs. 3,503. |
| 4 | Mr. Chaman Lall | Do. | | | | |

20. (Answered along with question No. 6).

CLAIMS OF INDIAN MERCHANTS IN TANGANYIKA AGAINST THE EX-GERMAN GOVERNMENT.

21. ***Mr. Gaya Prasad Singh:** (a) Are Government aware of the extent of the claim of the Indian merchants in Tanganyika against the ex-German Government; and is it a fact that no less than 20 millions of Indians' money have been jeopardised by the change of Government in that territory?

(b) Have any steps been taken to liquidate the debts of the people out of the confiscated property of Germany?

(c) Is it a fact that under Article 297 (e) of the Peace Treaty, the nationals of Allied Powers are entitled to compensation in respect of damage or injury inflicted upon their property, rights or interests; and that this compensation is to be borne by Germany? And if so, what steps have the Government taken to reimburse, or compensate the Indian residents of Tanganyika for their loss in respect of these "debts of honour"?

Mr. L. Graham: (a) The Government of India have seen a letter addressed to the High Commissioner for India by the Indian Association, Tanganyika Territory, in which it is stated that Indians in that territory have claims aggregating two crores of rupees in respect of currency notes of the former German East Africa Government that were forced upon them by Government decrees and also of property seized by the German authorities. No such claims have been received by the Government of India and they have no information of the accuracy of the statements made in the said letter.

(b) and (c). Article 297 (e) of the Treaty of Versailles provides for the compensation of Allied nationals in respect of injury inflicted on their property, rights or interests in German territory by the application of exceptional war measures, and provides that such claims shall be investigated, and the amount of compensation determined by the Mixed Arbitral Tribunal provided for in the Treaty or by an arbitrator appointed by the Tribunal. This Article further lays down that such compensation shall be borne by Germany and may be charged upon the property of German nationals within the territory of the claimant's State.

It rests with the claimants to establish their claims before the Mixed Arbitral Tribunal which at present is sitting in London and any compensation awarded by the Tribunal will be met from the proceeds of liquidation of German property in Tanganyika Territory. As the Treaty has set up a special Tribunal for dealing with such claims the Government of India have no *locus standi* under the Treaty to deal with these claims.

Sir Darcy Lindsay: Are the Government aware that in addition to the German notes referred to by the Honourable Member there are also claims under interim notes and cash receipts for money which was almost forcibly taken from the people?

Mr. L. Graham: I think I have said in my answer, Sir, that the claims are not only in respect of currency notes but also in respect of property seized by the German authorities. I think that meets the Honourable Member.

Sir Darcy Lindsay: No, Sir; hardly. It is not property.

Another supplementary question, Sir. Are the Government aware that the German Government have never definitely repudiated liability but keep on procrastinating by asking for more information? Also that two German officials have quite recently arrived in Dar-es-Salam with the alleged object of redeeming vouchers issued to the Askaris they employed in the war and that this shows a desire to meet just liability?

Mr. L. Graham: I am very glad to hear it, Sir. Government have not received that information.

Sir Darcy Lindsay: In the common interests of the Indian community, will Government obtain from the Government of Tanganyika particulars of claims of Indians and full information in order to examine the position closely with a view to the German Government being called upon to come to a definite decision in the case, and, if unfavourable, to submit the claim to the Tribunal of the League of Nations?

Mr. L. Graham: I tried to make it clear in my answer, Sir, that the persons who have these claims are under the Treaty required to go before the Mixed Arbitral Tribunal. They are not required to come to the Government of India. The Government of India have at present no *locus standi* to deal with these claims.

Sir Darcy Lindsay: I maintain, Sir, that the Government of India in looking after the interests of their people can give very great assistance in this matter.

ALLEGED FRAUDS IN THE STORES DEPARTMENT OF THE EAST INDIAN RAILWAY.

22. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the *Amrita Bazar Patrika*, dated the 1st November, 1925, in which it is stated—"Strange rumours are in the air about a series of swindling that have been taking place in the Stores Department of the East Indian Railway. About seven of the officers have been alleged to be suspended or discharged. The amount involved in these swindling operations is estimated to be about a crore and six lakhs"?

(b) Is there any truth in this report, and what are the names of the officers concerned?

(c) What steps have been taken in the matter?

The Honourable Sir Charles Innes: (a) Government have seen the article referred to.

(b) and (c). The Honourable Member is referred to the editorial articles in the *Amrita Bazar Patrika* of the 5th December, 1925, on the subject and the letter, dated 1st December, 1925, addressed by the Secretary, Railway Board, to the Editor, *Amrita Bazar Patrika*, and published in the issue of the paper, dated 6th December, 1925. I take this opportunity of saying,

however, that a departmental investigation did take place into certain transactions of the Stores Department of the East Indian Railway. These transactions involved the Railway in no financial loss, but as a result of the investigation conducted by the Agent, it was considered necessary to dismiss from service two senior officials of the Stores Department.

REMOVAL OF THE IMPERIAL LIBRARY FROM CALCUTTA TO DELHI.

23. ***Mr. Gaya Prasad Singh:** (a) Have the Government arrived at any decision regarding the future of the Imperial Library of Calcutta?

(b) Will the Legislative Assembly or the Legislative Council of Bengal be given a chance to express their opinion before any decision is arrived at regarding the proposed removal of the Imperial Library to Delhi?

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

(b) The point will be given due consideration before a final decision is reached on the proposed transfer.

ACTION TAKEN ON NON-OFFICIAL RESOLUTIONS PASSED BY THE LEGISLATIVE ASSEMBLY AND THE COUNCIL OF STATE.

24. ***Mr. Gaya Prasad Singh:** Will the Government be pleased to lay on the table a statement giving the non-official Resolutions passed by the Legislative Assembly, and the Council of State separately, since the beginning of 1924 up to now, indicating the steps taken on them by Government?

Mr. L. Graham: In regard to Resolutions adopted by the Council of State during the Delhi Session, 1924, and by the Legislative Assembly during the Delhi and Simla Sessions, 1924, the Honourable Member is referred to the following:

- (1) Statement laid on the table of the Council of State on the 4th June, 1924, in reply to the Honourable Mr. R. P. Karandikar's question (pages 785-786 of the Council of State Debates, Volume IV, No. 28).
- (2) Statement laid on the table of the Legislative Assembly on the 27th May, 1924, in reply to Mr. S. Sadiq Hasan's question (pages 2261-2262 of the Legislative Assembly Debates, Volume IV, No. 39).
- (3) Statement laid on the table of the Legislative Assembly on the 23rd February, 1925, in reply to Mr. R. Shanmukham Chetty's question (pages 1343-1344 of the Legislative Assembly Debates, Volume V, No. 21).

2. Statements in regard to the Simla Session of the Council of State, 1924, and the Delhi and Simla Sessions of the Council of State and the Legislative Assembly, 1925, are laid on the table.

Statement showing non-official Resolutions adopted by the Council of State during the Simla Session, 1924, and action taken by Government thereon.

| Serial No. | Date on which moved. | By whom. | Subject of Resolution. | Department concerned. | Action taken by Government. |
|------------|-----------------------|---------------------------------------|---|-----------------------|--|
| 1 | 9th September, 1924. | The Honourable Sir Maneckji Dadabhoi. | Annual provision for the reduction or avoidance of public debt. | Finance . | It has been decided to make an annual provision for five years commencing from 1925-26 towards reduction or avoidance of debt—vide Government of India, Finance Department, Resolution No. F-12-11-F., dated the 9th December, 1924. |
| 2 | 17th September, 1924. | The Honourable Sardar Jogendra Singh. | Appointment of a representative of the producers on the Taxation Enquiry Committee. | Do. | The Honourable Sardar Jogendra Singh was appointed Member of the Indian Taxation Enquiry Committee. |
| 3 | 22nd September, 1924. | Ditto | Appointment of an Indian to the Railway Board. | Railway . | The Resolution will be borne in mind when making selections for appointments in the Railway Board as they fall vacant. |

Statement showing non-official Resolutions adopted by the Council of State during the Delhi Session, 1925, and action taken by Government thereon.

| Serial No. | Date on which moved. | By whom. | Subject of Resolution. | Department concerned. | Action taken by Government. |
|------------|----------------------|--|---|------------------------|--|
| 1 | 22nd January, 1925. | The Honourable Mr. Phiroze C. Sethna. | Removal of the bar upon the admission of Indian students to the University Training Corps attached to the different Universities in the United Kingdom. | Army . | The undertaking which was given on behalf of Government has been fulfilled. The Secretary of State was addressed on the subject in March, 1925. |
| 2 | 28th January, 1925. | The Honourable Khan Bahadur Ebrahim Haroon Jaffer. | Scholarships and prizes for Indian art students engaged in painting, sculpture, architecture and artistic crafts. | Industries and Labour. | Proposals for the establishment of a Central Art Institute at Delhi are at present under consideration of the Government of India. |
| 3 | 16th February, 1925. | The Honourable Dr. Sir Deva Prasad Sarvadhikary. | Supply of Ganges water at and below Narora. | Do. | After consulting the Government of the United Provinces the Government of India have decided not to take any action on the Resolution. |
| 4 | 17th February, 1925. | The Honourable Khan Bahadur Ebrahim Haroon Jaffer. | Establishment of a School of Mining in Chota Nagpur. | Do. | As stated during the debate on this Resolution a school of mines is under construction at Dhanbad in the Chota Nagpur Division of Bihar and Orissa. Its first session will commence from 1st November, 1925. |

Statement showing non-official Resolutions adopted by the Council of State during the Simla Session, 1925, and action taken by Government thereon.

| Serial No. | Date on which moved. | By whom. | Subject of Resolution. | Department concerned. | Action taken by Government. |
|------------|-----------------------|--|--|------------------------------|---|
| 1 | 8th September, 1925. | The Honourable Mr. Phiroze C. Sethna. | Indianisation of the staff and establishment of the High Commissioner for India in the United Kingdom. | Commerce. | A copy of the debate on the Resolution has been forwarded to the High Commissioner and he has been informed that the Government of India desire that the principle involved in the Resolution should be followed and that consistently with economy and efficiency opportunities should be taken to Indianise the higher staff of the establishment. |
| 2 | 10th September, 1925. | The Honourable Dr. Sir Deva Prasad Sarvadhikary. | Protection of the rights of Indians in South Africa. | Education, Health and Lands. | The Resolution was communicated to His Majesty's Secretary of State for India by telegram on the 11th September, 1925, and with his approval negotiations were entered into to obtain the consent of the Union Government to the despatch of a deputation to South Africa. The result of these negotiations has been that, with the concurrence of the Union Government, a deputation consisting of Mr. G. F. Paddison, C.S.I., I.C.S., Commissioner of Labour, Madras, Sir Deva Prasad Sarvadhikary, Kt., C.I.E., and the Honourable Baiyad Raza Ali, Member, Council of State, accompanied by Mr. G. S. Bajpal, C.B.E., I.C.S., as Secretary, is, at present, in South Africa, collecting information regarding the economic condition and general position of the resident Indian community in South Africa and ascertaining their wishes and requirements, with a view to further representations and discussions on the subject. |
| 3 | 15th September, 1925. | The Honourable Dr. Sir Deva Prasad Sarvadhikary. | Work done by the Central Government in connection with the transferred subjects. | Home | The question of the action to be taken is under the consideration of the Government of India. |
| 4 | Iditto | The Honourable Rai Bahadur Lala Ram Saran Das. | Concession rates for railway freight on coal. | Railway | The matter is still under consideration. |

Statement showing non-official Resolutions adopted by the Legislative Assembly during the Delhi Session, 1925, and action taken by Government thereon.

| Serial No. | Date on which moved. | By whom. | Subject of Resolution. | Department concerned. | Action taken by Government. |
|------------|--------------------------------------|-----------------------------|---|-----------------------|--|
| 1 | 23rd and 27th January, 1925. | Mr. B. Venkatapatiraju. | Exchange and Currency Enquiry Committee. | Finance | As announced in His Excellency the Viceroy's speech in the Indian Legislature on the 20th August, 1925, a Royal Commission on Indian Currency and Finance has been appointed to examine and report on the Indian exchange and currency system and practice. |
| 2 | 27th January and 5th February, 1925. | Mr. M. K. Acharya. | Grievances of the subordinate employees of the Indian Railways. | Railway | The Government of India are not in agreement with this Resolution and do not, therefore, propose to initiate the enquiry suggested therein. They have drawn the attention of Railway Administrations to the debates on the Resolution as also on the Budget, and they have no doubt that any genuine grievances which exist will be remedied by the Railway Administrations concerned. |
| 3 | 28th January and 5th February, 1925. | Mr. C. Duraiswami Aiyangar. | Criminal Law Amendment Ordinance I of 1924. | Home | The Government of India have not been able to accept the recommendations contained in the Resolution. No action was accordingly taken other than to report the result of the debate to the Secretary of State. |
| 4 | 12th February, 1925. | Sir Purshotamdas Thakurdas. | Ventilation of the grievances of Indians in Mandated Territories. | Legislative | The Government of India, while unable to contemplate action on the lines recommended, drew the attention of the Secretary of State to the report of the debate, and asked him to move for early examination by the Colonial Office of the language grievance which had already been fully represented by the Colonies Committee. |
| 5 | 17th and 19th February, 1925. | Mr. B. Venkatapatiraju. | Establishment of a Military College. | Army | The resolution has been given effect to by the appointment of the Sken Committee. |

Statement showing non-official Resolutions adopted by the Legislative Assembly during the Simla Session, 1925, and action taken by Government thereon.

| Serial No. | Date on which moved. | By whom. | Subject of Resolution. | Department concerned. | Action taken by Government. |
|------------|-------------------------------|-----------------------------|--|-----------------------|--|
| 1 | 2nd September, 1925. | Haji Wajihuddin | Prohibition of liquors. | Finance | No action was considered by Government to be necessary. |
| 2 | 2nd September, 1925. | Dr. K. G. Lohokaro | Recruitment to the Indian Medical Service. | Army | The undertaking which was given by Government to bring the debate to the notice of the Secretary of State has been fulfilled and the question of what further action should be taken with regard to this Resolution is being examined. |
| 3 | 2nd and 16th September, 1925. | Pandit Sham Lal Nehru. | Amendment of the Electoral Rules in regard to political disqualifications. | Home | For the reasons indicated in the Home Department Resolution No. F-586-25-Pub., dated the 30th October, 1925, the Government of India were unable to accept the recommendation contained in the Resolution. |
| 4 | 16th September, 1925. | Sir Purshotamdas Thakurdas. | Suspension of the cotton excise duty. | Finance | The collection of the duty has been suspended with effect from the 1st December, 1925—vide Government of India, Finance Department, Notification No. F-130-F., dated the 1st December, 1925. |

THE BAWLA MURDER CASE.

25. ***Mr. Gaya Prasad Singh:** (a) Will the Government kindly state if they intend to take any further proceedings in connection with what is known as the Bawla murder case?

(b) Has there been any correspondence between the Government and the Local Government on this subject?

The Honourable Sir Alexander Muddiman: I am not at present prepared to make any statement in the matter.

REDUCTION OF THIRD CLASS AND INTERMEDIATE CLASS FARES ON THE EAST INDIAN RAILWAY.

26. ***Mr. Gaya Prasad Singh:** Will the Government kindly state the rates at which third and intermediate class railway fares on the East Indian Railway have been reduced since 1st January, 1926?

Mr. G. G. Sim: A statement showing the rates for intermediate and third class fares in force on the East Indian Railway from 1st January 1926 is placed on the table.

Statement showing the rates for intermediate and third class fares in force on the East Indian Railway from 1st January, 1926.

INTERMEDIATE CLASS.

By Mail—

| | |
|-------------------------------|------------------|
| First 300 miles | 7 pies per mile. |
| Additional distance | 3½ " " |

By Ordinary Train—

| | |
|-------------------------------|------------------|
| First 300 miles | 5 pies per mile. |
| Additional distance | 3½ " " |

THIRD CLASS.

By Mail—

| | |
|-------------------------------|------------------|
| First 300 miles | 5 pies per mile. |
| 301—600 " | 3½ " " |
| Additional distance | 3 " " |

By Ordinary Train—

| | |
|-------------------------------|-------------------|
| First 300 miles | 3½ pies per mile. |
| Additional distance | 2½ " " |

Mr. Gaya Prasad Singh: Has there been any increase in the rates for third class passengers travelling below 300 miles?

Mr. G. G. Sim: No.

Mr. Gaya Prasad Singh: Is the Honourable Member quite sure of his statement, because my information is that lately there has been an increase in certain cases? (Laughter.)

GRANT BY CERTAIN RAILWAYS OF PREFERENTIAL RATES ON GOODS
SHIPPED BY A PARTICULAR LINE OF STEAMERS.

27. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that some Railway administrations in India grant low or preferential rates on certain goods intended for export from India, on condition that these goods are shipped by a particular non-Indian line of steamers?

(b) If so, what are the Railways in India which do so; and in respect of what steamship companies?

The Honourable Sir Charles Innes: The Honourable Member is referred to the answer given in this Assembly on 20th March, 1924, to a similar question (No. 919) asked by Mr. Kumar Sankar Ray.

REPORT OF THE DECK PASSENGERS' COMMITTEE OF 1921.

28. ***Mr. Gaya Prasad Singh:** Will the Government kindly state what steps have been taken on the Report of the Deck Passengers' Committee of 1921?

The Honourable Sir Charles Innes: The attention of the Honourable Member is invited to the answer given on the 27th August, 1925, to a question by Diwan Bahadur M. Ramachandra Rao on this subject.

RECOMMENDATIONS OF THE AUXILIARY AND TERRITORIAL FORCES
COMMITTEE.

29. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to the Government reply to question No. 56 in the meeting of the Council of State held on 1st September, 1925, regarding the recommendations of the Auxiliary and Territorial Forces Committee, will the Government be pleased to state if they have received the final replies of all Local Governments?

(b) If so, have they come to any final conclusion on the subject?

Mr. E. Burdon: (a) and (b). Actually the final replies of all Local Governments have not yet been received and the Government of India have not yet reached a final conclusion; but the Government of India have been actively considering the Report and it is anticipated that only a very short time will elapse before they decide upon the course of action which they propose to take on the recommendations of the Committee.

ADMISSION OF INDIAN STUDENTS TO UNIVERSITY OFFICERS'
TRAINING CORPS.

30. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to question No. 55, in the meeting of the Council of State held on the 1st September, 1925, regarding the disability imposed on Indian students regarding admission to University Officers' Training Corps, will the Government be pleased to state if any reply has now been received from the Secretary of State?

(b) If so, will they please lay it on the table?

Mr. E. Burdon: (a) and (b). The answer is in the negative.

Diwan Bahadur M. Ramachandra Rao: May I ask the Honourable Member when any decision is expected on this matter?

Mr. E. Burdon: I am not in a position to say.

Diwan Bahadur M. Ramachandra Rao: Is it not a fact that this matter has been pending for the last 3½ or 4 years?

Mr. E. Burdon: I think the Honourable Member is approximately correct.

Diwan Bahadur M. Ramachandra Rao: May I know whether it is not necessary at least now to make a representation that some decision should be arrived at as early as possible?

Mr. E. Burdon: I understand that the Secretary of State has suspended consideration of specific questions relating to the further military training of Indians until in particular the Skeen Committee has reported.

Diwan Bahadur M. Ramachandra Rao: May I inform the Honourable Member that this question relates to the students of British Universities and their admission to the University Officers' Training Corps, which has nothing to do at present with the questions with which the Skeen Committee is now dealing.

Mr. E. Burdon: I am afraid I do not agree with the Honourable Member.

HIGH SCHOOL AT RAISINA.

81. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the Government reply to question No. 102 in the meeting of the Council of State held on the 7th September, 1925, regarding the High School at Raisina, will the Government be pleased to state what progress has been made in the matter?

Mr. J. W. Bhore: The Imperial Delhi Municipal Committee are considering the proposal to raise the school at Raisina to the status of a High School with effect from the 1st April of this year.

REPORT BY KUNWAR MAHARAJ SINGH REGARDING HIS DEPUTATION TO MAURITIUS.

82. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to question No. 50 in the meeting of the Council of State held on the 81st August, 1925, regarding the report by Kunwar Maharaj Singh on his deputation to Mauritius, will the Government please state whether they are now in a position to state if final decisions have been arrived at?

(b) If not, by what time are they expected to arrive at a decision in the matter?

Mr. J. W. Bhore: (a) and (b). Final decisions have not yet been arrived at and Government are not in a position to say when they will be reached. The various recommendations made in Kunwar Maharaj Singh's report have been commended to the consideration of the Colonial Government, but the Government of India have not yet been informed of the action taken upon them.

Mr. Gaya Prasad Singh: Will this House be given an opportunity of discussing this question before final decisions are reached?

Mr. J. W. Bhore: I am not in a position to say.

BUSINESS DONE IN INDIA BY MARINE INSURANCE COMPANIES.

83. ***Khan Bahadur Sarfaraz Hussain Khan:** (1) With reference to Government reply to question No. 49 (c), (d) and (e) in the meeting of the Council of State held on the 31st August, 1925, regarding the business done in India by Marine Insurance Companies, will the Government please state if the information with regard to (c) and (d) has been collected, and if the inquiries with regard to (e) have been completed?

(2) If so, will they please communicate the result to the House?

The Honourable Sir Charles Innes: (1) and (2). Information in regard to (c) and (d) of question No. 49 in the Council of State referred to by the Honourable Member is still being collected.

As regards (e) of that question, Marine Insurance Companies of the kind mentioned are not required to keep deposits with the Government of India.

DEVELOPMENT OF THE SUGAR INDUSTRY.

34. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to the reply given to question No. 48 in the Council of State on the 31st August, 1925, regarding the development of the sugar industry, will the Government please state if the replies of all Local Governments have been received?

(b) If so, will they please place the copies in the Library of the House?

Mr. J. W. Bhore: The letters from the Governments of Bombay and Assam have been placed in the Members' Library. No reports from other Local Governments have yet been received.

ABOLITION OF THE SUPER-TAX AND REDUCTION OF THE INCOME-TAX.

35. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply "I am not in a position to make any statement about the next year's Budget" to question No. 45 in the meeting of the Council of State held on the 31st August, 1925, regarding the abolition of the super-tax and reduction of the income-tax, will the Government be pleased to make a statement now?

The Honourable Sir Basil Blackett: I would request the Honourable Member to await the presentation of the Budget.

THE PHILIP DUFF COMMISSION'S REPORT.

36. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to question No. 62 in the meeting of the Council of State held on the 25th August, 1925, regarding the Philip Duff Commission's Report, will the Government be pleased to state if they have considered the matter?

(b) If so, will the Government state what conclusions they have arrived at?

The Honourable Sir Alexander Muddiman: As the Honourable Member is aware a Resolution on the subject by Mr. B. Das has obtained the third place in the ballot and is coming up for discussion on the 26th January. I think it inadvisable to anticipate any statement which may be made on that day.

REDUCTION OF THE DUTY ON SALT USED FOR FISH CURING.

37. *Khan Bahadur Sarfaraz Hussain Khan: With reference to Government reply to question No. 37, in the meeting of the Council of State held on the 25th August, 1925, regarding the reduction of the duty on salt used for fish curing, will the Government please state:

- (a) if the information has been obtained?
- (b) if obtained, will they furnish it to the House?
- (c) If not, by what time is it expected to be collected?

The Honourable Sir Basil Blackett: (a) The reply is in the affirmative.

(b) A copy of the reply sent to the Honourable Mr. V. Ramadas Pantulu is laid on the table.

(c) Does not arise.

Copy of demi-official letter from V. S. Sundaram, Esq., Under Secretary to the Government of India, to the Honourable Mr. V. Ramadas Pantulu, Member, Council of State, C. No. 303-Salt/25, dated the 2nd October, 1925.

COUNCIL OF STATE—QUESTION—THE HONOURABLE MR. V. RAMADAS PANTULU—FISH SALT—SALT FOR FISH CURING PURPOSES—DUTY ON—

As promised by the Honourable Mr. McWatters in reply to your question No. 37, dated 25th August 1925, in the Council of State, I am desirous to furnish the following information which has since been received.

2. *Clause (a).*—The use of salt earth was prohibited in 1882 with a view to protect the salt revenue. This prohibition involved a certain amount of hardship to the persons engaged in fish curing industry but the Madras Government considered that, in the interests of the public consumers it was undesirable that fish cured with salt earth which was at best extremely offensive and unwholesome should be allowed to pass into the market, that no rules for the collection of salt earth for fish curing, likely to be satisfactory to the fishermen while safeguarding the interests of the public revenue, could be framed, and that the only remedy for the grievances of the curers was the opening of a sufficient number of fish curing yards where salt could be issued at a low price to them. This is now being done. It may therefore be said that the use of salt earth for fish curing purposes was prohibited at least partly on sanitary grounds.

3. *Clause (b).*—The issue price charged for some years was annas 10 a maund but with effect from 1st April 1924, the date on which all the yards in this Presidency were transferred from the control of the Board of Revenue to that of the Director of Fisheries, the price was enhanced to Rs. 1-4-0 per maund with a view to reduce the loss on the working of the yards which in the year 1922-23 amounted to Rs. 1-35 lakhs.

4. *Clauses (c) and (d).*—No duty is levied on salt issued to curers. The Government of India have agreed to remit the duty on salt issued for fish curing purposes. The Honourable Member apparently refers to the price at which salt is issued at the yards which as stated above has been enhanced to Rs. 1-4-0 per maund. This price represents the estimated cost of purchasing, transporting and issuing salt to the curers.

5. *Clause (e).*—The question whether the increase in issue price has caused any hardship to the industry is now under consideration; if the Government are satisfied that the price can safely be reduced with reference to the figures of net cost, the appropriate change in the issue price will be made.

DENIAL TO THE DEPRESSED CLASSES OF ACCESS TO THE POST AND TELEGRAPH OFFICES IN THE MADRAS PRESIDENCY.

38. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply "The three remaining complaints are still under enquiry" in reply to question No. 34 (a) in the meeting of the Council of State held on the 25th August, 1925, regarding the denial to the depressed classes of access to post and telegraph offices in the Madras Presidency, will the Government please state if the inquiry has been completed?

(b) If completed, will they please state what the result of the inquiry has been?

Mr. G. P. Roy: Of the three remaining cases of complaints, two were found groundless and in the third case, the office has been removed to an accessible locality with effect from the 4th November, 1925.

NUMBER OF INDIAN EXECUTIVE ENGINEERS EMPLOYED IN THE NINE PROVINCES.

39. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the statement laid on the table in Government reply to question No. 31 in the meeting of the Council of State held on the 25th August, 1925, showing that the number of Executive Engineers in the 9 Provinces of India is 382, will the Government please state how many of these are Indians?

The Honourable Sir Bhupendra Nath Mitra: Of the 382 Executive Engineers, 131 are Indians.

RESIDENTS IN INDIAN STATES.

40. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to question No. 33 in the meeting of the Council of State held on the 25th August, 1925, will the Government please lay on the table a statement giving the names of the 23 Residents and the Indian States to which they have been posted respectively, as well as their respective monthly salaries?

Sir Denys Bray: I beg to refer the Honourable Member to the Foreign and Political Department Quarterly List, a copy of which is in the Library.

GRANT OF LEAVE TO MUHAMMADAN EMPLOYEES OF THE EAST INDIAN RAILWAY FOR THEIR JUMA PRAYERS.

41. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the reply given in the Council of State on the 25th August, 1925, to the question regarding the grant of leave to Muhammadan employees of the East Indian Railway for their Juma prayers, will the Government please state if they have sent their recommendation?

The Honourable Sir Charles Innes: Yes.

REPRESENTATIONS FROM LOCAL GOVERNMENTS REGARDING THE MESTON SETTLEMENT.

42. ***Khan Bahadur Sarfaraz Hussain Khan:** Will the Government be pleased to state:

- (a) whether they have received from the Local Governments or from any Local Government representations on the subject of the Meston Settlement?
- (b) If so, from which Local Government or Governments have they received such representations?

The Honourable Sir Basil Blackett: (a) and (b). Representations were received from the Governments of Bengal and Bombay in January and March, respectively, last year.

AMENDMENT OF THE LAW RELATING TO INFANTICIDE.

43. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to question No. 59 in the meeting of the Council of State held on the 1st September, 1925, regarding the amendment of the law relating to infanticide in India, will the Government please state whether they have come to any decision regarding the expediency of amending the law?

The Honourable Sir Alexander Muddiman: Local Governments have been consulted on the subject.

EXEMPTION FROM INCOME-TAX OF THE PORTIONS OF PROFITS PAID TO POLICY HOLDERS BY LIFE ASSURANCE COMPANIES.

44. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference, to Government reply "The matter is still under consideration. I hope a decision will be arrived at shortly" in reply to question No. 59 in the meeting of the Council of State held on the 1st September, 1925, regarding the amendment of the Indian Income-Tax Act, will the Government please state:

- (a) If they have arrived at a decision?
- (b) If so, will they please state what the decision is?
- (c) If not, by what time are they expected to arrive at a decision?

The Honourable Sir Basil Blackett: (a) The reply is in the affirmative.

(b) A copy of the reply sent to the Honourable Mr. Phiroze C. Sethna is laid on the table.

(c) Does not arise.

Copy of letter R. Dis. No. 15-I. T./25, dated the 5th October, 1925, from V. S. Sundaram, Esq., Under Secretary to the Government of India, to the Honourable Mr. Phiroze C. Sethna, Member, Council of State.

INSURANCE COMPANIES—ASSESSMENT OF—TAXABLE INCOME—INCLUSION IN, OF PROFITS ALLOCATED TO POLICY HOLDERS.—YOUR QUESTIONS IN THE COUNCIL OF STATE AND REPLIES GIVEN THERETO BY THE HONOURABLE MR. McWATTERS ON 22ND JANUARY 1925 AND 1ST SEPTEMBER 1925.

With reference to the replies given to your questions, I am directed to say that the Government of India have carefully considered the proposal to exempt from Income-tax the portions of profits which the Life Assurance Companies pay to policy holders. The adoption of the proposal would involve a large sacrifice of revenue. Apart from this the Government of India consider that the sums in question *do* form part of the profits of the Companies. They therefore regret that they are not prepared to amend the Income-tax Act or rules as you suggested.

ENCOURAGEMENT OF INDIAN ART.

45. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to question No. 60 in the meeting of the Council of State held on the 1st September, 1925, regarding the encouragement of Indian Art, will the Government please state:

- (a) If they have received officially the copy of the scheme framed by the "Prize of Delhi Committee"?
- (b) If not, will they please lay on the table the suggestions for the establishment of a Central Art School at Delhi which are being considered by Government?

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

(b) Does not arise.

DEPUTATION OF INDIAN DELEGATES TO CERTAIN INTERNATIONAL CONFERENCES.

46. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the statement laid on the table showing the Imperial and International Conferences held during the years 1922, 1923 and 1924, in reply to question No. 61 in the meeting of the Council of State held on the 1st September, 1925, will the Government please state the reasons why no Indian delegates were sent to the International Conference for Phytopathology and Entomology held in June, 1923, at Wageningen Holland; International Cattle Breeding Congress held in the Netherlands in August, 1923, and the Conference on Tropical Medicine in Angola?

Mr. J. W. Bhore: No Indian delegate was sent to the International Conference for Phytopathology and Entomology in 1923 because it was not considered that the importance of the Conference to India justified the expenditure involved at a time of exceptional financial stringency.

With regard to the International Cattle Breeding Congress, I greatly regret that an error has occurred in the statement referred to by the Honourable Member. The information that no delegate had been sent to this Conference was, I find, mistaken. As a matter of fact Mr. G. S. Henderson, Imperial Agriculturist, Pusa, was, at the suggestion of the Government of India, nominated by the Secretary of State to represent them at the Congress. He was at the time on leave in England and was considered the most suitable representative.

No delegate was sent to the Conference on Tropical Medicine in Angola because it was not considered that a study of the medical problems of that country was likely to be of material use in India.

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

47. ***Mr. C. S. Ranga Iyer:** (a) Is it a fact that the Divisional Accountants' Establishment of the Public Works Department, borne on Provincial scales and paid from Provincial revenues, is under the administrative control of the Central Government?

(b) Is the divisional accountant treated as the senior member of the office establishment of a Public Works Division?

(c) Were not the 3rd and 4th grades of the Subordinate Accounts Service of the Public Works Department as organised in 1864, and classified as the Divisional Accountants' Service in 1910, as follows:

| | Rs. |
|------------------------|--------------|
| Fourth Grade | 80—7—150 |
| Third Grade | 160—10—240 ? |

(d) Is it a fact that this scale of pay was for the first time revised in 1920 and substituted by a time-scale of Rs. 80—10—250—20—5—270 in which the minimum remained exactly, and the maximum practically, the same as in 1864?

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

48. ***Mr. O. S. Ranga Iyer:** (a) Is it a fact, that the United Provinces Government at the time of revising the pay of the subordinate establishments under their control in 1920, accepted, in Finance Department Resolution No. 2418/X.-389, dated 17th June, 1920, that in that Province even 32·6 per cent. increase was insufficient on an average?

(b) Did the said Government sanction the following scale for the Divisional Accountants serving in their Province?

| | Rs. |
|--------------------|---------------|
| II Grade | 120—140—9—210 |
| I Grade | 215—12½—315 |

(c) Is it a fact that the above scale was not accepted by the Government of India and that the time-scale referred to in part (d) of the previous question was applied to United Provinces Accountants also?

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

49. ***Mr. O. S. Ranga Iyer:** (a) Is it a fact that the divisional accountants are dissatisfied with their present scale of pay?

(b) Did the divisional accountants submit in 1921 a memorial to the Secretary of State?

(c) Was it rejected by the Secretary of State? If so, why?

(d) Did the divisional accountants of the United Provinces again submit a memorial to His Excellency the Governor General in 1924?

(e) If so, will the Government be pleased to state what action has been taken and what is delaying the issue of orders thereon?

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

50. ***Mr. O. S. Ranga Iyer:** Is it a fact that there are instances in which clerks subordinate to the divisional accountants of the Public Works Department draw more pay than the latter?

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

51. ***Mr. O. S. Ranga Iyer:** (a) Is it a fact that the Upper Subordinate Sub-divisional Officers of the Public Works Department were, till lately, borne on practically the same all-India scale of pay as the divisional accountants?

(b) Are the Upper Subordinate Sub-divisional Officers now drawing higher salaries in the revised provincial scales than the divisional accountants?

PAY OF DIVISIONAL ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

52. ***Mr. O. S. Ranga Iyer:** (a) Do the Government intend to issue orders revising the pay of the divisional accountants of the Public Works Department?

(b) If not, why not?

The Honourable Sir Basil Blackett: I propose to answer questions Nos. 47—52 together.

Questions 47 and 48.—The reply is in the affirmative except that the Divisional Accountants' Service was constituted in 1917.

Question 49.—(a) and (b). Yes.

(c) The memorial was rejected on account of financial stringency.

(d) Yes.

(e) Orders have issued revising the rates of pay of divisional accountants in all provinces with effect from the 1st March 1925.

Questions 50 and 51.—The information is being collected and will be furnished to the Honourable Member as soon as possible.

Question 52.—Revised scales of pay have already been sanctioned with effect from the 1st March 1925.

EXPENDITURE ON FRONTIER EXPEDITIONS.

53. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Is it a fact that no less than Rs. 36,00,00,000 during the last 25 years has been incurred on the Frontier expeditions as published in the *New Spectator, Delhi*, of the 6th November, 1925, page 80?

(b) If the figure quoted is not correct, will the Government please give the correct figure?

Mr. E. Burdon: (a) and (b). The figure of 36 crores given in the publication in question appears to be the figure of expenditure incurred on Frontier expeditions during the 25 years from 1895-96 to 1919-1920, inclusive of expenditure on the 3rd Afghan War. As such it is approximately correct.

GOVERNMENT CONTRIBUTION TO THE ISLAMIC COLLEGE AT PESHAWAR.

54. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Do Government contribute to the Islamic College at Peshawar?

(b) If so, will they please state the amount of their annual contribution?

Mr. J. W. Shore: (a) Yes.

(b) Rs. 70,000 a year for a term of five years from 1925-26 with an additional grant to the extent of twice the amount of the income from

any additional endowments which the management of the college may secure, subject to a maximum grant of Rs. 80,000 a year.

BRITISH CONSUL IN KASHGAR.

55. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the statement laid on the table showing the names and remunerations of Consular and Diplomatic representatives outside India who are paid entirely from the Indian Exchequer, in reply to question No. 75 in the meeting of the Council of State held on the 1st September, 1925, will the Government be pleased to state how India is interested in the affairs of Kashgar?

Sir Denys Bray: There are a number of Indians, and particularly of Indian traders in Kashgar and elsewhere in Chinese Turkestan, and the trade between India and Chinese Turkestan is considerable. His Majesty's Consul's primary duty is to look after both.

LOSS OF A MAIL BAG.

56. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph under the heading "Mail Bag Missing" published in the issue of the *Forward* of the 10th November, 1925?

(b) If so, will the Government please state what action has been taken in the matter?

(c) Will the Government also please state what has been the result of the action if taken?

Mr. G. P. Roy: (a) Yes.

(b) Departmental and Police enquiries were set on foot, and a reward of Rs. 300 was offered for the detection of the crime.

(c) No clue has yet been found.

ISSUE OF RETURN JOURNEY TICKETS ON THE BENGAL AND NORTH WESTERN AND THE OUDH AND ROHILKHAND RAILWAYS.

57. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply "The practice on different Railways is not uniform but the Government are aware that the East Indian Railway do issue return journey tickets between certain points", in reply to question No. 117 (a) in the meeting of the Council of State held on the 14th September, 1925, will Government please state:

(a) what the practice is with regard to the issue of return journey tickets on the Bengal & North-Western and Oudh and Rohilkhand Railways?

(b) the points between which return journey tickets are issued on the East Indian Railway?

Mr. G. G. Sim: (a) Return journey tickets are not issued on the Bengal and North Western Railway.

With effect from 1st January, 1926, the system of issuing first, second and intermediate class 45-day return journey tickets between selected stations has been extended to the Oudh and Rohilkhand section of the East Indian Railway.

(b) The Honourable Member is referred to the published Time Table and Guide of the East Indian Railway.

GRANT OF COMMISSIONS TO INDIAN CADETS IN SANDHURST.

58. *Khan Bahadur Sarfaraz Hussain Khan: With reference to Government reply "We are awaiting intimation regarding the grant of their commissions" in reply to question No. 184 (b) and (c) in the meeting of the Council of State held on the 15th September, 1925, regarding Indian cadets in Sandhurst, will Government please state if they have received the intimation?

Mr. E. Burdon: Yes. The grant of commissions to the six Indian cadets was notified in the Gazette of India, dated the 5th December, 1925.

. ELECTRIFICATION OF THE SUBURBAN LINES ON THE SOUTH INDIAN RAILWAY.

59. *Khan Bahadur Sarfaraz Hussain Khan: 1. With reference to Government reply "Proposals have been received from the South Indian Railway for the electrification of the suburban lines which are under examination" in reply to a question of which private notice was given in the meeting of the Council of State held on the 10th September, 1925, will the Government please state:

(a) if and what further progress has been made on the subject?

(b) whether they have also received proposals for the electrification of railway communications in Northern India?

2. Will they please lay on the table for the information of the House the proposals which they have received from the South Indian Railway?

Mr. G. G. Sim: 1(a) and 2. The Honourable Member is referred to pages 25—31 of the Proceedings of the meeting of the Standing Finance Committee for Railways held at Calcutta on the 12th November, 1925 (Volume II, No. 4).

1 (b). A proposal for the electrification of the suburban lines near Calcutta is under consideration.

USE OF BETTER PAPER FOR PRINTING FORMS OF PASSPORTS FOR INDIAN PILGRIMS.

60. *Khan Bahadur Sarfaraz Hussain Khan: With reference to Government reply "The paper now used is said to be unsuitable for the purpose and the Government of India hope soon to substitute better paper for it" to question No. 167 in the meeting of the Council of State held on the 23rd March, 1925, regarding the grievances of the Haj pilgrims, will Government please state if they have substituted better paper? .

Mr. J. W. Bhore: It has been decided that the form of passport for Indian pilgrims proceeding to the Hedjaz will be printed on azure laid paper which is strong enough for the purpose.

PROPOSED LEGISLATION TO APPLY MUHAMMADAN LAW TO THE KHOJA SHIA ISNA ASHRI COMMUNITY.

61. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to my starred question No. 1077 (2) to (4) asked in the meeting of the Legislative Assembly held on the 80th May, 1924, regarding the petition of Khoja Shia Isna Ashri community, will the Government please state what progress has been made in the matter?

The Honourable Sir Alexander Muddiman: Notice has been received from Mr. Jinnah of a private Bill on the subject which he proposes to move for leave to introduce in the Legislative Assembly.

FRANCHISE FOR WOMEN.

62. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply "The matter contained in this paragraph is at present under the consideration of Government" to question No. 168 in the meeting of the Council of State held on the 24th March, 1925, regarding the franchise for women, will the Government please state if they have come to any decision in the matter?

(b) If so, will they please state what the decision is?

FRANCHISE FOR WOMEN.

63. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the last sentence of paragraph 66 of the Report of the Reforms Inquiry Committee, 1924 "We consider this to be a *casus omissus* and we would rectify it by the inclusion of a proviso on the lines of the provisos in the Electoral Rules for the Provincial Councils", will Government please state:

(a) If any action has been taken in the matter?

(b) If not, when they propose taking action?

The Honourable Sir Alexander Muddiman: I will answer the Honourable Member's Questions Nos. 62 and 63 together. The recommendations of the Reforms Inquiry Committee referred to were accepted by this House on the 17th September, 1925. The Secretary of State has since been addressed on the amendments required in the various Electoral Rules to give effect to these amendments and his sanction in Council is awaited.

FRANCHISE FOR WOMEN.

64. ***Khan Bahadur Sarfaraz Hussain Khan:** Will the Government please lay on the table a statement, showing:

- (a) the names of the Provincial Councils in which Resolutions to remove the disqualification for being an elector which is due to sex have been passed;
- (b) the names of the Provincial Councils in which Resolutions to the effect have been moved and withdrawn;
- (c) the names of the Provincial Councils in which such Resolutions were moved and negatived; and
- (d) the names of Provincial Councils in which no such Resolutions were moved?

The Honourable Sir Alexander Muddiman: The Legislative Councils of Madras, Bombay, Bengal, the United Provinces, the Punjab and Assam have passed the necessary Resolutions to provide for the removal of the sex disqualification for registration on the electoral rolls. It was never imposed in the case of the reformed Burma Legislative Council. A Resolution on the subject was moved in the Bihar and Orissa Legislative Council but was defeated. As far as the Government of India are aware the Central Provinces Legislative Council has not taken any action in this direction.

Mr. B. Das: Have the Government of India taken any action on the Resolution of the Honourable the Home Member passed last September to amend the rule and to allow women to be elected to the Councils?

The Honourable Sir Alexander Muddiman: I have replied to that.

SPECIAL REPRESENTATION FOR FACTORY LABOURERS IN THE LEGISLATIVE ASSEMBLY.

65. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to recommendation 10 in the summary of recommendations in the Report of the Reforms Inquiry Committee, 1924 "Special representation for factory labourers in the Legislative Assembly should be provided for, if Local Governments can make arrangements by election, and if not by nomination", will the Government please state if they have consulted the Local Governments?

The Honourable Sir Alexander Muddiman: Yes.

EXEMPTION OF MEMBERS OF LEGISLATIVE BODIES FROM SERVING AS JURORS OR ASSESSORS, ETC.

66. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to recommendation 18 of the summary of recommendations of the Report of the Reforms Inquiry Committee "Members of the Legislative bodies constituted under the Act should be exempted from (i) serving as jurors or assessors; and (ii) arrest and imprisonment for civil causes during meetings of the Legislatures in question and for periods of a week before and after such meetings", will Government please state if they have decided to give effect to this recommendation of the Committee?

The Honourable Sir Alexander Muddiman: I invite the Honourable Member's attention to the Legislative Members Exemption Act, 1925 (Act No. XXIII of 1925). So far as I remember the Honourable Member, who originally put the question and who now puts the question, was present in this House when that Bill was passed on the 1st September, 1925.

THE PUBLIC SERVICE COMMISSION.

67. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to starred question No. 12 (b) and the supplementary question regarding the appointment of the Public Service Commission, asked

in the meeting of the Legislative Assembly held on the 25th August, 1925, will the Government please state:

- (a) If the personnel of the Public Service Commission has been selected?
- (b) Whether Government are prepared to consult this House before coming to a final conclusion about its functions and powers?

The Honourable Sir Alexander Muddiman: I would refer the Honourable Member to the answer given by me to Mr. Gaya Prasad Singh this morning.

RECOMMENDATIONS OF THE INDIAN MERCANTILE MARINE COMMITTEE.

68. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply "The recommendations made by the Indian Mercantile Marine Committee are still under the consideration of Government, but the services of an expert are being obtained from England to draw up a detailed scheme for the establishment of a training ship in Indian waters", will the Government please state:

- (a) If they have considered the Report?
- (b) Whether they have obtained the services of an expert?

The Honourable Sir Charles Innes: (a) Yes.

(b) Yes. The expert has submitted his report which is under consideration.

RESOLUTION RE THE SUPPLY OF GANGES WATER BELOW NARORA.

69. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to the second supplementary question to starred question No. 28, asked in the meeting of the Legislative Assembly held on the 25th August, 1925, regarding the Resolution regarding the supply of Ganges water below Narora, will Government please lay on the table a summary of the Local Government's reasons?

The Honourable Sir Bhupendra Nath Mitra: A copy of a letter dated the 23rd May, 1925, from the Government of the United Provinces is laid on the table.

COPY OF LETTER NO. NT-507/IW/1B-2-W/9N-5, DATED THE 23RD MAY, 1925, FROM THE JOINT SECRETARY TO GOVERNMENT, UNITED PROVINCES, PUBLIC WORKS DEPARTMENT, IRRIGATION BRANCH, TO THE SECRETARY TO GOVERNMENT OF INDIA, DEPARTMENT OF INDUSTRIES AND LABOUR, PUBLIC WORKS BRANCH.

Supply of Ganges water at and below Narora.

With reference to your letter No. I-7/59, dated the 24th March, 1925, I am directed to state that the Narora weir was completed in March, 1878, and that no religious question was ever raised in regard to any shortage of the supply of Ganges water below the weir for 36 years thereafter. The simple reason for this attitude was that a large volume of such water was still passing below the weir through the gaps in its foundations in the sandy bed of the river. Moreover, the volume of water in the river increases every mile by percolation through its bed. With the exception of Ramghat, which has been declining in importance, there is in the reaches below Narora no sacred ghāt of importance until Bithur, 150 miles away, is reached and owing to this percolation there is always an ample supply of water there. Hence no perceptible inconvenience has ever been felt by any large section of the Hindu community.

2. The great Bhimgoda weir just above Hardwar, constructed to supply the Upper Ganges Canal, was commenced in 1914. Before that time temporary crate bunds used to be erected each year. These were not water-tight and a considerable volume used to pass through them and flow in front of the Harki Pairi and other ghats. The Hindus of the sacred places in and below Hardwar took alarm at the prospect of a packa weir which would allow of little or no percolation and appealed to the community to help them.

3. Repeated attempts were made to solve this question but the agitation grew in strength. Ultimately a settlement was arrived at at a conference which was attended by Lord Meston, then Lieutenant-Governor of these Provinces, several ruling chiefs and influential Hindu public men. While these negotiations were in progress the case of Narora also began to be discussed and the demand for a free unfettered flow, merely for the sanctity of a continuous stream, irrespective of the volume actually passed, began to grow. This resulted in memorials from the Hindu Sabha of Muzaffarnagar and the Shri Bharat Dharam Mahamandal of Benares. These were forwarded by the Government of India to this Government for consideration. In response to this feeling a small notch two feet wide was made in the Narora weir in the year 1916.

4. Having obtained this concession the Hindu Sabha began to memorialise in regard to the volume of water to be constantly passed down at Narora and memorials to this effect were addressed to the Government of India and this Government.

1. Pt. Gokaran Nath Misra.
2. Raja Purmanand.
3. Pt. Nanak Chand Sharma.
4. Mr. Parmeshwar Dayal Amlist.
5. Pt. Brinandan Prasad Misra.
6. Mr. Mohammad Yusuf.
7. Mr. Saliyd Muhammad (*alias* Maiku Mian).

His Excellency Sir Harcourt Butler referred the question to the non-official members of the Legislative Council who appointed a committee of the gentlemen named on the margin to go into the question and to submit their proposals. This committee which was thoroughly representative of the people of these provinces, visited Narora twice and was assisted in its deliberations by the Hon'ble Lala Sukhbir Singh, the then Secretary of the Hindu Mahasabha, and now the

chief speaker after the mover on the resolution moved in the Council of State.

5. This committee discussed the feasibility of fixing 150 cusecs as the minimum constant discharge to be passed down at Narora but gave up this alternative after visiting Ramghat, 4 miles below Narora, because this volume did not provide sufficient water for bathing purposes at Ramghat. It therefore recommended 300 cusecs to be fixed as a minimum.

6. The report of the committee was published with a resolution of the Governor in Council and opinions were invited from the public. A large number were received. A reference is requested to paragraph 3 of the Draft Resolution attached to my previous letter from which it will be seen that the majority of the memorialists did not agree to the sacrifice in Government revenue and outturn to the people entailed by the acceptance of the recommendations of the committee. Meanwhile some of the members of this committee and other influential Hindu members of the Legislative Council approached the Superintending Engineer, II Circle, Irrigation Works, with the view of effecting a compromise. The Superintending Engineer worked out a scheme which reduced the minimum constant supply to 150 cusecs and removed the difficulty of a shortage of supply at Ramghat by the provision of much greater supplies on the occasion of bathing festivals. This was accepted as a satisfactory solution by all the Hindu members of the original committee with the exception of Raja Purmanand. The local Government's decision in this case was, therefore, accepted by the original representative committee appointed by the non-official members of the council and, as such, represents the common decision of the Government and people of these provinces. It was finally embodied in the Local Government's resolution No. 1741-IW., dated the 22nd August, 1923, after Government of India's approval.

7. In pursuance of this resolution, the fish ladder at Narora has been transformed into a free and unfettered channel called Ramdhara and the supply is regularly passed down in accordance with the terms therein mentioned.

The result is that supplies of water for irrigation have had to be curtailed to some extent to the great inconvenience and loss both of Government and of the cultivators concerned. The Governor in Council feels that an earnest attempt has been made to satisfy reasonable opinion and is wholly averse to carrying further the process of curtailing supplies in order to placate extreme opinion.

8. In forwarding the draft resolution mentioned above to the Government of India, the Governor in Council expressed the view that the proposed scheme would satisfy both the Legislative Council and reasonable public opinion. He holds that these anticipations have been realised. Although over 18 months have elapsed since the

resolution was published, the matter has attracted no attention either in the Legislative Council or in the Press. A solitary memorial was received from the Shri Bharat Dharam Mahamandal of Benares and this brought forward no new facts or arguments to justify a reconsideration of the decision arrived at.

9. The Governor in Council observes with satisfaction that the Hon'ble Mr. Ley when replying to the Resolution in the Council of State laid stress on the fact that the question is primarily a Provincial question. Mr. Ley pointed out that if there were no Lower Ganges Canal and no weir at Narora the volume of water in the river at the point where it leaves the United Provinces and enters Bihar would not be materially affected and that the only question which concerns the other Provinces or the Government of India is that of Hindu religious sentiment. It can make no real difference to this question whether the number of cusecs passed down at Narora is 150 or 300 or 600 cusecs. The important point is that there should be an unfettered and continuous flow of an appreciable volume of water and this has been obtained in the scheme which is now under operation.

10. For these reasons the Governor in Council takes very strong objection to the proposal of the Central Legislature to appoint a committee for further consideration of a matter which is primarily one for the Province to settle and which after no little trouble has been satisfactorily settled by a compromise which has aroused hardly any adverse criticism. He hopes that the Government of India will definitely and finally reject the proposal.

REMOVAL OF THE IMPERIAL LIBRARY FROM CALCUTTA TO DELHI.

70. *Khan Bahadur Sarfaraz Hussain Khan: (a) Is the question of the removal of the Imperial Library from Calcutta to Delhi under the consideration of the Government of India?

(b) If so, will they please state since when the proposal has been under their consideration, and what will be the probable cost of such removal?

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

(b) The question of the future of the Imperial Library has come under the consideration of the Government of India from time to time since the transfer of the Imperial Capital to Delhi. It is not yet possible to say what would be the probable cost of the removal of the Library to Delhi.

Mr. Syed Majid Baksh: Are the Government of India aware that the Calcutta Corporation is willing to take charge of the Imperial Library?

Mr. J. W. Bhore: I am not aware of that.

Mr. Syed Majid Baksh: It was published in all the Calcutta newspapers. Does the Honourable Member read the Calcutta newspapers?

Mr. J. W. Bhore: I am afraid I do not.

RAILWAY COLLISION AT DIGHWARA.

71. *Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 80(b) regarding the railway collision at Dighwara asked in the meeting of the Legislative Assembly held on the 25th August, 1925, will Government please state if the case has been decided?

(b) If so, will they please lay on the table the substance of the report referred to in the questions?

Mr. G. G. Sim: (a) Yes.

(b) The substance of the Report is placed on the table.

On 15th January 1925 at 2.47 hours a collision took place at Dighwara Station on the Sonepur Chupra section of the Bengal and North-Western Railway, between No. 169 Up Goods train standing in the yard and No. 4 Down Passenger train running from Santa. The collision was due to the lowering of the signal without correctly setting points for the reception of No. 4 Down. The front brake van and four compartments of the leading bogie of No. 4 Down telescoped into each other and its tender was lifted on the wreckage. The tender and three leading wagons of No. 169 Up were derailed. The driver of No. 4 Down and seven passengers were injured two of whom subsequently died in the hospital. The damage to rolling stock and permanent way was estimated at Rs. 5,425.

The Assistant Station Master of Dighwara and the driver of No. 4 Down who were held responsible for the collision were prosecuted and convicted, the former being sentenced to 3 months' rigorous imprisonment under section 101 of the Indian Railways Act, 1890 (IX of 1890), and the latter to 3 months' rigorous imprisonment under the same section and 3 months' rigorous imprisonment under section 304A of the Indian Penal Code, the sentences to run concurrently.

