

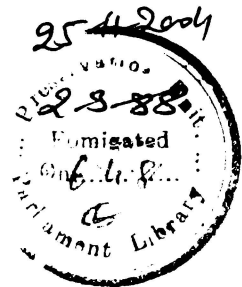
THE
COUNCIL OF STATE DEBATES

VOLUME I , 1929

(12th February to 12th April 1929.)

SIXTH SESSION

OF THE
SECOND COUNCIL OF STATE, 1929



SIMLA
GOVERNMENT OF INDIA PRESS
1929

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COUNCIL OF STATE.

Saturday, 23rd March, 1929.

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

MEMBER SWORN.

The Honourable Mr. John Ackroyd Woodhead (Commerce Secretary).

QUESTIONS AND ANSWERS.

TRANSFER OF BABU DAVINDRA KISHORE FROM THE ESTABLISHMENT SECTION TO THE ACCOUNTS SECTION OF THE PUBLIC WORKS DEPARTMENT, DELHI.

182. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Will Government be pleased to state what action has been taken on the representation of Babu Davindra Kishore in connection with his transfer from the Establishment Section to the Accounts Section of the Public Works Department, Delhi, and what enquiries have been made on the points raised by him in his representation ?

THE HONOURABLE MR. A. C. MCWATTERS : This is a matter of purely internal interest concerning the office of the Chief Engineer, Delhi, and Government are not, therefore, prepared to furnish the information asked for by the Honourable Member.

REDUCTION OF BASANT SINGH, A COMPOSITOR IN THE GOVERNMENT OF INDIA PRESS, DELHI.

183. THE HONOURABLE MR. G. S. KHAPARDE : (a) Is it a fact that Basant Singh, a compositor in the Government Press, Delhi, was reduced for six months in 1925 ?

(b) Did he apply on 10th July 1928 to be restored ?

(c) Was he restored ?

(d) If not, why ?

THE HONOURABLE MR. A. C. MCWATTERS : (a) Basant Singh was reduced on the 13th November 1924 for bad work and was not to be restored to his former class until a favourable report was received.

(b) Yes, on the 3rd July 1928.

(c) The answer is in the negative.

(d) As no favourable report was received on his work.

EXHAUST ARRANGEMENTS IN THE MONOTYPE SECTION OF THE GOVERNMENT OF INDIA PRESS, DELHI.

184. THE HONOURABLE MR. G. S. KHAPARDE: (a) What are the exhaust arrangements in the Monotype Section of the Delhi Press ?

- (b) Are the fumes able to find an exit ?
- (c) Is the health of the employees suffering ?
- (d) Did one Sodagar Ram become faint from the fumes ?
- (e) Have cowls been fixed ?
- (f) If so, has the trouble been stopped ?

THE HONOURABLE MR. A. C. McWATTERS: (a), (b) and (e). Cowls have been fitted over each of the Monotype casters, the fumes from which find exit through pipes which extend up to the roof of the building. The Inspector of Factories, Delhi, has passed the arrangements as satisfactory.

- (c) and (d). The answer is in the negative.
- (f) Does not arise.

SELECTION OF SECTION-HOLDERS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

185. THE HONOURABLE MR. G. S. KHAPARDE: (a) Is it a fact that in Resolution No. 31-A., 1920, it is laid down that section-holders will be selected from assistant section-holders ?

- (b) If so, is this practice being followed in the Government Press, Delhi ?

THE HONOURABLE MR. A. C. McWATTERS: (a) The answer is in the negative.

- (b) Does not arise.

FILLING OF VACANT POSTS OF SECTION-HOLDERS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

186. THE HONOURABLE MR. G. S. KHAPARDE: (a) Is it the practice to fill the post of section-holder when vacant by the senior compositor and the assistant section-holder alternately ? (b) Will Government be pleased to state whether the vacancies which occurred on 28th March, 15th April, 15th November and 10th December were all filled by piece-workers ?

- (c) If so, why ?

THE HONOURABLE MR. A. C. McWATTERS: (a) Vacancies of section-holders in the Government of India Presses are filled alternately by senior compositors and assistant section-holders provided they are duly qualified.

(b) I presume the Honourable Member refers to the Government of India Press, Delhi. Only two permanent vacancies occurred in that Press during 1928, one on the 30th May and the other on the 18th August 1928. One was filled by a senior compositor and the other by a senior monotype operator.

- (c) Does not arise.

BEEF FOR BRITISH TROOPS IN INDIA.

