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OF THE

THIRD LEGISLATIVE ASSEMBLY, 1927



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LEGISLATIVE ASSEMBLY.

Friday, 18th February, 1927.

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

QUESTIONS AND ANSWERS.

ABUSE OF OPIUM.

469. ***Mr. C. Duraiswamy Aiyangar:** (a) Will Government be pleased to state the acreage of cultivation of opium during the years 1924-25-26?

(b) Have the Calcutta auctions for export of opium been discontinued totally and if so, from what date?

(c) Is it a fact that in several parts of India opium is administered to children and babies by their mothers when the latter have to work in factories or fields? If so, have Government taken any steps to put an end to that practice by legislation or otherwise?

(d) Will Government be pleased to state the number of shops licensed to sell opium during the years 1920-26?

(e) Is it true that in some parts of this country ceremonial occasions—social and religious—demand the use of opium? If so, which are those parts, which are the communities and what are the purposes?

(f) Does the practice of smoking opium prevail in India? Have Government taken any steps to put an end to it by legislation?

(g) Do Government intend to introduce any legislative measure in the Central Legislature to control the abuse of opium so as to make it applicable to the whole of British India?

The Honourable Sir Basil Blackett: (a) The area cultivated in British India during the 3 years 1923-24 to 1925-26 was in round figures acres 133,000, 114,000 and 73,000.

(b) Yes; with effect from the 7th April, 1926.

(c) Yes. The Government recently consulted all Local Governments in regard to the measures to be taken to suppress this practice. There was a general consensus of opinion that it could not be dealt with by legislation, but only by health and welfare propaganda and similar educative measures. A Committee appointed by the Bombay Corporation came to the same conclusion.

(d) The number of shops was as follows:

1920-21	. . . . .	6,288
1921-22	. . . . .	6,185
1922-23	. . . . .	6,047
1923-24	. . . . .	6,080
1924-25	. . . . .	5,951

The Government have not yet received figures for the year 1925-26.

(e) The Honourable Member is referred to the Report of the Royal Commission on Opium (particularly paragraphs 60 and 109) and the minutes of evidence appended to it. The Government have no detailed recent information on the subject, but from the evidence appended to the Rev. W. Paton's pamphlet "Opium in India", published in 1924, and from a statement made by Mr. (now Sir Lallubhai) Samaldas speaking in the Council of State on March 4th, 1925, it appears that in Gujarat and Kathiawar, and among Rajputs and allied races opium is still used on important social and ceremonial occasions.

(f) Yes; to some small extent—principally in Burma and Assam and wherever Chinese are numerous. Smoking in company has been prohibited by Legislation in the Punjab, Delhi, the North-West Frontier Province and the United Provinces. It is proposed to prohibit it in Baluchistan and in Bihar and Orissa and Bengal. In the two Provinces last mentioned the introduction of registration and rationing is also under contemplation. Such a system is already in force in Burma. The Government of Assam now propose to introduce a Bill prohibiting opium smoking altogether. Registration is already in force in that Province. The Government of Madras also propose to undertake legislation prohibiting opium smoking altogether; and the Government of Bombay propose to prohibit absolutely the possession of *chandu*. The Government of the Central Provinces introduced a Bill to prohibit opium smoking in company but it was thrown out by the Swarajists in the local Legislative Council in 1924.

(g) No. The control of the opium traffic in the Provinces is the concern of the Local Governments.

CONTRIBUTIONS OF INDIA, GREAT BRITAIN, AUSTRALIA, CANADA AND SOUTH AFRICA TO THE LEAGUE OF NATIONS.

470. **Mr. C. Duraiswamy Aiyangar:** (a) What is the contribution of India to the League of Nations?

(b) On what basis was the contribution fixed?

(c) What is the contribution made by Great Britain, Australia, Canada and South Africa?

(d) Has any part of British Empire except India been sending as delegates persons not belonging to the particular State?

Mr. L. Graham: (a) For 1927 the contribution is fixed at 1,352,405.03 Gold Francs.

(b) On the basis explained in the Report of the Fourth Committee to the Sixth Assembly which the Honourable Member will find in Appendix II, Annexure XIII, to the Final Report of the Delegates of India to that Assembly.

(c) Great Britain 2,555,759.48 Gold Francs; Australia 652,052.42 Gold Francs; Canada 845,253.18 Gold Francs; South Africa 362,251.84 Gold Francs.

(d) It is assumed that by the expression "not belonging to the particular State" the Honourable Member means "not domiciled in the particular State". The answer to this part is that from the list of the delegates set out in Appendix I to the Final Report of the year 1926 it is not possible to say whether all the delegates of any particular member

of the British Empire were domiciled in the State of which they were delegates. On this point Government have no other source of information.

Mr. Chaman Lall: Is it not a fact that among the delegates who were sent some were not Indians? Is not that what is meant in part (d)?

Mr. L. Graham: It is not my understanding of part (d).

Mr. Chaman Lall: Is it not a fact that some of the delegates were not Indians?

Mr. L. Graham: Certainly, but the question related to other parts of the Empire.

Mr. Chaman Lall: Will the Honourable Member say what justification there is for India being made to pay so much whereas the other Dominions do not contribute so much?

Mr. L. Graham: I do not quite see how that arises out of the question.

Mr. President: The question arises from the answers just given by the Honourable Member.

Mr. L. Graham: The justification will be found in the Report to which I have referred the Honourable Member. The Report is one of considerable length and I should not like to try to summarise it in reply to a supplementary question.

NUMBER OF INDIANS EMPLOYED IN THE SECRETARIAT OF THE LEAGUE OF NATIONS AND THE INTERNATIONAL LABOUR OFFICE.

471. ***Mr. C. Duraiswamy Aiyangar:** (a) How many Indians are now employed in the League Secretariat and the International Labour office?

(b) What are the posts so held and what are the salaries, passage-pay and allowances of those employees?

(c) Is it a fact that some posts are exclusively reserved for persons of English and French-speaking countries?

Mr. L. Graham: (a) Two in the League Secretariat and two in the International Labour Office: the incumbent of one post in the latter is temporary.

(b) (1) A Member of Section B in the Economic and Financial Section of the Secretariat on a salary of 15,300 Francs.

(2) A post in the Legal Adviser's Section of the Secretariat. The salary is not known.

(3) A Member of Section B of the Execution of Conventions Group in the Labour Office on an annual salary of 19,900 Francs.

(4) A temporary post in the Labour Office for a special enquiry into Asiatic Labour. The salary is not known.

The Government of India have no information regarding the passage allowances, if any, granted to the above officials.

(c) The Government of India are not aware of this but they will make enquiries and will communicate the result to the Honourable Member.

Mr. R. K. Shanmukham Chetty: Is it not a fact that the Delegation that represented India on the League of Nations brought to the notice of the League of Assembly the necessity of giving more appointments to Indians on the League Secretariat?

Mr. L. Graham: Yes.

Mr. R. K. Shanmukham Chetty: And have the Government of India taken any steps to induce the League Secretariat to give effect to that representation of the Indian Delegation?

Mr. L. Graham: The Government of India took steps through their delegates.

Mr. R. K. Shanmukham Chetty: Has any result been achieved as a result of that representation?

Mr. L. Graham: I think the figures that I have given show that some results have been achieved.

Mr. N. M. Joshi: May I ask whether the Government of India will write again to the Secretariat of the League of Nations as well as to the Labour Office to appoint more Indians?

The Honourable Sir Bhupendra Nath Mitra: The Government of India at the present moment are in communication with the Labour Office on the subject.

Mr. O. Duraiswamy Aiyangar: Are the Government of India aware that these 2 posts or 4 posts are out of a total number of 351 posts?

Mr. L. Graham: Yes. But does the Honourable Member know how many nations are Members of the League?

Mr. R. K. Shanmukham Chetty: Are the Government aware of the fact that certain citizens of the United States of America are appointed to the League Secretariat though the United States is not a Member of the League of Nations?

Mr. L. Graham: I think the Honourable Member is correct in that statement. But the Government of India do not make the appointments.

Mr. Chaman Lall: May I ask if the representation of Indians on the League Secretariat is in proportion to the contribution of India to the League of Nations?

Mr. L. Graham: The answer to that question would require some mathematical calculations and I am not prepared to answer it at the moment.

Lala Lajpat Rai: May I ask if the States that are represented in the International Labour Conference are allowed national correspondents in their different countries, who are paid by the League of Nations, and whether there are any such national correspondents for India?

The Honourable Sir Bhupendra Nath Mitra: That matter is under correspondence with the Labour Office.

Lala Lajpat Rai: How long is it likely to be under correspondence?

The Honourable Sir Bhupendra Nath Mitra: It is difficult for me to say precisely when a conclusion will be reached. But I do not think the Honourable Member will have to wait long to know the result of the correspondence.

Sir Hari Singh Gour: May I know for how long it has been under correspondence?

The Honourable Sir Bhupendra Nath Mitra: I should like to have notice of that question. I do not precisely remember at the moment for how many years or months that matter has been under correspondence.

Mr. A. Rangaswami Iyengar: May I know whether the Government of India have themselves made specific proposals in this behalf?

The Honourable Sir Bhupendra Nath Mitra: It is for the Labour Office, Sir, to make specific proposals but the Government of India have placed their views before the Labour Office.

Mr. M. R. Jayakar: Will the Government of India consider the advisability of reducing the amount of their contribution if their proposals are not acceded to?

The Honourable Sir Basil Blackett: That, I think, is a hypothetical question.

Mr. R. K. Shanmukham Chetty: Is it not a fact that a representation in this behalf was made by the Indian delegate, as far back as four years ago?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, I have no recollection on that subject. I have already told another gentleman in the House that if he wants precise information on the subject I must require notice of that question.

Mr. C. Duraiswamy Aiyangar: Supplementary question, Sir . . .

Mr. President: The Honourable Member will proceed to the next question.

ESTABLISHMENT IN INDIA OF AN INFORMATION OFFICE OF THE LEAGUE OF NATIONS.

472. ***Mr. C. Duraiswamy Aiyangar:** (a) Is it a fact that Sir A. C. Chatterjee has proposed the inauguration in India of an Information office of the League?

(b) If so, what is the purpose and function of that office?

(c) Will the expenses be borne by the League or will it be an additional expenditure on India?

(d) Have the Government of India been consulted in the matter? If so, will the Government be pleased to state the views of this Government as communicated by them.

Mr. L. Graham: (a) and (b) -The Honourable Member is referred to paragraph 28 (c) of the Interim Report of the Delegation of India to the Sixth Session of the Assembly of the League of Nations and to paragraph 41 of the Final Report of the Delegates of India at the Seventh Session of the Assembly of the League of Nations which contain all the information in the possession of the Government of India regarding this proposal.

(c) The expenses will presumably be borne by the League.

(d) The Government of India have not been consulted.

IMPORTATION OF DANGEROUS DRUGS.

473. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that before the Advisory Opium Committee, Geneva, Sir John Campbell recently declared that "41 times the legitimate consumption of narcotics was being introduced into India by illicit traffic. The situation was appalling in the Far East. The Government were responsible, because they had not carried out their definite obligations to limit the manufacture to medical purposes"?

(b) If the answer to the above be in the affirmative, what steps have the Government taken, or propose to take to stop the introduction of narcotics into India by illicit traffic, and to limit their manufacture to medical purposes?

The Honourable Sir Basil Blackett: (a) The Honourable Member's attention is invited to the communiqué issued by the Government of India on this subject on February 3rd, a copy of which is laid on the table. It was there explained that what Sir J. Campbell said was that the Governments of certain countries in which cocaine and other dangerous drugs are manufactured had not fulfilled the obligation referred to.

(b) The importation of dangerous drugs into India is already subject to the strictest control, but owing to their small bulk and high value, preventive measures alone are insufficient to check the traffic which is the point made by Sir John Campbell. The manufacture of dangerous drugs in India is not allowed except at the Government factory at Ghazipur and is strictly confined to medical purposes. Cocaine is not made in India.

Communiqué by the Central Board of Revenue, dated New Delhi, the 3rd February 1927.

A Reuter's telegram from Geneva, dated February 1st, referring to some remarks of Sir John Campbell, the official representative of India at the meeting of the Opium Advisory Committee of the League of Nations, is liable to be misunderstood, and has in fact been misinterpreted in some quarters already, as though it stated that Sir John Campbell had criticised the Government of India for not fulfilling their obligation to limit the manufacture of drugs, including apparently Opium to the amount required for medical and scientific purposes, and thereby stimulating the illicit import of drugs into India. Prepared Opium is not manufactured by the Government, nor is its sale permitted in India. The manufacture of drugs prepared from Opium and medicinal Opium is strictly limited in India in accordance with the Government's international undertakings. No cocaine is manufactured in India. Excessive production of drugs in India, if such existed, so far from stimulating illicit imports into India, would have the opposite effect.

What Sir John Campbell evidently said was not that "The Government" (of India) "were responsible" but that "the Governments were responsible", meaning the Governments of certain countries in which cocaine and other drugs are manufactured of which there is no legitimate use apart from their medicinal and scientific uses. He was thus simply reaffirming the position previously taken up at Geneva by the representatives of Great Britain and India. His remarks can have had no reference to the Government of India.

Sir Hari Singh Gour: May I inquire if China has carried out her pledge as regards the Opium Convention?

The Honourable Sir Basil Blackett: I think the Honourable Member had better address that question to the Government of China.

GRIEVANCES OF INDIANS IN EAST AFRICA.

474. ***Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to the following Resolution passed by the East Africa, Indian-National Congress which was held at Mombassa in December last:

"This Congress records its strong protest against the policy of segregation in Township areas intended to be adopted by the Government, by trying to reserve the light house areas in Mombassa Townships as European Residential area, and particularly by restricting the proposed sale of 29 plots in the said area to Europeans only, which step is a negation of the non-segregation policy laid down by His Majesty's Government in the White Paper of July, 1923"

(b) What are the actual facts of the case, and what steps have Government taken, or propose to take in this matter?

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

(b) The Honourable Member is referred to my reply to his question No. 65 of the 31st January. I am not in a position at present to make any further statement in the matter.

ALLEGED SHORTAGE OF TIMBER ON THE SOUTH INDIAN RAILWAY.

475. ***Mr. A. Rangaswami Iyengar:** Will Government be pleased to state:

(a) whether the inquiry in regard to the huge shortage of timber revealed during the stock verification of the South Indian Railway Company in 1924 has been completed and if so, whether any report as to the persons responsible for the irregularity and fraud perpetrated was received by the Railway Board and whether any disciplinary action has been taken by the Company or the Railway Board in regard to the person or persons responsible?

(b) whether they will place the report on the table or furnish particulars of the irregularities and losses involved and the action taken to recoup the loss and punish the delinquents?

(c) whether the Government have made any inquiries as to any and if so what extent of responsibility any officer or officers of the Railway Company bore in respect of these shortages?

Mr. A. A. L. Parsons: (a), (b) and (c). The enquiry into the alleged shortage has been completed. It has shown that the difference between the actual stocks held and the book balances was almost entirely due to defects in the system of issues, accounting and stock verification. It was also the result of inadequate accommodation in the Nagapatam Workshops. The greater part of the difference has been definitely accounted for and it has not been possible to prove that any part of it was due to theft or fraud. The Railway Board have expressed to the South Indian Railway Administration their grave disapproval of the conduct of affairs on that line in the matter and steps have been taken to remedy the defects in system. The disability as regards accommodation will be removed with the opening of the new Workshops at Trichinopoly.

A preliminary report of the facts of the case will be found in paragraph 65 of the Audit Report of the Accountant General, Railways, on the accounts for 1924-25 which has already been dealt with by the Public Accounts Committee and a final report is contained in the Accountant General, Railways' Audit Report on the accounts for 1925-26 which will be considered by the Public Accounts Committee in due course.

CIVILIAN APPRENTICE STORE-HOLDERS IN INDIAN ARSENALS.

476. ***Mr. A. Rangaswami Iyengar:** Will Government be pleased to state the steps that were taken to give effect to the proposal of appointing civilian apprentice store-holders in the Army Department in the various arsenals in India and to state whether any inquiry has been recently started for the purpose of discontinuing this system? Do Government propose to give the House an opportunity of discussing this subject before taking a final decision as to the discontinuance of the system?

Mr. G. M. Young: Twenty civilian apprentice store-holders were appointed in February, 1924, out of 53 candidates who applied. The proposal was originally sanctioned for one year, but at the end of that time (as was stated in reply to a question asked in this House on the 9th September, 1925), it was extended for another year, which expired on 31st October, 1926. The question of going on with the proposal was then very carefully examined, and the apprentice store-holders were given provisionally a month's notice of discharge in case Government should decide to abandon the experiment of civilian store-holders in Arsenals. These notices were subsequently cancelled and those individuals who have proved efficient are being retained in service. For the future Government do not propose to close the door to civilian recruitment to these posts if suitable candidates are forthcoming. The last part of the Honourable Member's question therefore does not arise. I would invite his attention to a statement made in answer to a question on this subject in another place by His Excellency the Commander-in-Chief on the 8th February. The statement gives a very full account of the experiment and of the reasons why it has not proved a success so far.

PROVINCIAL LOANS FUND.

477. ***Mr. A. Rangaswami Iyengar:** Will Government be pleased to make a statement as to the present position of the Provincial Loans Fund and the extent to which Provincial Governments have availed themselves of the scheme of that fund?

The Honourable Sir Basil Blackett: The annual Administration Report of the Provincial Loans Fund, which is under preparation, will shortly be published in the Gazette of India. I shall be happy to send a copy to the Honourable Member as soon as it is published.

SEPARATION OF AUDIT FROM ACCOUNTS.

478. ***Mr. A. Rangaswami Iyengar:** Will Government be pleased to state what progress has been made in the scheme of separation of audit from accounts and whether any scheme for the separation of provincial resources, accounts and balances from the Central accounts is being examined or put into operation?

The Honourable Sir Basil Blackett: A scheme of complete separation of audit from accounts has been in force in the United Provinces from the 1st April, 1926, while experiments in the same direction as regards the accounts of the Central Government are also in progress in Calcutta, Bangalore, Delhi, Public Works Department and Delhi Civil Administration. Another experimental office will be opened shortly in Delhi in order to take over the payments of the Secretariat and other headquarters establishments. The question of separating accounts from audit in the departments under the Central Board of Revenue is also being investigated.

2. In the Railway Department, following the Resolution adopted by the Legislative Assembly on the 15th September, 1925, a scheme was introduced on the East Indian Railway as an experimental measure on 1st December, 1925, whereby the accounts were separated from audit, the former being under the control of the Financial Commissioner, Railways,

the Auditor General remaining responsible for audit. In the new Clearing Accounts Office that has recently been started as a measure of simplification of freight accounts between railways, a similar organisation has been adopted as an experiment.

3. Reports hitherto received from the United Provinces and elsewhere have been favourable; but the Auditor General will not be in a position to report on the main experiments till about September, when the accounts for the current year will be practically closed. In the meantime, the details of a scheme for the separation of provincial accounts and balances are being examined with a view to putting it tentatively into operation in the United Provinces, if the report of the Auditor General on the question of separation of accounts from audit in those provinces should prove favourable.

Mr. A. Rangaswami Iyengar: May I know, Sir, whether, when any scheme has been definitely matured in regard to the separation of audit from accounts both in the Central and Provincial accounts, the matter will be placed before the Public Accounts Committee for examination and report?

The Honourable Sir Basil Blackett: I have no doubt the matter will be brought before the Public Accounts Committee.

LATRINES IN INTERMEDIATE CLASS COMPARTMENTS ON THE NORTH WESTERN RAILWAY.

479. ***Mr. Mukhtar Singh:** Has the attention of the Government been drawn to the fact that the latrines provided generally in the North-Western Railway's intermediate class are designed for Europeans and they are quite unsuitable for the Indian passengers who mostly travel in these compartments? If the answer be in the affirmative, do Government propose to reconstruct all such latrines in such a way that they may be conveniently used by the Indian passengers?

***Mr. A. A. L. Parsons:** The facts are not as stated. Bogie intermediate and intermediate and third class carriages generally on the North Western Railway are each provided with 3 latrines suitable for Indians and 1 latrine for Europeans and Anglo-Indians.