ACTION TAKEN BY THE PATNA HIGH COURT ON THE RECOMMENDATIONS OF THE INDIAN BAR COMMITTEE.

72. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to the first supplementary question to starred question No. 32 regarding the action taken by the Patna High Court on the recommendations of the Indian Bar Committee asked in the meeting of the Legislative Assembly held on the 25th August, 1925, will Government please state if they are aware that the rules framed by the Patna High Court are in certain cases contrary to the spirit of the recommendations of the Indian Bar Committee?

The Honourable Sir Alexander Muddiman: Government are aware that the rules framed by the Patna High Court do not conform exactly with the recommendations of the Indian Bar Committee, but those rules could not very well do so pending the passing of legislation dealing with the subject.

THE KHYBER RAILWAY.

73. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to starred question No. 48 (d), asked in the meeting of the Legislative Assembly held on the 25th August, 1925, regarding the Khyber Railway, will Government please state what the monthly income of the Railway has been since it has been opened?

Mr. G. G. Sim: The Khyber Railway has not yet been open to public traffic long enough for any useful information to be obtained regarding its monthly income. Government do not, therefore, propose to ask the Agent, North Western Railway, for any such information at present.

TELEPHONIC CONNECTION BETWEEN DELHI AND PATNA.

74. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government reply to starred question No. 49 regarding telephone connection between Delhi and Patna asked in the meeting of the Legislative Assembly held on the 25th August, 1925, will Government please state what, if any, progress has been made in the matter?

Mr. G. P. Roy: Two of the existing telegraph wires between Delhi and Patna have been balanced to allow of establishing trunk telephone communication between these places. It is hoped that the service will be thrown open to the public either in March next or early in the next financial year.

EXPENDITURE ON PRIMARY EDUCATION IN DIFFERENT CENTRES.

75. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Forward* of the 18th November, 1925, page 3, under the heading "Expenses of Primary Education in different centres"?

(b) If so, will Government please state if the figures quoted therein are correct, specially in respect of India?

(c) If correct, will they please give reasons for the extraordinary low percentage in India?

(d) If not correct, will Government please state the correct figures?

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

(b) and (d). The figures given for the different foreign countries must be regarded as approximate only. They do not appear to be up to date and do not take recent variations in exchange into account. They also disregard differences in the methods of calculation adopted in different countries. The correct figures are not immediately verifiable.

The figure for British India is correct for *direct* expenditure on Primary Schools. It does not include indirect expenditure.

(c) The low figure for British India is to some extent accounted for by the fact that no comparison of expenditure is valid which does not take into account the revenue payable per head of the population.

WAITING ROOM FOR LADIES AT RANIGUNJ RAILWAY STATION.

76. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the letter under the heading "Ranigunj railway station", published in the issue of the *Forward* of the 19th November, 1925, page 11?

(b) If so, will they please state whether the statement made therein that the Ranigunj railway station has no waiting room for ladies is correct?

Mr. G. G. Sim: (a) and (b). Government have seen the letter referred to, but have no information as to whether the statement made therein is correct or not.

PROTESTS OF INDIANS RESIDENT IN SOUTH AFRICA AGAINST THE ASIATIC BILL INTRODUCED INTO THE SOUTH AFRICAN UNION PARLIAMENT.

77. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the *Hindi* newspaper, published in Jacobs, Natal, dated the 16th October, 1925, in which are published the reports of mass meetings held at Stanger and Tongaat on the 20th September, at Clairwood on the 27th September, at Dundee on the 3rd October, at Ladysmith on the 4th October, at New Castle and Dannhauser on the 5th October, and at Mombasa and Kalindini on the 20th September, 1925, to protest against what is known as the Asiatic Bill which has been introduced into the South African Union Parliament?

(b) Has the attention of the Government been drawn to the following statement issued over the signatures of the Most Revd. the Metropolitan of India, Chairman, Dr. S. K. Dutta, Vice-Chairman, Revd. W. Paton, and Mr. P. O. Phillip, Secretaries of the National Christian Council of India, Burma, and Ceylon:

“ We believe that if the present (so-called) Asiatic Bill were passed, a large number of Indians born in South Africa will be compulsorily repatriated and that the conditions of life and work for most of them who remain, will be nearly intolerable. Violent feeling has been aroused on both sides by the legislation now under discussion, and while some European Christians have supported the Indian claims, it is apparently certain that a determination exists on the part of a majority of Europeans, particularly in Natal, to press through to its consummation a policy for which they do not claim any moral defence ”?

(c) What steps have been taken by Government in connection with the said Asiatic Bill?

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

(c) The attention of the Honourable Member is drawn to the statement on this subject made by His Excellency the Viceroy in opening the Session.

GRIEVANCES OF INDIANS IN FIJI.

* 78. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that in Fiji, no Indian is allowed admission in a State school for education; and that for about 14,000 children of school-going age, there is only one Lower Primary School?

(b) Is it a fact as stated by Revd. A. W. MacMillan in his speech in the Auckland Rotary Club on the 30th July, 1925, on Indians in Fiji that however refined an Indian family may be, his children are excluded from public schools on racial grounds, and that an Indian is barred from promotion in the Government service beyond a mere clerkship?

(c) Is it also a fact that an Indian has to deposit £150 with the shipping company whenever he has to pass through Auckland Harbour with a through ticket to India?

(d) If so, what steps have the Government taken to secure the rights of Indians in Fiji; and also indicate what decision they have arrived at regarding the publication of the Fiji Report?

Mr. J. W. Bhore: (a) There was in 1924 one Government school established especially for Indians. In addition there were 21 assisted schools receiving Indian pupils, who numbered 1,626, and a number of non-assisted private schools for Indians. There are 13,116 Indian children between the ages of 5 and 15. 15 of the assisted schools are primary and 6 vernacular.

(b) It is laid down in the Fiji Education Ordinance of 1916, that no applicants shall be refused admission to any school on account of the religious persuasion, nationality, race or language of such applicant but this rule is not applicable to the Public Schools in Suva or Levuka or to the

Queen Victoria Memorial School at Nasinu or to any district in which adequate provision exists for the education of scholars of different races in separate schools. Government are not aware of any regulations barring the promotion of Indians in Government Service in Fiji beyond a clerkship.

(c) In view of the fine of £100 to which, under the New Zealand Immigration Restriction Act, the master and owner of any ship by which a prohibited immigrant is brought to New Zealand is liable, the shipping companies concerned, in order to cover themselves, insist on a deposit, which it is understood may amount to £150 in certain cases, being placed with them by Indians travelling to or from India *via* New Zealand.

(d) As indicated in my reply to part (a) of Mr. B. Venkatapathiraju's question No. 119 on the 26th August, 1925, the Colonies Committee of the Government of India made representations in regard to the more important recommendations of the Fiji deputation to the Secretary of State for the Colonies and these are still the subject of negotiation. Pending the conclusion of the negotiations, no decision has been arrived at regarding the publication of the Fiji Deputation's Report.

Mr. Gaya Prasad Singh: May I know, Sir, what time it is likely to take for the negotiations to come to an end?

Mr. J. W. Bhore: It is really impossible for me to say. We are doing all we possibly can to hurry on the conclusion of these negotiations. The matter does not rest entirely with us.

Mr. A. Rangaswami Iyengar: For how many years has this Fiji question been under consideration?

Mr. J. W. Bhore: I am quite aware that it has been a considerable time.

EXPENDITURE INCURRED ON AIR OPERATIONS AGAINST THE MAHSUDS,

79. ***Mr. Gaya Prasad Singh:** Will the Government be pleased to give the total amount of expenditure incurred on the air operations carried out by the Royal Air Force against the Mahsuds in Waziristan from 9th March to 1st May, 1925?

Mr. E. Burdon: The total expenditure incurred in connexion with the air operations carried out by the Royal Air Force against the Mahsuds in Waziristan during the months of March and April, 1925, is approximately Rs. 10 lakhs.

ESTABLISHMENT OF AN AIR ROUTE BETWEEN INDIA AND ENGLAND.

80. ***Mr. Gaya Prasad Singh:** Will the Government be pleased to state what progress, if any, has been made towards establishing an Air route between India and England, and when the scheme is likely to materialize?

The Honourable Sir Bhupendra Nath Mitra: There are two proposals relating to the establishment of aerial communications between England and India. The first is for an Airship Service, *via* Israelia, to

Karachi. In connection with this service, the construction of two five million cubic feet airships, of an air harbour in England, and of a mooring mast in Egypt is already in hand; the necessary land for the Karachi base is being acquired, plans for the lay-out have been prepared, and the contract for the shed placed. It is proposed that the first experimental flights shall take place in the spring of 1927; thereafter the ships will probably be run on a purely experimental basis for one year. In the meantime, an existing airship is being reconditioned to undertake preliminary flights over the route, at an early date, with a view to gaining experience of the difficulties likely to be encountered when the larger ships are put into commission.

The second proposal is for the inauguration of a heavier-than-air service between Egypt and Karachi, in which connection the Home Government are granting Imperial Airways Limited, with whom they have entered into an agreement, a subsidy for five years subject to satisfactory performance. The service will form the first link of an ultimate aeroplane service to Great Britain. The entire route has recently been inspected by a survey party sent out by the Air Ministry, and it is hoped that the service will commence to fly about the end of 1926.

AUTHOR OF THE PUBLICATION ENTITLED "THE LOST DOMINION".

81. ***Mr. Gaya Prasad Singh:** Will the Government kindly state if they have any information in their possession to show that a member of the I. C. S. is the author of the publication, called "The Lost Dominion"?

The Honourable Sir Alexander Muddiman: Government have no information.

Mr. Gaya Prasad Singh: Does the Honourable Member know who wrote the book? Is there not internal evidence in the book itself to show that it is written by a member of the I. C. S.?

The Honourable Sir Alexander Muddiman: I must confess that I am not in a position to deduce from the reading of a book of that kind the internal evidence which the Honourable Member seems to see.

Mr. O. S. Ranga Iyer: Will the Honourable Member be pleased to inquire whether a member of the Civil Service has written that book?

The Honourable Sir Alexander Muddiman: Certainly not.

Mr. O. S. Ranga Iyer: It does not suit the Government?

The Honourable Sir Alexander Muddiman: Not at all.

Mr. O. S. Ranga Iyer: I hear that it is a Karachi civilian and a judicial officer who wrote it.

INDIAN'S MEMBERSHIP OF THE LEAGUE OF NATIONS.

82. ***Mr. Gaya Prasad Singh:** (a) In connection with the fact that India is a member of the League of Nations, is it not true that under the first Article of the Covenant, the qualification for membership is that "any fully Self-governing State, Dominion, or Colony may become a member of the League if its admission is agreed to by two-thirds of the Assembly"?

(b) Under what circumstances did India come to be included in the League?

(c) Is it a fact that in 1920 India's share of contribution to the expenditure of the League of Nations was equal to that of Great Britain, France, Italy, Japan, and Canada?

Mr. L. Graham: (a) The Honourable Member is referring to the second paragraph of Article 1 of the Covenant. This paragraph lays down the qualification for subsequent membership.

(b) India became an original member of the League by virtue of the first paragraph of Article 1 of the Covenant.

(c) India's contribution in 1920 was the same as that of each of the other members named in the question.

Mr. Gaya Prasad Singh: What was the amount of contribution?

Mr. L. Graham: It was 25 units. I cannot tell you exactly what the amount was.

LIMIT OF THE PRODUCTION AND EXPORT OF OPIUM TO THE AMOUNT REQUIRED FOR MEDICINAL AND SCIENTIFIC PURPOSES.

83. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the Resolution of the Assembly of the League of Nations, dated 27th September, 1928, which recommends "the limitation of the production of raw opium and the coca leaf for export to the amount required for medicinal and scientific purposes only"?

(b) What steps have the Government taken to limit the production and export of opium to the amount required for medicinal and scientific purposes only?

The Honourable Sir Basil Blackett: (a) The purport of the Resolution in question was that the Assembly of the League of Nations requested the Council of the League to convoke a Conference of the various Governments in order to consider, among other questions, that of the limitation of the production of raw opium and coca leaf for export to the amount required for medicinal and scientific purposes. Such a Conference was held at Geneva between the 17th November, 1924, and the 19th February, 1925.

(b) Attention is invited to the Report of the Indian Delegates to the Geneva Conferences, 1924-25, which was published in the *Gazette of India*, dated the 28th November, 1925, and to the Conventions entered into at Geneva, copies of which have been placed in the Library.

EXPENDITURE ON THE CARRIAGE OF HIS MAJESTY'S MAIL BY WATER.

84. ***Mr. Gaya Prasad Singh:** Will the Government kindly place on the table a statement showing separately how much money is paid annually out of the Indian revenues to different steamship companies for the carriage of His Majesty's Mail by water?

Mr. G. P. Roy: A statement is laid on the table.

Statement showing the names of steamship companies and the amounts of subsidies payable to each of them for the carriage of His Majesty's Mail.

| Names of steamship companies. | Amount paid annually by the Post Office. | REMARKS. |
|--|--|---|
| | Rs. A. P. | |
| 1. The British India Steam Navigation Company. | 15,18,000 0 0 | |
| 2. The Irrawaddy Flotilla Coy., Ltd. . | ... | Under contract with the Burma Government for Rs. 1,86,140, towards which the Post Office contributes annually to that Government Rs. 58,882 representing the cost of the services for the conveyance of mails. |
| 3. The Arracan Coy., Ltd. . | ... | Under contract with the Burma Government for Rs. 1,60,000 for the maintenance of certain services. The Post Office pay Rs. 1,200 annually to the Burma Government for the conveyance of mails. |
| 4. The Rivers Steam Navigation Coy., Ltd., and the India General Navigation Coy., Ltd. | 84,788 12 0 | |
| 5. The Retriever Flotilla Company . | 6,800 0 0 | |
| 6. The Bombay Steam Navigation Coy. | 39,800 0 0 | |
| 7. Mr. Trikamjee Jiwandase, Bombay | 4,000 0 0 | |
| 8. The Navanagar State, Jamnagar . | 20,000 0 0 | |
| 9. Agents of the Natal Direct Line . | ... | Under contract with the Ceylon Postal Administration for Rs. 3,000 a year towards which Rs. 2,040 is paid to that Administration by the Indian Post Office. |
| 10. Agents of the Indian and African Line. | ... | Under contract with the Ceylon Postal Administration for Rs. 3,000 a year of which Rs. 2,004 is paid to that Administration by the Post Office. |
| 11. The Asiatic Steam Navigation Coy. | ... | Under contract with the Government of India in the Home Department. The Post Office pays Rs. 8,000 a year for the conveyance of mails. |
| 12. The Peninsular and Oriental Steam Navigation Coy. | ... | Under contract with the British Post Office. The amount of contribution made by the Indian Post Office towards the total amount of subsidy is variable. An expenditure of Rs. 3,05,000 was actually incurred during 1924-25 on account of India's contribution. |

ABOLITION OF THE COTTON EXCISE DUTY.

85. ***Mr. Gaya Prasad Singh:** (a) Will the Government kindly state if it is their intention to abolish the cotton excise duty in the next Budget, and also to reduce the import duty on piece-goods?

(b) If it is proposed to reduce the import duty, on whose recommendation is the proposed step being contemplated?

(c) Are Government aware that Indian public opinion is strongly against the reduction of the import duty?

(d) Has the attention of the Government been drawn to a leading article by "Ditcher", published in the *Capital*, dated the 23rd September, 1925, in which the cotton excise duty has been described as a "dishonest and tyrannical tax"?

The Honourable Sir Basil Blackett: I am not in a position to add anything at present to the statement by His Excellency the Governor General published in Finance Department Notification of December 1st, 1925.

EXPULSION OF MR. MANABENDRA NATH ROY FROM FRENCH TERRITORY, ETC.

86. ***Mr. Gaya Prasad Singh:** (a) Will the Government kindly state if they have received any communication regarding the expulsion of Mr. Manabendra Nath Roy from the French territories, and the putting under surveillance of Messrs. Ramcharan Lal Sharma and Moti Lal Roy, the Indian refugees, in the French Possessions of India?

(b) If so, are Government prepared to place all such correspondence on the table?

The Honourable Sir Alexander Muddiman: The reply is in the negative.

CONDITION OF INDIANS IN SOUTH AFRICA.

87. ***Mr. Gaya Prasad Singh:** (1) Has the attention of the Government been drawn to certain statements made by Bishop Frederic Fisher of Calcutta, regarding the condition of Indians in South Africa, published in the *Hindusthan Times* of the 4th November, 1925?

(2) Have the Government made any inquiries as to the truth of these allegations, and what steps have they taken so far in the matter?

Mr. J. W. Bhore: (1) The reply is in the affirmative.

(2) Yes; inquiries have been made.

EXTENSION OF THE LEE COMMISSION'S CONCESSIONS TO EUROPEAN OFFICERS OF THE PROVINCIAL SERVICES.

88. ***Mr. Gaya Prasad Singh:** Will the Government kindly state if they have sent up to the Secretary of State their recommendations with regard to the extension to non-Asiatic domiciled officers of the Provincial Services of the privileges accorded to members of the All-India Services, in accordance with the recommendations of the Lee Commission?

If so, are they prepared to lay a copy on the table?

The Honourable Sir Alexander Muddiman: The matter is still the subject of correspondence with the Secretary of State. There are no papers which I can lay on the table. But some of the correspondence has already been published by the Secretary of State and copies of the White Paper containing it will be found in the Library.

ALLEGED ABDUCTION OF AN INDIAN GIRL BY GUARD HODSON OF THE
EASTERN BENGAL RAILWAY.

89. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the report of an Indian girl's abduction by guard Hodson, on the Katihar section of the Eastern Bengal Railway, published in the *Amrita Bazar Patrika*, dated the 10th October, 1925?

(b) Are the allegations made therein true, and what steps have been taken against the guard?

The Honourable Sir Charles Innes: (a) Yes.

(b) Guard Hodson was brought before the District Magistrate of Malda on 24th July, 1925, and charged under sections 366 and 373 of the Indian Penal Code. The magistrate held that there was nothing to show that he had committed any offence under the above sections and discharged him under section 253 of the Criminal Procedure Code. He was again charged under sections 497 and 498 of the Indian Penal Code on 7th August, 1925, and was discharged under section 259 of the Criminal Procedure Code as the complainant was absent and as nobody appeared on his behalf in spite of being called.

• In the circumstances no disciplinary action has been taken against the guard.

Mr. Gaya Prasad Singh: Who was the magistrate, Sir?

The Honourable Sir Charles Innes: I do not remember his name, Sir.

An Honourable Member: Will the Government kindly call for the papers and after proper legal advice consider taking the case to a higher judicial authority?

The Honourable Sir Charles Innes: Government do not propose to take any action of the kind suggested.

Mr. Gaya Prasad Singh: Why not, Sir?

The Honourable Sir Charles Innes: For the reason I have given.

EXPENDITURE IN CONNECTION WITH THE CHAMBER OF PRINCES.

90. ***Mr. Gaya Prasad Singh:** Will the Government kindly state if any part of the expenditure in connection with the Chamber of Princes falls upon the Indian revenues; and if so, what part?

Sir Denys Bray: The position is that, ever since 1921-22, funds have been voted by the Legislative Assembly on account of "Delhi Capital Outlay" including provision for the cost of the building now being erected for the use of the Indian Legislatures and the Chamber of Princes. The total proportionate expenditure on that part of the building which is meant for the Chamber of Princes is estimated at Rs. 7,00,000, a major portion of which has already been incurred, and the annual cost of its maintenance (exclusive of the cost of electric energy and water consumed) at Rs. 11,000.

WINDING UP OF THE ARMY CANTEN BOARD (INDIA).

91. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the statement of Mr. Attlee in the House of Commons on the 23rd November, 1925, regarding the Army Canteen Board, that "recent conferences in Simla showed that the troops in India, and a great majority of commanding officers desired the winding up of the institution"?

(b) Will Government be pleased to lay on the table a copy of the minutes of the "conferences in Simla" referred to above, in so far as they relate to the Army Canteen Board?

(c) Will the Government kindly state if the Committee appointed to inquire into the working of the Army Canteen Board has submitted its report?

(d) Is it a fact that the Government have guaranteed a loan of Rs. 45 lakhs to the Army Canteen Board from the Imperial Bank of India?

Mr. E. Burdon: (a) Yes.

(b) & (c). The Committee in question has not yet submitted its final report, and until it has done so, the Government of India do not propose to consider the question of publishing any papers relating to the present state of affairs of the Canteen Board. I may, however, assure the Honourable Member that all relevant information has been placed fully at the disposal of the Committee of Inquiry.

(d) Yes.

Mr. Gaya Prasad Singh: Did I understand my friend to say that they will not publish the Report of the Committee?

Mr. E. Burdon: No, Sir, not at all. I did not say that.

Mr. Gaya Prasad Singh: Do you propose to publish the Report?

Mr. E. Burdon: I have not yet received the Report.

POSITION OF THE IMPERIAL BANK OF INDIA IN RELATION TO THE GOVERNMENT OF INDIA.

92. ***Mr. Gaya Prasad Singh:** With reference to the reply to starred question No. 977 of the 15th September, 1925, will the Government be pleased to say:

(a) the exact position of the Imperial Bank of India in relation to the Government;

(b) the powers of the Government of India in regard to the management of the Bank; and

(c) what voice, if any, the people have in the management of the Bank?

The Honourable Sir Basil Blackett: (a), (b) & (c). I would refer the Honourable Member to the Imperial Bank of India Act, 1920, and to the agreement between the Secretary of State for India and the Imperial Bank, a copy of which was laid on the table of this House on the 17th July, 1923.

INDIAN ART IN VICEREGAL LODGE, RAISINA.

93. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph under the heading "Viceregal Lodge, Indian Art in New Raisina Residence" published in the issue of the *Forward* of 20th November, 1925, page 6?

(b) If so, will the Government please state whether the statements made therein are correct?

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

(b) If the impression is drawn from the statement that Mr. North's visit is connected in any way with the mural decoration of the new buildings, it is entirely incorrect. He has come out to India for a short period merely to advise on the lacquer, varnishing and upholstery work to be done on the furniture for the new Government House.

Mr. A. Rangaswami Iyengar: Are the Government aware of the interview which Mr. North had with a Bombay newspaper?

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Mr. Chaman Lal: May I ask, Sir, how Government justify the expenditure in view of the poverty of India?

The Honourable Sir Bhupendra Nath Mitra: The expenditure on furnishing Government House forms part of the project estimate of the New Capital, sums for expenditure on which have been voted by this House from time to time.

Mr. Chaman Lal: Is it necessary for the Government to spend all this money when people are starving in India?

RUPEE TENDERS FOR INDIAN STORES.

• 94. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to Government replies to the first supplementary question of Sir Purshotamdas Thakurdas, and the last but one supplementary question of Mr. Jamnadas Mehta to starred question No. 56 regarding rupee tenders for Indian Stores asked in the meeting of the Legislative Assembly held on the 25th August, 1925, will Government please state what progress has been made in the matter between the last Delhi Session and now?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member will no doubt realise the difficulties entailed in this subject to which I have referred on several occasions in this House. He will understand, for instance, that it would be quite impossible, without undue sacrifice of economy and also without incurring undue risk of unsatisfactory supplies, to apply what may be called the rupee-tender purchase system indiscriminately to all kinds of plant and stores required by Government. The Government of India have, therefore, thought it desirable to examine in the first instance the question to what classes of stores the system could be applied without incurring the risks I have mentioned. This has necessarily involved detailed discussion with the various purchasing and consuming departments of Government, but I am able to say that these discussions have now got so far that a list of the different kinds of stores to which the system might be extended without undue risk has been compiled and is now under examination.

Mr. B. Das: Will Government be in a position to arrive at a final decision before the end of this Session on this rupee tender question?

The Honourable Sir Bhupendra Nath Mitra: I am sorry, Sir, I am not in a position to give a definite reply to that question.

UNSTARRED QUESTIONS AND ANSWERS.

PETITION OF MUNSHI BHAGAWATI PRASAD OF BENARES.

1. **Mr. C. S. Ranga Iyer:** (i) Will the Government be pleased to state if His Excellency the Commander-in-Chief has received a petition from Munshi Bhagawati Prasad, late Head Clerk of the Cantonment Office, Benares?

(ii) If the answer to the above be in the affirmative, will the Government be pleased to state what action they have taken on that petition?

Mr. E. Burdon: (i) Yes, Sir.

(ii) The petition was returned for submission through the proper channel.

IMPROVEMENT OF THE CONDITION OF THE SUGAR INDUSTRY IN INDIA.

2. **Mr. Mahmood Schamnad Sahib Bahadur:** Will the Honourable Member for Industries be pleased to state what steps he has so far taken to improve the condition of the Sugar Industry in India?

Mr. J. W. Bhore: The Imperial Department of Agriculture is vigorously continuing its efforts to increase the yield of refined sugar by breeding better varieties of sugarcane. The Cane-breeding Station at Coimbatore, which was started in 1912 for all-India work, has now been placed on a permanent footing and transferred to the control of the Government of India. Up to 1924 this Station was engaged in breeding thin and medium varieties of cane for Northern India; but a scheme for expanding the activities of the Station by breeding thick canes suitable for Madras, Bombay, Burma and the Central Provinces has since been sanctioned. The promising types evolved are, after a preliminary test at Coimbatore, sent to Pusa and the provinces for further trial and propagation, if found satisfactory. One of these is doing exceptionally well in the United Provinces and the Punjab, while in North Bihar two of them are now being grown on a large scale and are giving from 50 to 100 per cent. more juice per unit area than the local varieties. For detailed information a reference is invited to the chapter on sugarcane on page 22 of the Review of Agricultural Operations in India for 1923-24, a copy of which is in the Members' Library.

IMPORTS OF FOREIGN SUGAR AND MOLASSES.

3. **Mr. Mahmood Schamnad Sahib Bahadur:** Will the Honourable Member be pleased to lay on the table a statement showing the total imports into India of foreign sugar and molasses and the cost to India thereof for the last ten years?

The Honourable Sir Charles Innes: The information is contained in the Annual Statements of the Sea-borne Trade of British India, copies of which are in the Library.

CONSUMPTION OF GUR IN INDIA, ETC.

4. **Mr. Mahmood Schamnad Sahib Bahadur:** What is the total consumption of gur in India and the export of gur from India per year? What is the proportion of the refined sugar manufactured in India to the foreign stuff imported annually?

The Honourable Sir Charles Innes: The average annual consumption of *gur* is nearly 8 million tons and export about 25 thousand tons.

The proportion of refined sugar manufactured in India to imported refined sugar was 1:4 in 1923-24.

AREA UNDER SUGARCANE CULTIVATION IN INDIA.

5. Mr. Mahmood Schamnad Sahib Bahadur: What is the extent of sugarcane cultivation in India?

Mr. J. W. Bhore: In 1924-25, the latest year for which figures are available, the total area reported under sugarcane was 2,592,000 acres.

SUGAR REFINERIES IN INDIA.

6. Mr. Mahmood Schamnad Sahib Bahadur: How many sugar refineries are there in India, and how many of them are (a) Joint Stock Companies, (b) State owned, (c) and State aided? Is it a fact that one in the United Provinces is owned by the State? If so, what is the annual output, sales, and the profits therefrom? Is it a fact that it was working at a loss in the first few years?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member's attention is invited to the following publications issued by the Department of Commercial Intelligence and Statistics, namely:

- (1) Large Industrial Establishments in India; and
- (2) Joint Stock Companies in British India and certain Indian States.