187. THE HONOURABLE SETH GOVIND DAS: Will Government be pleased to state :

- (a) What were the estimated requirements of beef during the year 1926-27 for British troops in India ?
- (b) How many tons of beef were actually consumed in each of the years 1926-27 and 1927-28 ?
- (c) What is the price of the ordinary quality of beef and of the best quality of mutton in India ?
- (d) What will be the estimated extra cost if mutton is used in place of bee for British troops in India ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) The Honourable Member is referred to the reply given on the 7th March 1927 to part (c) of question No. 149.

(b) About 8,510 tons in 1926 and 8,340 tons in 1927 and in 1928.

(c) The price of beef is just under 2 annas a pound and that of mutton—approximately $4\frac{1}{2}$ annas a pound.

(d) From Rs. 27 to 30 lakhs a year.

EXPORTS OF BEEF.

188. THE HONOURABLE SETH GOVIND DAS: Will Government be pleased to state how much beef was exported from India each year during the last 10 years ?

THE HONOURABLE MR. J. A. WOODHEAD: A statement giving the information in the possession of Government is laid on the table.

Statement showing the quantity of beef exported from India during the 10 years ending 1928-29.

1919-20.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.	Remarks.
Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	
Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	
599	12	Nil	411	469	2,222	510	370	205	947*	*Exports from :— (1) Burma from April 1928 to end of February 1929—cwt. 688. (2) Bombay from April 1928 to 9th March 1929—cwt. 254 947

NOTE.—There was no beef exported from the Madras Presidency during the period in question. Figures for the Bengal Presidency from 1924-25 to date are not available.

EXPORTS OF OXEN, COWS, BULLOCKS AND CALVES.

189. THE HONOURABLE SETH GOVIND DAS: Will Government be pleased to state the number of (1) oxen, (2) cows, (3) bullocks, (4) calves exported from India each year during the last 10 years ?

THE HONOURABLE MR. J. A. WOODHEAD: The only information which Government possess is contained in the Annual Statements of the Sea-Borne Trade of British India, copies of which are in the Library.

SLAUGHTER OF COWS AND BULLOCKS FOR THE TRADE IN SKINS AND HIDES.

190. THE HONOURABLE SETH GOVIND DAS: Will Government be pleased to state how many cows and bullocks were slaughtered each year in this country for the trade in skins and hides during the last 10 years ?

TOTAL NUMBER OF COWS AND BULLOCKS SLAUGHTERED IN EACH YEAR DURING THE LAST 10 YEARS.

191. THE HONOURABLE SETH GOVIND DAS: Will Government be pleased to state the total number of cows and bullocks slaughtered in this country each year during the last 10 years ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH: With your permission, Sir, I will answer questions Nos. 190 and 191 together. The information is not available.

TOTAL NUMBER OF INDIAN STUDENTS STUDYING ABROAD IN 1928.

192. THE HONOURABLE SIR EBRAHIM HAROON JAFFER: Will Government be pleased to state :

- (a) the total number of Indian students studying abroad in 1928, and
- (b) the number of Indian students in (i) Great Britain, (ii) France and (iii) Germany, during the same year ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH: The attention of the Honourable Member is invited to paragraph 2 of a letter from the Secretary to the High Commissioner for India, London, dated the 10th January 1929, which is prefixed to the Report on the work of the Education Department, London, for the year 1927-28. Copies of this Report have been placed in the Library of the House. No information is available regarding the number of Indian students in France and Germany.

SUPERVISION OF THE PROGRESS OF INDIAN STUDENTS STUDYING ABROAD.

193. THE HONOURABLE SIR EBRAHIM HAROON JAFFER: Will Government be pleased to state if there is any central authority to supervise the progress of Indian students studying in non-residential universities and other technical institutions in Great Britain and on the Continent ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH: There is an Education Department in the office of the High Commissioner for India in London to look after the welfare of Indian students in Great Britain and, so far as possible, on the Continent. This Department does not, however, supervise the progress of Indian students other than Government scholars and such other students as may be entrusted to its care by parents and guardians in India or by trustees who award scholarships in Europe.

PROGRESS REPORTS OF INDIAN STUDENTS STUDYING IN ENGLAND AND OTHER EUROPEAN COUNTRIES.

194. THE HONOURABLE SIR EBRAHIM HAROON JAFFER : Will Government be pleased to state if there is any Central Office in England or on the Continent where progress reports of Indian students (other than Government scholars) in Great Britain and European countries are received and communicated to their guardians in India ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH : The progress reports of Indian students studying in England and other European countries, who are placed under the control of the Education Department of the High Commissioner's Office, are received by that office and are forwarded to the parents, guardians, or trustees concerned.