Further there are 296 vehicles, the intermediate class latrines of which are suitable for Indians only.

LEAKY LATRINES IN THE INTERMEDIATE CLASS COMPARTMENTS.

480. ***Mr. Mukhtar Singh:** Has the attention of the Government been drawn to the fact that in most of the intermediate class carriages the pipe connections of the latrines are leaky and water spreads badly specially in compartments to which latrines of the European style are attached? Do Government propose to remove this existing grievance?

Mr. A. A. L. Parsons: I am not sure to what Railway the Honourable Member is referring. If he will bring his complaint directly to the notice of the Agent, I am sure that the matter will be looked into.

PROTECTION TO THE BOLTS AND NUTS INDUSTRY.

481. ***Mr. Mukhtar Singh:** Has the attention of the Government been drawn to the fact that the bolts and nuts industry of India has been hit

hard by raising the duty on steel without raising the duty on the importation of nuts and bolts? If so, will the Government be pleased to state the necessary steps that they are contemplating in helping this infant industry? If not are Government prepared to make the necessary inquiries in this connection and to take necessary steps to help the industry?

The Honourable Sir Charles Innes: The Honourable Member is referred to paragraphs 4 and 5 of the Tariff Board's Report on the continuance of protection to the steel industry, a copy of which has been supplied to him. The Board will consider the applications made for the grant of protection to the manufacture of bolts and nuts in the course of their enquiry regarding the continuance of protection to the manufacture of wire and wire-nails. I may add that that enquiry into wire and wire-nails is going on now.

PREVENTION OF BURGLARIES AT STATIONS ON THE SOUTH INDIAN AND THE MADRAS AND SOUTHERN MAHRATTA RAILWAYS.

482. ***Mr. B. P. Naidu:** (a) Has the attention of the Government been drawn to an article entitled "Safety of Station Staff" at page 217 of the Indian Railway Magazine?

(b) Is it a fact that burglaries from the cash chest of the railway station have been reported from St. Thomas Mount, Conjeevaram and some other stations on the South Indian Railway and also on the Madras and Southern Maharatta Railway?

(c) What steps do Government propose to take in the matter?

Mr. A. A. L. Parsons: (a) Yes.

(b) No report to this effect has been received by Government.

(c) Government have no action in contemplation. The matter is within the competence of Agents.

DEPUTY TRANSPORTATION SUPERINTENDENT (TRACTION), GREAT INDIAN PENINSULA RAILWAY.

483. ***Mr. B. P. Naidu:** (a) Will Government be pleased to state if it is a fact that, in inviting applications for appointment of a Deputy Transportation Superintendent (Traction) on the Great Indian Peninsula Railway, one of the qualifications is stated to be that candidates must be "European" British subjects?

(b) If so, why has this qualification been insisted upon?

The Honourable Sir Charles Innes: Under the new policy of recruitment and Indianisation of the superior services a major proportion of the recruitment to these services has now to be made in India from persons of Indian domicile, and recruitment in England is restricted to persons of non-Asiatic domicile. This explains the terms of the advertisement to which the Honourable Member refers. As an exception to the general policy it has been decided that for specialist posts candidates of Indian domicile will be eligible for recruitment in England also.

Mr. A. Rangaswami Iyengar: May I know, Sir, by what authority Government have adopted the policy that in respect of recruitment in England persons of non-Asiatic domicile should be preferred to persons of Asiatic domicile?

The Honourable Sir Charles Innes: I may say, Sir, that our recruitment scheme was discussed and approved by the Central Advisory Council.

Mr. A. Rangaswami Iyengar: May I know, Sir, whether in regard to the Lee Commission's proposals for recruitment for the all-India services generally any such restriction has been imposed?

The Honourable Sir Charles Innes: I do not know.

TRAINING OF INDIANS ABROAD IN RAILWAY PRACTICE AND MANAGEMENT.

484. ***Mr. B. P. Naidu:** Will Government be pleased to state whether they intend to send Indians for training in railway practice and management to foreign countries in such subjects for which there are no suitable facilities in India?

The Honourable Sir Charles Innes: Under the scheme of recruitment for the Transportation (Power) and Mechanical Engineering Departments of State Railways, provision has been made for the training in the United Kingdom, for two years, of special apprentices recruited in India. The regulations for recruitment for these Departments were published in the Gazette of India of the 17th July, 1926.

In connection with the schemes of retraining for the Electrical Engineering and Signal Engineering Departments the question whether recruits obtained in India should be sent to the United Kingdom for training is now under consideration.

Lieut.-Colonel H. A. J. Gidney: May I ask the Honourable Member if he will kindly inform me whether Anglo-Indians have been included in this scheme of training in England?

The Honourable Sir Charles Innes: We treat Anglo-Indians, Sir, as statutory Indians.

Lieut.-Colonel H. A. J. Gidney: May I ask the Honourable Member if he will abide by that classification in future questions and schemes also?

USE OF STEEL IN THE CONSTRUCTION OF STATIONS ON THE SHORANUR-NILAMBUR SECTION OF THE SOUTH INDIAN RAILWAY.

485. ***Mr. B. P. Naidu:** Will Government be pleased to state:-

- (a) If it is a fact that the South Indian Railway has ordered steel joists, doors, and window frames from England for their stations now being constructed on the Shoranur-Nilambur line and for other constructions as well?
- (b) Whether any other Railways are using steel in place of timber in the construction of buildings?
- (c) Whether there have been any complaints by Government engineers or railway engineers that teak was not satisfactory for buildings?
- (d) If no such complaints have been made, whether the Government are prepared to instruct Railways to use teak instead of steel doors, etc., in a hot country like India?
- (e) Is it not a fact that employees on the South Indian Railway are already complaining that the use of Mangalore tiles for roofing, without flat tiles underneath them, are making houses too hot?

Mr. A. A. L. Parsons: The information is being obtained and will be communicated to the Honourable Member when received.

JUDGMENT OF THE ALLAHABAD HIGH COURT REGARDING THE OBLIGATION ON RAILWAYS TO LOCK WAGONS WHILE CARRYING GOODS.

486. ***Mr. B. P. Naidu:** (a) Has the attention of Government been drawn to a decision of the Allahabad High Court reported at page 369 of 1926, Allahabad in the All-India Reporter, where the High Court say that it is the duty of the Railways to lock the wagons while carrying goods?

(b) Do Government propose to issue instructions to Railway Companies to lock their wagons in future?

Mr. A. A. L. Parsons: (a) Government have seen the judgment referred to. Out of a full bench of five Judges one Judge alone expressed the opinion that there was an obligation on railways to lock wagons while carrying goods.

(b) The answer is in the negative.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA IN ENGLAND.

487. ***Mr. K. O. Neogy:** Is there a post entitled "Consulting Engineer to the Government of India" in England? If so, when was the post created, who is the present holder of the said post and what are his duties? When was the present contract with him made, and when is it due to expire?

EXPIRY OF THE CONTRACT WITH MESSRS. RENDEL PALMER AND TRITTON.

488. ***Mr. K. O. Neogy:** (a) When is the contract with Messrs. Rendel Palmer and Tritton due to expire?

(b) Are any portions of the annual retainer of this firm specifically allocated to purely railway work, and to structural and other civil engineering works, respectively?

The Honourable Sir Bhupendra Nath Mitra: With your permission, Sir, I should like to reply to questions Nos. 487 and 488 together.

The attention of the Honourable Member is invited to pages 69-70 and appendices I and II of the proceedings of the Standing Finance Committee dated the 17th August 1925.

The answer to part (b) of question No. 488 is in the negative.

APPOINTMENT OF AN INDIAN AS CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA IN ENGLAND.

489. ***Mr. K. O. Neogy:** Have Government received any application from any qualified Indian Engineer for appointment as Consulting Engineer in England? If so, with what result?

The Honourable Sir Bhupendra Nath Mitra: The Government of India have received one such application from Dr. B. N. Dey, which has been forwarded to the High Commissioner for India for consideration.

Mr. K. O. Neogy: What decision have Government arrived at on that application?

The Honourable Sir Bhupendra Nath Mitra: If the Honourable Member will kindly refer to my reply he will see that the Government of India have not yet come to any decision.

DISCONTINUANCE OF THE PRACTICE OF READERS IN THE POST OFFICES SIGNING AS ESCORTS TO POSTMEN.

490. ***Mr. N. M. Joshi:** Are Government aware that readers in the Post Offices in the Bombay City are made to sign as an escort to one or more postmen, when the amount of money orders entrusted to a postman exceeds the prescribed limit, but they are not actually allowed to escort but are detained in the Post Offices to attend to other duties? If so, do Government propose to discontinue this practice on the ground that it involves the readers in monetary responsibilities which they cannot carry out?

The Honourable Sir Bhupendra Nath Mitra: Yes. The practice is being discontinued.

CASUAL LEAVE OF POSTMEN AND MENIALS IN POST OFFICES.

491. ***Mr. N. M. Joshi:** Are Government aware that postmen and menials in Post Offices where their number exceeds 4, are not given casual leave unless they themselves bring a substitute and pay him out of their own pay? If so, do Government propose to make provision for paid substitutes in their casual leave vacancies as they have done in case of those Post Offices where their number does not exceed 4?

The Honourable Sir Bhupendra Nath Mitra: The answer to the first part of the question is in the negative. The second part does not arise.

PRINCIPLE FOLLOWED IN FIXING THE PAY OF PERMANENT INCUMBENTS WHEN A REVISION OF TIME-SCALE IS SANCTIONED.

492. ***Mr. N. M. Joshi:** When any revision of time-scale is sanctioned, what principle is followed by Government in fixing the pay of permanent incumbents? If "point to point" principle is not followed, do Government propose to make any provision for those who do not reach their maximum of time-scale with 20 years' service?

The Honourable Sir Basil Blackett: The ordinary rules are laid down in Fundamental Rules 22 and 23. The Government do not propose to issue any other rules on the subject.

INCREASE OF POSTMEN IN POST OFFICES IN THE NORTH BOMBAY ISLAND.

493. ***Mr. N. M. Joshi:** Will Government be pleased to state what things are taken into consideration in fixing the time-test postmen? When was the number of postmen last fixed according to this test in the Bombay G. P. O. and its town sub-offices? Is it a fact that in some of the vastly developed areas of the North Bombay island there is no increase in the staff of postmen commensurate with the increase in the volume of the post office business?

The Honourable Sir Bhupendra Nath Mitra: With respect to the first part, the Honourable Member's attention is invited to the remarks made against item 14 of Part II of the Statement of Grievances which was

laid on the table of the Legislative Assembly on the 4th March 1926. The second part does not arise. The case is not as stated in the third part.

RECOVERY OF SUBSCRIPTIONS FROM MEMBERS OF THE CUSTOMS SERVICE ASSOCIATION.

494. ***Mr. N. M. Joshi:** (a) Are Government aware that consequent on the withdrawal of recognition the recovery of subscriptions from members of the Customs Service Association through the deduction book has now been stopped by the order of the Collector of Customs, Calcutta?

(b) Is it true that deductions for picnics, entertainments, recovery of cost of sports gear supplied by firms to Preventive Officers are made at their request and disbursed through that book?

(c) If such be the case will Government be pleased to state what objection there is to the Association subscriptions being dealt with in a similar manner?

The Honourable Sir Basil Blackett: (a) The Government of India understand that on the withdrawal of recognition from the Customs Service Association the Collector of Customs decided that members must thereafter make their own arrangements for the payment of subscriptions to it.

(b) Only such payments as are due from members to a recognised institution are made in the manner referred to.

(c) The Government of India agree with the Collector of Customs that the services of a Government employee should not be utilised in working hours to collect money for an unrecognised institution.

DEFINITION OF "DEPARTMENTAL ENQUIRY" IN THE CASE OF GOVERNMENT SERVANTS APPOINTED ON STATE RAILWAYS.

495. ***Lieut.-Colonel H. A. J. Gidney:** 1. Does the Government of India Order No. F.472/11/23 operate on Government servants appointed on Indian State Railways? If so:

(a) what constitutes a properly recorded departmental inquiry;

(b) what does a departmental inquiry actually mean; and

(c) is it the intention of Government that the inquiry shall be conducted by officers who have already charged and condemned the 'accused' to the higher authorities, and are therefore both the accusers and judge?

2. Has the accused any right to demand a copy of the records of such an inquiry and the finding arrived at by the officers holding it, and is it in order to refuse to furnish him with a copy?

3. Are Government aware that such incidents are not of uncommon occurrence in the administration of various Indian State Railways?

The Honourable Sir Charles Innes: 1. The rules referred to by the Honourable Member apply to officers under the administrative control of Local Governments and not to those under the Government of India.

2 and 3. Do not arise.

DISMISSALS ON THE EAST INDIAN AND THE GREAT INDIAN
PENINSULA RAILWAYS.

496. *Lieut.-Colonel H. A. J. Gidney: (a) Are Government aware of the fact that on both the East Indian and Great Indian Peninsula Railways, which are State Railways, men have been dismissed without the provisions of the Government of India orders on the subject being observed, and that the Railway Board refuses to interfere in such cases?

(b) Is it a fact that on the East Indian Railway, besides the Agent, the Divisional Superintendents now have the independent power of dismissing its employees?

(c) Will Government state how many appeals from men so dismissed have been received by the Agents of the East Indian and Great Indian Peninsula Railways since these Railways came under State management, and in how many cases, if any, these Agents have upheld these appeals, and modified or reversed the orders and judgments passed by their junior officers?

The Honourable Sir Charles Innes: (a) Government are not aware that the facts are as stated.

(b) Divisional Superintendents on the East Indian Railway as on other State Railways have always had the power to dismiss certain classes of employees.

(c) Government have not the information and do not propose to call for it. They have no reason to think that the Agents of the two railways mentioned do not exercise their powers in the matter properly.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member assure this House that if I point out cases to him he will take notice and inquire into them?

The Honourable Sir Charles Innes: That depends on the cases.

Lieut.-Colonel H. A. J. Gidney: I thank the Honourable Member. I shall give him genuine cases if he will kindly promise me to inquire into them.

ACTION TAKEN BY THE RAILWAY BOARD ON APPEALS FROM MEN
DISMISSED BY THE EAST INDIAN AND THE GREAT INDIAN
PENINSULA RAILWAYS.

497. *Lieut.-Colonel H. A. J. Gidney: 1. Will Government be pleased to inform this House:

(a) how many appeals have been received by the Railway Board from men dismissed on the East Indian and Great Indian Peninsula Railways since these Railways came under its control;

(b) what staff is engaged by the Railway Board to inquire carefully into these cases; and

(c) in how many such appeals, if any, the Railway Board has referred the matter to the Agent for reconsideration and further inquiry or whether it has steadily refused to interfere with the action taken by the Agents concerned with the stereotyped reply, "The Railway Board regrets it cannot interfere with the action taken by the Agent"?

2. How many appeals have been referred to the Railway Board from its dismissed State Railway employees on these two Railways, submitted through His Excellency the Viceroy and Governor General, and, in how many cases, if any, has it interfered and upheld the appeals submitted against the orders of the Agent?

3. Is it a fact that owing to want of adequate staff the Railway Board find it next to impossible to examine such appeals thoroughly? If so, do Government intend to make provision for supplying this extra staff?

The Honourable Sir Charles Innes: The appeals against dismissal which have been received by the Railway Board since the two Railways were taken over are not numerous but I do not know the exact number. Whenever an appeal lay to the Railway Board a report from the Agent was obtained on it. No separate staff is employed solely for the disposal of appeals against dismissal; the branch of the Railway Board's office which deals with all matters relating to personnel also deals with appeals of this nature, and it is not inadequate for the work, including the thorough examination of appeals which it has to perform.

Mr. A. Rangaswami Iyengar: May I know whether in respect of appeals against dismissals on State Railways the matter is not referred to the Public Service Commission?

The Honourable Sir Charles Innes: I should require notice of that, Sir.

PROCEDURE ADOPTED BY THE NORTH WESTERN RAILWAY IN CASES OF ALLEGED FRAUD BY THEIR CONTRACTORS AND EMPLOYEES.

498. ***Lieut.-Colonel H. A. J. Gidney:** (a) Is it a fact that the ordinary practice of the Railways, in cases where their contractors and employees are suspected of and departmentally charged with fraud, is to dismiss or discharge them even on suspicion instead of prosecuting them criminally?

(b) If so, will the Government be pleased to state the reasons for not taking such action in certain cases, within the past eight months, both with contractors and its employees, official and subordinate, on the North Western Railway and which have been brought to their notice?

The Honourable Sir Charles Innes: (a) No.

(b) Does not arise.

EXCESS OF MINERAL OIL DISCLOSED AS A RESULT OF VERIFICATION BY THE AUDIT DEPARTMENT OF THE EAST INDIAN RAILWAY IN 1924.

499. ***Lieut.-Colonel H. A. J. Gidney:** 1. Is it the rule for stores to be verified by the Audit Department of the East Indian Railway at least once a year, if not more frequently? Does this rule hold good in respect to the item of mineral lubricating oil? If so, will Government please state:

(a) when the item of mineral lubricating oil for the Carriage and Wagon Department was verified by the Audit Department at the Lillooah Warehouse, or, in other words, at the Stores at Lillooah, prior to the verification of 8th September, 1924;

- (b) what the net result of such verification was, after adjusting the shortages and excess found on verification;
- (c) what the net result of the verification conducted by Mr. S. N. Ghose of the East Indian Railway, Audit Department at Lillooah was, on the 8th September, 1924, and whether it disclosed an excess of 87,810 gallons of mineral lubricating oil over the book balance on that date; and
- (d) what was the actual quantity of mineral lubricating oil purchased from date of last verification up to the date of the present verification referred to, *viz.*, 8th September, 1924?

2. Was the Carriage and Wagon Superintendent satisfied with the finding of the verification and was he asked by the Audit Department to have this excess checked in his office and credited through a Profit and Loss Received Return? Was this done and is this Return now on official record?

3. Was he asked to explain how such a large quantity came to be issued when the book balance showed a considerably smaller quantity to be in hand and what was his explanation in the matter?

Mr. A. A. L. Parsons: 1. Yes.

(a) and (b). The result of the verification held on 16th June, 1924, was an excess of gallons 1,788½ representing the difference between book and ground balances.

(c) The result of the verification held on 8th September, 1924, was an excess of 5,287 gallons representing the difference between book and ground balances.

In September 1924, the following verifications were, among others, carried out at Lillooah:

- (1) Mineral oil—
Excess—5,287 gallons.
- (2) Cotton waste soaked in mineral oil—
Deficiency 114 cwt. 2 qr. 4 lb.*

The above items represent the difference between book and ground balances on verification.

Investigations carried out subsequent to the verification showed that there was a large number of requisitions from out-stations for supply of "Cotton waste soaked in mineral oil", which had been complied with prior to 8th September, 1924, but had not been posted in the books. The total of these requisitions amounted to 7,502 cwt. 3 qr. 15 lb. representing the equivalent of 1,184 cwt. 1 qr. 15 lb. of cotton waste and 83,255 gallons of mineral oil.

After posting these items in the books the net result of the verification of mineral oil as disclosed by a comparison of book balances and actual

* (This represents 16 cwt. 0 qr. 4 lb. of cotton waste and 96 cwt. 2 qr. 0 lb., or 1,272 gallons of mineral oil).

stock and the posting of the requisitions complied with prior to the verification was as follows:

	Gallons.
1. Mineral oil excess	5,287
2. Less shortage of mineral oil found on verification of mineral oil soaked in cotton waste	1,272
	<hr/>
Net excess	4,555
	<hr/>
3. Add mineral oil forming part of cotton waste soaked in oil	83,255
	<hr/>
	87,810
	<hr/>

(d) Gallons 144,966 of which gallons 26,649 were supplied to Lillooah Depôt.

2. The results of the verification were duly referred to the Carriage and Wagon Superintendent. The discrepancies were adjusted through Profit and Loss Account and the returns are on the official record. The result of the verification was not considered satisfactory.

3. No satisfactory explanation was forthcoming, and the staff concerned with the custody and accountal of the materials was dismissed from service.

Lieut.-Colonel H. A. J. Gidney: Sir, will the Honourable Member kindly tell us who was responsible for this condition and loss to the Railway?