These publications show that there were 38 sugar factories coming under the heading of Large Industrial Establishments in India in the year 1923, while the number of Joint Stock Companies engaged in the manufacture of sugar (including jaggery) was 44 in the year 1922-23. Later statistics are not available.

With regard to the last parts of the question, so far as the Government of India are aware, there are no State-owned sugar refineries, nor have they information whether there are such refineries receiving State aid. The Honourable Member will no doubt realise that the development of the sugar industry is a provincial transferred subject and consequently, the information at the disposal of the Government of India is incomplete.

SUGAR BUREAU AT PUSA.

7. Mr. Mahmood Schamnad Sahib Bahadur: Is there any such body as the Sugar Bureau existing at present in Pusa? If so, what has been the record of its work since its establishment?

Mr. J. W. Bhore: Yes. During the 6 years of its existence, the Sugar Bureau has done useful work for the improvement of the sugar industry. Besides discharging its main function, which is to collect technical and statistical information relating to the sugar industry and to make it available to the public, the Bureau carries on the testing of Coimbatore seedling canes and does other important work on the agricultural, commercial and industrial sides of this industry. These activities are described in the annual reports of the Secretary of the Bureau which are included in the Scientific Reports of the Agricultural Research Institute, Pusa, copies of which publication are in the Members' Library.

INQUIRY INTO THE DEPRESSED CONDITION OF THE SUGAR INDUSTRY.

8. **Mr. Mahmood Schamnad Sahib Bahadur:** Will the Government be pleased to state whether it is their intention to cause an inquiry to be instituted by the Tariff Board into the present depressed condition of the sugar industry and to suggest proper measures for its rejuvenation?

The Honourable Sir Charles Innes: As at present advised, the Government of India do not contemplate taking the action suggested.

ESTABLISHMENT OF A CENTRAL SUGAR RESEARCH INSTITUTE AND DEMONSTRATION FACTORY.

9. **Mr. Mahmood Schamnad Sahib Bahadur:** When do the Government propose to give effect to the recommendations of the Sugar Committee for establishing a Central Sugar Institute of Research and a Demonstration Factory?

Mr. J. W. Shore: Government cannot say when they will be in a position to carry out the recommendations of the Sugar Committee in regard to the establishment of a Central Sugar Research Institute and a Demonstration Factory. The Honourable Member is no doubt aware that the proposals in question involve a heavy outlay.

GRIEVANCES ON THE EAST INDIAN RAILWAY.

10. **Baboo Runglal Jajodia:** (1) Has the attention of the Government been drawn to the following grievances against the East Indian Railway published in the *Forward* of the 3rd October?

- (a) The abolition of the old clock arrangements at the gates of the various platforms of Howrah which indicated the true time for departure of the trains with their destination has been keenly felt by the passengers specially during occasional changes of platform from which a train is scheduled to start.
- (b) The non-employment, at Howrah particularly, of ticket checkers conversant with Bengali and Hindi, as Bengali and up-country ladies are put to considerable inconvenience owing to ignorance of some of the ticket checkers of these languages.
- (c) The lack of arrangements for the proper lighting of trains, particularly of the Naihati Branch line.
- (d) The system of allowing beggars to entrain for their professional purposes.
- (e) The inadequate arrangements for examination and analysis of sweets and other food sold at stations.
- (f) Insufficient water supply in the urinals and lavatories of intermediate and third class compartments.

(2) Will the Government please inquire what action, if any, has been taken by the Railway authorities for the removal of these grievances?

(3) If the answer be in the negative, do the Government propose to recommend the adoption of proper remedies for the removal of these grievances?

Mr. G. G. Sim: (1) Government have seen the letter referred to.

(2) and (3). As regards (a), (b) and (c) the matters complained of are such as can suitably be brought to the notice of the Agent through his Local Advisory Committee.

As regards (c), (d) and (f) Government understand that the matters complained of are already under the consideration of the Agent and his Local Advisory Committee.

PROSCRIPTION OF THE *INDUSTRIAL AND TRADE REVIEW FOR INDIA*
PUBLISHED IN BERLIN.

11. Baboo Runglal Jajodia: (1) Is it a fact that the *Industrial and Trade Review for India* published in Berlin has recently been proscribed?

(2) If so, will the Government please state whether it is not a journal dealing primarily with industrial and commercial matters, for how long the same has been in circulation in India and what special reasons there are for proscribing it? Will the Government be also pleased to read before the House any passage, article or remarks from the said journal stating the grounds of objection held against the same?

The Honourable Sir Alexander Muddiman: (1) Yes.

(2) The journal is ostensibly a trade journal. It first came into circulation in India in January 1925. Its entry into India has been prohibited because its circulation is considered contrary to the public interest. Government are not prepared to republish any passages or articles that have appeared in the *Review*.

TERMS OF REFERENCE OF THE PROPOSED PUBLIC SERVICE COMMISSION.

12. Baboo Runglal Jajodia: (a) Will the Government please state whether the terms of reference of the proposed Public Service Commission have been drawn up?

(b) If the answer be in the affirmative, what are the terms of reference?

(c) If the answer be in the negative, will the Government consider the advisability of consulting this Legislature for settling the terms of reference?

The Honourable Sir Alexander Muddiman: I would refer the Honourable Member to the answer given by me to-day to Mr. Gaya Prasad Singh's starred question No. 15.

TERMS OF REFERENCE OF THE PROPOSED PUBLIC SERVICE COMMISSION.

13. Baboo Runglal Jajodia: (a) Is it a fact that Sir Abdur Rahim appended a note of dissent covering no fewer than 94 pages in print as a Member of the Public Service Commission, 1917?

(b) Are the Government prepared to consider the advisability of making a careful note of the points of dissent raised by Sir Abdur Rahim when settling the terms of reference for the proposed Commission on Public Services?

The Honourable Sir Alexander Muddiman: (a) Yes.

(b) I am afraid that I fail to appreciate the connection between the points of dissent noted by Sir Abdur Rahim and the functions of the Public Service Commission. The points raised by Sir Abdur Rahim were considered and disposed of in connection with the Islington Commission's report.

RECOMMENDATIONS OF THE PUBLIC SERVICE COMMISSION, 1917.

14. **Baboo Runglal Jajodia:** 1. Will the Government be pleased to state to what extent the following recommendations of the Public Service Commission, 1917, have been given effect to?

(a) The organisation of Public Services into higher and lower branches should be arranged on the basis of work and not on artificial distinctions of race or salary of members. (In how many cases during the last three years has this observation been ignored and what were the reasons?)

(b) The practice of recruiting military officers for civil duties should be allowed to die out. (In what way has this recommendation affected the administration of departments other than those approved by the Commission?)

2. Will the Government please state if it was the recommendation of the Public Service Commission, 1917, that "Exchange compensation allowance should no longer be paid", and if so, whether that recommendation has been given effect to? If not, why not?

The Honourable Sir Alexander Muddiman: 1. (a) All the Public Services to which the recommendations of the Islington Commission apply, are organized on the basis of work alone. There has been no departure from the general principle in any case.

(b) Military officers are no longer recruited except for those services or Departments for which their recruitment was recommended by the Commission.

2. The policy of Government in regard to Exchange Compensation Allowance is fully explained in the Finance Department Resolution, No. 591-F. E., dated the 19th March, 1922, which was published in Part I of the Gazette of India, dated the 1st April, 1922.

RECOMMENDATIONS OF THE PUBLIC SERVICE COMMISSION, 1917.

15. **Baboo Runglal Jajodia:** Will the Government please state to what extent the following recommendations of the Public Service Commission, 1917, have been given effect to, and what amount of money has been spent thereunder in the succeeding years?

(a) Scientific and Technical services like the Agricultural and Civil Veterinary departments should be recruited in India and educational institutions for the purpose should be developed in India: and

(b) Technical institutions in India should be created or expanded, Indian members should be appointed to serve on Committees for recruits, and statistics relating to the employment of members of various communities should be published every 10 years.

Mr. J. W. Bhore: A statement containing the information required is laid on the table.

| No. | Service or Department. | Recruitment in India. | (a) Development of educational institutions; (b) Creation and expansion of technical institutions. | Appointment of Indian members to serve on Selection Committees. | Publication of statistics relating to employment of members of various communities every 10 years. | Amount of money spent on the development of educational institutions. |
|-----|------------------------------|---|--|--|---|---|
| 1 | Indian Agricultural Service. | The Secretary of State's orders on the recommendations of the Irlington Commission were received in 1920, and the policy of the Government of India now is ultimately to man this service almost completely by indigenous agency but for want of adequate training facilities, it has for the present been decided to appoint Indians to at least 50 per cent. of the posts if qualified candidates are available, 28 Indians have since 1920 been appointed to this service. No Indians are appointed to this service in Burma. Pending a decision on the recommendations of the Lee Commission recruitment to this service has ceased. | With the sanction of the Secretary of State a scheme for the expansion of the Agricultural Research Institute and College at Pusa has been initiated and arrangements are being made for the gradual development of the Institute as funds become available. Since 1921 the Imperial Institute of Animal Husbandry and Dairying has been opened at Bangalore. Post-graduate courses in the special branches of agricultural science, and in Animal Husbandry and Dairying, have been introduced at Pusa and Bangalore with a view to qualify students for appointment to the superior posts in the Agricultural Service. | Indian members were appointed to serve on committees for the selection of recruits prior to the cessation of recruitment to this service. | No statistics have been published. As the Secretary of State's orders on the recommendation of the Irlington Commission were received in 1920 none are due before 1930. | As Research officers are also required to undertake training work, it is not possible to give figures regarding the amounts spent on educational institutions as such. Expenditure on education cannot be separated from that on Research and administration. |
| 2 | Indian Veterinary Service. | With the concurrence of the Secretary of State, it was decided in 1920 that as soon as proper facilities for higher training are available in India half the vacancies in this service should be filled by Indians, subject to their attaining the requisite standard of efficiency. Only one Indian has been appointed to this service since 1920, but five scholars were sent to England in September 1921 for a four years' course of training and six Provincial Service officers were put under training at Muktesar. Pending a decision on the recommendations of the Lee Commission recruitment to this service has ceased since 1924. | A two years' course to qualify officers of the Provincial Veterinary Services for appointment to the higher posts has been started in the Imperial Institute of Veterinary Research at Muktesar since 1922. | No Selection Committee for the selection of Provincial Service officers for promotion to the Indian Veterinary Service has been formed, but a Committee, which included Indian members, met to consider the merits of such officers who were recommended for a higher course of training in England, and of candidates for State scholarships. | Nil. | Nil. |

| No. | Service or Department. | Recruitment in India. | (a) Development of educational institutions; (b) Creation and expansion of technical institutions. | Appointment of Indian members to serve on Selection Committees. | Publication of statistics relating to employment of members of various communities every 10 years. | Amount of money spent on the development of educational institutions. |
|-----|-----------------------------|---|--|--|---|--|
| 3 | Indian Forest Service. | <p>Since 1920, the recruitment of probationers has been made by :—</p> <p>(a) recruitment in England and India, and</p> <p>(b) promotion from the provincial branch of the service.</p> <p>In the case of (a) the percentage of Indians was fixed at 40 for a period of 5 years from 1921, and applied to recruitment both in India and England. As a result of the orders passed on the recommendations of the Lee Commission, the percentage of direct recruitment has been increased to 75. In Burma the percentage was fixed at 25 for five years.</p> <p>As regards (b) recruitment is at present limited to 12½ per cent.</p> | <p>The question of converting the Forest Research Institute at Dehra Dun into an institute for the training of probationers for the Indian Forest Service was fully discussed in the Legislative Assembly and the Council of State in 1927, and the matter is still under the consideration of the Government of India.</p> | <p>It is the general practice to appoint Indian members to serve on Selection Committees to interview or examine candidates for this service.</p> | <p>No statistics have been published. As the Secretary of State's orders on the recommendation of the Yellington Commission were received in 1920 none are due before 1930.</p> | <p>As Research officers are also required to undertake training work, it is not possible to give figures regarding the amounts spent on educational institutions as such. Expenditure on education cannot be separated from that on Research and administration.</p> |
| 4 | Archaeological Department. | <p>These two departments were not specifically dealt with by the Yellington Commission, but recruitment to these services is now normally made in India.</p> | <p>There are no special educational institutions under the administration of the Government of India for the training of candidates, but in order to encourage the recruitment of Indians, six scholarships were instituted for archaeology and architecture and arrangements made for training of 2 research assistants in Zoology. Owing to financial stringency this system has been held in abeyance temporarily, but it is proposed to revive 4 of the archaeological scholarships shortly.</p> | <p>The vacancies in these departments are so rare, and the number of qualified candidates so few that the appointment of Selection Committees is not considered necessary.</p> | <p>Iditto.</p> | |
| 5 | Zoological Survey of India. | | | | | |

| No. | Service or Department. | Recruitment in India. | (a) Development of educational institutions (b) Creation and expansion of technical institutions. | Appointment of Indian members to serve on Selection Committees. | Publication of statistics relating to employment of members of various communities every 10 years. | Amount of money spent on the development of educational institutions. |
|-----|--------------------------------|---|---|---|--|---|
| 6 | Survey of India. | This recommendation is not applicable to the Survey of India, which was included in the second group of the Services mentioned in the Public Services Commission's Report, the personnel of which, it was recognized, should be recruited partly in Europe and partly in India. The personnel of the Class I of Imperial Branch of this Service is recruited in the main from the Army to meet the requirements of the War Reserve and also because the object of a Topographical Survey is primarily military. Proposals are, however, under consideration for the increasing Indianisation of this Service in common with other public services in India. | There are no technical institutes in India, nor are any required for the training of officers destined for service in this Department. The officers recruited are given the necessary training in the Department itself during the period of their probation. | The Selection Board for the recruitment of Class III (Provincial Service status) officers includes two non-official Indian Members. Class I officers are recruited direct from the Army or promoted from Class II service and not by a Selection Board. | No statistics have been published. As the Secretary of State's orders on the recommendation of the Indian Commission were received in 1920 none are due before 1930. | |
| 7 | Geological Survey Deptt. | Officers have been recruited in India for both these services, but owing to the scarcity of qualified candidates, it has not proved possible to restrict recruitment to India. | The Govt. of India have decided to establish a School of Mines at Dhanbad to impart high grade training in Geology and Mining and it is expected that the first year class will be opened in November 1926. | Applications received in India are considered by Selection Committees which include Indian members. | Ditto | An expenditure of Rs. 7,40,000 (approximately) will have been incurred on the school up to the end of the current financial year. |
| 8 | Mines Deptt. | | | | | |
| 9 | Indian Meteorological Service. | Recruitment to this service is made in India. | There are no special educational institutions for the training of men for recruitment to this service. | Recruitment was in the past made by the Government of India on the recommendation of the Director General of Observatories. The last permanent vacancy was filled with the help of a Selection Committee, which included two Indians. | Ditto. | |

| No. | Service or Department. | Recruitment in India. | (a) Development of educational institutions; (b) Creation and expansion of technical institutions. | Appointment of Indian members to serve on Selection Committees. | Publication of statistics relating to employment of members of various communities every 10 years. | Amount of money spent on the development of educational institutions. |
|-----|--|--------------------------------------|--|--|--|--|
| 10 | Railway (superior) technical services. | The question is under consideration. | As there are several Civil Engineering Institutions in India, no special steps are considered necessary for the theoretical training of Engineer recruits. It is contemplated that after recruitment probationers will be given practical training on the railways. | It is proposed to make the recruitment with the advice of the Public Service Commission. | | The cost of the Transportation School at Chandausi, at which subordinate are also trained is Rs. 87,000 per annum approximately. |
| | | | Recruits for the Transportation and commercial depots, will prior to confirmation undergo a training theoretical and practical, for 3 years on the railways and at an Institution. At present the railway school of Transportation at Chandausi is utilised in giving theoretical training, but it is proposed to start a College for the training of such probationers. | | | |
| | | | It is proposed to train the apprentices for the mechanical engineering section as below:— 3 years' practical and theoretical training in a railway workshop; 3 years' further training in higher mechanical courses in an engineering college; 3 years' further training (practical and theoretical)—on a railway in the United Kingdom and a technical College in England. | | | |
| | | | For the training in India, existing institutions are considered sufficient. | | | |

THE INDIAN RESEARCH FUND ASSOCIATION.

16. **Baboo Runglal Jajodia:** (a) Will the Government please state whether there is an Indian Research Fund for research into epidemic diseases?

(b) When was this fund started? What are the conditions governing its administration and is Indian opinion represented in its control and management?

(c) How many were the recipients of scholarships from this fund, stating separately Indians and Europeans and what has been the findings of their research? What steps are taken by Government for the ventilation of the results of their research?

(d) Is it a fact that in 1911 and 1911-12, Rs. 5 lakhs and Rs. 6 lakhs, respectively, were contributed to this fund from the surplus opium revenue? What further grants have been advanced and from which source towards helping this fund?

(e) To what extent have problems relating to kala azar, yellow fever, cholera and other communicable diseases been solved by the researches carried on under help from this fund?

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

(b) In 1911. It is administered by a Governing Body presided over by the Honourable Member for the Department of Education, Health and Lands. A copy of the Rules and Regulations of the Fund has been placed in the Library.

(c) No scholarships are awarded from this Fund which is devoted to financing concrete research problems by approved workers, both Indian and European, after recommendation by the Scientific Advisory Board. The results of all such inquiries under the Indian Research Fund Association are published in the quarterly numbers of the Indian Journal of Medical Research and in the Memoirs.

(d) Yes. A grant of five lakhs per annum from general revenues has been made since 1911, but was withdrawn from 1923 to 1925 on the recommendation of the Inchcape Committee. A reduced grant of three lakhs was sanctioned during the current year for purposes of research as laid down in the rules of the Association.

(e) Yellow fever problems have not been investigated as the disease is non-existent in India. A kala azar inquiry with branch inquiries is at present at work on the vector problem, and the geographical distribution and treatment of the disease. Cholera problems are being specially investigated at present by four inquiries in Bengal and Madras.

IMPERIAL INSTITUTE AT KENSINGTON.

17. **Baboo Runglal Jajodia:** (a) Will the Government state if among the objects of the Imperial Institute at Kensington are (i) the development of the Indian interests, and (ii) promotion of the activities for India which are most needed in England?

(b) If the answer be in the affirmative, are the Government prepared to state what Indian interests and activities have been fostered by this Institute during the last 5 years?

(c) What steps have been taken by Government for representing on the governing body of the said Institute Indian interests and opinion? Who are the gentlemen nominated by the Government to represent Indian opinion on that body?

(d) What amount has been contributed by Government since 1916 towards the maintenance of this Institute?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). A list of the purposes of the Imperial Institute, as given in the first schedule to the Imperial Institutes Act, 1924, is being supplied to the Honourable Member. He will see from this list that the Institute is not designed to further any particular national interests, but to secure, by the increase and dissemination of scientific and general knowledge relating to industrial products, the advantage of all the countries of the Empire.

(c) The Government of India are entitled to one representative on the Board of Governors. The present representative is Sir Atul Chatterjee, High Commissioner for India.

(d) £12,200.

DISPOSAL OF EX-ENEMY PROPERTY IN INDIA.

18. Baboo Runglal Jajodia: (a) Will the Government please state what amount is under the custody of the administrator of enemy property, what amount has been disposed of since the passing of the Enemy Trading Ordinance, 1916, and when are they expected to be fully disposed of?

(b) What is the average annual cost of administering the trust and what cost, if any, is chargeable to Central Revenues?

Mr. L. Graham: (a) It is assumed that the Honourable Member wishes to know what is the amount of ex-enemy property dealt with or remaining to be dealt with by the Custodians of Enemy Property in the various provinces, how much of such property has been disposed of, and when it is expected that the balance will be disposed of.

The amount of such property is about 2½ crores, of which about 2 crores and 8 lakhs has either been credited to the ex-enemy Governments concerned in accordance with the provisions of the respective Treaties or released. It is expected that the remaining 42 lakhs will be disposed of before the end of next year.

(b) The average annual cost of the various Custodians' establishments is Rs. 28,080. This expenditure is met from a levy of 1 per cent. on the gross proceeds of liquidation of enemy property and no portion is chargeable to Central Revenues.

INDIAN DELEGATION TO THE FORTHCOMING ASSEMBLY OF THE LEAGUE OF NATIONS.

19. Baboo Runglal Jajodia: (a) Will the Government please state whether it is a fact that India is to send 4 delegates to the Geneva Conference next year?

(b) Are the Government prepared to consider the advisability of consulting the Legislature as to the particular interests which require to be represented and the persons who are to represent them?

(c) Are the Government prepared to take the views of the Legislature as to the line of action to be pursued by the representatives?

Mr. L. Graham: (a) It is understood that the Honourable Member refers to the Assembly of the League of Nations. Under the Assembly's rules of procedure the number of each Member's representatives, excluding substitute representatives, must not exceed three.

(b) and (c). The Honourable Member is referred to the reply given to question No. 1778 on the 11th September, 1924. The answer is in the negative.

LIQUIDATION OF THE BRITISH EMPIRE EXHIBITION.

20. Baboo Runglal Jajodia: (a) Will the Government please state whether it is a fact that the British Empire Exhibition has been placed in the hands of liquidators?

(b) Will they further state what was the financial position of the Indian Section before any such decision was arrived at?

(c) How many parties and firms of British India participated in the Exhibition and to what extent are those respective parties losers?

(d) What is also the extent of the loss to Indian revenues and what is the total outlay from the funds of the Government of India for the Exhibition?

(e) Will they state what direct or indirect advantage has accrued to India owing to its participation in the Exhibition?

The Honourable Sir Charles Innes: The Exhibition having come to an end, the disposal of the assets has been placed in the hands of liquidators. It is understood that the guarantors of the Exhibition are being called upon to pay up a portion of their guarantees. But neither the Government of India nor any Provincial Government nor the private exhibitors as such were guarantors of the Exhibition, and they have no liability for any share of the loss on the Exhibition as a whole. For the rest of the question, I refer the Honourable Member to (1) the Honourable Mr. Chadwick's reply to question No. 111 in the Council of State on 9th September last, and (2) page 70 and Chapter VI of the Report of the Commissioner for India for the British Empire Exhibition, copies of which are in the Library.

ROYAL ARMY TEMPERANCE ASSOCIATION.

21. **Baboo Runglal Jajodia:** (a) Will the Government be pleased to state whether the Royal Army Temperance Association has been closed down in India and if so, when?

(b) What was the number of statutory Indian Members of the Association?

(c) Will the Government please state what further steps have been taken to provide for the question of temperance in the Army in India?

Mr. E. Burdon: (a) and (c). The attention of the Honourable Member is invited to the reply given on the 22nd September, 1924, to starred question No. 2298.

(b) Government are informed that there were no Indian Members on the Governing Council or the Executive Committee of the Association, which was formed to deal with British troops only.

CONTRIBUTIONS FROM THE INDIAN EXCHEQUER TO OVERSEAS MILITARY INSTITUTIONS.

22. **Baboo Runglal Jajodia:** (a) Will the Government be pleased to state what contributions have been made annually during the last 5 years from the Indian exchequer to various military institutions, naval and military colleges, gunnery and artillery schools and other similar institutions overseas?

(b) Are Indians admitted in those institutions without any discrimination?

(c) If the answer to (b) be in the affirmative, what is the number of Indians admitted during the last 5 years?

(d) If the answer to (b) be in the negative, will the Government state what steps have been taken to prevent any racial distinction being made in future?

Mr. E. Burdon: (a) So far as the military institutions are concerned, the answer is that Government are not in a position to furnish the Honourable Member with the information he desires as no separate contribution is made from Indian revenues towards the cost of the various educational and instructional establishments maintained in the United Kingdom for the training of British troops, etc.

The Government of India are not in any way connected with the naval institutions, as the administration of the Royal Navy is entirely in the hands of His Majesty's Government.

(b) Indians are at present admitted to the Royal Military College, Sandhurst, only. There are no Indians in the Royal Navy, the administration of which, as I have already stated, is in the hands of His Majesty's Government.

(c) 51 Indian candidates have since 1921 been admitted to the Royal Military College, Sandhurst.

(d) The question of the admission of Indians to the commissioned ranks of the Royal Artillery, the Royal Engineers and the Royal Air Force Services in India is still under the consideration of His Majesty's Government.

INDIANISATION OF THE ARMY IN INDIA.

23. **Baboo Runglal Jajodia:** (a) Will the Government be pleased to state how many King's Commissioned Indian officers have been transferred, since the introduction of the Reforms, to the regiments and battalions to be Indianised?

(b) What is the total number of regiments and battalions proposed to be Indianised?

(c) What is now the total number of such officers in those units?

Mr. E. Burdon: (a) and (c). The information desired is given in the statement laid on the table.

(b) 8.

Statement showing the number of Indian officers with the King's commission, who have been transferred, or appointed to each of the Indian units selected for Indianisation.

| | | | | | | | | |
|-------------------------------|---|---|---|---|---|---|---|----|
| 7th Light Cavalry | . | . | . | . | . | . | . | 4 |
| 16th Light Cavalry | . | . | . | . | . | . | . | 8 |
| 2-1st Punjab Regiment | . | . | . | . | . | . | . | 2 |
| 5-5th Mahratta Light Infantry | . | . | . | . | . | . | . | 3 |
| 1-7th Rajput Regiment | . | . | . | . | . | . | . | 3 |
| 1-14th Punjab Regiment | . | . | . | . | . | . | . | 3 |
| 4-19th Hyderabad Regiment | . | . | . | . | . | . | . | 3 |
| 2-1st Madras Pioneers | . | . | . | . | . | . | . | 2 |
| Total | . | . | . | . | . | . | . | 23 |

TRANSFER OF THE RECRUITMENT FOR CERTAIN SERVICES AND APPOINTMENTS FROM THE SECRETARY OF STATE TO THE HIGH COMMISSIONER FOR INDIA.

24. **Baboo Runglal Jajodia:** Will the Government be pleased to state whether the recruitment for certain services and appointments for India has been transferred from the Secretary of State to the High Commissioner for India and, if so, which are the services and appointments in question?

The Honourable Sir Alexander Muddiman: Yes. A copy of the list of services and posts recruitment for which has been transferred to the High Commissioner for India is laid on the table.

List of services and posts recruitment for which has been transferred to the High Commissioner for India.