CONTROL EXERCISED OVER INDIAN STUDENTS IN GREAT BRITAIN BY THE HIGH COMMISSIONER FOR INDIA IN LONDON.

195. THE HONOURABLE SIR EBRAHIM HAROON JAFFER : Will Government be pleased to state if the High Commissioner for India in London is authorised to exercise any control over Indian students in Great Britain (other than Government scholars) ? If he is so authorised, in how many instances has such control been actually exercised ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH : The High Commissioner for India in London is not authorised to exercise control over Indian students studying in Great Britain other than Government scholars and such students as are entrusted to his care by parents, guardians or trustees in India. Last year the number of Government scholars under his control was 275, while the number of other scholars under his control was 38.

ELECTIONS TO THE PANEL FOR THE STANDING COMMITTEE ON EMIGRATION.

THE HONOURABLE THE PRESIDENT : Eight nominations have been received for the panel of the Committee on Emigration in the Department of Education, Health and Lands. I therefore have pleasure in declaring the following eight Members to be duly elected :

The Honourable Mr. G. A. Natesan,
 The Honourable Sardar Charanjit Singh,
 The Honourable Colonel Nawab Sir Umar Hayat Khan,
 The Honourable Rai Bahadur Lala Ram Saran Das,
 The Honourable Sir Phiroze Sethna,
 The Honourable Sir Ebrahim Haroon Jaffer,
 The Honourable Mr. Mahmood Suhrawardy, and
 The Honourable Sir Manmohandas Ramji.

WORKMEN'S COMPENSATION (AMENDMENT) BILL.

THE HONOURABLE MR. A. C. MCWATTERS (Industries and Labour Secretary): Sir, I beg to move that the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, as passed by the Legislative Assembly, be taken into consideration.

Sir, this Bill represents what I may call a first instalment of reform. The Workmen's Compensation Act came into force only on the 1st July, 1924, and this Bill is confined to removing certain defects which have been brought to our notice in the operation of the Bill, mainly by the Commissioners for Workmen's Compensation. Some of the suggestions also were received from our Standing Advisory Committee in the Department. The Bill is therefore confined to questions more or less of detail and does not attempt in any way to deal with the principles which underlie the main Act. We have under consideration a more general reform of the whole Act and we have already addressed Local Governments in connection with this.

The details of this Bill were very fully set out in the original Statement of Objects and Reasons and also in the report of the Select Committee in the other House, and I think it will therefore be sufficient if I draw the attention of this House to the more important matters which are contained in the Bill. First of all I would draw the attention of the House to the question of extending the advantages of the Act to workmen working under railway contractors. This originally occupied the position of the second clause in the Bill but the Select Committee in the other House for good reasons decided that it would be better to deal with the matter in another way and therefore they have omitted clause 2 of the original Bill and have transferred the workmen working under railway contractors to Schedule II of the Act, which gives a definition of the workmen to whom the Act generally applies. The result of this is that the clauses in the Bill now before the House have had to be renumbered and the original clause 2 has disappeared. I may also add that this suggestion, which is probably the most important of the matters dealt with in the Bill, was one which was made to us by our own Standing Advisory Committee.

The next most important alteration is the removal of the restriction in connection with building trades and bridge construction. As the Act now stands, workmen engaged in building and bridge construction get the benefits of the Act only in the case of death or total permanent disablement. We considered it only reasonable that the full benefits of the Act should apply to such workmen even in the case of minor injuries. Originally this restriction was imposed, I imagine, because it was felt to be uncertain what amount of liability would fall upon the employers if this additional benefit were given, but I think the experience of the last four years has satisfied us that this liability will not be excessive, especially in view of the restrictions in Schedule II of the Bill which defines the class of construction to which the Act applies.

The third point to which I draw attention is the present clause 3 of the Bill. In our original clause we had proposed to devise a new method of determining the wages of workmen who were employed for only a short period before the accident, but the opinions received made it fairly clear that the new method of calculation might work out detrimentally in some cases to the workmen and in some cases to the employer, and the Committee of the other House, quite rightly I think, decided that the matter required to be reconsidered. Therefore, we have not that proposal in the Bill as it now comes before this House. Clause 3 as it stands merely states that the method of calculating wages in section 5 of the original Act shall apply to one or two other cases

where wages are mentioned in the original Act mainly in connection with the limit of Rs. 300 a month, above which the Act does not apply.