Mr. A. A. L. Parsons: I do not know, Sir.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member kindly make an inquiry and let me know considering it is about three years ago and five men have been dismissed and ruined for it?

Mr. A. A. L. Parsons: No, Sir. The staff concerned were dismissed from service.

EXCESS OF MINERAL OIL DISCLOSED AS A RESULT OF VERIFICATION BY THE AUDIT DEPARTMENT OF THE EAST INDIAN RAILWAY IN 1924.

500. ***Lieut.-Colonel H. A. J. Gidney:** If the alleged excess of 87,810 gallons of mineral oil over the book balance actually existed in the case which led to the dismissal of Mr. M. D'Cruz, Acting Superintendent, Howrah General Stores, East Indian Railway, will Government please state:

- (a) where such excesses came from;
- (b) if the suppliers, Messrs. the Standard Oil Company of New York, were intimated of same and called upon to explain; whether they were credited with this excess, representing over a lakh and a half of rupees in value,
- (c) if, with the system in force on this Railway, this excess, representing as it does 22 oil tank wagons of 4,000 gallons each, was or could have been supplied within the short period represented from date of last verification of the item up to 8th September, 1924, and

- (d) if the Agent of this Railway suspected the Carriage and Wagon Department staff at Lillooah, who made the original issues, to be in collusion with the officials and staff at the various out-stations from Howrah to Kalka and had issued diminished quantities to them and obtained receipts for quantities not actually supplied or, in other words, for excess quantities? If so, were these officials and staff questioned about the receipts granted to Lillooah Stores and with what result?

Mr. A. A. L. Parsons: As explained in my reply to the previous question, 83,255 gallons of the difference of 87,810 gallons between ground and book balances was due to the fact that certain requisitions complied with prior to 8th September, 1924 had not on that date been posted in the books; the balance of about 4,500 gallons was doubtless due to accumulations of small differences between actual and booked issues.

DISMISSAL OF MR. M. D'CRUZ, LATE OFFICIATING STORES SUPERINTENDENT, HOWRAH, EAST INDIAN RAILWAY.

501. *Lieut.-Colonel H. A. J. Gidney: (a) With reference to the reply to my unstarred questions Nos. 118-122, dated 31st August, 1926, in which the Honourable Member stated that because the East Indian Railway was at that time not under State management, he disclaimed responsibility for the summary dismissal in connection with the Cotton Waste Case of Mr. M. D'Crux, Acting Superintendent, Howrah General Stores, East Indian Railway, will the Government please state if, when the East Indian Railway became a State Railway, the Government of India became the assigns of all assets and liabilities in connection with that Railway?

(b) Will Government please state whether they deny their liability to any claims that have been made by Mr. M. D'Crux in connection with this case? •

(c) Will Government please state whether, on a date subsequent to the East Indian Railway coming under State management, the Railway Board ordered two of its members, Col. Sheridan and Mr. Sims, to proceed to Calcutta to investigate this case? Did they hold an investigation (without examining Mr. D'Crux) and obtain legal advice?

DISMISSAL OF MR. M. D'CRUZ, LATE OFFICIATING STORES SUPERINTENDENT, HOWRAH, EAST INDIAN RAILWAY.

502. *Lieut.-Colonel H. A. J. Gidney: Will the Government of India be pleased to state whether they have held the late Controller of Stores, East Indian Railway, primarily responsible for dereliction of duty in connection with the Cotton Waste Case? Is it a fact that the late Controller of Stores has admitted in writing and that his statement is on official record, that he did order Mr. D'Crux to act as he did and, for which act, he, Mr. D'Crux, as a subordinate, for obeying his superior's orders, was summarily dismissed?

DISMISSAL OF MR. M. D'CRUZ, LATE OFFICIATING STORES SUPERINTENDENT, HOWRAH, EAST INDIAN RAILWAY.

504. *Lieut.-Colonel H. A. J. Gidney: 1. Is it not an official recorded fact that, with regard to the three charges framed against Mr. D'Crux by the Agent, East Indian Railway, he (Mr. D'Crux) in his

statement alleged (a) that he acted under the direct and personal order of his superior officer, the Controller of Stores: (b) that, *vide* letter No. S/A. 1966 of 8th October, 1924, from Chief Auditor to the Carriage and Wagon Superintendent, instead of a shortage, an excess of 902 cwts. of cotton waste was found on an official investigation and weightment being taken: (c) that, instead of a shortage of mineral lubricating oil an excess of 87,810 gallons over book balance was found on official weightment being taken, and that therefore, (d) in dismissing Mr. D'Cruz summarily the charges made by the Agent against him that, as a result of shortage, the East Indian Railway had suffered enormous losses, had no foundation in fact or substance?

2. If so, what were the findings of the official inquiry?

3. Is it not the duty of the Railway Board to administer justice to its employees irrespective of grades?

4. Do Government intend, in the interests of justice, to call upon the East Indian Railway to show the quantity of each of the items purchased from the date of last verification up to the date of the present verification (8th September, 1924)?

5. If Government disputes the accuracy of this statement is it prepared to place the entire records and evidence in this case before an impartial Committee of Members of this House, official or non-official, and to submit to its opinion? If not, is the Railway Board (a) afraid to face the issues involved in the dismissal of one of its employees, or (b) is it its intention to use these subordinates as scapegoats to suffer and to shield the irregularities of officials?

**REINSTATEMENT OF MR. M. D'CRUZ AND FIVE OTHER SUBORDINATES
DISMISSED BY THE EAST INDIAN RAILWAY IN CONNECTION WITH
THE COTTON WASTE CASE.**

505. *Lieut.-Colonel H. A. J. Gidney: (a) Will the Government be pleased to state whether they obtained eminent legal advice, and if so, was this advice to the effect that Mr. D'Cruz and the five subordinates who were dismissed with him were guilty or not guilty of any dishonest act in connection with the Cotton Waste Case?

(b) Is it a fact that it was only after or at the time that the Agent dismissed these six subordinates, including Mr. D'Cruz, that he became suspicious of the part played in connection with the cotton waste case by the Controller of Stores, and, if so, did this lead to further action by the Government against the Controller of Stores which ended in his dismissal? If so, why did the Agent not cancel his former orders and reinstate these six subordinates?

The Honourable Sir Charles Innes: I propose with your permission, Sir, to answer questions 501 and 503 to 505 together. I have nothing to add to the information given to the Honourable Member in my reply to questions Nos. 118 to 122 on the 31st August, 1926, and in the Railway Department's letter of the 28th October, 1925, to him.

Lieut.-Colonel H. A. J. Gidney: Sir, will the Honourable Member kindly inform me whether the Agent of the East Indian Railway ordered the Controller of Stores of the East Indian Railway to keep his mouth

shut in this matter, as admitted by the Controller of Stores in a letter which I possess here, and that this took place

Mr. President: Order, order. The question has been put.

The Honourable Sir Charles Innes: I do not remember all the details in this case, but I may inform the Honourable Member that the very long reply I gave to his unstarred question last August was written after a very complete study of the question, and I am perfectly satisfied that there is no ground whatever for reopening that case.

Lieut.-Colonel H. A. J. Gidney: Sir, I am not satisfied.

INDEBTEDNESS OF THE EAST INDIAN RAILWAY TO MR. M. D'CRUZ.

502. ***Lieut.-Colonel H. A. J. Gidney:** (a) Are Government aware of the fact that besides the sum of about Rs. 14,000 representing his bonus and gratuity which it has refused to pay him, the East Indian Railway is still in debt to Mr. D'Cruz to the extent of Rs. 8,000, his Provident Fund, by reason of refusing him settlement up-to-date?

(b) Will the Government please state whether this money has been taken on to and is, to-day, to be found on the books of the East Indian Railway?

The Honourable Sir Charles Innes: Mr. D'Cruz was dismissed from the service, and was consequently not entitled to bonus on his provident fund and gratuity; and Government are not in debt to him for these amounts. They are not aware whether Mr. D'Cruz has yet drawn his own accumulations in the Provident Fund in full. If not, any balance must be borne on the books of the East Indian Railway.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member please inform me what was the total loss of the East Indian Railway owing to these transactions on the part of Mr. D'Cruz and others for which they were dismissed, and whether that total loss was deducted from the amount due to Mr. D'Cruz and others from their gratuity and bonus? If not and if the Railway lost money, will Government kindly explain why they paid out to these men their Provident Fund?

The Honourable Sir Charles Innes: Nothing was due to Mr. D'Cruz on account of his Provident Fund bonus because he forfeited the bonus as he was dismissed.

DISMISSAL OF THE CONTROLLER OF STORES, EAST INDIAN RAILWAY.

506. ***Lieut.-Colonel H. A. J. Gidney:** (a) Is it not a fact that the Government of India dismissed the Controller of Stores, East Indian Railway, for offences committed by him before that Railway was taken over as a State Railway and, as in Mr. D'Cruz's case, was not the inquiry commenced before the Government took over the Railway?

(b) If so, will Government please state why they accepted responsibility and acted in the one case and refused to do so in the other?

The Honourable Sir Charles Innes: (a) The reply to both parts of the question is in the negative.

(b) Therefore does not arise.

REDUCTION OF THE INTEREST ON PROVIDENT FUND DEPOSITS.

507. *Lieut.-Colonel H. A. J. Gidney: With reference to Government's decision to reduce the interest on Provident Fund deposits from 5½ to 4½ per cent. from April 1st, 1927, will the Honourable Member please state whether this order applies to the Provident Fund deposits of the employees in the various State Railways?

Mr. A. A. L. Parsons: Yes.

GRANT TO POSTAL 'SIGNALLERS IN THE TELEGRAPH DEPARTMENT OF THE BENEFIT OF COUNTING THEIR SERVICE IN THE POSTAL DEPARTMENT FOR PURPOSES OF REGULATION OF THEIR PAY.

508. *Lieut.-Colonel H. A. J. Gidney: 1. Will Government state why the postal signallers who have been absorbed in the Telegraph Department on the requisition of the Government itself have been denied the privilege of counting their past services in the Postal Department in the adjustment of their salaries?

2. Is it not a fact that when one Government servant is transferred from one Department to another, he receives adequate consideration for his past services?

3. Is it not a fact that when a military telegraphist is transferred to civil employment, his past services are taken into account for the adjustment of his salary?

4. Is it not a fact that when Local Service telegraphists were absorbed into the General Scale, their transfers were made point to point?

5. Have the Government of India received any representation from the All-India Telegraph Union on the subject? If so, has any reply been sent to them?

6. Are Government prepared to consider the question of revising the salaries of these postal recruited men without affecting the claims of seniority in service of the Departmental hands?

The Honourable Sir Bhupendra Nath Mitra: 1. The attention of the Honourable Member is drawn to the concluding paragraph of the reply given in the Assembly on the 27th January, 1927, to part (c) of the starred question No. 41 by Mr. D. V. Belvi. It may be added that the request of the Postal recruited men to be granted the benefit of their Postal Service for purposes of regulating their pay in the Telegraph Service was carefully considered by the Telegraph Committee of 1921. The Committee held that they were unable to support this claim as the men concerned had voluntarily elected to enter a Department from what was altogether a separate Department at a time when the prospects in the new Department were decidedly better and they could not fairly seek to be treated as if they had remained in the original Department.

2. Presumably the Honourable Member refers to the question of past services being counted 'for increment' on transfer of a Government servant from one Department to another. The attention of the Honourable Member is drawn to the reply given on the 31st January, 1927, to unstarred question No. 27 by Mr. M. K. Acharya.

8. No, except for the period he has been continuously employed in departmental telegraph offices as a military telegraphist.

4. Yes.

5. Yes. A reply to the representation is expected to issue shortly.

6. No.

Lieut.-Colonel H. A. J. Gidney: Sir, will the Honourable Member please inform me with reference to his reply to part 8 of my question why it is that the Telegraph Department alone do not recognize for this purpose service in one Department before transfer to the other?

The Honourable Sir Bhupendra Nath Mitra: If the Honourable Member will kindly read the documents to which I have referred in my reply to his main question, he will be able to obtain information on the question now asked by him.

JOINING OF THE MAIN LINE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY FROM PITTAPUR TO COCANADA.

509. ***Mr. T. Prakasam:** Has the attention of Government been drawn to the letter of the Secretary, East Godavari District Association, Cocanada, dated the 25th January, 1927, to the Secretary, Railway Board, Delhi, regarding the joining of the main line of the Madras and Southern Mahratta Railway from Pittapur to Cocanada?

Mr. A. A. L. Parsons: The Government have received the letter mentioned by the Honourable Member and the matter is at present under their consideration.

AMENDMENT OF THE INDIAN RAILWAYS ACT.

510. ***Mr. T. Prakasam:** Will the Government be pleased to state whether they propose to take up the revision of the Indian Railways Act, and if so, when?

Mr. A. A. L. Parsons: The Honourable Member is referred to the answer given in this Assembly to question No. 275 asked by Sir Purshotamdas Thakurdas, on the 7th February, 1927.

COMPLETION OF THE NIDADUOL-NARSAPUR AND GUDWADA-BHIMAVARAM RAILWAY LINES.

511. ***Mr. T. Prakasam:** With reference to the Nidaduol-Narsapur line and Gudwada-Bhimavaram line will the Government be pleased to state:

- (a) What the time allowed for its completion is?
- (b) When the Engineer or Engineers, in charge of these works, have begun the works?
- (c) Whether tenders have been called for and accepted in connection with the various works and if so, when and for what works?
- (d) How much more time is required to complete the lines and open them?
- (e) Whether the Engineer or Engineers-in-charge of the lines applied for any extension of time and if so, how long?

(f) What is the sum spent monthly on the Engineering Establishments?

Mr. A. A. L. Parsons: The information is being obtained and will be communicated to the Honourable Member when received.

INCREASE IN THE NUMBER OF SIKHS EMPLOYED IN THE OFFICES OF THE AGENT AND THE CHIEF AUDITOR, NORTH WESTERN RAILWAY.

512. ***Sardar Kartar Singh:** (a) What is the total ministerial strength of the offices of the Agent, North-Western Railway and the Chief Auditor, North-Western Railway respectively under different grades and how many of them are Muhammadans, Hindus and Sikhs in each grade?

(b) Do the Government propose to take steps to increase the number of Sikhs employed?

Mr. A. A. L. Parsons: The information for which the Honourable Member asks is not available; but the orders, which the Government of India have recently issued relating to the measures to be adopted for securing the appointment of members of minority communities in the different offices of the Government of India, have been communicated to Railway Administrations, and I have no doubt that they will be put into operation on the North Western Railway.

NUMBER OF HINDUS, MUHAMMADANS AND SIKHS EMPLOYED IN THE OFFICES OF THE POSTMASTER-GENERAL, PUNJAB AND NORTH WEST FRONTIER CIRCLE, AND THE DEPUTY POSTMASTER GENERAL, RAILWAY MAIL SERVICE, AMBALA.

513. ***Sardar Kartar Singh:** Will Government please place on the table a statement showing the number of Hindus, Muhammadans and Sikhs employed in the offices of the Postmaster-General, Punjab and North-West Frontier Circle and the Deputy Postmaster-General, Railway Mail Service, Ambala?

Sir Ganen Roy: The following statement gives the details asked for by the Honourable Member:

	Office of Postmaster-General, Punjab and North-West Frontier Circle.
Hindus	109
Muhammadans	66
Sikhs	3
	Office of the Deputy Postmaster-General, Railway Mail Service, Northern Circle.
Hindus	44
Muhammadans	21
Sikhs	5

PROPORTION OF MUHAMMADANS, GURKHAS AND OTHER HINDUS AND SIKHS EMPLOYED AS SOLDIERS AND VICEROY'S COMMISSIONED OFFICERS IN THE INDIAN ARMY.

514. *Sardar Kartar Singh: (a) What is the total number of Indian soldiers and Viceroy's commissioned officers in the Indian Army (both Cavalry and Infantry respectively)?

(b) Will Government kindly give the above information as below:

- (i) number of Muhammadans,
- (ii) number of Gurkhas and other Hindus,
- (iii) number of Sikhs?

(c) What is the proportion of each community in the Indian Army?

Mr. G. M. Young: (a) and (b). The figures are as follows:

CAVALRY—

4,508	Muhammadans.
4,208	Hindus.
2,582	Sikhs.

Total 11,298

INFANTRY—

33,294	Muhammadans.
55,979	Gurkhas and other Hindus.
15,208	Sikhs.

Total 1,04,481

(c) The percentages for the whole of the Indian Army are as follows:

- 88 per cent. Muhammadans.
- 50 per cent. Gurkhas and other Hindus.
- 17 per cent. Sikhs.

NUMBER OF SIKHS IN THE SALT DEPARTMENT.

515. *Sardar Kartar Singh: Will Government be pleased to state what is the number of Sikhs in the Imperial and Provincial services of the Salt Department and the number of total appointments?

The Honourable Sir Basil Blackett: There are no Sikhs in the gazetted ranks of the Bombay and Madras Salt Departments. In the Northern India Salt Revenue Department out of 44 gazetted officers two are Sikhs. The Salt Department is not divided into an Imperial and a Provincial service.

NUMBER OF MUHAMMADAN, HINDU AND SIKH INSPECTORS OF POST OFFICES AND THE RAILWAY MAIL SERVICE IN THE PUNJAB.

516. *Sardar Kartar Singh: What is the total number of Inspectors of Post Offices and the Railway Mail Service, respectively in the Punjab and how many of them are Muhammadans, Hindus, and Sikhs?

Sir Ganen Roy: Sixty-three; 24 Muhammadans, 85 Hindus and 4 Sikhs.

NUMBER OF SIKHS WHO APPEARRED AT THE EXAMINATION HELD BY THE ACCOUNTANT GENERAL, CENTRAL REVENUES, IN JANUARY LAST.

517. *Sardar Kartar Singh: Will Government please state:

- (i) how many Sikhs applied to appear in the Examination held by the Accountant-General, Central Revenues, in January last, and how many were allowed to sit in it?
- (ii) how many from other communities, i.e., Hindus and Muhammadans sat for the examination?
- (iii) the number of accepted candidates from each community?

The Honourable Sir Basil Blackett: (i) 87 Sikhs applied, 11 were held eligible, and only 6 sat for the examination.

(ii) 2 Anglo-Indians, 28 Muhammadans, and 128 Hindus sat for the examination.

(iii) 11 Hindus and one Sikh passed the examination.

SELECTION OF SIKHS FOR THE INDIAN RAILWAY SERVICE OF ENGINEERS AND THE TRANSPORTATION (TRAFFIC AND COMMERCIAL DEPARTMENTS OF STATE RAILWAYS.

518. *Sardar Kartar Singh: (a) How many Sikhs in the Punjab applied to appear at the examination held by the Railway Board for the:

- (1) Imperial Service of Engineers on State Railways, and
- (2) Transportation (Traffic) and Commercial Department of State Railways,

and how many of them were permitted to sit at the said examination?

(b) Are Government aware that in spite of their short representation no Sikh has been selected for appointment?

The Honourable Sir Charles Innes: The Government of India have no information as to the number of Sikhs who applied to appear at the competitive examination for Superior Railway Services held in November, 1926 as all applications in the first instance were dealt with by the Provincial Quota Committee. One Sikh was nominated by the Punjab Committee for the Indian Railway Service of Engineers competitive examination but he did not appear at the examination.

SIKH CUSTOMS INSPECTORS AND APPRAISERS.

519. *Sardar Kartar Singh: (a) What is the total cadre of Inspectors and Appraisers at every Customs Station in India and how many of them are Sikhs in either grade at each station?

(b) Was the Government of India, Home Department Office Memorandum No. F.-176/25-Estbs., dated the 5th February, 1926, regarding the measures to be adopted in securing the appointment of members of minority communities communicated to the Customs Department? If it was communicated what effect was given to it by the Department in making appointments of Inspectors and Appraisers at all the stations in India? If it was not, why?

(c) How are the appointments made and what are the necessary qualifications required for these appointments?

The Honourable Sir Basil Blackett: As the answer is a somewhat long one, I propose to lay it on the table:

(a) The number of Customs Inspectors is as follows:

Calcutta	14
Chittagong	1
Rangoon	7
Madras	3
Madras Outports	7
Bombay	10
Karachi	3

The number of Appraisers is:

Calcutta	36
Chittagong	1
Rangoon	13
Madras	12
Bombay	25
Karachi	21

There are no Sikhs in either class but in Bombay there is one Sikh among the Preventive Officers from whom Inspectors are selected.