1. Librarian, Imperial Library.
2. Keeper of the Records, Government of India.
3. Bacteriological Officers (Non-service).
4. Town-planning experts.
5. Imperial Meteorologists.
6. Mines—Inspectors and Chief Inspector.
7. Explosives—Inspectors and Chief Inspector.
8. School of Mines and Geology—Principal.
9. N. I. Salt Revenue Department—Commissioner, Deputy Commissioners, Assistant Commissioners and Superintendent.
10. Printing and Stationery—Controller and other officers.
11. Patents and Designs—Controller.
12. Electrical Adviser to Government of India.
13. Metallurgical—Inspectors and Assistant Inspectors.
14. Local Manufactures—Superintendents and Deputy of, and Chemist in Government Test House.
15. Indian Stores Department—Chief Controller and other officers.
16. Ordnance Mechanics—Chief Civil Master Armourers, Principal Foreman, Foremen, Assistant Foremen and other graded as such.
17. Appointments made in the United Kingdom to the staff of the Lawrence Military School, Sanawar.
18. Royal Indian Marine Dockyard staff other than Chief Constructor, Constructor, Assistant Constructor and Electrical Engineer.
19. State Railway—Coal and Mining Department and Covenanted staff.
20. Engraver and Head Engraver, Survey Office.
21. Photo-Litho Staff, Survey Office—2 Managers, 4 Assistant Managers.
22. Mathematical Instrument Office Staff—Survey Office—Officer in Charge, Works Manager, 2 Assistant Managers.
23. Drawing Office Staff, Survey Office—1st Division Assistant.
24. Cinchona Plantations—Superintendent.
25. North-West Frontier Province—Agricultural Officer.
26. European Carpenter, Forest Department.
27. European Gardeners under Government of India.
28. Curator, Industrial Section, Indian Museum, Calcutta.
29. Posts and Telegraphs Department—Subordinate wireless personnel, Cable Foremen, Foreman and Assistant Superintendents of Telegraphic Workshops. Instrument Mechanicians for workshop and telegraph and telephone offices.
30. Appointments in the Zoological Survey.
31. All appointments made by the Local Governments of Governors' provinces to posts and services under their control.
32. All appointments made by the Government of India for service under a Chief Commissioner.

**TRANSFER OF AGENCY FUNCTIONS FROM THE SECRETARY OF STATE TO THE
HIGH COMMISSIONER FOR INDIA.**

25. Baboo Runglal Jajodia: Will the Government be pleased to state in what respects the Secretary of State is still carrying out the functions of the agent of the Government of India and whether the transference of those or any of those agencies to the High Commissioner for India is under consideration?

The Honourable Sir Charles Innes: There is little, if any, business now performed by the Secretary of State which can properly be described as agency for the Government of India.

**COST OF OPEN COMPETITIVE EXAMINATIONS HELD IN INDIA AND
OVERSEAS FOR CERTAIN SPECIFIED YEARS.**

26. Baboo Runglal Jajodia: (a) What was the approximate gross cost, exclusive of overhead charges of each of the concurrent open competitive examinations in India and overseas in 1911, 1912, 1913, 1921, 1922, 1923, 1924 for the Indian services, civil and military?

(b) What was the total number of vacancies filled as a result of each of these competitions, and what was the percentage of Indians to the total number of recruits during these years?

The Honourable Sir Alexander Muddiman: The information is being collected and will be supplied to the Honourable Member in due course.

**INDIA'S CONTRIBUTIONS TO HIS MAJESTY'S GOVERNMENT ON ACCOUNT
OF CAPITATION FOR BRITISH TROOPS.**

27. Baboo Runglal Jajodia: (a) What were the annual contributions made by India to His Majesty's Government in 1923, 1924 and 1925 through the capitation rate?

(b) Were the contributions distributed among various military training institutions and establishments in the United Kingdom? If so, what was the number of institutions of various denominations, and what was the number of recruits of different denominations in each of the institutions in these years?

(c) Is the cost of the education of British soldiers who serve for less than five years in India repaid to the Indian Government by the British Treasury?

(d) Are Indians admitted to the artillery schools and is India contributing directly or indirectly through capitation grants to the cost of such schools?

(e) What is the number of Indians under training at military institutions both in India and in England for King's Commissioned rank in the Artillery, the Tank Corps, the Air Force?

Mr. E. Burdon: (a) The amounts paid by India to His Majesty's Government on account of capitation for British troops and airmen during the periods in question are as follows:

| | £ |
|-------------------------------|-----------|
| 1923-24 | 1,799,700 |
| 1924-25 | 1,552,600 |
| 1925-26 (estimated) | 1,500,000 |

(b) The Government of India have no information on the subject but they presume that no definite allocation takes place.

(c) No.

(d) The answer to the first part of the question is that Indians are not admitted to the artillery training institutions in the United Kingdom. With regard to the second part, the attention of the Honourable Member is invited to the reply given on the 11th February 1924 to starred Question No. 219 and the supplementary questions.

(e) None.

NUMBER OF INDIANS IN UGANDA, KENYA, TANGANYIKA, ETC.

28. Baboo Runglal Jajodia: Will the Government be pleased to state what is the number of Indians resident in Uganda, Kenya, Tanganyika, Nyasaland and other parts of African Settlement, and whether the number shows any decrease or increase during the last 2 years?

Mr. J. W. Bhore: 56. A statement is laid on the table giving the information required. The second part of the question cannot be answered as no census of the population has been taken since 1921.

Statement.

| Name of country. | Indian population. | Date of Census. |
|-------------------------|-------------------------------------|-----------------|
| 1. Uganda | 5,604—Asintics. Chiefly Indians. | 1921 |
| 2. Kenya | 22,822 | 1921 |
| 3. Tanganyika | 9,411 | 1921 |
| 4. Zanzibar | 12,841 | 1921 |
| 5. Nyasaland | 515 | 1921 |

INVESTIGATION INTO THE CAUSES OF STRIKES ON RAILWAYS AND IN THE MILL INDUSTRY.

29. Baboo Runglal Jajodia: (a) Will the Government please state the total number of strikes during the last three years in the principal mill industries and Railways in India, stating therein the number of operatives involved, the number of casualties and injured and the main points at issue in each case?

(b) What steps have been or are proposed to be taken to investigate the causes of these industrial conflicts?

The Honourable Sir Bhupendra Nath Mitra: (a) The total number of disputes reported in the cotton mills, jute mills, woollen mills, oil mills, flour mills, paper mills, saw mills, and Railways in 1922, 1923, and 1924, was 437. The number of persons involved was approximately 8,70,000. No particulars of casualties are collected and in the great majority of strikes casualties do not occur. The main point at issue was, in 185 cases,

the enhancement or reduction of pay, in 44 cases the payment of bonus, in 108 cases the dismissal or reinstatement of employees, and in 20 cases the question of hours of work or holidays. Various points accounted for the other disputes.

(b) The Government of India endeavour to collect particulars of all industrial disputes and of their causes.

SETTLEMENT OF AMOUNTS IN DISPUTE BETWEEN THE INDIAN GOVERNMENT AND THE WAR OFFICE.

30. **Baboo Runglal Jajodia:** (a) Will the Government please state whether the negotiations with His Majesty's War Office regarding the amounts outstanding between it and India have been brought to a close?

(b) If the answer be in the affirmative, what is the position of India in respect of her dues or liabilities?

(c) If the answer be in the negative when is the negotiation expected to be closed, and will India be allowed any compensation in respect of her long-standing dues from the War Office?

The Honourable Sir Basil Blackett: Negotiations are still in progress, and I hope that a conclusion satisfactory to India will shortly be reached; but I am not yet in a position to make any further statement.

APPOINTMENT OF INDIANS TO THE STAFF DEPARTMENTAL SERVICES OF THE ARMY IN INDIA.

31. **Baboo Runglal Jajodia:** (a) Will the Government please state whether there is any bar to the appointment of Indians to the Staff Departmental Services of the Army in India for which British officers of the Indian Army are eligible?

(b) If the answer be in the affirmative, what is the number of Indian officers so appointed in 1922—1925, and what is their proportion to the total number of recruits for such services during those years?

Mr. E. Burdon: (a) and (b) The attention of the Honourable Member is invited to the reply given on the 24th March, 1925, to starred Question No. 1278.

TRANSFER OF CERTAIN APPOINTMENTS HELD BY INDIAN MEDICAL SERVICE OFFICERS TO THE PROVINCIAL MEDICAL SERVICES.

32. **Baboo Runglal Jajodia:** Will the Government please state what decisions have been arrived at regarding:

- (a) the transfer of certain appointments ordinarily held by Indian Medical Service officers to the Provincial Medical Services in the various services as recommended by the Medical Service Committee in 1922: and
- (b) the question of medical research and the reduction of the military assistant surgeons and sub-assistant surgeons forming part of the recommendations?

Mr. E. Burdon: (a) The Medical Services Committee did not make any recommendation on this subject.

(b) No recommendation was made by the Medical Services Committee in regard to (i) medical research and (ii) reduction in the military cadre of assistant surgeons and sub-assistant surgeons. If, however, the Honourable Member is referring to the recommendations of the Indian Retrenchment Committee on these two points, the reply is as follows:

- (i) In consequence of the recommendations of the Indian Retrenchment Committee, the annual grant of Rs. 5,00,000 given to the Indian Research Fund Association was stopped, the post of Director of Medical Research was held in abeyance, the scheme for the Delhi Research Institute was postponed, and eleven posts in the Medical Research Department were left unfilled. Later developments, however, have necessitated the revival of two of the unfilled appointments, and a grant of Rs. 8,00,000 to the Research Fund Association. Proposals to restore the original grant of Rs. 5,00,000 to the Association and to fill four more posts are under consideration.
- (ii) A reduction of sixty-five military assistant surgeons and nineteen military sub-assistant surgeons has been carried out.

ADMISSION OF INDIANS TO MILITARY TRAINING INSTITUTIONS IN GREAT BRITAIN.

88. Baboo Bungla Jajodia: (a) Will the Government please state whether there are military training institutions in England in receipt of direct or indirect contribution from India, as a result of the capitation grant, which exclude the admission of Indians on principle?

(b) If the answer be in the affirmative, will the Government please state:-

- (i) the total number of such institutions;
- (ii) the total amount of contributions during the last three years;
- (iii) whether the exclusion of Indians is under orders of the War Office; and
- (iv) whether the question of the admission of Indians to institutions enjoying a subsidy from India has been, or is proposed to be, taken up for consideration?

Mr. E. Burdon: (a) and (b). As has been stated in answer to previous questions, the only military training institutions in Great Britain to which Indians are admitted is Sandhurst, the reason being that Sandhurst is the training college for officers of the cavalry and infantry, and Indians are at present eligible for appointment as King's commissioned officers in these two arms alone on the combatant side. Government have no information whether any proportion of the capitation rates is definitely earmarked by His Majesty's Government for expenditure on military training institutions, but this is probably not the case. The fact that Indians are not admitted to other arms of the service, nor consequently, to other military training institutions is, as the Honourable Member surmises, a decision of His Majesty's Government. As the Honourable Member is aware, the question of employing Indians as King's commissioned officers in other combatant arms is under consideration,

PROVINCES IN WHICH THE MUSSALMAN WAQF ACT IS IN FORCE.

84. **Mr. Gaya Prasad Singh:** Will the Government kindly state what Local Governments have up to now given effect to the Mussalman Waqf Act (Act XLII of 1923) and since when?

The Honourable Sir Alexander Muddiman: The Government of India have no information later than that given in reply to the Honourable Khan Bahadur Moulvi Aman Ali's question in the Council of State on the 25th of August, 1925, to which I invite a reference by the Honourable Member. Briefly, that information was to the effect that the Act has been brought into force, with the exception of section 6, in the Punjab, without exception in the United Provinces and in six districts in Burma and in the Bombay Presidency, except in respect of *waqfs* established for the benefit of the Dawoodi Borah community.

ADVERTISEMENTS RELATING TO RAILWAY TIMINGS.

35. **Mr. Gaya Prasad Singh:** (a) Is it a fact that advertisements of Railway timings and changes made therein are sent out to a few leading newspapers for publication for the information of the public?

(b) If so, will the Government kindly state to what newspapers in the Province of Bihar and Orissa such advertisements are sent for publication?

(c) Do the Government propose to ask the Bengal Nagpur Railway and the East Indian Railway administrations to send such advertisements to the *Searchlight* of Patna also, for the information of the local public?

Mr. G. G. Sim: (a) Yes.

(b) Government have no information.

(c) No, the matter is within the competence of the Agents.

INTRODUCTION OF UPPER CLASS COUPÉ COMPARTMENTS ON THE BENGAL AND NORTH-WESTERN RAILWAY.

86. **Mr. Gaya Prasad Singh:** Are Government aware if any steps have been taken by the Bengal and North-Western Railway administration for the introduction of upper class coupé compartments on that line; and when are such improvements going to be effected?

Mr. G. G. Sim: The Government of India do not know whether there is any public demand for the introduction of such compartments or whether it would pay the Railways to introduce them. It is a matter for the Railway Administration to consider.

PREVENTION OF FLOODS IN THE EAST INDIAN RAILWAY.

87. **Mr. Gaya Prasad Singh:** With reference to the reply given by Government to starred question No. 11 of the 25th August, 1925, regarding floods, are the Government prepared to state the result of "certain inquiries and surveys" with the object of preventing damage to the East Indian Railway line by floods in the Sone area near Koilwar in Bihar?

Mr. G. G. Sim: The East Indian Railway Administration have submitted a report on the floods in the Sone river with proposals for their control, which, after consideration by the Railway Board, was referred back to the East Indian Railway for further report.

PROHIBITION OF THE EXPORT OF BONES AND BONE DUST.

38. Mr. Gaya Prasad Singh: (a) Is it a fact that bones and bone-dust have a great fertilizing power; and will the Government be pleased to say if they propose to prohibit their export from India in the interest of agriculture?

(b) What is the average quantity and value of such export annually?

Mr. J. W. Bhore: (a) Bone manure is a valuable fertiliser for soils which are deficient in phosphates; but the area of such soils in India is limited. Of the bone manure manufacture, about 4 per cent. only is consumed in this country, and even during the war, when the price of this manure was low and the export demand weak, 10 per cent. only of the total production was consumed in India. The Board of Agriculture in India at its meeting in 1922 considered it doubtful if the prohibition or restriction of export of bones, fish manure and other phosphatic manures would lead to their being used in greater quantities by the Indian ryot. The Government, therefore, as at present advised, do not consider it necessary to prohibit their export from India; but the Honourable Member may rest assured that Government are alive to the importance of conserving and developing the manurial resources of the country.

(b) The average annual export during the years 1922-23 to 1924-25 was 83,750 tons and the average value Rs. 95,85,000.

RESOLUTION RE THE SUPPLY OF GANGES WATER BELOW NARORA.

39. Mr. Gaya Prasad Singh: With reference to my starred question No. 28 of the 25th August, 1925, regarding the Resolution passed by the Council of State, regarding supply of Ganges water, will the Government be pleased to state the reasons given by the Government of the United Provinces for not giving effect to the above Resolution?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the letter from the Government of the United Provinces, which has been laid on the table in reply to Khan Bahadur Sarfaraz Hussain Khan's starred question (No. 69), on the same subject.

BROADCAST RECEIVER LICENSES, ETC.

40. Mr. N. M. Dumasia: Will Government be pleased to state the number of (1) Broadcast receiving licenses, (2) Wireless transmitting licenses, commercial and non-commercial, and (3) Wireless import licenses current at a recent date?

Mr. G. P. Roy: The following figures give the information for 31st December last:

| | | | | | | | |
|---|---|---|---|---|---|---|-------|
| (1) Broadcast Receiver Licenses | . | . | . | . | . | . | 1,436 |
| (2) Licenses for fixed Stations— | | | | | | | |
| (a) Limited-Commercial | . | . | . | . | . | . | 7 |
| (b) Non-Commercial | . | . | . | . | . | . | 79 |
| (3) Import (Wireless Telegraphs) Licenses | . | . | . | . | . | . | 289 |

INTRODUCTION OF REFORMS IN THE NORTH-WEST FRONTIER PROVINCE.

41. Lala Duni Chand: Is there any proposal under the consideration of the Government of India to give some sort of Reforms to the North-West Frontier Province? If so, will the Government be pleased to state the nature of the Reforms proposed?

Sir Denys Bray: The Honourable Member is referred to the speech by me in the Council of State on the 16th March, 1925, in the course of the North-West Frontier debate.

NON-RECEIPT OF MEDALS BY MEN WHO SERVED IN NON-COMBATANT UNITS DURING THE GREAT WAR.

42. Colonel Sir Henry Stanyon: 1. Are the Government aware:

- (a) that many men—Europeans, Anglo-Indians and Indians—recruited from the Railways, Telegraphs and other sources in India, who served in the War in Mesopotamia, East Africa and elsewhere, in temporary non-combatant units (long since disbanded), have never received their medals?
- (b) that medal rolls were sent in by such units some seven years ago, and that in many cases nothing has been heard since?
- (c) that individual applications submitted after disbandment remain unanswered, and that the men concerned do not know how to get the medals for which they have been recommended?

2. Are Government aware that a widespread and growing dissatisfaction and loss of confidence in the good faith and justice of Government have been caused by such treatment?

3. What action do Government propose to take in the matter, and when?

Mr. E. Burdon: 1. (a) The Government of India believe the facts to be generally as stated by the Honourable Member in so far as the British War Medal and the Victory Medal are concerned. The main reason is that His Majesty's Government only consented to the grant of medals to civilians, on the conditions now laid down, in 1924, after repeated recommendations from the Government of India. The decision was announced in Army Instruction (India) No. 214, dated the 26th February, 1924. The comparatively small number of claims which had been received on behalf of civilian personnel to the 1914 Star and the 1914-15 Star had already been completed and the medals issued before the War Office raised objections to the issue of medals to civilians.

(b) The medal rolls could not have been sent in so long as 7 years ago, as orders for the submission of claims to the British War and Victory Medals were only issued in 1921, but it is undoubtedly a fact that the long period which elapsed before the War Office consented to the grant of these medals caused a very large number of civilian claims to remain uncompleted with. It is now impossible to issue medals except in response to individual applications, as the units have long since been disbanded and the present addresses of the men are not known.

(c) I am not aware that individual applications now remain unanswered for any length of time. The Medal Section of the Army Department at 6, Esplanade, Calcutta, deals as promptly as possible with all claims received. It is of course immensely handicapped in this work by

the initial delay which I have already mentioned. The medal rolls of civilian personnel are now in the charge of the Field Controller of Military Accounts, Poona. Any individual who sends in a claim whether to the Government of India, or Army Headquarters, or the Medal Section, or to the Field Controller direct, has the receipt of his claim acknowledged at once by the Medal Section and the claim itself forwarded for verification to the Field Controller. On receipt of verification the Medal Section issues the Medal.

2. The Government of India are aware that the position is unsatisfactory, but do not think that it has caused discontent to the degree suggested by the Honourable Member. Any individual who now bestirs himself to obtain his medals can do so in a comparatively short time.

3. Government are doing all that they can in the matter, but they have been handicapped as already indicated, by circumstances beyond their own control including to some extent, the apparent apathy of civilian claimants themselves. I may mention that the Medal Section has already received and dealt with over 50,000 claims from civilians since the War Office admitted the eligibility of civilians in 1924. The whole question has been receiving special attention from Government during the past year and more.

THE SOUTH AFRICAN CLASS AREAS BILL.

43. **Mr. M. K. Acharya:** Will the Government be pleased to state :

- (1) in what parts of the South African Union Indians are at present settled and in what numbers;
- (2) whether under the Gandhi-Smuts Agreement they now enjoy equal rights of citizenship with white settlers in the matter of trade facilities, holdings of real property, and electoral franchise; and if they do not, in what respects are they under any disability;
- (3) what the objects and reasons are of the Class Areas Bill now in course of legislation by the Union Parliament;
- (4) on what date the above Bill was introduced, and on what date or dates, the Government of India have made their representations to the Union Government regarding the Bill in question;
- (5) why the Government did not consult the Indian Legislatures on the subject in September last; and
- (6) whether Government will place on the table the correspondence between them and the Union Government with regard to the Bill in question?

Mr. J. W. Bhore: (1) Indians are settled in all the four provinces of the Union of South Africa, and according to the census taken in 1921 their numbers are as follows:

| | | | | |
|-------------------|-----|-----|-----|---------|
| Natal | ... | ... | ... | 141,336 |
| Transvaal | ... | ... | ... | 19,405 |
| Orange Free State | ... | ... | ... | 100 |
| Cape Colony | ... | ... | ... | 6,498 |
| TOTAL | | | | 161,339 |

(2) The only assurance given by the Minister of the Interior was that it was the desire of the Government that existing laws should be administered in a just manner with due regard to vested interests. Mr. Gandhi in his letter of June 30th, 1914, expressly stated that he had been unable to include in the programme of the passive resistance movement, many matters in respect of which Indians were then under disabilities.

(3) For the objects and reasons of the Areas Reservation and Immigration and Registration (Further Provision) Bill I would refer the Honourable Member to the speech delivered by the Honourable Dr. D. F. Malan (Minister of the Interior) when introducing the Bill in the House of Assembly of the Union Government and to the provisions of the Bill itself. Copies of both of these have been placed in the Library of the House.

(4) The Bill in question was introduced in the House of Assembly on the 23rd July, 1925 and since that date representations have been made against its provisions both on grounds of principle as well as of detail in the course of the negotiations which the Government of India are carrying on with the Union Government.

(5) In September last the Government of India consulted the members of the Standing Emigration Committee which is composed of 4 members of the Council of State and 8 members of the Legislative Assembly nominated from panels elected by each House. In addition the advice and co-operation of the Honourable Sir Deva Prasad Sarvadhikary, Pandit Moti Lal Nehru and Mr. Jinnah was also sought in the matter. The subject was also discussed in the Council of State on the 10th September, 1925, with reference to the Honourable Sir Deva Prasad Sarvadhikary's Resolution regarding the protection of the rights of Indians in South Africa.

(6) As the matter is still the subject of negotiation between the Government of India and the Union Government, I regret I am unable to comply with the Honourable Member's request.

NUMBER OF ASSISTANT TRAFFIC SUPERINTENDENTS, TRAFFIC INSPECTORS,
ETC., ON THE GREAT INDIAN PENINSULA, EAST INDIAN AND NORTH
WESTERN RAILWAYS.

44. **Haji Wajihuddin:** 1. Will the Government be pleased to state the total numbers of Assistant Traffic Superintendents, Traffic Inspectors, Commercial Inspectors, and Traffic Canvassers on the Great Indian Peninsula and East Indian Railways and in the subordinate service of the North Western Railway?

2. How many of them are (a) Europeans or Anglo-Indians, (b) Hindus, (c) Muslims, and (d) Sikhs?

Mr. G. G. Sim: 1. & 2. The information asked for is not available. The Government do not consider that it would serve any useful purpose to have the information collected. I would, however, refer the Honourable Member to Chapter V and Appendix G of Volume I and Appendix C of Volume II of the Report on Indian Railways for 1924-25 and to the Railway Board's Classified List, copies of which publications are in the Library.

[DISADVANTAGEOUS POSITION OF MUHAMMADANS WITH REGARD TO THEIR
REPRESENTATION IN PUBLIC SERVICES.

45. Haji Wajihuddin: Will the Government be pleased to state what action they have taken on the points raised by the deputation which waited on His Excellency the Viceroy in Simla, to draw his attention to the disadvantages under which the Muhammadans are, in the opinion of the deputation, placed in the matter of their share in the public services of the country?

The Honourable Sir Alexander Muddiman: A reply to the deputation explaining the whole position is under preparation and will, it is hoped, be issued shortly. A copy will be supplied to the Honourable Member.

CONTINUATION BY THE NORTH WESTERN RAILWAY OF THE CONTRACT
WITH THE COOLY CONTRACTOR AT DELHI RAILWAY STATION.

46. Haji Wajihuddin: 1. Will the Government please state (a) the total emoluments of the cooly contractor at Delhi railway station, (b) the total number of coolies working as luggage porters at Delhi station, (c) the amount each cooly has to pay to the contractor per month or per day as his honorarium, (d) the name of the present contractor, (e) when the period of present contract expires, (f) what is the common procedure of giving contracts, (g) what qualifications are required for the contractors, (h) if it is a fact that there have been many complaints of maltreatment, even of assault on passengers by coolies but that yet the contract continues undisturbed?

2. Is it a fact that on taking over the Delhi Umbala Kalka Railway the North Western Railway gave notice to the present contractor of the termination of his contract but that they changed their mind and have continued the contract in his name for another year?

Mr. G. G. Sim: 1. (a), (b) and (c). Besides the cost of uniform and badges, the cooly contractor at Delhi railway station realises from each cooly a sum of annas 0-4-0 per diem. He is authorised to employ a maximum of 400 coolies. Out of the amount realised from the coolies, the contractor has to defray the expenses of office establishment, supervisors and mates, all of whom are employed in connection with the licensed coolies.

(d) Mr. Halpin.

(e) 31st December, 1926.

(f) and (g). In making the selection the railway authorities satisfy themselves that the candidate is a suitable person in all respects for such an appointment and is capable of handling labour. Vacancies as they occur are filled by appointing the most suitable man available.

(h) and 2. Government have no information.

**GRANT TO A NON-MUSLIM OF THE CONTRACT FOR THE MUSLIM
REFRESHMENT ROOMS AT BAROG AND DELHI.**

47. Haji Wajihuddin: (a) Is it a fact that a non-Muslim holds the contract for the Muslim refreshment rooms at Barog and Delhi?

(b) Is there a single instance of a Muhammadan holding a contract for the supply of Hindu food and refreshments?

Mr. G. G. Sim: The Honourable Member is referred to the answer given, on 14th September, 1925, in this Assembly to question No. 180 asked by Mr. Abdul Haye. As promised therein, a copy of the question and answer was sent to the Agent.

**GRANT TO A MARWARI OF THE CONTRACT FOR THE SUPPLY OF INDIAN
REFRESHMENTS ON THE BENGAL NAGPUR RAILWAY.**

48. Haji Wajihuddin: Is it true that a Marwari has been given the monopoly for the supply of Hindu and Muhammadan food to passengers on the whole of the Bengal Nagpur Railway from Nagpur to Howrah?

Mr. G. G. Sim: Government understand that on one section of the Bengal Nagpur Railway a Marwari holds a contract from the Railway and grants sub-contracts to Muhammadans under railway supervision and approval.

MONOPOLY FOR THE SUPPLY OF INDIAN REFRESHMENTS ON RAILWAYS.

49. Haji Wajihuddin: Is there any circular issued by the Railway Board that as far as possible Railways should not give monopolies for the supply of Indian refreshments and what steps have Government taken to see that it is properly observed?

Mr. G. G. Sim: The reply to the first part of the question is in the negative and the second part does not, therefore, arise.

SUPPLY OF INDIAN REFRESHMENTS ON RAILWAYS.

50. Haji Wajihuddin: 1. Are Government aware that the Indian food supply on the Great Indian Peninsula Railway is very popular and are they prepared to direct other railways to copy the same?

2. (a) Is it a fact that in one of their circulars, communicated to the Imperial Legislative Council, the Railway Board said that the Great Indian Peninsula arrangements for supply of Indian food had been represented to them to be very satisfactory and that they had asked other Railways to copy them?

(b) From whom did Government receive the representation referred to in the circular?

(c) Will Government lay on the table a copy of that representation as also a copy of the Railway Board circular?

(d) What action have the Railways taken on that circular?

Mr. G. G. Sim: 1. Government are aware that the question of the supply of foodstuffs to passengers has received the careful attention of railway administrations and their Advisory Committees and they do not propose to take the action suggested.

2. (a), (b) and (d). In a letter to the Railway Board in 1915 the General Secretary to the Passenger Protecting Society of India complained that the arrangements for the supply of foodstuffs on the Oudh and Rohilkhand Railway were not as satisfactory as on the Bombay, Baroda and Central India, Great Indian Peninsula and North Western Railways. On inquiry the Railway Board found that instructions issued to the staff of the Great Indian Peninsula Railway in connection with licenses for the sale of refreshments at stations were very suitable and they addressed the three State-worked Railways, namely, the North Western, Oudh and Rohilkhand and the Eastern Bengal Railways to adopt similar rules, which they did. A copy of that letter was not communicated to the Imperial Legislative Council.