Clause 4 of the Bill, which is the longest clause, is an attempt to put into proper shape section 8 of the original Act which was badly drafted and somewhat confused. The Select Committee in the other House have made an important alteration in this clause inasmuch as they have extended the benefits of section 8 to women. Originally it applied only to minors and persons under legal disability, but they have extended the whole of these provisions to women. Section 8 deals with cases where compensation has to be deposited with the Commissioner and not paid direct by the employer. The Select Committee in the other House also have been careful to retain the provisions which make it clear that payments by the employer for funeral expenses or for advances to workmen up to a reasonable sum may be deducted by him before depositing the amount of the compensation with the Commissioner.

The other matters in the Bill are relatively of minor importance. Clause 5 extends to Commissioners the powers of civil courts in cases of perjury. Clause 6 deals with the question of the registration of agreements in certain particular cases. An important point here is that the Select Committee in the other House have extended the benefits of this clause to women which is a corollary of the action they have taken in connection with clause 4. The principal remaining clause of the Bill, clause 7, deals with Schedule II. In this we now find mention of workmen working under railway contractors and workmen dealing with overhead electric cables, which was omitted in the original Act, and we have also brought together the various notifications which have been issued from time to time extending the scope of the Act so that they will now form part of the Schedule.

I think, Sir, these few words are sufficient to explain the general purport of this Bill, which I now move for consideration.

THE HONOURABLE THE PRESIDENT : The question is :

"That the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, as passed by the Legislative Assembly, be taken into consideration."

The motion was adopted.

Clauses 2, 3, 4 and 5 were added to the Bill.

Clauses 6, 7 and 8 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. A. C. McWATTERS : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

ALLEGED DELAY IN THE DISPOSAL OF GOVERNMENT BUSINESS IN THE LEGISLATIVE ASSEMBLY.

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH (Leader of the House) : Sir, as there is no official business before the House and there is great uncertainty as to when any Bills which are passed in another place are likely to be laid before this House, I suggest that the date of our next sitting be left open. If you accept this suggestion, Honourable Members will be informed by circular of the date on which the Council will next meet.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce): Sir, might I ask the Leader of the House, with the date of the next meeting of this Honourable Council left open, whether there is any effort being made to expedite business in the other House? Is there a meeting of the other House to-day, Sir? It seems to me that the Members of this Honourable House are being kept here unduly. Fortunately or unfortunately, I have not been able to attend all the meetings this time because I have been busily employed elsewhere, but I am now in Delhi for the purpose of attending such meetings as there may be. I think it is due to the Members of this House that Government should make some sort of suggestion as to when we are likely to receive any Government business here. Are we to be kept here indefinitely with nothing to do, under the not too pleasant conditions in Delhi at this time of the year, to wait on the other House, or will further business be transferred to the Simla Session?

***THE HONOURABLE SETH GOVIND DAS** (Central Provinces : General): Sir, particularly when there are Hindu festivals, we ought to know for how long we will not be sitting, because many Members would like to go to their own places. I want to know from the Honourable Member whether this House is going to sit after *Holi* or even before that.

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH: Sir, as I have already stated, I have no information as to how the trend of business in another place will take its course. The only information that I have at this moment is that the Finance Bill, which we were anxious to lay on the table to-day, has not been completed. They will resume discussion, I think, on Wednesday next, and whether it will be passed in the course of that day or whether it will be adjourned to the following day and passed on that day, it is beyond me to conjecture. Of course it may be taken for granted that we will not meet here until the Finance Bill is passed by the other House. That, I suppose, will be a sufficient indication to my Honourable friend to adjust his movements during the *Holi* festival.

Now, Sir, referring to the question which has been raised by the Honourable Sir Arthur Froom, I can only plead, Sir, that as Leader of this House, I have no control over the proceedings of the other House, nor, in justice to my Honourable colleague, Mr. Crerar, can I say that he could exercise his control over that House so effectively as to terminate the proceedings on a particular day and at a particular hour. The Honourable Member is aware that the Government is in a minority in the other House and therefore the proceedings in that House must take a course which the non-official Members of that House wish to give to it. I quite sympathise with those Honourable Members who have spoken and others as well. It is rather inconvenient that they should be held up without any definite information, but it is entirely owing to circumstances beyond the control of Government. If we could have done anything to accelerate business and to finish our Session here as early as was anticipated, everyone of us would have been glad to leave Delhi and get to our own respective places to do our allotted duties. I am therefore sorry, Sir, that I had to make this statement, but I find there is no business of which I could give any definite notice to this House that it could be taken up on a particular day.

THE HONOURABLE SIR GEORGE GODFREY (Bengal Chamber of Commerce): May I ask the Honourable Member, the Leader of the House, Sir, if he could explain for the general information of the

* Speech not corrected by the Honourable Member.