(b) Yes, but it related only to the ministerial establishments and not to the Preventive and Appraising staffs.

(c) Appraisers are appointed partly by promotion from other branches of the Custom House establishments and partly by the direct recruitment of men with commercial experience. Inspectors are appointed by selection from the cadres of Preventive Officers. The appointments are made by the Collectors of Customs at the five great ports, and as the subordinate staff is not subject to transfers from one province to another recruitment is naturally confined, for the most part, to residents of the Province concerned.

REPRESENTATION OF SIKHS IN THE OFFICE OF THE PUBLIC SERVICE COMMISSION.

520. ***Sardar Kartar Singh:** (a) Will Government please say what is the total strength of the ministerial staff of the Public Service Commission with the Government of India?

(b) Is it a fact that there is no Sikh in this cadre of the Commission?

(c) How many Sikhs applied for appointments when the office of the Commission was constituted and why was none of them appointed to give this community its share of representation?

The Honourable Sir Alexander Muddiman: (a) The total strength of the ministerial staff of the Public Service Commission is 12.

(b) Yes.

(c) Out of 199 applications for appointment 10 came from Sikhs, 2 of whom had not passed the Staff Selection Board's examination. One-third

of the appointments have been filled from minority communities, but in this small establishment it has not yet been found possible to offer any appointment to a Sikh.

Mr. M. A. Jinnah: Do the Government propose to take any steps to make up for the paucity of Sikh representation in the services?

The Honourable Sir Alexander Muddiman: In this service of 12, as I have said

Mr. M. A. Jinnah: All services.

The Honourable Sir Alexander Muddiman: I am answering this question in regard to the Public Service Commission. In this service of 12, the minority community is well represented by one-third.

REVISION OF THE CONSTITUTION OF THE MUSLIM UNIVERSITY AT ALIGARH.

521. ***Mr. Abdul Haya:** 1. Has the attention of the Government been drawn to a pamphlet called "Note by Aftab Ahmad Khan on his works and experience during the last three years of his office as Vice-Chancellor of the Aligarh Muslim University"? Were copies of this pamphlet submitted to His Excellency the Lord Rector of the Aligarh Muslim University and the Government of India?

2. Is it a fact that the ex-Vice Chancellor, Sahibzada Aftab Ahmad Khan, has pointed out in this pamphlet, the immediate necessity of revising the constitution of the Muslim University at Aligarh?

3. Is it proposed to make an inquiry into the working of the University under section 18 (2) of the Aligarh Muslim University Act XL of 1920 or otherwise?

4. If so, is it proposed to take the leading Musalmans of India into their confidence before instituting any enquiry?

Mr. J. W. Bhore: 1. Yes.

2. Sahibzada Aftab Ahmad Khan has suggested an examination of the constitution with a view to a consideration of its suitability for the Aligarh Muslim University.

3 and 4. The matter is under consideration.

AUDIT OF THE ANNUAL ACCOUNTS AND BALANCE SHEET OF THE MUSLIM UNIVERSITY AT ALIGARH.

522. ***Mr. Abdul Haya:** Will the Government please state what firms of Auditors are at present appointed to audit the annual accounts and balance sheet of the Aligarh Muslim University?

Mr. J. W. Bhore: The last audit was carried out by Messrs. Batliboi and Purohit, Incorporated Accountants, Bombay, about the middle of 1926.

AUDIT OF THE ANNUAL ACCOUNTS AND BALANCE SHEET OF THE MUSLIM UNIVERSITY AT ALIGARH.

523. ***Mr. Abdul Haya:** 1. Is it a fact that Sahibzada Aftab Ahmad Khan as Vice-Chancellor of the Aligarh Muslim University in December last requested the Government to have the accounts of the University

audited by some qualified Government Auditor other than those appointed by the Visiting Board of the University?

2. Did the Government enter into further communication with the Vice-Chancellor on this subject with a view to satisfy itself as to the necessity of taking such action?

3. What action have the Government taken or what action do they propose to take in this matter?

Mr. J. W. Bhore: 1. Yes.

2. No.

3. The appointment of auditors rests with the Visiting Board.

VISITING BOARD OF THE MUSLIM UNIVERSITY AT ALIGARH.

524. ***Mr. Abdul Haya:** 1. Will the Government please state what are the names of the present ex-officio and nominated members of the Visiting Board which has been constituted under section 14 (1) of the Aligarh Muslim University Act?

2. Will the Government please state how many inspections have so far been made by the Visiting Board ever since the establishment of the University giving in each case the date or dates of inspection and the name or names of the member or members of the Visiting Board through whom the inspections were made?

3. Was ever any action taken by the Visiting Board at the time of inspection under section 14 (3) of the Aligarh Muslim University Act?

Mr. J. W. Bhore: 1. The Visiting Board consists of six *ex-officio* and two nominated members. Their names are as follows:

Ex-officio Members.

1. His Excellency Sir William Marris, K.C.S.I., K.C.I.E., Governor of the United Provinces.
2. The Honourable Sir Samuel O'Donell, K.C.I.E., C.S.I., I.C.S., Member of the Executive Council, United Provinces.
3. The Honourable Lieutenant Nawab Muhammad Ahmad Sa'id Khan, C.I.E., M.B.E., Member of the Executive Council, United Provinces.
4. The Honourable Rai Bahadur Rajeshwar Bali, O.B.E., Minister for Education, United Provinces.
5. The Honourable Nawab Muhammad Yusuf, Barrister-at-Law, Minister for Local Self-Government, United Provinces.
6. The Honourable Thakur Rajendra Singh, Minister for Agriculture, United Provinces.

Nominated Members.

7. Kunwar Jagdish Prasad, C.I.E., O.B.E., I.C.S., Industries and Education Secretary to the Government of the United Provinces.

8. Vacant.

2. None.

3. Does not arise.

PRIVATE NOTICE QUESTIONS AND ANSWERS.

STRIKE AT KHARAGPUR ON THE BENGAL NAGPUR RAILWAY.

Mr. Chaman Lal: 1. Will Government be pleased to state:

- (a) whether they have received a full report regarding the bayoneting of Kharagpur strikers and the condition of those who were fired on and bayoneted;
- (b) whether they have received any further information regarding the strike situation on the Bengal Nagpur Railway;
- (c) whether it is a fact that telegraphic messages from the affected areas are being or have been censored; and
- (d) whether any meetings of the workers were prohibited, and if so, under what authority and for what reason?

The Honourable Sir Charles Innes: I have received a report from the Agent about the affray which took place at Khargpur on the 11th instant. As I stated the other day, a Labour Union meeting was held that evening. Every effort had been made by the Agent to remove any misunderstanding about the temporary character of Naidu's transfer to work under the executive officer and the fine imposed on Naidu had been cancelled. But the Agent's information is that it was as the result of the transfer that those present at the meeting, as soon as the meeting was over, took possession of the station and station yard at Khargpur. The news was at once sent to the railway officers and to the District Magistrate and District Superintendent of Police of Midnapore who happened to be at Khargpur. It was reported that a crowd of working men had gone to the station yard with the object of stopping all work and of interfering with the train service.

When the officers reached the station, they found the platform occupied by a crowd of about 400 men. They were informed that the Traffic staff had been forcibly stopped from work, and that a part of the crowd had gone to the East and West Cabins. The Puri Express had been admitted to the station, but the workmen were on the track in front of it and would not allow the engine to be changed. The total number of men who went from the Union meeting to the station is estimated at between 600 and 1,000 men.

The District Magistrate and the other officers with the few police present moved towards the crowd in the platform, and ordered them to leave the platform. They succeeded in moving the crowd some way towards the Midnapore end of the platform, but they were heavily stoned with ballast picked up from the track and it was impossible to move the crowd any further. The officers then returned to the station building being heavily stoned in the process, and the District Magistrate then ordered the Auxiliary Force to be called out and Armed Police to be sent for from the Thana at Jhapatapur.

The crowd in the meantime had remained at the Midnapore end of the platform, and information was received that an attack was being made on the West Signal Cabin.

Orders were issued to the Auxiliary Force as soon as they arrived to clear the yard and to place guards in the East and West Cabins. The Force also marched in front of the Puri Express driving the crowd before them and eventually the engine of the train was changed and the train allowed to proceed.

In clearing the platform and the yard, 15 workmen were wounded. None of the wounds were serious and 12 of them are reported to have been merely superficial—in fact nothing more than pricks. No firing was resorted to in the station and station yard in spite of the fact that the Auxiliary Force were stoned, but later in the night a body of rioters attacked a police guard, at a level crossing, I believe, with stones and brick-bats. Two shots were fired and one rioter was wounded in the leg. The wound is not serious.

(b) The Khargpur Branch of the Union is reported to have declared a general strike on Tuesday last.

The latest wire from the Agent is as follows:

"No response yet to Union call for general strike. Men at all stations between Khargpur and Bhadrak resumed and strike now confined to Khargpur-Shalimar section. Shops remain closed and all quiet. Work of station yard much improved with new recruits who are coming in increasing numbers. Mail and passenger trains running more punctually and ten goods trains through Khargpur to-day clearing accumulations at Tatanagar and Khargpur."

The Agent is also reported to have decided to close the shops at Khargpur for the present. I have wired for information on this point.

(c) I have no information on the subject. If any such action has been taken, it must have been taken by the Local Government.

(d) I have seen reports in the Press that meetings have been prohibited by the District Magistrate under section 144 of the Criminal Procedure Code. I have no other information on the subject.

Mr. B. Das: May I ask the Honourable Member if the District Magistrate asked the men present at the railway platform to clear out of the station before the Auxiliary Force fired on them?

The Honourable Sir Charles Innes: Yes, Sir.

Mr. A. Rangaswami Iyengar: May I know, Sir, whether the Honourable Member is aware of the fact that the situation in Nagpur is also threatening as appears from the news in the papers?

The Honourable Sir Charles Innes: The very latest information we have got is that which I read out from this telegram which was received last night. It makes no reference to Nagpur. But I may say, after seeing the report about Nagpur, I wired to the Agent about it; I have not got a reply yet.

Mr. A. Rangaswami Iyengar: The Honourable Member in his statement said that the wounds were not serious. May I know whether the attention of the Member has been drawn to the fact that one man was bayoneted in the nose and it reached as far as the palate?

The Honourable Sir Charles Innes: Most of the wounds were entirely superficial, except three. I understand that one man got a jab in the cheek. I am told by the Agent that the wound is not a serious one.

Mr. A. Rangaswami Iyengar: May I also know whether it is a fact that a certain old man who was carrying food for his son was charged with a bayonet?

The Honourable Sir Charles Innes: I have no information on the point at all.

Mr. Chaman Lal: Is the Honourable Member aware, Sir, that the Union stated that no stones were thrown at the Auxiliary Force until the Auxiliary Force took to attacking?

The Honourable Sir Charles Innes: The only information I have got is what I have read out.

Mr. B. Das: May I enquire if sufficient time was allowed to the people to clear out from the station before the Auxiliary Force took to firing?

The Honourable Sir Charles Innes: I thought I had already explained to the Honourable Member that the officers present, the very few police, did their very best to get the crowd off the station yard. It was when they failed that they had to return to the station building and then the District Magistrate ordered the Auxiliary Force to be called out.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member kindly state with traffic so greatly dislocated how was it possible for the Railway to run trains?

Mr. A. Rangaswami Iyengar: May I know whether the Government of India have now taken any steps with a view to removing the censoring of telegrams?

Mr. President: The Honourable Member had already stated that Government did not know whether any telegrams were being censored at all.

Mr. Chaman Lal: May I know if Government have ascertained whether there is any censorship exercised by the Local Government?

The Honourable Sir Alexander Muddiman: I do not know whether that question is rightly addressed to me. It is the first I have heard of it, but I will make enquiries on the subject.

Mr. Chaman Lal: Is the Honourable Member aware that the strikers allege that there was enmity between the volunteers and themselves before the strike took place?

The Honourable Sir Alexander Muddiman: I can well believe it.

Mr. President: I have received the following notice

Mr. Chaman Lal: May I ask the other two private questions, Sir?

2. Will Government be pleased to state:

(a) the number of Auxiliary Force Volunteers called out and the number of such volunteers who attacked the strikers at Khargpur; and

(b) the approximate number of strikers thus attacked?

The Honourable Sir Charles Innes: With all respect to the Honourable Member I do not think that he should abuse the privilege of a private notice question by using such expressions as "the volunteers who attacked the strikers at Khargpur."

The Auxiliary Force was called out under the orders of the civil authority and merely obeyed orders. I do not know how many were called out. The number of the crowd was apparently between 600 and 1,000.

Mr. Chaman Lal: Does the Honourable Member consider that the violence used by the volunteers to be in the nature of fraternal hugging or kissing? (Laughter.) What does he consider bayoneting to be? Is it an attack or not an attack?

Mr. Chaman Lall: As the Honourable Member will not vouchsafe a reply, I will ask my next question.

3. Will Government be pleased to state what, if any, property was damaged by the strikers and whether (and if so whether before or after the strikers were bayoneted or fired on) any officials or police or volunteers were attacked by the strikers?

The Honourable Sir Charles Innes: I have already answered this question. My information is that:

- (1) the traffic staff was forcibly prevented from working;
- (2) that train service was interfered with;
- (3) that the station and station yard were forcibly occupied;
- (4) that the West Signal Cabin was attacked;
- (5) that the District Magistrate found that he could not disperse the crowd without resort to force, and
- (6) the crowd was violent and that there was heavy stone-throwing.

Mr. Chaman Lall: Will the Honourable Member admit, since no property was damaged, and no officers hurt, that it was a gratuitous attack?

The Honourable Sir Charles Innes: Three officers were hit by stones.

Mr. Chaman Lall: Was it before or after the attack on the strikers?

The Honourable Sir Charles Innes: Before, Sir.

Mr. Chaman Lall: Is the Honourable Member perfectly sure that that was so?

The Honourable Sir Charles Innes: That is my information, Sir.

UNSTARRED QUESTIONS AND ANSWERS.

QUANTITY AND VALUE OF RAW BONES AND BONE MEAL EXPORTED FROM INDIA.

99. **Mr. Mukhtar Singh:** Will Government be pleased to place on the table a statement giving the following information:

- (a) the amount and price of raw bones exported from this country from different ports during the last five years?
- (b) the amount and price of bone meal (1) steamed, (2) unsteamed exported from this country from different ports during the last five years?

The Honourable Sir Charles Innes: The information available is contained in Volume I of the Annual Statement of the Sea-borne Trade of British India for 1925-26, a copy of which is in the Library of the Assembly.

DEFICIENCY OF PHOSPHATES IN INDIAN SOILS.

100. **Mr. Mukhtar Singh:** Will Government be pleased to state if they have made any recent investigation into the fact that the Indian soils are being depleted every day for want of phosphates in them? If so, will Government be pleased to place on the table the result of such investigations?

Mr. J. W. Bhore: Investigations into the manurial requirements of Indian soils have shown that the soils of certain limited areas and more especially the red soils of lateritic origin are deficient in phosphates. The results of these investigations will be found in the annual reports describing the experimental work done on experimental farms in the provinces. These investigations are still being continued in most provinces.

Most of these soils owe their loss of phosphates to physical causes and not to crop production. They must have been deficient in phosphates for countless centuries.

NUMBER OF MUSLIM JAILORS IN THE NORTH-WEST FRONTIER PROVINCE.

101. **Mr. Abdul Hays:** (1) Will the Government please state the total number of:

- (a) First class Jailors,
- (b) Second class Jailors, and
- (c) Deputy Jailors

in the North-West Frontier Province?

(2) Is it a fact that at present there is not a single Muslim among the First and Second class Jailors and Deputy Jailors of this Province?

(3) If the answer to part (2) be in the negative, will the Government please state the number of Muslim Deputy Jailors and Muslim Jailors of the 1st and 2nd classes?

(4) If the answer to part (2) be in the affirmative, will the Government please state why such a state of affairs exists in a Province where the Muslims constitute 95 per cent. of the population and what the Government propose to do in order to safeguard the interests of the Muslims?

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

MOTION FOR ADJOURNMENT.

STRIKE AT KHARAGPUR ON THE BENGAL NAGPUR RAILWAY.

Mr. President: I have received the following notice of motion for the adjournment of the House from Mr. Jogiah:

"I hereby give notice that I shall move to-day for the adjournment of the business of the House to consider a definite matter of urgent public importance, namely, the serious situation that has arisen in Khargpur and other places on the Bengal Nagpur Railway line on account of the wanton shooting and bayoneting of some railway men and some members of the public by the Auxiliary Force and the callous and irresponsible treatment of the representations and grievances of the subordinate employes by the Railway Administration and the failure to end the strike that is continuing and on account of the suppression of telegrams sent to Members of the House."

I do not know whether any Honourable Member wishes to say anything in connection with the admissibility of this motion.

The Honourable Sir Alexander Muddiman (Home Member): Unless you, Sir, are prepared to rule it out at once, I would like to say a few words.

The first point is—I do not want to take up the time of the House by discussing it at length, as I hope that your decision will be in my favour—that Rule 11 allows a motion for the adjournment of the House for the purpose of discussing a definite matter of urgent public importance. Rule 12 lays down that not more than one such motion shall be stated at the same sitting. Therefore a motion must merely raise one point and two motions cannot be put down on the same day. If a multiplicity of points in one motion were allowed, Rule 12 would be defeated, because it would be open to any Member to put several points in one motion. In the notice given by Mr. Jogiah he deals with at least four points, the alleged wanton shooting and bayoneting by the Auxiliary Force, secondly, the callous and irresponsible treatment of the representations and grievances of the subordinate employees, thirdly, the failure to end the strike, and, fourthly, the suppression of telegrams. That is not a single motion.

Mr. President: Are these not causes leading to the situation? If the Honourable Member will look at the motion he will find that Mr. Jogiah proposes to discuss the serious situation that has arisen in Khargpur on account of these things.

The Honourable Sir Alexander Muddiman: With the greatest deference to your ruling, the motion is to move these four points, and he must instance one matter of urgent public importance and not four.

Mr. N. M. Joshi (Nominated: Labour Interests): The House will clearly see that the Honourable Home Member is really at the end of his wits. He knows that the motion is quite in order . . .

The Honourable Sir Alexander Muddiman: I must protest against the insinuation suggested by the Honourable Member.

Mr. N. M. Joshi: The House is asked to consider one definite matter of urgent public importance, and that definite matter is the situation that has arisen in Khargpur. That situation may consist of one or two instances, but these instances do not change the fact that the definite motion should be discussed each one separately, the strike situation and the happenings in connection with the strike. I therefore think this motion should be allowed, and I hope, Sir, that in the interests of the workers, whose interests are involved in this matter, you will allow it to be discussed this afternoon.

Mr. President: Is that the only reason that the Honourable the Home Member has to urge on the point of order?

The Honourable Sir Alexander Muddiman: No, Sir. If the Chair rules me out on that point, my next point is, that this motion could have been made yesterday but by arrangement between the Honourable Members on the other side and my Honourable friend on this side, it was not made. My Honourable friend yesterday gave a pledge that he would obtain all the information available, in reply to a short notice question, and I suggest that that pledge has been fulfilled. If the Honourable Members opposite were not prepared to accept that pledge, it was open to them to move this motion yesterday. As they did not move it yesterday, I submit the matter is now stale.

Mr. Chaman Lall (West Punjab: Non-Muhammadan): May I take the liberty of pointing out that although the Honourable the Commerce Member gave us a definite pledge that he would obtain all the information available and place it before the House to-day, we gave no pledge that on receipt of that information we would not move a motion for the adjournment of the House. In view of the fact that information is now available, we are taking the first opportunity to move the motion for adjournment. I submit that under those circumstances there can be no question of such a motion becoming stale. On the contrary, the matter is quite fresh, and we are within our rights in demanding a motion for adjournment in view of sections 11 and 12 of the Rules. I beg therefore to point out that the urgency of the matter has arisen to-day in view of the reply

12 noon. the Honourable the Commerce Member has given to us, and because of that urgency we are asking now for your leave to move this motion for adjournment.