(c) No.

INADEQUACY OF MUHAMMADAN REPRESENTATION IN GOVERNMENT SERVICE IN AJMER-MERWARA.

51. **Haji Wajihuddin:** (a) Has the attention of the Government been drawn to the article published in the *Muslim Outlook*, dated 16th August, 1925, which portrays the condition of the Muslims in Ajmer-Merwara Government service?

(b) Will the Government be pleased to state if it is true that out of 46 posts in the Government service there is only one held by a member of that Muslim community and that the rest are held by others?

(c) What action have the Government taken to safeguard Muslim interests there?

Sir Denys Bray: (a) Yes.

(b) The list printed by the *Muslim Outlook* is hardly calculated to give a fair impression of the actual position as regards the present distribution of superior Government posts in Ajmer-Merwara as between Hindus and Muhammadans. The attached list compiled from information supplied by the Chief Commissioner shows that out of 73 posts of a superior nature 27 are held by Muhammadans and 46 by Hindus.

(c) In view of the fact that Muhammadans number about one-third of the urban and one-fifth of the rural population of Ajmer-Merwara it would appear from these statistics that the need for special measures to safeguard their interests in this respect has not been clearly established. The local Administration are not unmindful of the matter and, when replying to a deputation from the Provincial Muslim League in November, 1924, the Chief Commissioner pointed out that statistics of recruitment for the clerical and revenue services since March 1920 showed that 16 Muhammadans had been recruited as against 21 Hindus.

The Government of India however propose to forward a copy of this question and answer to the Chief Commissioner with a view to his keeping in

mind the undesirability of any one community obtaining an unduly disproportionate share of posts in Government service.

| Appointment. | Hindu. | Muhammadan | REMARKS. |
|---|---------|------------|---|
| Additional Sessions Judge . . . | ... | 1 | |
| Public Prosecutor . . . | ... | 1 | |
| Small Cause Court Judge . . . | 1 | ... | |
| Sub-Judge . . . | 1 | ... | |
| Treasury Officer . . . | 1 | ... | |
| Manager, Court of Wards . . . | 1 | ... | |
| | (Jain.) | | |
| Excise Superintendent . . . | 1 | ... | |
| Excise Sub-Inspectors . . . | 4 | 3 | |
| Co-operative Society Registrar . . . | 1 | ... | |
| Co-operative Society Officers . . . | ... | 2 | |
| City Magistrate . . . | 1 | ... | |
| Railway Magistrate . . . | 1 | ... | |
| Sub-Divisional Officer . . . | 1 | ... | |
| Superintending Engineer . . . | 1 | ... | |
| Assistant Superintendent, Education . . . | 1 | ... | |
| Sub-Registrar . . . | 1 | ... | |
| Superintendent of Office . . . | 1 | ... | |
| Tahsildars . . . | 2 | ... | |
| Naib-Tahsildars . . . | 4 | 2 (a) | (a) The 2 Income-tax Naib-Tahsildars are at present on foreign service, 1 in a Court of Wards establishment in Ajmer and 1 in Tonk State. |
| Assistant Surgeons . . . | 2 | ... | |
| Sub-Assistant Surgeons . . . | 7 | 2 | |
| Deputy Superintendent of Police . . . | 1 | ... | |
| Inspectors of Police . . . | 1 | 1 | |
| Sub-Inspectors of Police . . . | 12 | 15 | |
| | 46 | 27 | |

As regards the Police Forces it may be observed that out of 87 Head Constables 59 are Muhammadans and only 28 Hindus.

APPOINTMENT OF EITHER THE PRESIDENT OR THE SECRETARY OF THE PASSENGER PROTECTING SOCIETY OF INDIA AS A MEMBER OF THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

52. **Haji Wajihuddin:** Will the Government be pleased to state whether they have been approached to appoint the President or Secretary of the Passenger Protecting Society of India as a member of the Advisory Committee for Railways at the headquarters of the Government of India and whether in the interests of poor passengers they propose to announce their decision to appoint any of the office bearers of the Society without further delay?

The Honourable Sir Charles Innes: If either of the gentlemen referred to becomes a Member of this Assembly or of the Council of State, no doubt he will have a good chance of being elected to the panel from which the members of the Central Advisory Council are selected.

OPENING OF A BRANCH POST OFFICE AT THE DARGAH-KHOWAJA NIZAMUDDIN, DELHI.

53. **Haji Wajihuddin:** Will the Government be pleased to state what action they have taken so far to have a branch post office opened at the Dargah-Khowaja Nizamuddin (Delhi) and when it is proposed to have the scheme completed?

Mr. G. P. Roy: The question has been reconsidered. As a post office already exists at Jangpura, which is only 2 furlongs from Nizamuddin and a far larger village, it is not proposed to open a post office at the latter place.

RESOLUTION RE COMFORTS FOR INDIAN RAILWAY PASSENGERS.

54. Haji Wajihuddin: Will the Government be pleased to state to what extent the different railway companies have carried out the recommendations on the subject of Indian passengers' comforts made by the Legislative Assembly on the Resolution moved by me on the 12th February, 1924?

Mr. G. G. Sim: The Honourable Member is referred to paragraphs 98 and 99 at pages 67 to 71 of Volume I of the Report by the Railway Board on Indian Railways for 1924-25, and to the explanatory memorandum on the Railway Budget for 1926-27, which will shortly be placed before the Assembly.

RAILWAY CONNECTION BETWEEN CHANDPUR SIAU AND CHANDOK.

55. Haji Wajihuddin: Will the Government be pleased to state if they propose to connect railway station Chandpur Siau in the Bijnore District with railway station Chandok on the main Oudh and Rohilkhand (now East Indian) section of the East Indian Railway in the same district?

(b) If so, how far is it correct that Nahtaur, an important and prosperous trading town, has been left out of the project?

(c) Do the Government propose to bring the matter to the notice of the railway authorities and recommend the inclusion of this town in this scheme?

Mr. G. G. Sim: (a) A proposal to extend the Gajraula-Chandpur Branch through Bijnor to Chandok is at present under investigation.

(b) and (c). It cannot yet be stated definitely whether the line will pass through Nehtore or not, but as this town is a long way off the direct alignment of the proposed branch, it is hardly likely that a diversion to Nehtore would be financially justifiable.

REDUCTION OF THE GARRISON IN AMBALA CANTONMENT.

56. Haji Wajihuddin: (1) Are the Government aware that in recent years there has been a considerable reduction of garrison in Ambala Cantonment?

(2) Is it a fact that on account of this reduction, a large number of bungalows constructed originally at the instance and for the use of military officers are lying vacant and that the house owners are consequently being put to heavy losses?

(3) Will the Government be pleased to say if there is any possibility of the increase of the garrison to its normal strength in Ambala Cantonment?

(4) Is it a fact that the main cause of the reduction of the garrison in Ambala Cantonment is the scarcity of water there?

Mr. E. Burdon: (1) Yes.

(2) I am making inquiries into the matter and will let the Honourable Member know the result as soon as possible.

(3) So far as I am aware there is no likelihood of a large increase to the garrison in the immediate future.

(4) It is one of the causes, an important cause.

NUMBER OF ELECTED MEMBERS OF CANTONMENT BOARDS.

57. **Haji Wajihuddin:** (1) Are the Government aware that in several cantonments the number of elected members in Cantonment Boards thereof is less than seven owing to the Government having not nominated four members under section 14 (i) (e) of the Cantonments Act, 1924?

(2) Is it a fact that several important interests and minorities in those cantonments are not represented on the Cantonment Board?

(3) Are the Government aware that there is great discontent in those cantonments specially at Dinapore owing to the Government's failure to make maximum nominations under the above section and thus decreasing the strength of the elected members?

(4) Are the Government aware that the Government of India Reforms Committee recommended ten elected and ten nominated members in every Cantonment Board?

(5) Are the Government prepared to issue instructions that the maximum strength mentioned in section 14 (i) (e) be availed of to ensure that in no Cantonment Board, should the number of elected members be less than seven?

Mr. E. Burdon: (1) The Commanding Officer of a Cantonment is empowered to nominate four military officers to be members of the Cantonment Board under the sub-section quoted by the Honourable Member. This number is a maximum and it was never intended that four military officers should be nominated in every cantonment, however small. The Government of India have no detailed information on the point, but it is likely that in many cantonments the Commanding Officer has nominated a smaller number.

(2) and (3). The Government of India have no reason to suppose that this is the case.

(4) The answer is in the affirmative.

(5) Government do not propose to issue such instructions.

CANTONMENT LAND ADMINISTRATION RULES.

58. **Haji Wajihuddin:** (1) Is it a fact that under rule 18 (26) of the New Land Rules framed by the Government of India under section 280 of the Cantonments Act, one-fourth of the income derived from the land entrusted to the management of the Cantonment Board is to be credited to the Government?

(2) Is it a fact that before the issue of these New Land Rules, the whole income derived from such lands was credited to the Cantonment Board?

(3) Is it true that the cost of managing Government land in cantonments has considerably increased in recent years on account of the Cantonment Board having to regularise a large number of old encroachments by the institution of civil suits?

(4) Is it true that Cantonment Boards in different cantonments feel helpless in introducing many schemes of public beneficence such as the introduction of compulsory primary education, etc., for want of funds?

Mr. E. Burdon: (1) I presume the Honourable Member is referring to clause (27) of rule 13 of the Cantonment Land Administration Rules. If so, the reply is in the affirmative, subject to the reservations in Rule 11(b) which allows Government to vary the proportion at its discretion in certain circumstances. Proceeds from licenses issued under clause (25) of rule 13 of the Rules are however credited wholly to cantonment funds.

(2) Yes, Sir.

(3) The Government of India have no information.

(4) In one cantonment the Board is understood to have passed a resolution in favour of compulsory education, but was unable to proceed with the measure through lack of funds. No other instances of the kind have been reported.

PROCEDURE RELATING TO REPORTS ABOUT THE LOSS OF CANTONMENT MONEY.

59. Haji Wajihuddin: (1) Are the Government aware that under section 14 (i) of the Cantonment Account Code, 1924, framed by the Government of India, the President of a Cantonment Board has been empowered to inquire into a loss of cantonment money and to submit his report direct to the Local Government?

(2) Is it a fact that under this procedure the Cantonment Board gets no information whatsoever of the loss and the cantonment people regard it as a great defect in the procedure? Do the Government propose to alter the rule in a way that no report be submitted by the President without laying the same before the Cantonment Board?

Mr. E. Burdon: (1) and (2). The attention of the Honourable Member is invited to Army Department notification No. 1686, dated 18th December 1925 (which was published in the Gazette of India of the 19th December, 1925) from which it will be seen that steps have already been taken to revise rule 14 of the Cantonment Account Code in the direction suggested.

MAINTENANCE OF MILITARY ROADS OUT OF CANTONMENT FUNDS.

60. Haji Wajihuddin: (1) Are the Government aware that at present in many cantonments several roads used primarily and mainly by the military population of the cantonments are maintained from the cantonment funds?

(2) Are the Government aware that one of the recommendations of the Cantonment Reforms Committee printed on page 22 of its printed report is that all roads in a cantonment in lines of troops and barrack areas or leading to departmental godowns or to the fort, etc., should be maintained by the Military Works Services of the Government?

(3) Are the Government aware that in Ambala Cantonment the whole of the Mall Road and the Staff Road and many other roads existing entirely for military purposes are being maintained from the cantonment fund?

(4) Do Government propose to direct that the distribution of roads in Ambala Cantonment between the Cantonment Board and the Military Works Services be reconsidered and revised?

Mr. E. Burdon: (1) The Government have no information to this effect.

(2) The answer is in the affirmative.

(3) and (4). The Government are making certain inquiries, the results of which will be communicated in due course to the Honourable Member. But they feel sure that the Mall Road and the Staff Road in the Ambala Cantonment cannot be said to exist entirely for military purposes in the limited sense which the Honourable Member apparently intends, and they would further observe that *ex hypothesi* cantonments and cantonment funds exist primarily for the service of the Army.

PROCEDURE RELATING TO THE PAYMENT OF BILLS BY CANTONMENT BOARDS.

61. **Haji Wajihuddin:** (1) Are the Government aware that under section 80 of the Cantonment Account Code, 1924, framed by the Government, the Executive Officer has the power to order payments of bills and to issue cheques for such payments?

(2) Are the Government aware that it is a recognised principle of accounts that the officer who passes and orders the payment of a bill should be different from the officer who prepares a bill, to ensure an effective check on the validity of payment?

(3) Are the Government aware that the combining of both these important functions in the Executive Officer, as is contemplated by the above section, is not desirable or consistent with accounts principles?

(4) Do Government propose to take steps that some other officer, say, the President or Vice-President of the Cantonment Board, be authorised to pass the bills prepared by the Executive Officer and to sign cheques issued for such payments?

Mr. E. Burdon: (1) The facts are generally as stated by the Honourable Member. The Executive Officer is authorised to issue cheques, subject to certain reservations, under rule 32 of the Cantonment Account Code.

(2) The reply is in the affirmative.

(3) Rule 80 of the Cantonment Account Code relates to the payment of bills presented to the cantonment authority by other parties, and not by the Executive Officer. But if there are cases in which the Executive Officer has to prepare bills himself, the Cantonment Authority has power under the same section to appoint some one else to examine the bill and pass the payment order.

(4) Does not arise in view of my reply to part (3).

INCOME AND EXPENDITURE OF THE MILAM POST OFFICE.

62. **Maulvi Muhammad Yakub:** (a) Will the Government be pleased to lay on the table a statement showing the income and expenditure of Milam Post Office (District Almora) during the period of its existence for four months in each of the years 1925 and 1924?

(b) Do the Government propose to make it a permanent season Post Office for four months every year?

Mr. G. P. Roy: (a) The statement asked for is laid on the table.

(b) The experimental season post office worked at a considerable loss during the two experimental periods and cannot yet be made permanent. Another trial will, however, be given to the office this year from the 1st June to the 30th September.

Statement showing the income and expenditure of the Milam Branch Office (Almora) during the period of its existence in 1924 and 1925.

| Period. | 1924. | | | Expenditure. |
|-------------------------|---------|----|----|--------------|
| | Income. | | | |
| | Rs. | A. | P. | Rs. |
| 25th to 31st July, 1924 | 5 | 1 | 7 | 25 |
| August, 1924 | 27 | 13 | 3 | 97 |
| September, 1924 | 18 | 0 | 2 | 97 |
| 1925. | | | | |
| June, 1925 | 51 | 4 | 1 | 97 |
| July, 1925 | 63 | 4 | 7 | 121* |
| August, 1925 | 38 | 15 | 8 | 121* |
| September, 1925 | 28 | 5 | 5 | 97 |

* Two extra mail runners at Rs. 12 each had to be engaged as the road to Milam was washed away.

INCOME AND EXPENDITURE OF CERTAIN POST OFFICES IN KASHMIR.

63. **Maulvi Muhammad Yakub:** (a) Is it a fact that the Post Offices of Chillum (Gilgit, Srinagar), Gupis (Gilgit, Srinagar), Gurez (Kashmir, Srinagar), Minimerg (Kashmir, Srinagar) are permanent season Post Offices?

(b) What are the annual income and expenditure of these above-mentioned Post Offices for the years 1922, 1923, 1924 and 1925, respectively?

Mr. G. P. Roy: (a) The post offices at Chillum, Gupis, Gurez and Minimerg are permanent offices open throughout the year and not during the season only.

(b) The figures regarding annual income of these offices for the years 1922, 1923, 1924 and 1925, are not available. The annual expenditure was as follows:—

| | 1922. | | | 1923. | | | 1924. | | | 1925. | | |
|--------------------|-------|----|----|-------|----|----|-------|----|----|-------|----|----|
| | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. |
| Chillum | 481 | 8 | 0 | 481 | 8 | 0 | 481 | 8 | 0 | 481 | 8 | 0 |
| Gupis | 2,466 | 12 | 0 | 2,392 | 12 | 0 | 1,383 | 5 | 1 | 1,364 | 4 | 0 |
| Gurez | 2,179 | 8 | 0 | 2,125 | 8 | 0 | 1,298 | 0 | 0 | 1,293 | 0 | 0 |
| Minimerg | 1,176 | 0 | 0 | 1,176 | 0 | 0 | 1,176 | 0 | 0 | 1,176 | 0 | 0 |

CONSUMPTION OF OPIUM.

64. **Baboo Runglal Jajodia:** With reference to starred question No. 613 during the last Session, will the Government please state what decision has been arrived at regarding an inquiry to investigate the opium problem in this country and when they propose to start the said inquiry?

The Honourable Sir Basil Blackett: The replies of Local Governments to the reference from the Government of India, regarding consumption of opium in India have been received and are now under careful examination. I am not in a position to make any further statement at present.

PROPAGANDA IN INDIA BY PROFESSOR MARVIN ON BEHALF OF THE LEAGUE OF NATIONS.

65. **Baboo Runglal Jajodia:** (a) Is it a fact that one Professor Marvin is touring in India on behalf of the League of Nations and is showing a film depicting the advantages of India's participation in and appreciation of the work of the League?

(b) Will the Government please state the antecedents of this Professor Marvin and whether he is deputed by the Secretary of State or the League Council and whether with the approval of the Government of India?

(c) Will the Government further state whether his expenses are being borne by the Secretary of State, the League Council or the Government of India?

Mr. L. Graham: (a), (b) and (c). The Government of India understand from reports appearing in the Press that Professor Marvin is Vice-Chairman of the League of Nations Union, London, which is a purely unofficial body. They have no other information regarding his present activities or his antecedents and they presume that his expenses in India are being borne either by the League of Nations Union, London, or by himself.

ESTABLISHMENT OF A RATES TRIBUNAL.

66. **Baboo Runglal Jajodia:** (a) With reference to Mr. B. Das's starred question No. 752 of the September Session, 1925, will the Government be pleased to lay before the House the full text of the despatch received from the Secretary of State for India regarding the establishment of a Rates Tribunal?

(b) Will the Government further state what the advice of the Central Advisory Committee for Railways was in the matter and when the proposal for a Rates Tribunal will be given effect to?

The Honourable Sir Charles Innes: (a) No. Government do not consider it necessary.

(b) The Honourable Member is referred to the remarks of His Excellency the Viceroy in his speech at the opening of this Session on the 20th instant.

EAST INDIAN RAILWAY COMPANY'S SCHOOLS.

67. Baboo Runglal Jajodia: Will the Government be pleased to state in detail the result of their inquiries regarding the position of the East Indian Railway Company's Schools consequent on their transfer to the Government as asked for in the Simla Session of the Assembly in 1925 in unstarred question No. 109?

Mr. G. G. Sim: A copy of the letter addressed to Haji Wajihuddin, dated the 26th October, 1925, giving the requisite information, is being sent to the Honourable Member.

NUMBER OF INDIANS EMPLOYED IN THE EAST INDIAN AND EASTERN BENGAL RAILWAYS.

68. Baboo Runglal Jajodia: (a) With reference to starred question No. 106 in the Assembly on the 23rd January, 1925, will the Government please state the present strength of the Indians in the services of the East Indian Railway referred to therein and inform this House of the extent of reduction or increase in the number of Indians in the respective cadres?

(b) Will the Government please furnish similar information relating to the Eastern Bengal Railway?

Mr. G. G. Sim: The Honourable Member is referred to the particulars given in Chapter V and Appendix G of Vol. I and in Appendix C of Vol. II of the Report by the Railway Board on Indian Railways for 1924-25. Government are not prepared to collect information in further detail than is given there.

INDIANISATION OF THE POSTS OF TRAFFIC INSPECTORS ON RAILWAYS.

69. Baboo Runglal Jajodia: With reference to starred question No. 572 in the Assembly on the 2nd September last, will the Government please state the result of their recommendations to all Railway Administrations regarding the Indianisation of the posts of Traffic Inspectors on Indian Railways?

Mr. G. G. Sim: Government have not got any information beyond that furnished in their reply to question No. 858 put by Khan Bahadur Sarfaraz Hussain Khan on the 17th of March, 1924, nor do they consider that it will serve any useful purpose to call for further information of this piecemeal character after so short an interval of time. As was pointed out in reply to question No. 572, Railway Administrations have been especially addressed on the subject and they will no doubt give it their careful consideration when vacancies occur, and if Indians with the requisite qualifications are available.

RECOMMENDATIONS OF THE ECONOMIC INQUIRY COMMITTEE.

70. Baboo Runglal Jajodia: Will the Government please state whether they have decided to give effect to any of the recommendations of the Economic Inquiry Committee and, if so, to what extent?

The Honourable Sir Basil Blackett: The Government have addressed Provincial Governments as regards the further action to be taken on the Reports of both the Committees. I am afraid I shall not be in a position to give a detailed reply on the subject until those replies have been received and considered.

FINANCIAL EFFECT OF THE ACTION TAKEN ON THE RECOMMENDATIONS OF THE LEE COMMISSION.

71. Baboo Runglal Jajodia: With reference to unstarred question No. 44 in the Assembly on the 25th August, 1925, will the Government be pleased to state the financial effect of the action taken by the Government on the recommendations of the Lee Commission with regard to the Civil Services and similar action taken by the Government with regard to the Military, Railway and other Services not dealt with by the Lee Commission?

The Honourable Sir Basil Blackett: The total cost in 1925-26 of the action taken with regard to the services dealt with by the Lee Commission is expected to be 79 lakhs. The increased annual cost on account of the Military Services not dealt with by the Commission is estimated as 20 lakhs. Pending a decision on certain outstanding points I am not in a position to give figures regarding Railways.

REORGANISATION OF THE ROYAL INDIAN MARINE.

72. Baboo Runglal Jajodia: Will the Government be pleased to state what progress, if any, has been made since the Simla Session last year in connection with the proposals for the reorganisation of the Royal Indian Marine for the purpose of the naval defence of India?

Mr. E. Burdon: The Government are not at present in a position to make any statement on the subject to which my Honourable friend refers.

REORGANISATION OF THE INDIAN MEDICAL SERVICE.

73. Baboo Runglal Jajodia: With reference to Mr. Burdon's reply in connection with starred question No. 78 on the 25th August last, will the Government be pleased to state whether they are now in a position to state the orders of the Secretary of State on the recommendations of the Lee Commission regarding the reorganisation of the Indian Medical Service, and if so, will they inform the House of the contents thereof?

Mr. E. Burdon: The reply to the first part of the question is in the negative. Correspondence with the Secretary of State is still proceeding.

The second part of the question does not arise.

**ABSENCE FROM THE ASSEMBLY OF MEMBERS ON DAYS WHEN
MOTIONS FOR ADJOURNMENT STANDING IN THEIR NAMES
ARE TO BE MOVED.**

Mr. President: I have received a notice of a motion for adjournment from Mr. C. Duraiswami Aiyangar regarding the position of Indians in South Africa. It is very improper for any Honourable Member to give notice on such an important question and not to turn up at the last moment. I expect Honourable Members at any rate to have the courtesy of giving timely intimation of their inability to attend in such cases. I hope Honourable Members will bear in mind these remarks.

I now pass on to the next item.

ASSENT OF THE GOVERNOR GENERAL TO BILLS.

Mr. President: I have to inform the House that the following Bills which were passed by both Chambers of the Indian Legislature have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act:

1. The Provident Funds Act, 1925.
2. The Code of Civil Procedure (Amendment) Act, 1925.
3. The Religious Endowments (Amendment) Act, 1925.
4. The Salt Law (Amendment) Act, 1925.
5. The Legislative Members Exemption Act, 1925.
6. The Sikh Gurdwaras (Supplementary) Act, 1925.
7. The Bamboo Paper Industry (Protection) Act, 1925.
8. The Indian Carriage of Goods by Sea Act, 1925.
9. The Opium (Amendment) Act, 1925.
10. The Provident Funds (Amendment) Act, 1925.
11. The Indian Penal Code (Amendment) Act, 1925.
12. The Indian Limitation (Amendment) Act, 1925.
13. The Coal Grading Board Act, 1925.
14. The Oudh Courts (Supplementary) Act, 1925.
15. The Criminal Tribes (Amendment) Act, 1925.
16. The Cotton Transport (Amendment) Act, 1925.
17. The Madras, Bengal and Bombay Children (Supplementary) Act, 1925.
18. The Indian Ports (Amendment) Act, 1925.
19. The Repealing and Amending Act, 1925.
20. The Transfer of Property (Amendment) Act, 1925.
21. The Indian Succession Act, 1925.

STATEMENTS LAID ON THE TABLE.

Sir Denys Bray (Foreign Secretary): Sir, I lay on the table two statements with reference to the replies given by me on the 9th and 15th September last to questions 147 and 928 by Lala Duni Chand and Kumar Ganganand Sinha, regarding one Nand Ram of Hazara.

STATEMENT I.

1. (a) and (b).—On 26th February 1924 a complaint under Section 380/395, Indian Penal Code, was filed in the Court of the Assistant Commissioner, Mansehra, by Mussammat Ram Piari, wife of Nand Ram, against one Sant Singh of Mansehra Dharamsala and 6 other persons of village Nundhar. No report of occurrence of the alleged offence had been made at the police station. The complaint after reference to the police was dismissed under section 203, Criminal Procedure Code. No stolen property was recovered. There is nothing on the file to show that Sant Singh referred to was the servant of Khan Sahib Mufti Muhammad Yaqub Khan, Bar-at-Law, Extra Assistant Commissioner. The complainant herself stated in the complaint that Sant Singh was a resident of Mansehra. No relations or servants of Khan Sahib Mufti Muhammad Yaqub Khan were charged.

2. (a).—On 1st August 1924 Nand Ram was arrested and challaned under section 109, Criminal Procedure Code, on the ground that he had no ostensible means of livelihood. He was however released on bail on 5th August 1924. The case is still pending owing to his absence from the District.

2. (b), (c) and (d).—Nand Ram, his full brother Prab Diyal and one other Hindu of Nawanshehr were challaned in a case under section 436, Indian Penal Code, in connection with the burning of the Munsiff's Court in Abbottabad on 6/7th July 1924. Nand Ram was arrested on 19th September 1924 and acquitted on 22nd December 1924. Nand Ram made a statement before the trying court that he had been asked by the police to give evidence against the two other accused but had declined to do so and had been challaned for this reason. A translation of the statement made by Mussammat Ram Piari as a witness in this case on 16th October 1924 is attached.

3. (a).—There is nothing on the record to show that Mussammat Ram Piari was kept under detention from 20th September 1924 to 25th October 1924. The diary of the police station has also been consulted but the correctness of the statement made has not been verified. The statement of Mussammat Ram Piari in the section 436 case was recorded on 16th October 1924 and not on the 25th October.

3. (b), (c).—Nand Ram sent 4 petitions from the Abbottabad Jail asking that his case should be transferred from the court of Khan Sahib Muhammad Yakub Khan, Extra Assistant Commissioner, to some other Magistrate as he had no hope of justice from the former court. No other petitions are traceable.

3. (d).—Nand Ram filed a complaint on 17th January 1925, in the court of the Judicial Commissioner, North-West Frontier Province, under sections 302, 379, 344, 346 and 120-B, Indian Penal Code, against Khan Sahib Mufti Muhammad Yaqub Khan and 11 others. The complaint was sent to the Deputy Commissioner, Hazara, for disposal. It was dismissed by him under section 203, Criminal Procedure Code, on 4th June 1925.