Members of this House, why the other House is not sitting to-day? It seems to me that there is a distinct waste of time going on. I freely admit that the Honourable the Leader of the House has no control over it whatever, but for our information, and I think we are entitled to some information, may I know why should not the other House be sitting to-day, Saturday, which is not a gazetted holiday. I am informed that Monday and Tuesday, being gazetted holidays, they will not sit on those days. Therefore, it seems to me that legislators have come up here and are wasting much public time and money by taking the fullest advantage of all holidays and doing little work.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I must confess that I am not at all satisfied with the explanation which has been given by the Leader of the House. I consider the way in which the time of this House has been wasted is absolutely scandalous, and I think Government are partly responsible for the management of the business in the other House. They know very well that that House is bent on dilatory action and to oppose Government in every matter and to waste public time. Under such circumstances, I think it is only due to this House that the Government should ask the Members of the Assembly to meet at least a month before we are called upon to come here and attend the Council of State meetings. If a procedure like this was adopted, if they wanted to waste their time, they would be happy to do so, but they would certainly not waste the valuable time of the Members of this House. Now, I had to leave the other day on account of important business in my own part of the country. I had to give up my business there and come here again to attend to the Finance Bill and two other important Bills, and I find that none of those Bills are ready to come up for discussion before this House. As regards the other two Bills which are pending in that House, I think Government are also partly responsible for the delay, and responsible in this way, that they ought to have certainly brought those measures for discussion in the Assembly long before the financial grants in that House were discussed. I cannot therefore altogether exonerate the Government management in this matter; and I hope in future they will look more also to the convenience of this House and arrange business in the other House in a way which will ensure to this House at least some measure of respect which is due to it.

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH : I merely wish to say, Sir, a word or two in reply to my Honourable friend Sir George Godfrey. He asked me why the other House was not sitting to-day when we considered it necessary to hold a meeting. Ordinarily, as the Honourable Member and the House is aware, neither this House nor the other House meets on Saturdays, and what we regard as a necessary relaxation for ourselves, by allowing two or three run of holidays every week, we should certainly not grudge the other House. This is rather an exceptional occasion on which we have met on a Saturday. We met to-day deliberately hoping that by now the Finance Bill would have been finished in the other House and that we could lay that Bill on the table of this House to-day; but our expectations have not borne fruit, because the Finance Bill has not yet passed the final stage in the other House. I quite appreciate the vehemence with which my Honourable friend, Sir Maneckji Dadabhoy, has attacked the Government, the unfortunate Government, which is never safe from vehement attacks. But his suggestion, that we must have met here about a month later than the other House or that the other House should have been summoned a month earlier than we were summoned, could not conveniently fit in with the programme of legislative

[Khan Bahadur Sir Muhammad Habibullah.]

business. In the first place, it has got to be remembered that the Finance Bill cannot be introduced into the other House on or before a particular date.

THE HONOURABLE SIR MANECKJI DADABHOY : I was speaking of the other two Bills.

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH : As regards the question why the two other Bills were not introduced earlier, I should certainly leave the adjustment of Government business in the other House to the Leader of the House, just as I reserve to myself the discretion to arrange the programme of business which comes up before this House, and I think the Leader of the other House must have had very good reasons why he did not introduce the other two Bills before the voting on Demands for Grants.

Let me repeat that I do feel that Honourable Members in this House have been greatly inconvenienced, but let me also assure them that if there was anything which Government could have done either to remove or at any rate to mitigate that inconvenience, we should have been glad to do so. It is obvious that our work here depends entirely upon the progress of work in the other House. Honourable Members have been watching, either by reading newspapers or by personally attending the discussions in another place, the rate of progress that is being made there, and I do not think that they can charge the Government with responsibility for the alleged dilatory manner in which work there is going on. We shall make every effort as soon as work in the other House is finished to get through it in this House and terminate our proceedings as early as circumstances may permit. More than that I cannot say.

THE HONOURABLE SIR ARTHUR FROMM : Sir, is the Government of India satisfied with the present position and procedure in the Central Legislature ? If not, have they in contemplation the making of some recommendations before the Commission which, I believe, is now in Delhi ?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH : I am sorry I cannot answer that question on the floor of the House.

THE HONOURABLE THE PRESIDENT : I can only characterise the situation revealed by the statement made by the Honourable the Leader of the House as extremely unsatisfactory from the point of the Council. My sympathies are with Honourable Members in the matter but I seem to have no option but to accept the suggestion made by the Honourable the Leader.

The Council will now adjourn. The date of the next meeting will be notified to Honourable Members by circular.

The Council then adjourned to a date to be notified to Honourable Members by circular.