The Honourable Sir Alexander Muddiman: I will reply to the last point made by my Honourable friend first. I fail to see how this motion for adjournment can be grounded on the reply of my Honourable friend Sir Charles Innes, for notice of the motion was given before the reply was made by him. That, Sir, I think disposes of that point. On the second point, Sir, I should like to say this, that in no House that I know of is it possible for an Honourable Member to hold over a threat of a motion for adjournment in this way. He can either move it or not move it. If he puts it on the paper and then agrees not to move it, he is not entitled later on to bring forward a motion. My Honourable friend has given all the information he can and that he was pledged to do; he has discharged the pledge he gave and this motion should not be allowed.

Mr. President: The Chair is not concerned with any pledge given by either side of the House; the Chair has to decide on the notice of motion now before it. Whether the Honourable Members on either side carry out their pledge or not is not the concern of the Chair. What the Chair has got to see is whether the matter is a definite matter of urgent public importance and whether the motion is barred by any of the rules that govern motions for adjournment.

The Honourable Sir Charles Innes (Member for Commerce and Railways): May I just make one point, Sir? I claim that this motion for adjournment contravenes at any rate the spirit of Rule 44 (4) on page 17 of the Manual:

"The motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given."

What we have got to consider is the strike situation on a certain section of the Bengal Nagpur Line. On Wednesday next we have the Railway Demands for Grants. Honourable Members opposite can raise and discuss the strike situation the whole of next week, and I say, Sir, the matter is not so urgent that it should be discussed to-day, and I say that it is not treating me fairly. I have given all the information I can; I have been in constant communication with the Agent, and I am perfectly prepared, as I get more information, to meet either in my own room or in the House any Honourable Member opposite and give him all the information I can, but it is not fair at this stage to try and drag the Assembly into a strike which is in its initial stages.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the shooting and the bayoneting of the workmen and the further information revealed to us by the Honourable the Commerce Member make the matter sufficiently urgent, and I do not see why we should postpone a matter of such urgent importance to this side of the House till the discussion of the Budget. The Budget will be discussed on its merits and this question has got to be discussed on the merits. All that the Commerce Member promised to give us was the information. We have had the information and what we ask for is to be allowed to discuss the urgent matter of public importance that has been revealed by the information just supplied. Therefore, we are within our right to ask for a motion for adjournment.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Sir, with reference to the contention of my Honourable friend the Member for Commerce that the motion is an anticipating motion, I wish to point that what the rule lays down is that there should be a matter previously appointed for consideration.

The Honourable Sir Charles Innes: I said it infringed the spirit of that rule.

Pandit Motilal Nehru: The spirit means—I do not know what it means (Hear, hear). I do not quite see the force of the "Hear, hear" either. I am just going to tell you what the spirit means according to my Honourable friend. By spirit he means something which is quite strange to the rule, which has absolutely nothing whatever to do with it.

Mr. President: I am quite clear that the motion is not barred by the rule of anticipation.

Pandit Motilal Nehru: Then the next thing I want to point out is that the mere fact that my Honourable friend promised to give information does not preclude any Member from giving notice of a motion.

Mr. President: That point also has been disposed of.

Pandit Motilal Nehru: Then I have nothing further to say.

Mr. N. M. Joshi: May I say one word? The proper time for an adjournment motion has now arisen because we now learn that the Government of India and the Agent of the Bengal Nagpur Railway have failed to do their duty to their workmen. That we know now.

Mr. President: Why could you not bring the matter up in the Local Council?

Mr. N. M. Joshi: Railways are not a provincial subject; Railways are a central subject; therefore it is necessary that this House should censure the Government for their failure in their duty to their employees, and that motion can only be moved in this Assembly.

The Honourable Sir Alexander Muddiman: Sir, I should not have spoken again if my Honourable friend had not spoken. In so far as the question of the interference of the police is concerned, it is most obviously a matter which directly concerns the Local Government and therefore not a

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matter for discussion here. The constitutional relationship between the Government of India and the Local Government in these matters is this. We administer for the Local Governments, we are responsible for general principles. On the other point my Honourable friend seems to be arguing on the possibility of moving an adjournment at the next meeting of this House, because it is perfectly clear from what he says that what he is going to move on is the statement made to-day and not that for which notice was presumably given.

Mr. President: I should like to know from the Honourable the Home Member whether there is anything in the rules which prevents the Chair from allowing a motion on the ground that it relates to a matter which is not the primary concern of the Governor General in Council?

The Honourable Sir Alexander Muddiman: I cannot refer you to a direct rule on the subject, but Legislative Rule 11 says that a motion for an adjournment of the business of the Chamber for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President, and I suggest, Sir, that you will not give that consent for, as I have shown you, the motion in question infringes the correct constitutional position in regard to the relationship between the Central and the Local Governments, and I regard this matter as one of great constitutional importance. This Assembly is jealous of its rights and it ought to be jealous of the rights of others. It ought to recognise that the Central Legislature has its duties and the local Legislature has its duties.

Mr. President: Is the Bengal Council in Session?

The Honourable Sir Alexander Muddiman: I think it sits on the 21st, Monday.

Mr. Arthur Moore (Bengal: European): Sir, I should like to suggest to you that we cannot profitably discuss this question to-day. All that we have before us is the statement of the Honourable Sir Charles Innes, which has been supplied from the spot. Now, Sir, on that statement there is very little to discuss. Clearly the Government had to act as they have acted. They had to use troops, on that statement. All that we should get from the other side is hearsay information. We shall be really confined to discussing solely the Government statement. Therefore, it seems to me that we should be wasting the whole of our time on a perfectly profitless discussion.

Mr. President: That is a matter for the Honourable Members to consider, not for the Chair.

Mr. Arthur Moore: I submit that in relation to the urgency of the matter it is a question whether we should spend our time in discussing this in view of the state of public business.

Mr. President: Order, order, I rule that the matter is in order. Does any Honourable Member object to leave being given to Mr. Jogiah? As no Honourable Member objects, I intimate that leave is granted and the discussion of the motion will take place at 4 o'clock.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

Mr. President: I have received the following Messages from His Excellency the Viceroy and Governor-General:

(The Messages were received by the Assembly standing.)

"For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of Rules 45, 46 and 47 of the Indian Legislative Rules and of Standing Order 70 of the Council of State Standing Orders, I, Edward Frederick Lindley, Baron Irwin, hereby appoint the following days for the presentation to the Council of State and to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of subjects other than Railways and for the subsequent stages in respect thereof in the Council of State and in the Legislative Assembly, namely:

Monday, February 28th, at 5 p.m.	Presentation in both Chambers.
Thursday, March 3rd	} General discussion in the Legislative Assembly.
Friday, March 4th ...	...
Saturday, March 5th ...	...
Wednesday, March 9th	} Voting of Demands for Grants in the Legislative Assembly.
Thursday, March 10th ...	...
Friday, March 11th ...	...
Monday, March 14th ...	...
Tuesday, March 15th ...	...

(Sd.) IRWIN,
Viceroy and Governor General."

"In pursuance of the provisions of sub-section (3) of section 67A of the Government of India Act, I hereby direct that the heads of expenditure specified in that sub-section shall be open to discussion by the Legislative Assembly when the Budget is under consideration.

(Sd.) IRWIN,
Governor General."

STATEMENT OF BUSINESS.

The Honourable Sir Alexander Muddiman (Home Member): With your permission, Sir, I desire to make a statement as regards the probable course of Government business next week. In view of the present state of the Bill before the House this statement may require modification.

On Monday, the 21st, motions will be made to take into consideration and, if those motions are passed, to pass the following Bills, namely, the Madras Salt (Amendment) Bill and the Provident Funds (Amendment) Bill, which were passed by the Council of State on the 11th February and laid on the table in this House on the 14th, and the Bill further to amend the Presidency-towns and the Provincial Insolvency Acts, which was introduced on the 7th February. A motion will also be made inviting the concurrence of the House in the recommendation of the Council of State that the Bill to consolidate and amend the law relating to the provision, maintenance and control of lighthouses by the Government in British India be referred to a Joint Committee of both Chambers. It is also proposed to take up further consideration of the motion for the supplementary grant in respect of Aviation.

The remaining days set aside for official business, namely, the 22nd, 23rd, 24th, 25th and 26th, have been allotted to the Railway Budget—the 22nd for the general discussion and the remaining days for voting on Demands for Grants.

THE RAILWAY BUDGET FOR 1927-28.

The Honourable Sir Charles Innes (Member for Commerce and Railways): I rise to present the Railway Budget for 1927-28 and I confess that I do so with a certain sense of embarrassment. For after having made one farewell speech on the Railway Budget, it is awkward to have to make another. I can only plead that my predicament is not one of my own seeking, and for that reason I feel that I can claim the sympathy of the House.

2. As usual, the Budget which I am presenting is not merely a departmental compilation. In preparing it we have had the assistance of the Standing Finance Committee for Railways; we were handicapped this year by the fact that the Standing Finance Committee for Railways naturally went out of existence when the last Assembly was dissolved, and that this House was not able to elect a new one until January 25th last. Thus, we were not able to spread the examination of the figures over a period of several weeks as was the case last year. But when the Committee was constituted, Mr. Parsons lost no time in placing the Budget before it, and I understand that at considerable sacrifice of personal convenience and by dint of much hard work, for which we owe them grateful thanks, the Committee was able to make a very thorough examination of the Budget. In the Budget papers which will shortly be circulated, Honourable Members will find some changes which I hope they will appreciate. In the first place, we have prepared the statement of railway revenue and expenditure in foolscap instead of octavo form. We have made this change because in the Budget debates of last year there was some complaint that the figures could not be studied without an undue strain on the eyes. Secondly, a feature of the Budget papers this year is the provision of maps and diagrams. We have appended to the explanatory memorandum a Railway map of India which will enable the Honourable Members to see at a glance what new lines we propose to construct, and what new lines we propose to survey. Then in the pink books will be found a sketch map of each Railway system showing exactly how we are developing and how we hope to develop the system. In addition, each book contains a diagram which gives full information as to the gauge of each extension, its length and cost and the progress we hope to make in each of the next 5 years. Our object of course is to enable Honourable Members readily to grasp what our programme is for the extension and development of the Indian Railway system and to see whether we have made provision for particular new lines in which they may be interested. I am also circulating with the budget papers a Memorandum explaining fully what we anticipate would be the effect on our railway finances of a reduction from 1s. 6d. to 1s. 4d. in the rupee ratio not only in the budget year but also by the time the full effect of the change would be felt.

As this Assembly is a new Assembly some Honourable Members may not be aware of the practice we have established in the last two years. It is the custom now for Honourable Members, when they give notice of motions for reductions, to add a few words to indicate the nature of the subject they wish to bring up for discussion. This procedure is of great assistance to the House generally and to Government Members in particular, and I should be very grateful if it could be repeated this year.

3. Full explanations of the figures in the Budget are given in the Budget Memorandum, in the explanations attached to each of the Demands for Grants and in the pink books for individual railways. Following my

usual custom, therefore, I propose to confine myself to a brief review of the more important figures, and to some account of the more important activities of the Railway Board and the Railway Administrations.

Financial Results of 1925-26.

4. I need not spend time over the actuals of 1925-26. It was a good year for Railways though not as good as 1924-25. In my Budget speech last year, I told the House that we expected to have a net surplus (that is, the gain from commercial lines *minus* the loss on strategic lines) of 877 lakhs, and that we expected that we should transfer 532 lakhs to General Revenues and 345 lakhs to Railway Reserves. Actually we did a little better than we anticipated. I will not go into the figures in detail, for they are given in the Administration Report for 1925-26. But in the result we transferred 549 lakhs to General Revenues and our Reserves benefited to the extent of 879 lakhs. The return on Budget lines in 1925-26 was 5·31 per cent., and if this figure is not quite so good as in the exceptionally prosperous year of 1924-25, when the return was as high as 5·85 per cent., it is better than any of the other post-war years and better than it was in 1918-14.

Revised Estimate for 1926-27.

5. I am sorry to say that I cannot give as favourable an account of the probable financial results of the current year. We budgetted on commercial lines for gross receipts amounting to 102·58 crores and gross expenditure, including interest charges, of 92·13 crores. That is, we counted on a gain from commercial lines of 10·45 crores, and deducting an anticipated loss on strategic lines of 174 lakhs, on a net surplus of Rs. 871 lakhs. On the basis of these figures, we expected not merely to be able to pay our net contribution of 601 lakhs to General Revenues but also to transfer 270 lakhs to our own Reserves. But we now know that our budget figures are not likely to be realised. We now estimate that our gross receipts will be 98·31 crores of 4½ crores less than our budget estimate, and that our total charges will be 90·56 crores, or 157 lakhs less than our estimate and that the gain from commercial lines will be 775 lakhs instead of 10·45 crores. The loss on strategic lines is now put at 181 lakhs instead of 174 lakhs, and the final result is that we now expect a net surplus of 594 lakhs instead of 871 lakhs. The net contribution payable under the Convention to General Revenues is, as I have said, 601 lakhs. We expect, therefore, to have to draw on our Reserves to the extent of 7 lakhs to enable us to pay our dues to General Revenues. As Clause 4 of the Convention shows, that is the primary purpose for which these Reserves exist.

6. These figures are disappointing, but I confess that I take a philosophical view of them. It seems at first sight a serious matter that we should have to cut 4½ crores off our budget estimate of gross receipts, but railway earnings depend so largely on factors outside railway, or rather I should say human, control that we can never be sure that our budget estimates of gross receipts will not be falsified by the course of the season and the state of trade. And this is what has happened in the current year. Up to the end of July, in spite of reductions in passenger fares and coal freights, we were ahead of the earnings of last year. The monsoon seemed promising, and we had hopes of a really good year. The prospects took a turn for the worse, and now we expect our earnings from

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goods traffic to be worse than our estimate by 2½ crores and our earnings from passenger traffic to be worse by nearly 1½ crores. Two Railways, the Eastern Bengal and Assam Bengal Railways, have done better than we expected. The explanation is that they serve areas which have been favoured by an exceptionally abundant jute crop and a good tea crop. For the rest, the failure of gross earnings to come to our expectations is common to all Railways. As usual, we have suffered much from floods. They affected the Bengal-Nagpur Railway, the Great Indian Peninsula Railway and the Bombay, Baroda and Central India Railway, but they were particularly disastrous in Burma. The main line of the Burma Railways was so badly breached that communications could not be restored for several weeks with the result that earnings on this Railway are half a crore below our estimate. Again, the season proved unfavourable for the cotton crop. The final estimate for the year is nearly a million bales below last year's figure, and in addition the crop was abnormally late. Our earnings from raw cotton were less by 60 lakhs in the first 8 months of this year than in the corresponding period of last year. Cotton is now moving freely to Bombay, but the effect of the bad start is clearly seen in the figures of the two Bombay Railways, while the earnings of the North Western Railway have been similarly affected by a comparative failure of the crop in the Punjab. Between 1st September and the 29th January 1927, only 86,000 tons of cotton were exported from Karachi, compared with 61,000 tons last year. I have thought it worth while to take this one instance of cotton by way of illustration, but the drop in our gross earnings, especially in goods traffic reflects just the fact that trade has not been as good as we expected. Slackness of trade too has no doubt affected passenger earnings, but it is possible that we were a bit too optimistic in our estimate of the effect of the reductions of fares brought into force last year. We expected the immediate effect to be detrimental to our earnings, and for that reason pitched our estimate of gross receipts 2 crores lower than otherwise we would have done. But now we have to reduce our estimate by a further 137 lakhs. It is not that there has been no increase of passenger traffic, but it has fallen short of our estimate and in spite of the increase in traffic we expect to earn 57 lakhs less from passengers this year than we did in 1925-26. It is too early to assess the effect of the reductions we gave last year in long distance coal freights. Owing to the coal strike in England, the circumstances of the year have been quite abnormal in the matter of coal. At any rate, we have carried more coal, and I do not think that we have lost money by the reduction.

7. The drop in earnings is partially counterbalanced by considerable reductions in our working expenses. On commercial lines our revised estimate of working expenses is 1½ crores below the budget estimate. Of this amount, nearly 1½ crores is in the cost of operation. Our coal bill in particular should be about ½ crore less than our estimate, partly of course because of the decrease in traffic and the lower cost at which we can now buy, but also as the result of vigorous measures taken by the Railway Board to secure great economy. The statistics given in Volume II of the Administration Report for 1925-26 show how consumption has decreased relatively to the work done and bear testimony to the effectiveness of the measures taken by the Railway Board.

8. I have said that I take a philosophic view of the disparity between our revised and budget estimate. I go further. I think that the results

of the current year illustrate the strength of the position Railways are now in. We have had a comparatively poor year marked by exceptional floods, partial crop failure amounting to scarcity in parts of the country and slackness of trade evidenced by the fact that up to the end of December last our total foreign trade was nearly 50 crores less than in 1925-26 and 60 crores less than in 1924-25. Nevertheless, we hope to earn this year a net return of 4.77 per cent. on the capital at charge enabling us to pay our interest charges and to pay all but 7 lakhs of our contribution to General Revenues. It has also to be remembered that the contribution payable this year is based on an exceptional prosperous year and amounts (leaving strategic railways out of account) to the big sum of 760 lakhs. In my view, having regard to the inevitable fluctuations in Railway receipts from one year to another, these results go far to justify the wisdom of the policy to which we are working.

Budget Estimate for 1927-28.

9. For the year 1927-28, we have adopted a more cautious estimate than last year. We are budgetting for gross receipts from commercial lines amounting to 100.40 crores and for a total expenditure of 91.47 crores. If our expectations are realised, the gain from commercial lines will amount to 8.98 crores and the net gain, after deducting the loss on strategic lines, will be 7.10 crores. Out of this sum, we shall have to pay 548 lakhs to General Revenues, that being the net contribution payable on the results of 1925-26, and we hope to strengthen our reserves by 162 lakhs.

10. I do not propose to comment on these estimates at length. The main feature of them is that we put our gross traffic receipts on commercial lines at 99.24 crores or 2 crores more than the revised estimate of the current year, and that we expect to earn these receipts at a working cost of only 8 lakhs or so in excess of the working expenses of this year.

On the whole I should describe these estimates as framed in a spirit of sober optimism,—in the hope that we shall on the whole be free from the misfortunes which have beset us this year, and that trade and traffic will pursue a more even course; and also in the hope that our continued efforts will result in further economies in our charges. For example, the House will notice that though we should ordinarily have to expect an increase of about 15 lakhs in the cost of administration on account of increments to salaries, we are actually budgetting for a reduction of 10 lakhs in the cost. This is because we hope that Agents will be able, by improvements in their administrative machinery, to cut down the existing scale of their expenditure by, perhaps, a quarter of a crore. We cannot of course be certain that we shall be able to get this reduction in full next year, part of which must be occupied in investigating the existing methods and procedure and seeing how they can be improved. But at least we shall do our best to do so. We have also been able to place our contracts for coal at cheaper rates in the current year, and to this and further economies in consumption, look forward to a reduction of 38 lakhs in our coal bill.

Capital Expenditure.