3. (e).—Petitions from Nand Ram were received by His Excellency Lord Lytton, Sir Denys Bray and the Chief Commissioner, North-West Frontier Province, and he was granted interviews by Major Parsons, Deputy Secretary, Foreign and Political Department, and the Chief Commissioner, North-West Frontier Province.

4. No.

Translation of the statement, dated 16th October 1924, by Must. Ram Piari, wife of Nand Ram Khatri, aged 26 years, of Mundhar, Shop-keeper, on Solemn Affirmation.

Prabh Diyal is a brother of Nand Ram. Nand Ram has been to Abbottabad since Phagan. He was not a servant of any one before. He was a labourer and lives on the sale of pears. When the court of the Munsiff was burnt I was at Abbottabad and Nand Ram was also here. Prabh Diyal was not here. The next day he was also not here. What statement I gave to the Tahsildar is read over to me as I do not recollect it. The statement which has been read over to me is not correct. My thumb impression was affixed and I do not know what was recorded. Ganga Ram of Mirpur, who is one-eyed, took me to Thana and got my thumb impression affixed at three or four places and a policeman was also in company. When my thumb impression was affixed the door was closed. When my thumb impressions were got affixed, my husband was then in Havalat. Ganga Ram used to give me bread. I was

given assurance that my husband would be released. Therefore I affixed my thumb impression eight or nine days. After affixing my thumb impressions my husband was released from Havalat.

Read over and admitted.

(Sd.) MUFTI MOHD. YAQUB KHAN,
Additional District Magistrate.

The 16th October 1924.

STATEMENT II.

Nand Ram filed a complaint on the 17th January 1925, in the Court of the Judicial Commissioner, North-West Frontier Province, under Sections 302, 379, 344, 346 and 120-B, Indian Penal Code, against Khan Sahib Mufti Muhammad Yakub Khan and 11 others. The complaint was sent to the Deputy Commissioner, Hazara, for disposal and was dismissed by him under Section 203, Criminal Procedure Code, on the 4th June 1925. On the 1st October 1925, Nand Ram was asked to produce fresh evidence before the District Magistrate, Hazara, for reinvestigation of his case. He has not done so and his case has therefore not been revived.

2. A petition from Nand Ram to His Excellency the Viceroy, dated the 17th March 1925, in which the petitioner asked for transfer of his case to the Punjab, was received in the Foreign and Political Department and forwarded to the Chief Commissioner, North-West Frontier Province, for disposal. The Government of India were satisfied that sufficient reasons did not exist for acceding to the petitioner's request.

3. Copies of Nand Ram's complaint, of the orders passed thereon, and of reports made to the Judicial Commissioner, North-West Frontier Province, are attached. The latter furnish complete information of the cases in which Nand Ram was involved.

Nand Ram s/o Moti Ram of Mundhar Tahsil,
Mansehra, now resident in Abbottabad ... Complainant.

versus

1. K. S. Mufti Mohd. Yaqub Khan, Bar-at-Law, E.A.C., Malakand.
2. Sardar Mohd. Yusaf Khan, Inspector, C. I. D., Abbottabad.
3. Mufti Taj Mohamad Khan, Sub-Inspector, Police, Abbottabad.
4. Abdul Ghani, Sub-Inspector, Mansehra.
5. Arjan Dass, Head Constable, Police, Abbottabad.
6. Nadir s/o Juma.
7. Chuna s/o Abdullah.
8. Mir Alam } sons of Jiya.
9. Abdul Ghani }
10. Hira s/o Moti Ram.
11. Must. Janti, wife of Rahmatullah, residents of Mundhyra.
12. Sant Singh of Mansehra.

Accused.

Charges under Sections 302, 379, 344, 346/120-B., I. P. Code.

The complainant begs to submit as follows:—

1. That on the 13th September 1924, petitioner left his wife, Must. Piari, at Jhelum in charge of L. Giyan Chand s/o R. B. L. Diwan Chand, Vakil, and came to Abbottabad to fetch his belongings as he had decided to leave his home on account of the unjust persecution of the accused. On his arrival at Abbottabad he was arrested on 17th September 1924 on a charge of setting fire to the court of Munsiff, Abbottabad, under section 436, I. P. Code, and was confined in the lock-up.

2. That while in the lock-up he wrote to L. Giyan Chand at Jhelum asking him to look after his wife as complainant himself was in the lock-up. This letter was entered in the Jail registers. Complainant received a reply to the effect that his wife had been taken away to Abbottabad by the police.

3. That on learning this complainant sent through the jail authorities to the Deputy Commissioner of Abbottabad requesting him to hand over his wife and his goods to some Hindu gentleman of Abbottabad as complainant feared his wife may be made away with by his enemies against whom he had brought a case of dacoity which is still pending investigation.

4. That complainant has reasons to believe that this application was sent by the Deputy Commissioner to the District Judge, K. S. Mufti Mohd. Yaqub Khan, accused No. 1, as a few days after complainant's wife, in company with Arjan Dass, accused No. 4, visited the complainant in jail and informed him that she had been placed in custody of the District Judge, accused No. 1. On this complainant sent another application to the District Magistrate protesting against the action of accused No. 1.

5. The complainant's wife again interviewed him in jail and informed him that she was being detained in the house of accused No. 1.

6. That complainant was released on bail on 22nd November 1924 when he found to his dismay that his wife was not to be found any where, and all his efforts to trace her have been of no avail.

7. That in the arson case complainant was acquitted, but he has not yet been able to find his wife or his property worth Rs. 1,500, which was with her and he apprehends that the accused mentioned above, who are complainant's bitterest enemies, may have killed her, as she was the only person who could identify the accused in the dacoity case.

8. That the accused noted above were all members of a conspiracy the object of which was to cause wrongful loss to complainant and to cause the disappearance by unlawful means of complainant's wife. In pursuance of this conspiracy the complainant's wife, who was placed in charge of accused No. 1 and was seen by reliable witnesses at his house, has disappeared with complainant's property and complainant fears that she is being unlawfully and forcibly detained or she has been murdered by accused 5 to 11 with the help of the other accused.

The complainant humbly prays that as the accused have committed the offence mentioned above, they may be dealt with according to law. Complainant is prepared to substantiate the allegations made above and he therefore prays that as influential persons in Government service are involved the case may be inquired into by some European official.

Officer at Peshawar.

The above explained to me and is correct to the best of my knowledge and belief.

(Sd.) NAND RAM, *Complt.*

NOTE :—The contents have been explained to the petitioner who says he can prove all stated therein.

(Sd.)

This complaint was received by post and the complainant did not attend. His statement could therefore not be recorded under section 200, C. P. Code. He is now untraceable—vide Tahsildar's report dated 22nd May 1925. Must. Ram Piari has been produced before me and it is therefore clear that the charge under section 302, I. P. C., cannot be maintained. The accused persons are responsible members of society, and the charges brought against them cannot be believed. The complaint is the effusion of a half-witted man. I dismiss it under section 203, Cr. P. Code.

(Sd.) J. ALMOND,

District Magistrate, Hazara.

The 4th June 1925.

Reference your order of 18th January 1925.

I have collected as many files concerning Nand Ram as can be found. They are as follows :

I. Nand Ram filed a complaint under section 323, I. P. C., against Mina, Chuna, Mir Alam, Rahmatullah and Hira (the latter is his full brother) on 19th September 1923. The accused were discharged by order of the Naib Tahsildar on 8th April 1924 and the complainant was ordered to pay Rs. 20 compensation under section 250, C. P. Code. On appeal to my predecessor the compensation was remitted.

II. On the 4th December 1923 Nand Ram filed a petition under section 107, Criminal Procedure Code, against the accused persons in case No. I. The case was filed by the Political Extra Assistant Commissioner on 6th November 1924 in the absence of the complainant.

III. One Allahdad of Mundhar filed a complaint under section 406, Indian Penal Code, against Nand Ram on the 31st December 1924 stating that he had deposited two medals and Rs. 500 with the latter which Nand Ram would not return. The case was dismissed on 10th November 1924 under section 203, Criminal Procedure Code, and the complainant was directed to seek his remedy in a Civil Court.

IV. On 21st February 1924 Nand Ram was challaned for security under section 110, Criminal Procedure Code. The case was pending until 6th December 1924 chiefly owing to a case under section 436 in which Nand Ram was challaned and which will be referred to later. On 6th December 1924 the Assistant Commissioner, Mansehra, began proceedings with a view to having Nand Ram expelled under section 36, Criminal Procedure Code. The case is still pending. In the file of the case it is stated in Police Statement No. 1 that Nand Ram has undergone imprisonment and fine in a 465 case but no date or details of the case are given. In Statement No. II it is stated that Nand Ram has instituted several false cases against various people.

V. On 3rd March 1924 Nand Ram instituted a complaint under section ^{499/109 I. P. C.} _{30 F. C. R.} against Ram Chand, Pritam, Karam Singh, Khazan Singh and Must. Ram Piari, his wife. Roughly the facts alleged were that Nand Ram had left his wife in a Dharamsala at Abbottabad while he had gone to attend the Assistant Commissioner's Court in Mansehra, that when he returned to Abbottabad he found his wife missing and charged the first 4 accused with having concealed her. Must. Ram Piari did not appear in court. It was said that she could not be found and on the 14th of March Nand Ram put in a petition to the court offering a reward of Rs. 5 to any one who would give information of the discovery of his wife and at the same time saying that he wished to proceed against the other four accused for the time being. Eventually Ram Chand and Pritam were convicted under sections 498/109 I. P. C. respectively and sentenced to one year and Rs. 100 fine and Rs. 100 fine respectively. There is on the file a copy of a report made in the police station at Amritsar dated the 1st of April 1924. The report was made by a foot constable who had found Nand Ram and Must. Ram Piari together with several of her relations at the Chauk Bazar, Amritsar, and suspected that they were up to some mischief. After their statements were recorded they were allowed to go. The fact that Must. Piari was with her husband on the 1st April appears to my mind to make the case against Ram Chand and Pritam extremely doubtful, especially as Nand Ram had been saying throughout the case that the woman could not be found. However the two convicts do not appear to have appealed against their conviction.

VI. Nand Ram *versus* Hira, his brother, Nadir, Mir Afzal, Rahmatullah, Kala Ram and Fakir sections 447/380 case instituted on 22nd May 1924 and dismissed under section 302, Cr. P. Code on 6th December 1924 owing to the absence of the complainant. It appears that Nand Ram failed to appear in this case as well as in case No. II as he was at the time under arrest in connection with case No. VII.

VII. Nand Ram was challaned in 436, I. P. C. case in connection with the burning of the Munsiff's court in Abbottabad on the 6/7th July 1924. He was acquitted on the 22nd December 1924 as in that case Must. Ram Piari appeared as a witness on the 16th October 1924. She appears to have appeared in the ordinary way.

On the 26th of July 1924 Must. Ram Piari made a report in the police station at Abbottabad to the effect that her husband was a man who had no means of subsistence, that she did not know how he was gaining his livelihood and that he was always pressing her to make some money by prostitution.

It appears that Nand Ram is a man who has no means of livelihood. He married his wife in Agra where he had gone for casual labour. He has been concerned in a good deal of litigation which reflects no credit on him. My predecessor in his order dated 13th May 1924 in the appeal case referred to as No. 1 remarks as follows:—

“The complainant is little short of half-witted and obviously unreliable”.

I gather from these facts that Nand Ram is a man of very weak intellect, of no means of livelihood and that his wife has no desire to live with her husband. There is in my opinion absolutely no truth in the allegations made in the complainant's petition presented to you. I have made inquiries regarding the dacoity case to which he refers and can find no trace of any such case existing.

(Sd.) J. ALMOND,

7th March 1925.

District Magistrate, Hazara.

Judicial Commissioner.

To-day Must. Ram Piari was produced before me by Fazal Elahi, Court Inspector, who stated that she had been seen in Nowanshahr and produced before him in view of a report of this case which appeared in the *Tribune*, dated the 4th of March. Must. Ram Piari's statement has been recorded by me in detail and is attached to the file. She now denies that she is the wife of Nand Ram and states that the charges mentioned in Nand Ram's petition are entirely groundless; that she is living at her own free will and that no sort of pressure is being brought to bear on her. She also denies that she has got any of Nand Ram's property. She appears to me to be an intelligent woman and at any rate is sufficiently literate to write her own name. Her statement now recorded corroborates my report above.

(Sd.) J. ALMOND,

District Magistrate, Hazara.

11th March 1925.

THE LEGISLATIVE BODIES CORRUPT PRACTICES BILL.

APPOINTMENT OF MR. W. S. J. WILLSON TO THE SELECT COMMITTEE IN PLACE OF MR. C. B. CHARTRES.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move that in place of Mr. C. B. Chartres, Mr. W. S. J. Willson be appointed to the Select Committee on the Bill to provide for the punishment of corrupt practices by or relating to members of legislative bodies constituted under the Government of India Act.

The motion was adopted.

THE INDIAN INSURANCE COMPANIES BILL.

The Honourable Sir Charles Innes (Member for Commerce and Railways): Sir, I beg to move:

“That this Assembly do recommend to the Council of State that the Bill to consolidate, amend and extend the law relating to Insurance Companies be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 10 Members.”

I introduced this Bill, Sir, by publication in the official Gazette. Therefore I did not have formally to ask the House for leave to introduce and I have not yet had an opportunity of making any speech about this Bill to the House. For reasons which I shall give later, I hope that I may regard my motion as a non-controversial one. But at any rate I think the House will expect me to give them a brief statement of the reasons which have induced the Government to put these very important legislative proposals before them and a very short exposition of the main features of the Bill.

As regards the necessity for this legislation, I do not think I need say very much. If we leave the provident insurance societies out of account, which societies of course are regulated by their own Act, we have on the Statute-book only one Act relating to insurance. That Act is the Indian Life Assurance Companies Act of 1912. As its name implies, it deals only with life companies, and there is no law in India at all which enables us in any way to regulate or control the operation of companies which undertake other forms of insurance business. Now, I looked up the discussions at the time when the Life Assurance Companies Act, 1912, was passed, in order to see why that Act was confined to life companies. I found that the reason was that at that time the insurance habit had not advanced very far in India. There were life assurance companies and there were fire insurance companies, but companies undertaking other forms of insurance business were not common, and when the Government of India consulted Local Governments and business opinion throughout India, they were informed that there was no demand in India at that time for legislation other than legislation dealing with life. Well, Sir, that was 14 years ago. In the last 14 years a great change has taken place. There has been a great growth of the insurance habit and we have now in India not merely life assurance companies, not merely fire insurance companies, but we have companies undertaking every kind of insurance business; and in the last year or two, as the House will no doubt know, another and a very important kind of insurance business has come newly into existence. I refer to workmen's compensation insurance. Now, I think the House will agree with me that the time has come when we must take power to regulate these other forms of insurance business. These companies, as things are at present, are regulated only by the Indian Companies Act. They have only to submit the returns prescribed by that Act. They are not required to submit that information which practically every civilised country in the world demands from an insurance company for the protection of the public. I think that everyone will agree that we must now fall into line with other countries, and that we must bring these other insurance companies under a certain measure of legislative control. Certainly that is the view which is taken by every Local Government, and I think I may say by every important commercial body which we have consulted on this subject, and I do not think that I need say any more than that regarding the necessity for this legislation. Of course, there is another subsidiary reason. As I have said, the Indian Life Insurance Companies Act was passed in 1912, about 14 years ago. We have 14 years' experience of the working of the Act, and that experience has shown several directions in which the Act ought to be amended, tightened up and generally brought into accord with modern ideas and conditions.

[Sir Charles Innes.]

Before I come to the Bill itself, there is one preliminary point which I wish to make. I wish to make it perfectly clear to the House that our conclusions so far are purely tentative and provisional. It is quite true that we have embodied those conclusions in the form of a Bill. We have done that because experience has shown that, if you embody your conclusions in the concrete form of a Bill, that is the best way of focussing discussion in the country on the really important points and getting those important points elucidated by well-informed and considered criticism. But though we have put our conclusions in the form of a draft Bill, I wish to make it perfectly clear that the Bill is merely tentative and provisional. I am aware that, if the House accepts my motion to-day, it will commit itself to the principle of the Bill. But the only principle I am asking it to accept is this that the House agrees that legislation is necessary to amend and extend our Insurance law. I do not wish in any way to commit the House to the policy embodied in this provisional Bill which we are putting before it. I wish to make it perfectly clear that in the Joint Committee the whole subject will be open to discussion.

I have already said that the really important proposal of the Bill is to extend the operation of the Life Insurance Act of 1912 to firms of insurance business. Apart from that, the important feature of the Bill is the policy which we have embodied in our provisional Bill. Our provisional proposal is that we should adhere to the policy of the 1912 Act. The policy of the 1912 Act is that we should rely for the protection of the public upon deposits *plus* publicity. Now, everyone knows the reason why most countries require Insurance Companies to make deposits. It is a safeguard against what is known as the mushroom company, that is to say, the unsound Insurance Company with insufficient financial backing which after collecting premia for a number of years is likely to shut down. The difficulty, of course, in a matter like this is to get your scale of deposits exactly right. On the one hand, you want to safeguard against the unsound company and, on the other hand, you do not wish to do anything to stop or hamper the growth of really sound concerns. Our proposals are embodied in clause 10 of the Bill. They represent a tightening up of the provisions of the existing Act specially in regard to the initial deposits. Personally I think that the tightening up is necessary, and I believe that the House will agree with me when I tell them that in the last 14 years 26 life insurance companies have gone into liquidation. The exact scale of the deposits is of course a matter which will be fully discussed in the Committee. The other safeguard which we wish to rely upon is publicity. That is a principle which has been affirmed and reaffirmed many times. It was perhaps laid down most clearly by the House of Lords Committee of 1906. That Committee said that experience had shown that the best safeguard for the public in regard to Insurance Companies was what they called "the fullest openness of accounts". The theory of course is that we should require insurance companies to publish the fullest possible information about their operations. In that way people who wish to take out their policy or their legal advisers will be able to decide for themselves which companies are managed on sound and prudent lines and which are the right companies to invest in. You will find from the Bill that we have revised and brought up to date our Schedules with reference to this question of publicity, and

we have also embodied certain proposals in Chapter V of the Bill. In many respects they represent a considerable advance on the 1912 Act. Although we propose to rely mainly upon deposits *plus* publicity, we have in some respects tightened up our control over Insurance Companies. For instance, let me refer you to clause 9 of the Bill. Under clause 9 of the Bill we propose to limit the power of Insurance Companies to make loans to their own directors. That, I am quite prepared to admit, is a clause which will require careful discussion, but I think the House will agree with me that the principle which we are striving to embody in that clause is a sound principle. We have put it in because we have come across cases in which Insurance Companies have lent a large part of their funds to their own directors. So, we have put that clause tentatively very largely to elicit discussion upon it. A more important proposal will be found in clause 32 of the Bill. In clause 32 of the Bill we suggest that the Governor General should have power if he sees reason to doubt the solvency of any individual company to require that company to submit itself to an actuarial investigation. We have again put in that clause very largely for the purpose of eliciting opinion. We were induced to do so by the very large volume of evidence in favour of a clause like that which has been placed before the Departmental Committee of the Board of Trade which is now examining the insurance law at home. It is claimed by some expert opinion that timely actuarial advice may save a company which otherwise might drift to ruin, or alternatively that it will lead to a company going into liquidation before it gets deeper into the mire. On the other hand, it has to be remembered that a step of that kind must be taken with the greatest care and circumspection, for the effect of a step of that kind upon the company may be very disastrous. I am stressing these points because we think that that clause will require most careful consideration in the Committee. I am quite prepared to admit that the policy which we provisionally propose to adopt and which we have included in this Bill is a conservative policy. It is an extension and improvement of the policy of the 1912 Act rather than a complete break-away from that policy. I am quite prepared to admit that there is room for a fair difference of opinion in this matter and that some people—indeed Mr. Jamnadas Mehta is one of them—may think that we ought to go very much further in the direction of official control over Insurance Companies. There are precedents in favour of a course of that kind. Canada, of course, is an obvious case. I do not wish to go into the merits of the question at this stage, because questions of that kind will be open for discussion in the Select Committee.

Perhaps the House will like me to say just one word about the position of British companies in reference to this new Bill. Under sections 82 and 88 of the existing Act British companies are exempted from the necessity of making any deposits. The theory of that course is that the British companies who operate out here have already made their deposits at home and there is no reason why they should make deposits in India also. There is something to be said for that point of view. On the other hand, we do not see any reason why we should make a distinction between the indigenous company and the British company in a matter of that kind. In the Bill we propose to withdraw that exemption. The only concession that we propose to make to British Companies will be found in clause 29 of the Bill. In that clause we suggest that British companies should be

[Sir Charles Innes.]

allowed to submit copies of the returns which they now submit to the Board of Trade instead of being put to the trouble of making separate returns for India. But we couple that with the proviso that they must submit separate returns relating to their business in India to the Government of India.

I think that is all I need say about the Bill. I hope every one will agree that we must have a new Bill. I should like to say that this Bill has already been circulated by the Commerce Department to Local Governments and commercial bodies throughout India. Local Governments are unanimously of the opinion that a Bill of this kind is necessary, and I may say so are all commercial bodies. There are naturally differences of opinion in points of detail and on points of policy, but all those questions will be discussed in Committee. The replies received run to 172 pages of print. All those documents will come before the Select Committee, and before this House gets down to the Bill they will be placed at the disposal of the House. I am having all the replies carefully analysed and summarised in the Commerce Department, in order that the Joint Committee may be assisted as much as possible. I should like to say that I found in these replies only one serious criticism of the motion. It has been suggested by some Insurance Companies, Indian as well as English, that it would be wise for us before proceeding with the Bill to await the report of the departmental committee of the Board of Trade at home. We have been hung up for over a year by waiting for the report. We were told that we were going to get it in April last, then again in November. I hope in any case that the report will be available before long for the information of the Joint Committee.

I should like to say one word as to why I am proposing a Joint Committee. I understand from some of the Honourable Members opposite that this proposal causes some difficulty. The reason is that I look at this Bill purely as a commercial matter, and I am very anxious to get the best possible Bill for India. It is a very important matter and I am perfectly satisfied in my own mind that we shall assist ourselves in our deliberations by calling in the advice of selected Members of the Council of State. There are several Members of the Council of State who are well qualified to give valuable advice on matters of this kind.

There is one other point which I should like to refer to. The House may think that I have limited the numbers of the committee rather narrowly. My experience—and I have served on Select Committees and Joint Committees for the last six years—my experience is that the smaller the Committee the more work you do. I hope that the House will agree with that argument. I do not think that I will say any more but commend my motion to the House.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhamadan Rural): Sir, on a point of order. I desire to know from you and from the Honourable Member in charge of the Bill under what provisions of the Rules or the Standing Orders this motion has been made. I find

that it is put down as a motion. In paragraph 101 of the Assembly Manual, Rule 42 of the Indian Legislative Rules says :

" If a Resolution is passed in the originating Chamber recommending that a Bill should be committed to a Joint Committee of both Chambers, a message shall be sent to the other Chamber to inform it of the Resolution and to desire its concurrence in the Resolution."

I am not sure that the Honourable Member moves this as a Resolution under Rule 42. There is also another provision under Standing Order 38, which says :

" A motion recommending that a Bill should be committed to a Joint Committee of both Chambers may be moved at any stage at which a motion for the reference of the Bill to a Select Committee may be moved."

I find that my Honourable friend, Sir Charles Innes, has taken this occasion to discuss the principles of the Bill, as if the Bill had been before the House. If that is so, I should like to know whether he is not making a motion on the Bill for a Joint Committee, in which case it should be open to us to move that the Bill be referred to a Select Committee. Under the Rules a motion for a Joint Committee can be made if there is a motion for reference to Select Committee. I do not know therefore that the question of the discussion of the principles of the Bill is actually before the House. If it is, then a motion for reference to Select Committee may, I should think, be moved by way of amendment. If the amendment for a motion to a Select Committee cannot be moved, we can only oppose this motion, and if it is defeated, the motion for a Select Committee can be made by the Honourable Member later as he thinks fit. I would like to know the intention of the Member in charge of this Bill.

Mr. President: The Honourable the Commerce Member has, I understand, made this motion under Standing Order 38(2), which says :

" A motion recommending that a Bill should be committed to a Joint Committee of both Chambers may be moved at any stage at which a motion for the reference of the Bill to a Select Committee may be moved."

It is perfectly open to any Member of this House to move an amendment that the Bill may be referred to a Select Committee. I see no difficulty in the procedure adopted by the Honourable the Commerce Member.

Mr. Jamnadas M. Mehta (Bombay Northern Division: Non-Muhamadan Rural): Sir, I move that the Bill be referred to a Select Committee of this House, and I oppose the Honourable Sir Charles Innes' motion for a Joint Select Committee. After giving this matter the fullest consideration which it deserves, we have come to the conclusion that a Select Committee of this House is preferable. The reason is that this is a very important piece of legislation. For fifteen years the law of insurance in this country has been absolutely unsatisfactory. Public opinion has for more than five years demanded a very radical amendment of the existing law, and Government have at last come forward with their proposals, they are very important and will have far-reaching consequences when embodied in the Statute. For that very reason it is necessary that this House should have an unfettered opportunity of placing on record its own opinion and its own considered judgment on the various proposals put forward by the Government, and also the House's own view as to

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the direction in which this Bill could profitably be advanced. That opportunity would not be forthcoming in a Joint Select Committee. We know that great body well; we of this House have more than once experienced its tenderness and solicitude for our opinion; and we return that compliment with the greatest alacrity. We have a wholesome suspicion of that body, and we do not think that we will have that full and unfettered opportunity in a Joint Select Committee where this House will have only five Members and five Members will come from that dark corner. There cannot be sufficient light when five Members come from a dark corner. That is another reason why this House alone should, in the first instance, fully consider this insurance legislation.