11. The House will remember that the approved programme for capital expenditure in the current year authorised a total capital expenditure of

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84.58 crores. This was the estimate given by railway administrations of the amount which they hoped to spend during the current year on approved works. I explained last year our principles with regard to fixing the capital budget. We do not wish to restrict the execution of sanctioned works nor to hamper in any way the Agents' efforts to carry to completion such works as rapidly as possible, and we accordingly authorised them to spend up to the full amount they thought they could spend during the year. We knew, however, from past experience that their actual expenditure would be very much lower, and we asked the Assembly to provide a sum of only 22 crores in addition to the 4 crores required for the purchase of the Delhi-Umballa-Kalka Railway. The actual expenditure during the current year is now expected to be 27 crores, or a crore more than was provided for, and we shall place a supplementary demand before this House in due course for the additional funds required. In the last few years, as indeed the House has noted on more than one occasion in the Budget debates, there have been considerable lapses in the amounts provided for capital expenditure, and this is the first year in which actual expenditure is likely to approximate closely to our estimate. We must, I think, congratulate the Railway Board on the success of its efforts to attain greater accuracy in estimates and to expedite the execution of sanctioned works. One of the methods adopted deserves a passing mention, for it represents a new and important departure. We are now beginning to make use of private contractors for important railway works. A number of important railway bridges are now being built for us by firms of contractors, the latest example being the rebuilding of the bridge over the Nerbudda on the Great Indian Peninsula Railway main line which was washed away last summer. Another important work which has been entrusted to contractors is the elimination of the Bhere Ghat Reversing station on the Great Indian Peninsula Railway, and we hope that we may shortly be able to devise a system which will allow us to hand over to contracting firms the entire construction of some new lines. Of the total expenditure of 27 crores, just over 4 crores represents the purchase price of the Delhi-Umballa-Kalka Railway. Twenty-one lakhs roughly is the expenditure incurred in taking up new issues of share capital of certain branch line companies in which Government are financially interested in order to replace loan capital by share capital. This method is directly remunerative to us in that it adds to our share of surplus profits or reduces our liability to pay rebates. As regards the balance, the expenditure on new lines is expected to be 6.47 crores, and on open lines 16.81 crores. The former figure represents a lapse of only 9 lakhs on the budget estimate. Progress on some projects has unfortunately been retarded by a variety of causes such as late receipt of imported material and unexpected delays in the acquisition of land, but on others it has been possible to accelerate the rate of expenditure. The principal sufferer has been the Raipur-Parvatipuram line where we now expect to spend less than a fifth of the 125 lakhs provided for the current year. On open lines, expenditure has proceeded at a more rapid pace than we expected when the Budget was framed and our latest anticipation is that the budget estimate will be exceeded by a little over a crore. This however is partly counterbalanced by a reduction of 50 lakhs in our estimate of expenditure from the Depreciation Fund which is a counterpart of the programme of open line works.

12. For the year 1927-28 the total amount of funds asked for by railway administrations is 89.77 crores. As usual we propose to authorise them to spend up to the full amount they have included in their estimate, but we are asking the Assembly only to vote a sum of 25 crores as a whole, which we believe is at present about the limit of the administrations' capacity of spending. Of this total of 25 crores, we propose to distribute 7.62 crores to new lines (as against nearly 15 crores asked for by Agents) and to open line works the balance of 17.88 crores as against roughly 24½ crores demanded.

13. The full details of open line works are, as usual, given in the budget memorandum and in the various pink books dealing with the estimates of new railways and I think it unnecessary for me at present to deal with any of the details of these estimates. I need only say that of the total amount of 24.77 crores, which it is proposed to distribute among Agents as desired by them, 19.41 crores are for improving open line facilities. Sums amounting roughly to 3 crores each are provided for improvement of track, for remodelling of station yards and for the electrification of lines and stations. The provision for doubling and quadrupling tracks, strengthening of bridges, workshops and stores and station buildings, and staff quarters amounts to about 6 crores. I would specially emphasise the large share that electrification of lines and stations has of the total expenditure. The total provision made is over 8½ crores. The Great Indian Peninsula Railway alone accounts for nearly 2 crores of this. The projects include the electrification of the main line from Bombay to Igatpuri and Poona (costing altogether 5½ crores) for which a crore is provided and the construction of the power house at Kalyan costing altogether 97½ lakhs, for which 40 lakhs is provided in 1927-28. In this connection, I think that it would interest the House if I give them certain figures which I have extracted from a recent report on the Harbour Branch Railway of the Great Indian Peninsula Railway system. The section between Victoria Terminus and Kurla, a distance of 9½ miles, was electrified with effect from 5th February 1925. By January 1927, I am informed the train miles on the section had increased by seven times and passenger traffic and earnings were 20 times as great as in the period prior to February 1925. On 3rd February 1926 the electrification of the Mahim Chord, an addition of 2½ miles, was completed and the whole of the Harbour Branch Railway was operated by electric service. A comparison between the statistics of January 1926 with those of October 1926 shows that the train miles have increased four times, that passenger traffic has doubled and that earnings have trebled. I may also call attention to the provision of about 2½ crores made for amenities specially intended for lower class passengers as separate from such general improvements as remodelling and electrification of stations and yards and improved train services from which also they derive benefit in common with others. The special amenities include arrangements for water supply, the increased provision of waiting rooms and halls and refreshment rooms and the improvement of booking facilities and sanitary arrangements, but the main item on which expenditure is to be incurred is nearly 1½ crores under additions and improvements to lower class carriages. Under additions, the programme for 1927-28 contemplates 686 coaching vehicles and 552 of these are lower class carriages.

New Construction.

14. One of the most interesting parts of the Railway Budget is of course the programme of new construction. Our programme for next year

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will involve a total expenditure of 14½ crores in the case of commercial lines, but we have thought it necessary to provide only 7.41 crores. The programme for both commercial and strategic lines is set out in full in the Budget memorandum. It includes 48 lines covering 1,813 miles which are already in progress and 51 new lines extending to 2,827 miles. Thus, our immediate programme covers 4,640 miles. Only 338 miles of new line will be opened in the current year, but next year I hope that we shall see a more substantial return on the money we have spent on new construction in the last two or three years. For we hope to open in 1927-28 nearly 900 miles of new line. And my successor is likely to be more fortunate than I have been in his record of mileage added to the Indian Railway system. I am confident that the House will welcome this development, and will agree that we should press on with the construction of new lines. This is our policy. Each Railway Administration is charged with the duty of exploring every avenue that affords scope for the construction of remunerative lines of a standard suitable to the traffic that may be expected and of keeping in close touch with Local Governments in this important matter. In order to afford every facility for the achievement of this object, we do not propose to adhere to one rigid standard of construction. Obviously a standard that is suitable for a main line carrying heavy traffic may be needlessly expensive for a feeder line serving a comparatively small agricultural tract, and the Railway Board have now laid down varying standards of construction in order that branch lines and extensions may be built to whatever standard seems most suitable to the area to be served.

Rates and Fares.

15. I am sorry that I am not in the happy position of announcing any further reduction of rates and fares, but after what I have said earlier in my speech the House cannot have any expectation of boons of this kind. But it must not be thought that we have made merely the reductions in passenger fares announced last year. On the contrary, at the beginning of the current year we expressly invited Agents carefully to review their passenger fares in the light of statistics and we told them that we should be prepared favourably to consider further reductions. As the result of this letter, the Agents of the East Indian, North Western and South Indian Railways felt justified in proposing these further reductions and they have already been brought into force in one case from 1st January last and in the other two cases from 1st February. The reductions on the two State-managed lines are substantial, and third class passenger fares for ordinary trains are now down to 2 pies per mile for distances over 300 miles. The House may think that we have been unduly bold in sanctioning these reductions in view of the fact that the reductions previously sanctioned have not yet given any material stimulus to traffic. But the recommendations of the Agents were based on their considered opinion that ultimately it would pay them to bring down fares to the level suggested and we decided to take the risk. I would here emphasise the fact that it is only the existence of our Railway Reserves that enables us to make experiments of this kind. For we have to remember that every year we are adding a sum of upwards of twenty crores to our capital at charge. Every twenty crores added to our capital means that we ought to obtain an increase in our net earnings of about a crore and twenty lakhs. For not only have we to pay our interest charges but in addition we have to

pay one per cent. to General Revenues on our capital at charge. On the other hand, much of our new money goes into works which take time to become remunerative, and there is also the fact that we must expect large variations from year to year in Railway earnings in accordance with harvest results and trade fluctuations. All these considerations point to the need for prudent management, for unceasing strivings after economy and efficiency, and for a wise policy of building up reserves. But provided that we keep these essentials in mind, I think that we can face the future with confidence and that we need not hesitate to make such well considered experiments in the reduction of rates and fares as on the advice of our Agents we have so far embarked upon. But I have no doubt that the House will agree that the effect of such experiments must closely be watched and that if after a fair trial extended over a reasonable period they are found merely to involve us in a loss of revenue without bringing any compensating advantage in the shape of increased traffic, the matter may require reconsideration. But I hope that there is no fear of this result, and that we shall not merely be able to carry on the reductions that have been made but also to try further experiments, particularly in the way of reducing freights.

16. I have just referred to the need for unceasing striving after efficiency and economy, and I have done so quite deliberately. For I think that I may claim that however far we may have fallen short of our ideal, that has been our policy during the last five years. Some Members of the House, I know, think that we are too rigid in our adherence to this policy and they regard it merely as a rather soulless bureaucratic trait. But, believe me, it is not that. After all the Government of India and the Railway Board are responsible for what is, I suppose, one of the biggest commercial undertakings in the world. It is a business with a capital of something like 600 crores—say 450 million sterling. If we run it successfully, we provide India with a cheap and efficient system of transport. If we fail, the railways become a burden on the general revenues of the country. In some respects I think that we can claim already to have made satisfactory progress. I do not wish to repeat what I said last year, but every one will agree I think that our financial arrangements are on a much sounder basis than ever before and that we have made some progress in carrying out the recommendations of the Acworth and Inchcape Committees. But the Indian Railway system is a vast organisation, and recently in almost every year some new branch of our work has been brought under expert examination and review. This year it has been the turn of the workshops, and we have just published the report of the Raven Committee. Some people, I am told, call it an indictment of the Railway Workshops. It may be so, I am not particular about the word. But the plain fact is that the Railway Board thought that State Railway workshops required overhauling in the light of the most modern workshop practice. We entrusted the task to two of the best experts we could find, and we have obtained from them what we wanted, namely, a frank outspoken report containing many valuable suggestions for improvement of our methods and our equipment. The publication of the report may expose us to criticism, but from our point of view the important thing is that we now know the directions in which to work for economy and efficiency, and we propose to follow up the suggestions which have been made. Similarly, an enquiry is now going on into our methods of railway accounting and into our workshop accounts, and another enquiry has just been made into the medical and sanitary arrangements of one of

[Sir Charles Innes.]

our most important railways. I do not propose to enter into greater detail into the many other directions in which economies are being effected in the administration of our railway property as these are dealt with in Sir Clement Hindley's speech in presenting the Budget in the Council of State.

In other respects too, I think we are making advances. Last year we brought into effect the new recruitment schemes for the Indian Service of Railway Engineers and for the Transportation and Commercial Department, which were elaborated with the help of the Central Advisory Council. The first competitive examinations under these two schemes were held in November last by the Public Service Commission and as the result of those schemes 13 officers all of them Indians were appointed.

Whatever complaints this House may have against the Railway Board—and we shall hear more of this matter next week—no one can accuse them now of sitting at Simla and Delhi and being entirely immersed in office work. Every year now every headquarters of a Railway Administration is visited by a Member of the Railway Board, and I who see their tour notes regularly know how valuable these visits are. The local Advisory Councils too are doing excellent work. They vary, of course, some being better than others, but from the personal testimony of Agents themselves I am aware that they are most useful in bringing Railway Administrations into touch with public opinion.

17. And now, Sir, I propose to bring to an end this the last account I shall give of my stewardship of Indian Railways. I am conscious of its deficiencies, and there are many other things that I should like to say, but I am afraid of wearying the House. I am sorry that I end with a less prosperous year than some of its predecessors, but at any rate it is a much more satisfactory budget than the one I had to defend in this House 5 years ago. No one could have had more loyal and devoted assistance than I have had from Sir Clement Hindley, Mr. Sim, Mr. Parsons and from Railway Officers generally, and as for this House, Sir, though I have had much criticism, I like to think that it was kindly criticism and there is not one of us on these Government benches who does not realise the value of the close scrutiny to which our budgets are subjected by the Legislative Assembly.

(Applause.)

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly-re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

THE STEEL INDUSTRY (PROTECTION) BILL—contd.

Mr. President: The House will now resume further consideration of the Bill to provide for the continuance of the protection of the steel industry in British India as reported by the Select Committee.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I rise to support the amendment so ably moved the other day by my Honourable friend, Mr. Chetty, and I do so with the clearest conscience and the profoundest conviction that my action is actuated by the best interests of my country. Sir, I do not propose to introduce any heat or passion into the discussion. The other day after the amendment of my Honourable friend Mr. Jamnadas Mehta, on the question of re-submitting the Bill to the Select Committee had been voted down, we heard another speech from Sir Charles Innes, and, as usual, his speech was lucid, but it was at the same time frank also. He distinctly and frankly admitted the serious objection that we have been raising to the principle of this Bill from this side of the House. His speech was an agreeable contrast to the speech made by another Honourable Member in support of the Bill from these Benches. Mr. Jinnah introduced a great deal of heat and passion simply because he thought that we were doing him some injustice in thinking that in the course he was taking, he was actuated by anything but the best of motives. I may say at once that I do not question the honesty of his motives at all. He is one of us, and he does what he considers to be in the best interests of India. He has every right to express his views as strongly as he can, and so have we, and I do not think that there is any occasion for any heat or passion being introduced into the discussion of this measure. We differ fundamentally as regards the principles of this Bill. He says the Bill does not introduce any Imperial Preference; so say the Honourable Members from the Government Benches, the Honourable Member in charge of the Bill and the Government of India. We are prepared to take them at their word; their intentions and their motives may be the best, but at the same time we know that motives and intentions do not take us very far off. Sometimes things take place which are cited later on as precedents. One step leads to another, and we are afraid that if we recognize the principle of differential treatment as embodied in this Bill, it is bound eventually to lead to what we know will be Imperial Preference. It may not be Imperial Preference now, it is perhaps not Imperial Preference now, it is a discrimination between countries of origin, but a discrimination of this nature is bound to lead to further discriminations. Where are we going to stop? I may say, Sir, boldly that the whole history of British activities in India and the whole history of British rule in India is strewn with the dead bodies of the best of intentions and the best of motives. The British did not come into this country to conquer it or to establish their government here. One of their greatest historians has told us that the British Empire in India was built in a fit of absent-mindedness. We are afraid of that absent-mindedness. To be absolutely frank, we do not know what this fit of absent-mindedness may involve us in, in the future, if we accept the principle of this Bill as it stands to-day and as it has emerged from the Select Committee. We know that, the best of intentions notwithstanding, we in this country have been in the past led from one step to another to measures which have ruined our industries, which have placed us in a helpless position as regards our industrial and economic situation and which have practically made us absolutely dependent upon other countries. Sir, where the relation between one country and another is that of ruler and ruled, or of master and subordinate, there to make any differentiation between politics and economics is only straining at a gnat. I repeat once more what I said in my remarks at

[Lala Lajpat Rai.]

the time when this Bill was introduced that there is really no fundamental difference between economics and politics. The line of demarcation is so thin that politics bear on economics and economics bear on politics. We are not prepared to make any distinction between politics and economics, as both are inextricably interwoven. One goes with the other as is proved by the course of practical politics in the world. What are the British here for, if not for economic gain? What are the British in China for, if not for economic gain? What are they in other different parts of the world, if not for economic gain? Politics and economics are intertwined so strongly and so intimately that it is, I submit, not safe to make any distinction between them.

Mr. President: Will the Honourable Member kindly come to the amendment?

Lala Lajpat Rai: I am coming to the amendment. My main objection to the Bill is that it introduces a vicious principle. If the President overrules me on that point, I will stop all argument and sit down, because my outstanding objection to the Bill is one of principle.

Mr. President: I should like Honourable Members to understand that the question of Imperial Preference was allowed to be discussed by the Chair in all its aspects on the motion to recommit the Bill to the Select Committee; and if repetition is to be avoided, I would request Honourable Members to touch on that question in a general way but not to make long speeches.

Lala Lajpat Rai: Well, Sir, I bow to the ruling of the Chair, but I consider that question to be very vital.

Mr. President: It may be.

Lala Lajpat Rai: And that is my principal objection to the Bill as it has emerged from the Select Committee, but I shall in obedience to the Chair be as brief as possible. I must reply to the arguments that were advanced by Mr. Jinnah to the effect that it is not Imperial Preference, that the principle is only simply one of economic advantage or disadvantage. I was going into that point. We have been told by Mr. Jinnah that it does not lead to Imperial Preference at all. Well, many persons competent to form and express an opinion on the point have taken a contrary view. We have firstly the frank admission of Sir Charles Innes that the Bill is open to the objection of discriminating by countries of origin. We are discriminating in this Bill in favour of Great Britain, and if we discriminate in this case in favour of Great Britain, what may we not be asked to do in future in determining our fiscal policy with regard to other commodities that are imported into this country from England? Are we going to establish this principle and go on adopting it in practice from one precedent to another, from one step to another? This must eventually lead to what is called Imperial Preference. The Tariff Board has brushed this question aside, not because it does not lead to Imperial Preference, but because in their opinion the discussion of it leads to the consideration of political issues. They felt in their heart of hearts that it was really leading to Imperial Preference but they said in effect that as it raised a political issue, they would not discuss it. Then we have seen the Anglo-Indian Press discussing the point from the same point of view. The *Times of India* the other

day took us to task for not sharing the Empire sentiment and for not repaying the great benefit that Great Britain was conferring upon us as regards the tea and tobacco industries. Sir, I will not take up your time in reading quotations from the Report of the Fiscal Commission showing that Great Britain has done us no favour in the matter of our tea and tobacco industries. But what I am concerned with at the present moment is that although it is not Imperial Preference at the present time, it is, as was said by my Honourable friend Pandit Mohi-lal Nehru, "the thin end of the wedge". The acceptance of the principle of discrimination in favour of countries of origin is destined one day to lead to that, although it may not be the intention of the Government or the Honourable Member in charge of the Bill to introduce any principle of Imperial Preference at this stage.* Sir, I desire to warn Honourable Members on this side of the House, at least all the Indian Members in this House, that it is a very grave and serious matter—the introduction of this principle in the Bill and the recognition of it in the present form. At the present moment some of us might consider it economically beneficial though the vast majority of us on these Benches do not share that view. We believe that even economically the principle is not sound and is not going to benefit us. But even if it were, I would go to the length of saying that the main reason why we should not vote in favour of this Bill as it has emerged from the Select Committee, is that on the whole the effect of the introduction of this principle into the Bill will be so injurious and harmful to the interests of the country that the advantages which we might otherwise get from the introduction of this differential system would be overbalanced by this great defect in the Bill itself and that we shall be establishing a principle which we do not know where it will lead us to.

Coming to other arguments about the amendment, it was remarked by my friend Mr. Jinnah that by this principle they wanted to stop dumping, dumping of Continental steel into India. The one great argument which he used as regards that part of the case was that the importation of Continental steel into British India has been doubled since the war.* He compared the figures of the importation of Continental steel into British India in pre-war days with what they stand at now.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Since 1921.

Lala Lajpat Rai: Since 1921? Very well, Sir. I think he gave us the pre-war figures too.

Mr. M. A. Jinnah: Not dumping.

Lala Lajpat Rai: Even taking the figures since 1921, I submit he has not proved that any dumping had taken place. On that point the pronouncements of the Fiscal Commission and the Tariff Board are both clear enough. They have given us the definition of what dumping is. Dumping is not established by the fact that the importation of foreign commodities is doubled or has gone up to a very large figure. There must be another feature in connection therewith which the Tariff Commission and the Tariff Board have laid down. In fact they distinctly say that they find no case of dumping proved. If there was any complaint made by the Tata Steel Co., in this respect it was against British

* [Lala Lajpat Rai.]

dumping, not against dumping of Continental steel. Therefore, I submit that argument is of no value. The Tariff Commission and the Tariff Board have both turned it down. That argument, having been thus disposed of I wish to point out that the other arguments also do not stand. It is said that, if we do not establish these differential duties and we accept the system of weighted averages, we will be practically penalising the users of British goods. According to the figures given by my Honourable friend, a larger quantity of Continental steel is imported into British India, a much larger quantity, than British steel. One figure goes to hundreds of thousands and the other is comparatively small—83,000. I submit that by accepting Mr. Jinnah's view instead of penalising the users of British steel, we shall be penalising the community in general, the much more numerous groups of people who use Continental steel for various small industries. Therefore, if we must penalise some one, why not penalise those who use the lesser quantity of British steel than those who use larger quantities of Continental steel? By this course we shall be serving the more numerous of our countrymen. Moreover, British steel will not be hit at all, because most of that is used by Government or by semi-Government Corporations or semi-Government business concerns. Therefore, that steel must come, it will come at any price, and even if we have to pay a little higher price for British steel for certain purposes for which that steel is the best, we shall at the same time be encouraging the consumption of Continental steel by the larger groups of the masses of our people, because this cheap steel enables numerous industries in this country to be developed and to employ men who will otherwise be unemployed.

It is unfortunate that this Bill is being unduly hurried. It involves a very important principle. It affects a very large population of the people of this country. Sir Charles Innes told us the other day that we must put it on the Statute-book at once as otherwise the Tata steel industry will get no protection after the 31st of March. Mr. Jinnah said that some Members on this side had interpreted this as a threat. I for one, Sir, did not take that view. But are we to suppose that the resources of the Government of India have been so exhausted that they cannot make provision for the continuance of the protection for the Indian steel without committing us to such an important principle as is involved in this Bill, namely, a principle of differential duties in favour of a particular country? I submit they could have found some remedy if they had applied their minds. It should not be difficult to find a *via media* by which the steel industry of India might be protected and still this Bill might not be hurried in such a way as to make us commit ourselves to a principle that we consider injurious to the country. This Bill, as it stands, will penalise the consumers of Continental steel. (*The Honourable Sir Basil Blackett*: "No.") I wish, Sir, to plead for the large masses of those people who use Continental steel. The day before yesterday figures were quoted which related to Bombay, Calcutta and other places. Since then we have received representation after representation against this Bill and if the people have not been able to mobilise public opinion against this measure sanctioning differentiation of duty, the reason is because there was no time for it. The Bill has been practically hurried up in two or three weeks. The Select Committee had to report before the 8th and there was no time to make further investigation. I may draw the attention of Honourable Members from the Punjab, particularly Muslim

Members, to the fact that many Punjab industries are dependent upon the use of Continental steel such as the iron works in Sialkot, Gujranwala and all that part of the country. These works make safes, trunks, knives and many other things of ordinary use. There are hundreds, perhaps thousands, may be hundreds of thousands of Moslem iron workers who are engaged in the industry, who will be thrown out of employment if we penalise Continental steel and this is with regard to that part of the country where Tata's steel also reaches.

The chief argument offered on the other side to which Sir Charles Innes and my friend Mr. Jinnah reverted from time to time was that the benefit that was to be derived by the consumer of the cheap Continental steel was practically usurped by the middleman. Quoting prices from Bombay they made out that no benefit accrued to the consumer of this cheap steel, and that the benefit was pocketed mainly, at least a major portion of it, by middlemen. First of all, I submit that the conclusions are not based on sufficient evidence. The figures taken relate to a short period. They do not cover a sufficiently long period to enable us to base definite conclusions thereupon. Moreover they are confined to a particular area. The other day Mr. Jinnah himself pointed out that the Tata Company had decided to open agencies in all those parts of India where it is alleged the middleman realises exorbitant prices for the imported Continental steel on account of lack of competition with the Tata steel. If it is a fact, I think it is a fact in favour of our argument, because the Tata Steel Company will now go to those parts where they did not compete heretofore. This competition is sure to reduce the price of Continental steel with reduced profit to the middleman. Middlemen will not be able to sell Continental steel if its price is the same as that of Tata's steel. I welcome that statement on behalf of the Tata Company, and I think that that announcement reduces that argument of the other side to its lowest possible value, namely, that the middleman and not the consumer benefits by the lower prices of Continental steel.

Sir, there is another thing which I would like to say. I want to make it clear that in our arguments against this Bill, in our efforts to have this Government Bill rejected, or the principle of differential treatment repudiated, we are not actuated by any motives of hatred towards Great Britain. As we are prepared to take the statements of the other side at their face value, we submit we are entitled to the same consideration by them. But at the same time we know, and we cannot conceal it from ourselves, that the treatment we receive from Great Britain does not conduce to our being particularly affectionate towards it. Take the case of our students who go to England for technical and industrial education. Do we not hear complaints that sufficient facilities are not given in Great Britain to those Indian students who want practical training in industries? We are the biggest customers of England, and certainly we should be entitled even on business principles to receive a better treatment in this respect than we do receive from Continental countries. We receive complaint after complaint from England that our students there are denied those facilities for practical training which they should be entitled to considering that we purchase British commodities and British manufactured goods to such a large extent. On the other hand, Continental manufacturers show greater consideration in this respect. So even that fact shows that although not actuated by any feeling of hatred, at the same time we have no reason to be particularly affectionate towards English manufacturers in giving them

[Lala Lajpat Rai.]

this preferential and differential treatment. But really there is no question of hatred or affection. It is absolutely a business proposition. Although according to the opposite side our scheme is economically unsound, we have not yet heard of any cogent criticism of the figures quoted by my friend Mr. Jamnadas Mehta. We are deciding this question for a period of seven years. During these seven years there will be no time to revise it except for purposes of increasing or decreasing the duty under certain contingencies. I think, therefore, we ought to consider well how this measure is going to affect not only the steel industry, not only those small industries based on the use of steel, but also how it is going to act as a precedent for other industries. If we establish this precedent we shall be asked to repeat the same procedure in the case of other imports. Let us look at the question from a pure business-point of view apart from its political bearings. We shall be asked to discriminate in the case of other articles. Bound down by this precedent and having admitted this principle of discrimination in this case we shall find ourselves unable to refuse its extension to other similar cases. I warn the Honourable Members of this House that grave consequences are likely to follow the acceptance of this principle, and grave complications as well. I will ask them to weigh all the pros and cons of it before they vote for the acceptance of this Government Bill. This Bill is going to affect hundreds and thousands of our people who will be thrown out of employment, who are at present living on the manufacture of articles made of steel. (*An Honourable Member*: "Where?") All over India, in Bombay, Poona, the Punjab and other provinces—I can name hundreds of places (*An Honourable Member*: "Where?") I am telling you the places. If you will not hear me it is not my fault. You do not know the conditions under which the people live, because you live in palaces of glass. We poor people live and mix with people in huts and we know under what conditions they live. It does not affect you at all. You go on matters of policy, on matters of calculation, while we have to witness the misery of our people from day to day and hour to hour. We cannot accept your evidence against the evidence of our senses. We are not here simply for the purpose of making speeches, making or reconciling statements of figures. We have to deal with facts. I repeat that we shall by accepting this principle be throwing out of employment thousands of poor Indians who live on the manufacture of small articles which they make from Continental steel, even in places where Continental steel comes into competition with Tata steel. I submit that it is not a matter for laughter, it is not a matter of paper figures; it is a matter of facts and considering those facts we shall be committing a grave blunder if we accept this Bill. We consider honestly that this is a very serious matter and that we should not commit ourselves to this principle, in spite of all the arguments advanced by the Government Benches and Mr. Jinnah. Mr. Jinnah believes in his heart of hearts that this is a better principle. Well let him believe, he is welcome to vote for it. But I want to make it clear that our conviction is a sound one and is based on a consideration of the interests of our country. The other side perhaps do not credit us with such motives. They think that we are actuated by feelings of hate. That is a statement that is not true. We are not actuated by any motives of hatred. It is a pure business proposition, and we are not prepared to accept any principle which might lead to further complication in the development of our industries and the development of our fiscal position. Sir, on these considerations I beg to support the amendment moved by my friend, Mr. Shanmukham Chetty.

One word more and I will sit down. We are prepared to give credit to the Tariff Board for the best of intentions, but the recommendations of the Tariff Board are not the word of God. We have had four Tariff Boards, and, as my Honourable friend Mr. Moore pointed out, all four of them made different recommendations at different times. They are not infallible. We are in a position to form our own conclusions on the material collected by the Tariff Board. We on this side of the House also possess common sense enough to enable us to study the figures given by the Tariff Board and form our own conclusions thereupon. I do not think there are any steel experts in this House in any party. We are common men possessed of common sense, and on the materials placed before us are in a position to form our own judgment. What are we in this House for, if we cannot form our own judgments and depart from the conclusions of the Tariff Board if we think the latter are not sound? Does it lie in the mouth of the Government of India to point out to us that we should always accept the report of these special committees without hesitation? Have the Government of India always followed the recommendations made to them by these special committees? Did the Government of India immediately accept and give effect to the recommendations of the Decentralisation Commission? Did they treat the Fowler Committee's recommendations as regards Currency and Reserve with the same consideration which they claim for the Tariff Board? They follow recommendations when it suits them and reject them when it does not suit them. How many times has the Secretary of State thrown these recommendations of these expert committees into the waste paper basket? Now that the recommendations of the Tariff Board suit the Government of India, it is said that it is not right for us to arrive at a different conclusion and reject those recommendations. We accept the fact that the steel industry needs protection, and that that protection must be given for a sufficiently long period to enable this industry to stand on its own legs; but we do not accept the method recommended for the purpose. The Tariff Board says that this system of weighted average is a sufficiently good method, sound in principle and simple in administration. They were also inclined to say that their recommendations did not involve the acceptance of the principle of Imperial Preference. My Honourable friend Mr. Fazal Rahimtulla, however, contradicted them. He said that the Bill as originally drafted in accordance with the recommendations of the Tariff Board was based on the principle of Imperial Preference but the changes introduced by the Select Committee have removed that feature. We do not agree with the latter statement. We find thus that the Tariff Board was not quite right in its conclusions on that point. I repeat that we cannot accept the conclusions of these Tariff Boards as the word of God. We have got to judge them according to our own knowledge. We shall vote, according as we think best, in the interests of our country. I therefore support the amendment of my friend Mr. Chetty.

***Mr. M. A. Jinnah:** Sir, I endorse the last proposition of my friend Mr. Lajpat Rai. The Tariff Board is not the last word on the subject. I do not think I ever said that, or that anybody else would have the temerity to suggest that it is the last word on the subject. Certainly not. All that one would say is this. Here is an expert body that took eight months and made this recommendation. It is entitled to a great deal of weight at the hands of this House; but that is neither here nor there. (*An Honourable Member:* "You do not say it is a question of fact".) I do not say it is a question of fact. I said that if this House thinks that the scheme which

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the Tariff Board has recommended is so fundamentally wrong, so radically bad, you are entitled to reject it. We have passed that stage, so I do not want to enter into that discussion.

The next point which my friend Mr. Lajpat Rai made was that thousands of people will be thrown out of work; that small traders, artisans, who are making safes, nuts and bolts, will suffer considerably. Sir, my

3 P.M. Honourable friend said that we were receiving representations from all parts of India. Well, Sir, he is not the only one who has been pestered with those representations. But from whom do these representations come? They come from the iron merchants, the Karachi Association of Iron Merchants, the Bombay Association of Iron Merchants, the Calcutta Association of Iron Merchants.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban): May I contradict the Honourable gentleman. I read the other day a telegram from 16 users of Continental steel. Mr. Jinnah was present and ought to have known that.

Mr. M. A. Jinnah: I was not dealing with my friend Mr. Jamnadas Mehta.

Mr. Jamnadas M. Mehta: I am dealing with you.

Mr. M. A. Jinnah: And I shall deal with you later on. I am now dealing with Lala Lajpat Rai. He said representations have been pouring in from all parts of India, not the representations that have poured in to Mr. Jamnadas Mehta. That was what I was replying to. All of them are from iron merchants

Lala Lajpat Rai: No, Sir.

Mr. M. A. Jinnah: Will Lala Lajpat Rai show me a telegram which has come from any one else?

Lala Lajpat Rai: Mr. Kirloskar himself has come here. Two representations from two firms have been received; one representative has come here. One makes hurricane lanterns and the other makes nuts and bolts.

Mr. M. A. Jinnah: Anyhow it comes to this that he has come here in person and has not made any representation by telegram. Now, Sir, with regard to Mr. Kirloskar I am fully alive to his point of view. He has also seen me and I was very pleased to see him.

Mr. President: I would like the Honourable Member to ignore all interruptions.

Mr. M. A. Jinnah: Sir, then we are told we have to think of the interests of these artisans, such as nut and bolt makers and trunk makers. I may at once say on the floor of this House that I am as anxious as any Honourable Member to support their interests. But, Sir, what are the facts? The facts are these that Mr. Kirloskar made an application and you will find it in the list of applications made to the Tariff Board, and he was asked to come before the Tariff Board and give evidence and he did not come. He was an applicant, and yet he did not go there. Why? Because I suppose he thought it was too far away to go to Calcutta. But there it is. I am entirely in agreement that we must look to their interests also. And how can we do it? We can only do it in the way recommended by the Fiscal Commission, and you will find that in paragraph 98 of the

Fiscal Commission's Report. They actually deal with this question of conflict that may arise between different industries in the country when you are seeking to protect one. A very pertinent case was that of wood-pulp for paper manufacture in India, and you will find what paragraph 98 clearly states should be done under the circumstances. And that I submit is the only possible way of dealing with the matter. It says this :

"It is possible that the protection of some industry may affect injuriously the interests of other industries. We received evidence at Calcutta for instance which appeared to place three interdependent industries in a relation of some antagonism. The manufacture of wood pulp from bamboo is just being started in India. The manufacturers are apprehensive of the competition of imported wood-pulp and asked for the imposition of a protective duty on wood-pulp. The Indian paper manufacturers, however, who use imported wood-pulp and for whose benefit it is at present admitted free of duty, naturally object to a proposal which would raise the cost of their raw material, and therefore put them in a less favourable position to compete with imported paper. If it is suggested that this difficulty might be overcome by giving special compensatory protection to paper, a third interest claims to be heard, and Indian printers and publishers complain that if the cost of paper is raised they will be handicapped in competition with imported books which are admitted free. In all such cases the most essential requirement is that the utmost publicity should be given to the inquiry of the Tariff Board, so that all interests concerned may have full opportunity of representing their point of view."

Now, Sir, the Tariff Board is already assisting in this inquiry as was pointed out by the Honourable Member in charge in answer to a question put to-day. The Tariff Board actually say in paragraph 5 of their Report that the evidence received in regard to locomotives is not yet complete, while the applications in regard to nuts and bolts can most conveniently be considered at the same time as the application for the grant of protection to the manufacturers of steel wire. Mr. Jayakar was particularly anxious that these traders should be protected and I agree with him. But at the same time, in order to protect them, I cannot agree with my Honourable friend Mr. Jayakar that you can have tariff walls in one port with one tariff and in another port with another tariff. That will be impossible.

An Honourable Member: Nobody suggested that.

Mr. M. A. Jinnah: Mr. Jayakar said: "Why do you want to penalise these men who make trunks and nuts and bolts in places like Rangoon, Karachi and Madras where Tata steel does not find its way?" You cannot differentiate your tariffs.

An Honourable Member: Who suggested you can?

Mr. M. A. Jinnah: Then there is no meaning in this. You cannot possibly redress this by any other method except the method suggested by the Fiscal Commission.

Then, Sir, my friend Mr. Lajpat Rai says he supports this amendment and he says, if it is carried, the objection is that it will not give any relief to the consumer, as the profits or the difference will go into the pockets of the middlemen. That is a fact, Sir, and here my friend Mr. Chetty asked me for figures. I did not give the figures in detail. I said, if you accept the amendment of Mr. Chetty, I venture to say that the consumer will have to pay 48 lakhs of rupees a year extra, because by his amendment Tata steel will be Rs. 120 and Continental steel will be Rs. 111. We want to secure the fair selling price of Rs. 120 to Tatas. And I say that the Continental steel price and the Tata steel price will go up to somewhere in the neighbourhood of British steel, which is Rs. 120. The difference will go into

[Mr. M. A. Jinnah.]

the pockets of the middlemen and Tatas will get excessive protection, and I give you the figures. The difference is Rs. 6.

Lala Lajpat Rai: We had these figures yesterday.

Mr. M. A. Jinnah: No you did not, perhaps you will hear me. The total of the four classes of steel is 470,000, and you find that structurals are 140,000. Multiply that by 6 and you get 8.4 lakhs. Bars are 126,000. Multiply that by 9—that is the difference—you get 11.8 lakhs. Plates and sheets 92,000 multiplied by 13 gives 12 lakhs. Then Tata's must also get the best price they can. Whoever heard of a merchant who would not get the best price he could in the bazar? If British steel is going to be sold at 129, you mean to say Tatas are going to sell their steel for Rs. 120? Certainly not. They will raise the prices. They may take Rs. 2 less but there again there is that difference and Tata's production will give Tata's 15 lakhs extra or 48 lakhs if you total it up. To this you must add the burden to the consumer of fabricated steel and in the course of 7 years I venture to say you will put a burden on the consumer to the extent of 4 crores of rupees. That is the net result. And for whose benefit? For India's benefit or for the benefit of the middleman? Why, for the benefit of the middleman. I gave you figures, the Honourable Sir Charles Innes gave you figures, and I say that these associations are a ring, a combination. Trade practices in these ports are such that your middleman, the poor middleman, does not get a chance. Mr. Kirloskar has already suffered because of his combination; and the ordinary man, the man who makes a trunk or who makes a nut or who makes a bolt, pays through his nose by paying a price to the combination which is very near the neighbourhood of British steel prices. The only protection you can give to these men is to see that the Tariff Board makes an early report; and I hope, Sir, the Government will not lose time and will see that these small traders and artisans get the requisite protection owing to the conflict that arises. Sir, with these remarks I must oppose this amendment.

Lieut.-Colonel H. A. J. Gidney: I move that the question be now put.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, I do not wish to detain this House for any great length of time. Since I came to know the verdict of the House the other day about the amendment of Mr. Jamnadas Mehta I have heard more speeches from those who advocate and support the Government's Bill. Sir, I have tried my best to learn something more and tried my best to look at it from their point of view and to feel as if I was in the wrong and the other side was in the right, but I confess, Sir, that I have not learnt anything new. I found the same arguments being repeated again and again. Sir, the greatest argument which has been put forward against Mr. Chetty's proposal is that under Mr. Chetty's proposal the consumer will have to pay a higher price. It sounds rather novel, Sir, to suggest that under a lighter tariff the consumer will have to pay a higher price; but, as has been explained by my Honourable friends Mr. Jinnah and Sir Charles Innes the suggestion is that in the absence of any competition from Tatas in Karachi, Bombay and such other places the importer of Continental steel will pocket the margin between the prices of British and Continental steel. This is their argument. Sir, in support of this argument my Honourable friend Sir Charles Innes was kind enough to place before the House the quotations

for the first three months of 1926. I regret very much, Sir, that he only put before the House the quotations for the first three months of 1926. This matter has been given so much importance that it was unfair to the House that he should not have put all the quotations from January to December, 1926, before it in order that the House might come to a proper conclusion. Sir, in order that the House may know all the quotations I propose to do so now.

My Honourable friend Sir Charles Innes put before the House the quotations for the first three months, January, February, and March, and tried to prove that importers of Continental steel were pocketing all the margin. Sir, from April to December the prices of Continental beams varied between something like Rs. 125 and Rs. 120. Similarly, Continental angles varied during April—December from something like Rs. 130 to Rs. 120; Continental bars between Rs. 135 and Rs. 130; plates between Rs. 140 and Rs. 125; and black sheets between Rs. 152 and Rs. 140. I think, Sir, it would be fair if we took the average of the twelve months; and what do we find? We find that the average of the 12 months for Continental beams was Rs. 122/8, for angles Rs. 127/8, for bars Rs. 135/12, for plates Rs. 137 and for black sheets Rs. 147. Now, Sir, the price of imported Continental steel without duty is, according to the Tariff Board's Report, structural sections Rs. 86, bars Rs. 90, plates Rs. 92 and black sheets Rs. 122. To these prices we have to add the existing duties as well as the importer's commission. We cannot forget that after all the importer does not do business on a philanthropic basis. He has to charge his commission also. Therefore, in taking the fair selling price of Continental steel, we ought to take into consideration the existing duties as well as the importer's commission. And what do we arrive at? Let us, Sir, take first of all the case of the black sheets. The price of black sheets without duty is Rs. 122 plus Rs. 30 duty, and if we put Rs. 5 per ton as the middleman's commission we find that the fair selling price ought to be Rs. 157, while the average of the 12 months in Bombay was Rs. 147—Rs. 10 lower than the price which ought to be called fair.

Mr. M. A. Jinnah: Doing business at a loss?