My Honourable friend, Sir Charles Innes, knows what vital issues are involved in the proposed measure. He has explained them to some extent, and I will try briefly to follow him; they can be broadly divided into preventive and corrective or protective. One part is preventive in the sense that it saves ignorant people from falling into the clutches of unsound companies; there is another aspect of the Bill which is corrective or protective in the sense that it saves people from evil after they have gone in for insurance. I will amplify what I mean. In the first instance we want that people before they insure should have sufficient knowledge as to what kind of companies they are dealing with so that they may not be taken unawares by the Insurance Companies that are called "mushroom" companies. And even when they have insured with good companies, it is possible that the said companies might deteriorate. In order to prevent them from deteriorating and in order to safeguard the interests of the policy-holders after they have insured, other safeguards should be provided, and these I call corrective or protective. In both these respects, Sir, this Bill is, to a large extent, a halting measure. I suggest there is very little corrective or protective portion in this Bill; all is preventive only, and therefore in this important respect the Bill is far far behind public opinion. There is no provision in this Bill to safeguard the interests of the policy-holders in the direction of keeping them fully secured as against the companies in which they have insured, whether life, or fire or other branches of insurance. The amending legislation about Insurance Companies should provide that those who have recourse to Insurance Companies shall be safeguarded against the consequences of capricious or reckless investment of the funds of Insurance Companies by their directors, and I am afraid Sir Charles Innes' Bill does not make any, or makes very little, provision for this aspect of life insurance activity. Sir, I have very carefully considered the question of the amount of initial deposits. This provision in the Bill is in one respect not sufficiently far-reaching. In another respect it is likely to be prejudicial to small and struggling companies which may be working honestly and working well. Sir, I do want that mushroom growth should be prevented. I say at the same time that every small company is not a mushroom company. We have heard protests against this Bill from small companies that to-day are doing very well indeed. We do not want that the fate of any company, however small it may be, should be prejudiced by this measure, which calls upon that company straight off to make a much larger amount of deposit than is required by the existing legislation. On the other hand, I say that the total amount of deposit may by itself alone

prove absolutely inadequate in the case of the various big concerns operating in this country. The amount of premia on life, fire and other branches of insurance collected by the companies working in India is, I am told, 10 crores a year, of which the life branch alone takes 5 crores, it is absolutely necessary that people who annually pay 5 crores of rupees for the sake of their wives and children and for themselves in old age should be amply protected, protected in a manner beyond the reach of any hazardous or frenzied finance on the part of the directors of Insurance Companies; and I say the amount of deposit which the Honourable the Commerce Member has provided is absolutely inadequate when you take into account the enormous liabilities which these Insurance Companies undertake. It will not be sufficient to provide that the deposit with Government should be double or treble the amount proposed in the Bill. It is further necessary that in addition to these deposits, whatever assets these companies might have, ought, to the extent of their liabilities in this country, to be invested in this country. These concerns undertake liabilities which run into crores and crores of rupees; there is nothing in the existing legislation, or in the proposed measure, to protect those whose interests are vitally affected thereby. Every man who insures his life should feel secure that the company which accepts his insurance shall keep deposited in this country assets sufficient to cover the liabilities it undertakes. We find no such provision in the proposed measure, and I think without such a provision it will be futile to undertake this legislation. Then, Sir, the returns of statistics are no doubt provided for, but I do suggest that they will require considerable improvement and extension if we want these returns to be illuminating documents which will at a glance make it possible for a man who looks at them to appreciate the financial condition of the company. That will require more statistics and fuller details than are possible under this Bill. Sir, there is one other important aspect in which the Bill requires amendment and extension and it is this; unless all the foregoing conditions are satisfied by the Insurance Companies, they should not get any license to operate in this country. Such a license clause is nowhere to be found in the Government Bill, and I intend, Sir, when the time comes, to move an amendment that no company can work without a license, and that no license can be granted unless these conditions to which I have referred are fulfilled by these companies. Sir, these are the directions in which we would modify and amplify the measure, but that is not possible to accomplish jointly with the Council of State's representatives, some of whom may be very brilliant merchants; I have nothing to say against them. But the atmosphere of the Council of State is not favourable to the popular view point and that is why this House should, in the first instance, go alone into this Bill and consider it on its merits from its own point of view. There is nothing unusual or extravagant about my proposals which I have embodied in a Bill. We find them supported by such an influential newspaper as the *Statesman* which blesses my Bill, strange to say, although the Government measure would have been ordinarily supported by the *Statesman*. But in this particular case this newspaper thinks that my proposals are desirable and should be followed and that there is nothing objectionable in them. One word more with reference to this newspaper criticism and I will finish, Sir. The *Daily Mail* of Bombay says that the Government proposals are halting and they do not go a very great way; it quotes the case of France where licenses seem to be in force; no company which has not got the permission

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of the Government can operate. They cannot even sue; they are fined several hundred francs if they have not got a license. That is the condition in France, and similar conditions are found in Canada, to which the Honourable the Commerce Member referred. The *Bombay Chronicle* of course (*An Honourable Member*: "Oh" and "of course".) Of course! because it is the best newspaper, Sir, and goes fully into every national question. That is the meaning of "of course." The *Bombay Chronicle* has gone very fully into this matter and thinks the Government should have gone much further in this legislation. I hope the House will therefore accept my amendment and not the House only, but I beg the Honourable the Commerce Member himself not to stand in the way of this House first of all pronouncing its own judgment on the various proposals; the issues involved are very important and they are going to be very far-reaching in their effect. We do not want that our efforts should be in any way fettered by the presence of representatives from the other House, Sir, I move the amendment.

Sardar V. N. Mutalik (Gujarat and Deccan Sardars and Inamdars: Landholders): Sir, I have to say one word on the Bill put forward by the Honourable the Commerce Member. The time has come when we must have insurance legislation on some solid lines, but as for the motion itself, I do not think I agree with him that there should be a Joint Select Committee of both Houses. I agree with my Honourable friend Mr. Jamnadas Mehta that this House should first of all consider the Bill by itself, and then if there is any reason to do so the Bill may go to the other House and they can pronounce their judgment on it. If there is any difference of opinion on the findings of this House and the other House, then the time may come when we may have a Joint Select Committee. In the case of such an important measure, when there is a difference of opinion, there should of course be a joint meeting. Under our present constitution this is the body which reflects the opinion of the public more than the other House (*An Honourable Member*: "Question?"), and I think it will be better if this House first of all gives its own opinion on the Bill.

I do not know whether we are justified in going into the details of the Bill at this stage, but with regard to one item, the subject was touched on by the Honourable Member himself when he said that he intends to prevent the growth of mushroom Insurance Companies. May I tell him one thing? It is very difficult to form companies which require a deposit of 2 lakhs of rupees at the beginning, and I do not think we have come at all to the end of Insurance Companies at this stage. Perhaps if anything there should be a policy of encouraging sound companies. I do not want to encourage any fraudulent or bogus companies but there should be encouragement of sound companies and Government and the Legislature should not stand in the way of their formation. This 2 lakhs deposit clause will work very hardly on the formation of new companies in the mofussil, and if new companies are formed at all they will be formed in the big cities. I do not want to go into the details of these things, but I do hope the proposal made by my Honourable friend Mr. Jamnadas Mehta, that the Bill should be referred only to a Select Committee of this House, will be carried.

Dr. K. G. Lohokare (Bombay Central Division: Non-Muhammadan Rural): I support the amendment moved by my Honourable friend from Bombay. I may as well congratulate him for being prepared to hand over powers to the Government far in excess of what the Honourable Member in charge has proposed to take. It may be that the legislation which my friend has in view will be suitable for a future time; but I think the Bill as it has been put in to-day, will, with certain little changes here and there, just serve the purpose for the present. One defect that has been observed by me, by many insurance companies and by persons who have insured themselves with insurance companies is that there is no provision for a representation of policy holders in this Act. The interests of the policy holders instead of being attempted to be hedged in by rules and regulations will be better served by one or two persons who should be representatives of the policy holders on the board of directors. It may be that it would be difficult in making such a provision to make a distinction between a foreign and an Indian company, but it is at the same time desirable that a foreign company working in India should be required to hand over the management of business here to an independent board located in this country and that policy holders should be represented on this board. I find no provision being made on these lines for the protection of policy holders in this Bill.

The next question is the question of deposits. We have seen that when the Bill was circulated, many insurance companies as well as many Indian leaders objected to the present practice of foreign Insurance Companies of utilising Indian capital for their own countries. I think the Madras Chamber of Commerce discussed that point and in this Bill, my Honourable friend has not found any way out of it. I would suggest that clauses 10 and 11 could have been very well drafted separately, for old and new items of business and the difficulty, if any, could have been met. If the drafters of the Bill had thought it difficult to take into consideration the old business carried on by foreign companies here and to fix up a deposit limit for them, we could leave out of consideration the amount of old business and leave that deposit altogether to the discretion of Government. But in the case of any new business that they may do here it ought to be binding on them to deposit a certain fixed proportion of the risk involved in order that the funds which ought to remain in India may not be carried away to foreign countries. Secondly the principle of depositing 1 or 2 lakhs does not really serve the purpose. If the purpose is to prevent the growth of mushroom companies the real principle ought to be that the deposit should be in proportion to the risk on business involved in the insurance companies. That ought to be the guiding principle. Whether the deposit is to be Rs. 20,000 or Rs. 25,000 or 1 lakh or 2 lakhs does not matter at all. It must be a certain percentage of the risk. If that principle had been introduced in this Bill I think it would have served the purpose better in preventing an insurance company from deceiving the public one way or another.

Another point that has attracted the attention of many critics is that in the formation of new companies or even in the case of old companies there are no means whereby the tables of premia could be checked by an expert. There is greater necessity for avoiding that sort of competition in insurance companies by not allowing fictitious, or I may say, unbusiness-like, tables of premia in order that these insurance companies may gain

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more business. Many companies put in such sorts of tables as are unprofitable and undue competition has been brought about in this way in many cases. To avoid such undue competition there should be some provision in the Act itself by which such mischiefs might be avoided.

One more point needs attention as well. In India after the existence of indigenous insurance business for 25 or 30 years, we have not been able to get mortality investigation reports or any such data for the guidance of future work of companies. The provisions in this Bill do not require insurance companies to furnish such returns. Large old established companies could have provided them long ago. Such provision ought to have been made for the guidance both of the insurance companies and of the insuring public too.

I make these remarks more from the point of view of life insurance business; but the remarks I have made in the case of deposits are equally applicable to other kinds of business. With these remarks, Sir, I hope that if we consider in a Committee of this House details of this Bill with all the little changes we want here and there, it would be much easier for the Bill to have a safer passage; and I therefore support my Honourable friend's amendment.

***Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): Sir, I do not propose to discuss the principles or the provisions of this Bill. The Honourable Member in charge has already pointed out that the only thing that he wants this House to recognise for the moment is that a necessity has arisen for this legislation. As far as that particular point is concerned, I think this House will agree with him. But I am more concerned with his motion that the Bill be committed to a Joint Committee. Now, Sir, without casting the slightest reflection on the other House—and I believe that it has been considerably improved of late—I wish to deal with this motion purely on principle. When is this House to determine that a particular measure should be referred to a Joint Committee? Is this Bill non-controversial? The Honourable Member cannot say that it is not a controversial Bill. The next principle that I can understand is that you may refer a Bill to a Joint Committee provided the measure is urgently required and has to be passed through both the Houses within a certain time. That plea has not been urged. We have already waited for fourteen years, and I do not think the Honourable Member desires that this Bill should be rushed through in the course of next month and that it is urgently required. The only ground which he gave in support of the motion to commit this Bill to a Joint Committee was that we might have the assistance of some Members of the other House who are men with a special knowledge of insurance companies and of this particular business. Well, Sir, I know there is one such Member, but I do not know that there is anybody else in the other House. For the sake of one man who happens to be in the other House and who may have special knowledge and experience of the insurance business, is this House really going on that score alone to commit itself to this motion? I dare say there are many people outside who possess an equal amount of experience and knowledge, if not more, and it is always open to the Select Committee of this House to have anybody who could give any assistance to the Select Committee before it. Therefore, Sir, I see no principle whatsoever in this motion

*Speech not corrected by the Honourable Member.

that this particular Bill should be committed to a Joint Committee. I ask the Honourable Member not to press this motion, but to let us proceed in the ordinary course and refer this Bill to a Select Committee of this House; and I hope he will see that there is not much reason for insisting upon this motion.

The Honourable Sir Charles Innes: Sir, my Honourable friend Mr. Jinnah has endeavoured to extricate Mr. Jamnadas Mehta from rather a false position, and I think that Mr. Jinnah has put the matter entirely upon a correct basis. I may say at once that I can quite understand that in a very important measure of this kind the Legislative Assembly should like first to have its own Committee; but I cannot understand any Honourable Member of this House getting up on an occasion of this kind and almost deliberately declaring war on the other House, declaring war on a House which has not yet even met, and deliberately saying that this House has got great suspicions of the other House and that it is a dark and reactionary body and that we should not co-operate with it in any way at all.

Mr. Jamnadas M. Mehta: It is historically true.

The Honourable Sir Charles Innes: If that was the ground on which this amendment is based, then the Government can have nothing to do with it. But if it is merely that, if the Legislative Assembly wishes first to consider the matter in its own Committee, then the Government will have no difficulty in accepting the amendment. I do hope therefore that Mr. Jamnadas Mehta will withdraw his remarks about the other House and will base his amendment for a Select Committee on the ground that the measure, as he himself put it, is a very important and controversial measure and that this House would like to consider it first in its own Committee. If Mr. Jamnadas Mehta is willing to say that, then I, on behalf of Government, am quite prepared to accept the amendment. But if Mr. Jamnadas Mehta is going to say that he is not prepared to agree to the Joint Committee because of his suspicions of the other House, then the Government will stick to their guns.

Mr. M. A. Jinnah: May I ask the Honourable Member if the Government are going to be guided in every action of theirs by what Mr. Jamnadas Mehta says in this House?

The Honourable Sir Charles Innes: I understand, Sir, that Mr. Jamnadas Mehta is speaking on behalf of the Swaraj party, which is a bigger party than the party commanded by my Honourable friend.

Before, however, I sit down, I should like to make just one or two remarks on the points raised by Mr. Jamnadas Mehta. We all know in this House that Mr. Jamnadas Mehta is what I may call a thruster, but I must confess I cannot find in his pronouncements in this House that consistency which one would expect. Mr. Jamnadas Mehta has called my Bill a halting and ineffective measure. I do not know whether the House has studied Mr. Jamnadas Mehta's own Bill and his own proposals in this matter. Mr. Jamnadas Mehta is one of those men who refers to the word 'bureaucrat' with a roll of the R's which leaves us on this side of the House doubting whether we should file a suit for defamation of character against him or run him in for criminal intimidation. But Mr. Jamnadas' view apparently is that though bureaucrats may be very unpleasant people they are very efficient, much more efficient than

[Sir Charles Innes.]

business people. For when he wants a job of work done he calls in the bureaucrat. In his Bill for instance which he calls 'halting and ineffective,' he has gone to the length of proposing to set up a Commissioner of Insurance, one of us bureaucrats

Mr. Jamnadas M. Mehta: I have had no opportunity of explaining my Bill; I did not fully refer to it.

Mr. President: The Honourable Member from Bombay has himself referred to it, and there is no reason why the Honourable the Commerce Member should not be allowed to do so in replying.

The Honourable Sir Charles Innes: Mr. Jamnadas Mehta proposes to start a system of licensing, and in order to carry out that system he proposes to set up one of our bureaucrats as a Commissioner of Insurance. That Commissioner of Insurance is to be allowed to inspect the offices of every insurance company in India once a year. If he is not satisfied with the way in which these insurance companies are run, he may make a recommendation to the Government of India that the licence may be withdrawn or that the company should be wound up. Those are the lengths to which my Honourable friend Mr. Jamnadas Mehta is prepared to go, and I am quite sure that most people in this House would much prefer that business people should be reasonably free from Government control and interference rather than that they should be tied up in a bureaucratic strait waistcoat. But, Sir, as I have said, I need not go into this matter further. Mr. Jamnadas Mehta is entitled like anybody else to his own views. They will all be discussed in this Committee. But may I say one thing about this Committee, whether it will be a Joint Committee or a Select Committee. This is, as Mr. Jinnah has said, a very controversial Bill, almost every line of it is controversial, and it is a Bill which will require most careful consideration and investigation in this Committee. I think that this Committee will have to sit at the Bill almost uninterruptedly day after day, and whether the Committee is a Joint Committee or a Select Committee, my own belief is that we shall not be able to get on with it at all during this Session—indeed all these documents which I have got have not yet been summarised or prepared for the Committee, and I am afraid whoever sits on this Joint Committee or Select Committee will have to come up to Simla in the interval between now and the next Session in order that we may have several days quiet work on this Bill. I wish to make that point quite clear so that people may bear it in mind when the members are elected to the Select Committee. Now, Sir, I wish to appeal to Mr. Jamnadas Mehta to withdraw his remarks about the other House. If he is prepared to base his

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amendment on the ground that this is a very important Bill, it is a controversial Bill and the Legislative Assembly wishes to have its own Select Committee, then on behalf of Government I am quite prepared to accept his amendment. But if he adheres to his argument, if he is not prepared to agree that this House should co-operate in any way with the other House, then Government must oppose his amendment.

Mr. Jamnadas M. Mehta: I am afraid that Sir Charles Innes was not quite listening when I made my speech.

The Honourable Sir Charles Innes: I have got your words down.

Mr. Jamnadas M. Mehta: "The Council of State" was one of the many reasons which I gave. The first reason that I gave was that this Assembly should have an unfettered opportunity of discussing this matter in its own way and passing its own unfettered and separate judgment. That was my first and foremost reason and still remains the first reason. The reason of the Council of State

Mr. President: I cannot allow the Honourable Member to repeat his reasons now. He has merely to answer the query of the Honourable the Commerce Member.

Mr. Jamnadas M. Mehta: If you do not object, Sir, I want to tell the Honourable Sir Charles Innes that I did not base my amendment simply on the ground of the Council of State. I still assure him that that is a secondary reason, the first reason being what I have stated above, and if that is sufficient for him, he need not agree with me in the second.

Mr. M. A. Jinnah: In view of what the leader of the Swaraj Party has said I hope Government will now withdraw their motion.

The Honourable Sir Charles Innes: May I suggest, Sir, in order to bring this discussion to a close, that the leader of the Swaraj Party should ask the permission of the House to withdraw his motion and that I should bring in another motion to refer the Bill to a Select Committee. If this will suit the House, I will formally ask for leave to withdraw my motion in order that the matter may be brought up again.

The Honourable Sir Alexander Muddiman (Home Member): I only wish to make one point, Sir. I should like as Leader of the House to point out that I take it that the motion which Sir Charles Innes will make on a subsequent day for referring the Bill to a Select Committee will be treated by the House as a formal and agreed motion.

Mr. Jamnadas M. Mehta: Yes. You can have it now.

The amendment of Mr. Jamnadas Mehta to refer the Bill to a Select Committee was, by leave of the Assembly, withdrawn.

The motion of the Honourable Sir Charles Innes for reference of the Bill to a Joint Committee was also, by leave of the Assembly, withdrawn.

THE INSOLVENCY (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I beg to move that the Bill to amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920, be referred to a Select Committee consisting of Mr. L. Graham, Mr. W. F. Hudson, Khan Bahadur W. M. Hussanally, Mr. Harchandrai Vishindas, Diwan Bahadur T. Rangachariar, Rao Bahadur M. C. Naidu, Mr. S. C. Ghose, Mr. H. Tonkinson and myself, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

[Sir Alexander Muddiman.]

This, Sir, is a Bill which had its foundation in certain recommendations of the Civil Justice Committee. I introduced it on the 25th August last and in doing so I explained the objects of the Bill. I obtained leave to circulate the Bill on the 1st September. The Bill has now been circulated and I think practically all the opinions have been received. I may just remind the House very shortly that one of the important clauses in the Bill extends to the Karachi Court the Presidency-towns Insolvency Act instead of the Provincial Insolvency Act. On this naturally the sources mainly to be consulted would be the Bombay authorities. They are unanimously in favour of the proposal.

The second proposal dealt with the amendment of section 104 of the Presidency-towns Insolvency Act. That mainly concerns those provinces and courts where that Act is in force. I think I am entitled to say that a large majority of the opinions supports the recommendations of the Civil Justice Committee. There are criticisms however of various kinds put forward in certain quarters which will need the attention of the Select Committee, should the House be good enough to accept my motion.

The third main point of the Bill is the amendment of section 70 of the Provincial Insolvency Act. There, again, I am entitled to say that the bulk of the opinions received are in favour of the Bill. There are certain criticisms in regard to it which have to be and must be considered in detail by the Select Committee. Relying, therefore, on the very general support that this Bill has received and on the fact that it originates from a body of the authority of the Civil Justice Committee, I have no doubt whatever that the House will agree to my motion.

Mr. K. Ahmed: May I ask if the Honourable the Mover has got the consent of Khan Bahadur W. M. Hussanally and Diwan Bahadur T. Rangachariar?

Mr. President: It is to be presumed that the Honourable Member has got their consent.

Mr. K. Ahmed: Those gentlemen are absent and that is the reason why I put the question.

Mr. President: Order, order. The question that I have to put is that that motion be adopted.

The motion was adopted.

THE LEGAL PRACTITIONERS (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): I beg to move that the Bill further to amend the Legal Practitioners Act, 1879, be referred to a Select Committee consisting of Mr. L. Graham, Maulvi Muhammad Yakub, Diwan Bahadur T. Rangachariar, Rai Sahib M. Harbilas Sarda, Rai Bahadur Raj Narain, Mr. K. C. Neogy, Mr. C. Duraiswami Aivanger, Mr. H. Tonkinson and myself, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

This, again, is one of those Bills which originated in the recommendations of the Civil Justice Committee. I obtained leave of the House to circulate the Bill on the 1st September 1925. As I said when I was dealing with the Bill before in this House, it contains the recommendations of the Civil Justice Committee which are intended to deal with the evil of touting. When I brought the Bill before the House I did not express any very strong opinion that it would be effective. I guarded myself distinctly on that point as I had always felt that it was an extremely difficult subject to tackle. I am glad, however, to find that the Bill has received a very remarkable amount of support from the persons consulted. It would be correct, on considering the opinions, to say that almost all are in support of the general principle of the Bill though they are inclined to doubt how far it will be effective without the active co-operation of the legal profession. That is a co-operation which, we must hope, will be extended in large measure. I would quote in support of the principle of the Bill from a paper which is not often quoted on this side of the House, though I am always willing to get support whenever I can and from whatever source. It was quoted just now by my Honourable friend from Bombay opposite who referred to it as the best paper in India, so he at any rate will admit its authority. It was the *Bombay Chronicle*. The *Bombay Chronicle* writing on this Bill says as follows:

"The introduction in the Legislative Assembly of the Bill to amend the Legal Practitioners Act is a welcome though a belated" (*naturally it would say 'belated'*) "step to check the ever growing evil . . ."

The paper then goes on to bless the member, but I need not tire the House with a further quotation. As I have support from Local Governments, support from all directions and also support from the *Bombay Chronicle*, this House will have no difficulty whatever in agreeing to refer the Bill to a Select Committee. Sir, I move.

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): This is a small Bill, which got to the final stage last Session. From the Bill as originally introduced the House struck out the most important clauses. The remainder of the Bill was of very little importance or urgency. If I had then made my motion for passing, it would have been ineffective in that Session unless I had obtained special leave in the other House to suspend their rules. I did not regard the Bill as sufficiently urgent to justify me in taking that step. I therefore refrained from making a motion which obviously could not be effective in bringing the Bill into law. I now move that the Bill further to amend the Code of Criminal Procedure, 1898, be passed.

Mr. H. Tonkinson (Home Department: Nominated Official): Sir, the Bill as amended up to the present contains no clause 2. I therefore desire as a merely formal amendment to move that clauses 3 to 7 be renumbered consecutively as clauses 2 to 6.

The motion was adopted.

Mr. President: The question is :

“ That the Bill further to amend the Code of Criminal Procedure, 1898, be passed.”

The motion was adopted.

THE INDIAN BAR COUNCILS BILL.

The Honourable Sir Alexander Muddiman (Home Member): The Bill which I now introduce was published in the Gazette of India of the 2nd January under Rule 18 of the Indian Legislative Rules which has the effect of the acceptance of a motion for leave to introduce. It is not therefore either necessary or possible to make a motion thereon. I content myself with saying that I introduce the Bill.

THE MADRAS CIVIL COURTS (AMENDMENT) BILL.

Mr. H. Tonkinson (Home Department: Nominated Official): I move for leave to introduce a Bill further to amend the Madras Civil Courts Act, 1878.

The objects of this Bill are explained in the Statement of Objects and Reasons.

Briefly I may say it seeks to give effect to a very minor proposal of the Civil Justice Committee. The effect of the law in the Indian Succession Act at present is to leave probate and administration matters entirely to the district court. The Bill proposes to enable the High Court to authorise Subordinate Judges or District Munsiffs to take cognisance of such proceedings; and it further proposes to enable the High Court to authorise a District Judge to transfer such proceedings to any of his subordinate Judges. Similar provisions are now contained in the Bengal, Agra and Assam, the Bombay, the Central Provinces and the Punjab local Courts Acts. We propose by this Bill to make a similar provision in the Madras Civil Courts Act. The Madras Government and the Madras High Court support the proposal which must be given effect to by central legislation because it confers powers upon the High Court. Sir, I move.

The motion was adopted.

Mr. H. Tonkinson: Sir, I introduce the Bill.

THE GUARDIANS AND WARDS (AMENDMENT) BILL.

Mr. H. Tonkinson (Home Department: Nominated Official): Sir, I move for leave to introduce a Bill further to amend the Guardians and Wards Act, 1890.

This Bill, Sir, deals again with a minor proposal of the Civil Justice Committee. It is also on very similar lines to the Bill which the House has just given me leave to introduce. It deals with the powers of the

district court under the Guardians and Wards Act. Under that Act the powers are given to the district court, but under certain local Courts Acts, these powers may be conferred by the High Court upon Subordinate Judges and so on. Such provisions are contained in the Punjab, in the Oudh and in the Central Provinces local Courts Acts. We propose in this Bill to make general provisions in the Guardians and Wards Act. itself. That Act I might say is an Act which is included in the Schedule to the Local Legislatures (Previous Sanction) Rules, and so cannot be amended by a local Legislature without obtaining the previous sanction of the Governor General. So far also as the Bill will confer power upon High Courts of Judicature established by Letters Patent it will require central legislation. Sir, I move.

The motion was adopted.

Mr. Tonkinson: Sir, I introduce the Bill.

THE SMALL CAUSE COURTS (ATTACHMENT OF IMMOVEABLE PROPERTY) BILL.

Mr. H. Tonkinson (Home Department: Nominated Official): Sir, I move for leave to introduce a Bill to resolve certain doubts as to the powers, in regard to the attachment of immoveable property, of Provincial Small Cause Courts.

In regard to this Bill I think, Sir, it will be impossible for me within the limits of a short statement to indicate the grounds upon which it is held that a doubt exists as to whether the Provincial Small Cause Courts have the power to attach immoveable property before judgment or not. That question was considered in very great detail by a full bench of the Calcutta High Court. The arguments of the Court occupied 13 foolscap pages in print and I am afraid therefore that, as I have said, I shall be unable to explain the grounds upon which it is held that this doubt does exist. We consulted Local Governments and High Courts upon the question as to whether action should be taken. All Local Governments and High Courts have unanimously agreed that it is necessary to have clarifying legislation so as to make the law clear upon this point. There was some difference of opinion as to whether that clarifying legislation should take the form of giving these Small Cause Courts this power or not. We have decided that the weight of authority is in favour of not giving the power, that is to say, we have decided that we should follow the law which was certainly in force from 1859 to 1908, with the possible exception of a very short period between 1877 and 1879. So far as we can ascertain also there was no intention whatsoever by the Select Committee in 1908 of making any change in this respect. Sir, I move.

The motion was adopted.

Mr. H. Tonkinson: Sir, I introduce the Bill.

THE INDIAN LUNACY (AMENDMENT) BILL.

Mr. H. Tonkinson (Home Department: Nominated Official): Sir, I move for leave to introduce a Bill further to amend the Indian Lunacy Act, 1912.

[Mr. H. Tonkinson.]

I do not think, Sir, it is necessary for me to do much more than to refer Honourable Members to the grounds upon which this Bill is proposed as given in the Statement of Objects and Reasons. I would add, however, that the suggestion that we should amend the law in this sense was made by one of the most experienced alienists in India. The suggestion has met with unanimous acceptance from all Local Governments, that is to say, from all the Ministers responsible for administering this subject throughout India. The suggestion, further, I may add, is based upon section 48 of the English Lunacy Act of 1890. Sir, I move.

The motion was adopted.

Mr. H. Tonkinson: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Monday, the 25th January, 1926.