Mr. Ghanshyam Das Birla: I am quoting the figures. If my figures are incorrect Mr. Jinnah could point it out, and I am quite prepared to correct them. It is no use asking me whether they were losing or gaining. I am putting these figures before him and he can come to any conclusion he likes. I repeat, Sir, that the cost of imported steel amounted to Rs. 157 including the importer's commission, while the average price of the 12 months according to the Government's report and according to the Steel Merchants' Associations' report was only Rs. 147. Could we call it profiteering, Sir? But we ought to take the other qualities also. Let us take beams and angles. According to the same calculation the fair selling price of Continental steel, after taking Rs. 5 a ton for the importer's commission, we find ought to be Rs. 121 for beams and angles, whereas the average price ruling in Bombay was Rs. 122/8 and Rs. 127/8, respectively. Mr. Jinnah might say that in angles there was profiteering, but, Sir, the import of angles in ports other than Calcutta amounted only to 22,000 tons and if he means to say that the importers were profiteering at the rate of Rs. 5 a ton on 22,000 tons.

[Mr. Ghanshyam Das Birla.]

I admit that he is correct. This at the utmost meant that the importer pocketed about a lakh of rupees—that is all that he can say. Then to come to bars—the import of bars amounted to 125,000 tons. We find on the basis of the same calculation that the fair price of bars ought to have been Rs. 135, while the average price of the twelve months of 1926 was Rs. 135-12-0. Similarly, plates ruled at Rs. 137 per ton, while the fair cost of Continental plates was Rs. 127 per ton. But the total import of Continental plates is 28,000 tons and part of it is imported into Calcutta when there has been keen competition between Tatas and foreign imports. We can see from these figures that there was no profiteering of the sort described by my Honourable friends Sir Charles Innes and Mr. Jinnah. These are the figures before the House and I hope that when they take into consideration all the facts they will come to the conclusion that there was no profiteering of the kind stated by my Honourable friends on the opposite Benches.

Now, Sir, Mr. Jinnah asked: "Why did not Mr. Kirloskar come and put in a representation before the Tariff Board?"

Mr. M. A. Jinnah: Give evidence.

Mr. Ghanshyam Das Birla: Give evidence. Similarly, he suggested that all the representations which the Honourable Members were getting were from the various iron merchants' associations.

Mr. M. A. Jinnah: I did not say all. I was dealing with Lala Lajpat Rai's representations.

Mr. Ghanshyam Das Birla: He stated that almost all the representations which were pouring in were from the iron merchants' associations of various parts of the country. I put him one question. It has been admitted by my Honourable friend that there was no profiteering in Calcutta on account of competition between Tata's steel and imported steel. If that was so, may I inquire why the Calcutta Iron Merchants' Association also made a representation to all the Members of the Assembly stating that they did not approve of the preferential tariff? Sir, the evidence of Mr. Anandji Haridas was given so much importance the other day. May I put before the House a telegram which I received from the Iron Merchants' Association of which Mr. Anandji Haridas is but the President. The telegram says:

"Request you opposing preferential tariff and supporting uniform duty on all imported steel. Interest of trade and consumer demands it."

That is the considered opinion of the Iron Merchants' Association of Calcutta of which Mr. Anandji Haridas is the President. And I take it that in Calcutta, according to my Honourable friends, Mr. Jinnah and Sir Charles Innes, the trader was not engaged in any sort of profiteering, and still the gentlemen from that part of the country do not approve of this preferential tariff. Then we have got the case of Mr. Kirloskar who is producing bolts and nuts. He has come running all the way from Bombay and he has represented to the various Members of the House that if preferential duties come into effect he will have to close his factory. There are many other Indians similarly placed as Mr. Kirloskar. One is

Mr. Agole. He is at present manufacturing about 1,000 lanterns every day, that means about 30,000 a month. And what is his position? If he has to pay a higher price for Continental steel on account of higher import duty, he will have to shut his factory in a few days. That is the sort of report which we are getting from all parts of the country.

It has been said that under a system of preferential tariff the consumer of standard steel will have to pay a lower price, while under Mr. Chetty's scheme he will have to pay a higher price. I admit it, but who are the buyers of standard steel? It is either big factories or corporations, or Railways and so on, and I am sure they can afford to pay a little higher price. (Laughter.) (Mr. M. A. Jinnah: "Whose money?") But what about the poor consumer? What about the poor men who use Continental steel every day? I think it is better to protect the poor consumer and the poor industries rather than put some more money into the coffers of the Government or corporations and such other rich bodies. With these remarks, Sir, I beg to support Mr. Chetty's amendment which in my opinion is in the best interests of the country.

Mr. B. Das (Orissa Division: Non-Muhammadan): For three days we have been discussing the Steel Protection Bill and I find that the House is unanimous on one point, and that is, that nobody wants Imperial Preference. We on this side say that the Bill introduces Imperial Preference. The Government Benches and those who voted with them say that no Imperial Preference is meant. There is a unanimity of opinion that Imperial Preference is not wanted, although we doubt the protest that the Government Benches are making that no Imperial Preference is meant in the Bill. I will just commend one passage which I noticed in the editorial of the *Statesman* of yesterday (17th February 1927) for the edification of the Treasury Benches, both Indian and European, including the Honourable the Commerce Member:

"Never since the Tariff Board issued its report have we been able to understand what purpose there can be in denying that the duties embody a preference. To protest that there is no intention to give a preference cannot alter the fact that a preference is given, nor does it change the nature of that preference to label it discrimination."

I will say to those who protest on the other side—I will use that significant though slightly inelegant phrase, "My lady, you protest too much." Sir, whenever any Indian Member on the Government side speaks I always listen most attentively. Especially, there are three Indian Members on the Treasury Benches who ought to know the mind of the nation, the sentiment of the nation. These three representatives of the Indian nation are there, inside the Government of India to reflect the sentiment and the feeling of the Indian people inside that Government. If they do not reflect our feelings, the onus is on them. When Sir Bhupendra Nath Mitra spoke the other day I listened to him most attentively, but what I did feel was that he did not convince me that no preference was meant by the other side in the Government Bill. He poohpoohed the idea of sentiment. I do not want to quote an Indian authority but I will quote the authority of Mr. C. A. Innes—he was then Mr. and not Sir Charles—when he moved the Resolution regarding the appointment of this Tariff Board in 1923. What did he say about 'sentiment' then? My

[Mr. B. Das.]

Honourable friend, Mr. C. A. Innes—he was then a democrat of democrats—said:

“The first point I have to make is this. I do not suppose that there is any country in the world where this question of free trade or protection has been decided on purely economic grounds.”

And to-day economic considerations and economic interests are thrown in our faces on the floor of this House. Then he goes on:

“Some of you may have read Mr. Percy Ashley's book ‘Modern Tariff History’. In that book he points out that even Lists' great work in which he developed the theory of infant industries and argued the need for protection to enable a country to pass from a purely agricultural state to a mixed agricultural and industrial state owed the widespread approval it received in Germany less to its economic argument than to the great political appeal it made to the necessity of maintaining, completing and strengthening German nationality. *There is the same sentiment at work in India.*”

These are not my words, but the words of my Honourable friend, Mr. Innes, now Sir Charles Innes. He said:

“On the one hand, India aspires to Dominion status, that is to say, she aspires to political independence within the Empire. On the other hand she aspires to economic independence.”

These are the words of my Honourable friend Mr. C. A. Innes as he then was, the great democrat as he then was, but also no more a democrat! I commend those words to the attention of my Honourable friend Sir Bupendra Nath Mitra. I wish also to add a word of praise to my Honourable friends Mr. Arthur Moore and Mr. Gavin Jones of this side of the House. They do not want preference. The non-official British representatives in India desire not Imperial Preference or preference to the United Kingdom. Sir, I appreciate very much such a fair and broad enunciation of policy from my European friends. I want you to remain as friends of India. If such sentiments are often expressed by them and their group on the floor of the House and outside, then it would conduce better to the cementing of friendship of the two nations. Let the Government Benches do whatever they can under the dictates of Whitehall and bear the blame and obloquy of non-official India. You are and will be our brother citizens in India for a number of years. You love liberty and have been lovers of liberty in your country. Why should you alienate our sympathies by adopting undemocratic policies then? Whether you live in England or India, you love liberty, and be lovers of liberty and freedom always.

I am very suspicious of this preferential Bill that has been introduced. I will read a passage from the *Times Trade Supplement*, dated December 12th, 1926, regarding a Bill introduced by the Australian Government to give preference to the United Kingdom:

“A Bill is passing through the Legislative Assembly of New South Wales requiring municipal and shire councils to give ‘effective and substantial preference’ to goods manufactured or produced in the Commonwealth and falling them to British goods. Australian goods must be given at least 10 per cent. preference over foreign goods. The rate of preference will vary according to the customs duty paid on the imported article. The members of a council which disregard the provision of the measure,

should it become law, will be liable to surcharge under the provisions of the Local Government Act.

The Minister of Local Government, Mr. J. J. Fitzgerald, in introducing the measure, said that giving preference to Australian goods meant giving preference to Australian workmen. There ought to be no need for a measure of the kind but unfortunately various councils had written claiming the right to buy goods of any nationality at any prices. The Government considered the definite preferences specified in the Bill to be fair and reasonable."

I mention this for this reason. A Conservative Government are sitting in Whitehall. The Baldwin Government want to introduce Imperial Preference all over the Empire. There is a definite policy of direction from the British Government and so we find Bills giving preference are on the anvil in the Dominions and in India.

My friend Sir Charles Innes in his speech the other day praised the Tariff Board to the seventh heaven. I will just read one description of it from the *Statesman* of yesterday :

"The reverence of Ministers like Sir Charles Innes for the Tariff Board is one of the things that it is difficult to understand. To him the pronouncements of that body are as the commandments that descended from Sinai. The commandments were written on stone and had a degree of permanence. They were not replaced on the morrow by a new set of injunctions."

My friend Mr. Arthur Moore, who is also connected with the *Statesman*, expressed the same opinion on the floor of this House. Sir, the *Statesman* once bore the name of "Friend of India" and it is acting as a real friend of India in giving expression to these friendly thoughts for India.

(At this stage Mr. President vacated the Chair, which was occupied by the Rev. Dr. E. M. Macphail.)

Mr. Ginwala, who was one of the Members of the first Assembly and who was one of the doubting Thomases of that Assembly, questioned the right of a political body like this Assembly to control the work of the Tariff Board. I will just quote one passage from Mr. Ginwala's speech in that connection and Honourable Members of this House will get some inkling how our toddling infant legislators in that first Assembly were working to the spirit of this democratic sentiment :

"If this Board is to be constituted it should be a statutory body, constituted by an Act of this Legislature and that its duties as far as possible should be defined. I object to treating the Board merely as an advisory body. For in the end, it may come to this, that it may advise as much as it likes the protection or otherwise of a particular industry, but if its advice is to be submitted to the opinion of the whole House, I venture to submit, without meaning any offence to this House, that that advice will more often than not be examined on its own merits. There are always political forces at play under whose influence the advice is bound to come."

Let us now hear the more democratic sentiment of my friend Sir Charles Innes in his younger days. He said :

"Mr. Ginwala also stated that he was a democrat. I must confess that, when I heard his views about the Tariff Board I felt very much inclined to doubt that statement. He apparently contemplates a Tariff Board with statutory powers over and above the Indian Legislature, a Tariff Board which is empowered to fix rates, a Tariff Board which is beyond criticism by this Assembly. Well, Sir, that may be a very efficient Board but it is not democracy, nor, Sir, is it the sort of Board that I should agree to appoint."

Well, I wish my friend had maintained the same attitude and had not glorified that Tariff Board as something above this Legislature and above the Government. And I know this much, I am sure that my friend Mr. C. A. Innes did not then want the Tariff Board to be a sort of glorified Commercial Intelligence Department as it was in the United States. Sir,

[Mr. B. Das.]

I spoke on the first day this Bill was referred to Select Committee and said that I am opposed to preference in any shape or form. To-day, I know, the Treasury Benches are happy that the number of heads is in their favour and they can carry it; but the moral victory is on this side of the House and our moral victory is supported to-day by the European group in this House. So, by a Government victory I do not think the Treasury Benches do feel very happy, because they know they have not the support of the Indian Nation; they are carrying it with a show of the mailed fist, if I may say so.

Sir, I do not want to go much into the question of prices, whether the consumer or the tax-payer or who is to pay. The policy of this House is that adequate protection should be given to the steel industry, and so long as the steel industry is protected it does not matter who pays. To-day the consumer is paying very heavy duties, and whether this Government Bill or the Birla-Chetty Bill is passed, that will reduce the rates of duty on steel which will be sold cheaper. So it does not matter if the consumer will pay a little more, but I would much rather prefer a Bill by which no preference at all is given to the United Kingdom. I would rather as a consumer pay a little more both for Continental and British steel to avoid that flavour of preference. But, Sir, I do not agree with the expert opinion of that body of experts, the Tariff Board, that they have given adequate protection to the steel industry. The steel industry in their representation demanded protection compared to which the Government scheme of protection is very inadequate. And although Mr. Jamnadas Mehta's amendment for recommitment to Select Committee with a view to introducing a policy of bounties has been thrown out, yet I maintain that the steel industry will not prosper and will not be able to compete with British or Continental steel unless they are given a certain amount of bounty. Well, that is not the point we are discussing at present, so I will not talk on that. I want the steel industry to be given bounties, though I am not entirely satisfied with the methods and procedure of the Steel Company. This Steel Company, the Tariff Board itself says, has got obsolete plant; it has got a top-heavy management; it is not properly Indianized though there is a certain percentage of Indianization: it can reduce the works costs by Indianization and by reducing the number of labourers and workmen as has been recommended by the Tariff Board. I may tread on Mr. Joshi's corns thereby

The Honourable Sir Charles Innes: On a point of order, Sir. I should like to know whether this is really relevant to the amendment before the House?

Mr. Chairman (The Revd. Dr. E. M. Macphail): I do not think so.

Mr. B. Das: Very good, Sir, I bow to your ruling. But I think that adequate protection is not given under this Bill and that it would give Tata's real protection if the system supported by the so-called minority report of the Select Committee was adopted. I know the Government will carry the day because they have an absolute number of votes on their side; but we are here to voice the national sentiment and the nation's feeling and we will not be any party to any system of preference.

(Several Honourable Members moved that the question be put).

Mr. Chairman: The question is that the question be now put).

(At this stage the Chair was vacated by the Rev. Dr. E. M. Macphail and was resumed by Mr. President.)

The Assembly divided:

AYES—57.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Matin Chaudhury, Maulvi.
 Abdul Qaiyum, Nawab Sir Sahibzada
 Akram Hussain Bahadur, Prince
 A. M. M.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. A. Aravamudha.
 Ayyangar, Rao Bahadur Narasimha
 Gopalaswami.
 Bhoore, Mr. J. W.
 Blackett, The Honourable Sir Basil.
 Clow, Mr. A. G.
 Coatsman, Mr. J.
 Cooke, Mr. H. G.
 Crawford, Colonel J. D.
 Donovan, Mr. J. T.
 Dunnett, Mr. J. M.
 Gavin-Jones, Mr. T.
 Ghulam Kadir Khan Dakhan, Mr.
 W. M. P.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Greenfield, Mr. H. C.
 Haigh, Mr. P. B.
 Hezlett, Mr. J.
 Howell, Mr. E. B.
 Hyder, Dr. L. K.
 Innes, The Honourable Sir Charles.
 Ismail Khan, Mr.
 Jinnah, Mr. M. A.

Joshi, Mr. N. M.
 Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Risaldar-Major
 and Honorary Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Macphail, The Rev. Dr. E. M.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moore, Mr. Arthur.
 Muddiman, The Honourable Sir
 Alexander.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Nasir-ud-din Ahmad, Khan Bahadur.
 Paddison, Sir George.
 Parsons, Mr. A. A. L.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajah, Rao Bahadur M. C.
 Roy, Mr. K. C.
 Roy, Sir Ganen.
 Ruthnaswamy, Mr. M.
 Sassoon, Sir Victor.
 Singh, Rai Bahadur S. N.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tonkinson, Mr. H.
 Willson, Sir Walter.
 Young, Mr. G. M.

NOES—50.

Abdul Latif Saheb Farookhi, Mr.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sessa.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Mr.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varshagiri Venkata.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.

Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jannadas M.
 Misra, Mr. Dwarka Prasad.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtaza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Prakasam, Mr. T.
 Rananiya Singh, Kumar.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. Bhabendra Chandra.
 Sarda, Rai Sahib M. Harbilas.
 Shafee, Maulvi Muhammad.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Tok Kvi, U.
 Yusuf Imam, Mr.

The motion was adopted.

Mr. President: The question is:

"That for clause 2 of the Bill the following be substituted:

'2. (1) For sub-section (4) of section 3 of the Indian Tariff Act, 1894, the following Amendment of section 3, Act VIII of 1894, in sub-section shall be substituted, namely:

(4) If the Governor General in Council is satisfied, after such inquiry as he thinks necessary, that articles of any class chargeable under Part VII of the Second Schedule with both a basic and an additional duty are being imported into British India from any place outside India at such a price as is likely to render ineffective or excessive the protection intended to be afforded by such duty to similar articles manufactured in India, he may, by notification in the Gazette of India, increase or reduce the additional duty to such extent as he considers necessary.

(2) In the Second Schedule to the same Act there shall be made the amendments specified in the Schedule to this Act.

(3) The amendments made by this section other than those made in Parts I and II of the Second Schedule to the Indian Tariff Act, 1894, shall have effect only up to the 31st day of March, 1934."

The Assembly divided:

AYES—49.

Abdul Latif Saheb Farookhi, Mr.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sesha.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Mr.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.

Kunzru, Pandit Hirday Nath.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Prakasam, Mr. T.
 Rananjaya Singh, Kumar.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Roy, Mr. Bhabendra Chandra.
 Sarde, Rai Sahib M. Harbilas.
 Shafee, Maulvi Muhammad.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Tok Kyi, U.
 Yusuf Imam, Mr.

NOES—60.

- Abdul Aziz, Khan Bahadur Man.
 Abdul Matin Chaudhury, Maulvi.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Abdullah Haji Kasim, Khan Bahadur Haji.
 Ahmed, Mr. K.
 Akram Hussain Bahadur, Prince A. M. M.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
 Ayangar, Mr. V. K. A. Aravamudha.
 Ayyangar, Rao Bahadur Narasimha Gopalaswami.
 Bore, Mr. J. W.
 Blackett, The Honourable Sir Basil.
 Clow, Mr. A. G.
 Costman, Mr. J.
 Cocke, Mr. H. G.
 Crawford, Colonel J. D.
 Donovan, Mr. J. T.
 Dunnett, Mr. J. M.
 Gavin-Jones, Mr. T.
 Ghulam Kadir Khan Dakhan, Mr. W. M. P.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Greenfield, Mr. H. C.
 Haigh, Mr. P. B.
 Hezlett, Mr. J.
 Howell, Mr. E. B.
 Hyder, Dr. L. K.
 Innes, The Honourable Sir Charles.
 Ismail Khan, Mr.
- Jinnah, Mr. M. A.
 Joshi, Mr. N. M.
 Jowahir Singh, Sardar Bahadur Sardar.
 Kabul Singh Bahadur, Risaldar-Major and Honorary Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Macphail, The Rev. Dr. E. M.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mohamrad Ismail Khan, Haji Chaudhury.
 Muddiman, The Honourable Sir Alexander.
 Muhammad Nawaz Khan, Lieut.-Sardar.
 Nasir-ud-din Ahmad, Khan Bahadur Natiq, Maulvi A. H.
 Paddison, Sir George.
 Parsons, Mr. A. A. L.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. K. C.
 Roy, Sir Ganen.
 Ruthnaswamy, Mr. M.
 Sassoon, Sir Victor.
 Singh, Rai Bahadur S. N.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tonkinson, Mr. H.
 Willson, Sir Walter.
 Young, Mr. G. M.

The motion was negatived.

MOTION FOR ADJOURNMENT.

STRIKE AT KHARAGPUR ON THE BENGAL NAGPUR RAILWAY.

(It being Four of the Clock, Mr. President called on Mr. Varahagiri Venkata Jogiah to move his motion for adjournment).

Mr. Varahagiri Venkata Jogiah (Ganjam cum Vizagapatam Non-Muhammadan Rural): Sir, the motion that I propose to move is:

* "That this Assembly do adjourn to discuss a definite matter of urgent public importance."

The object of this motion is to discuss and call the attention of this House firstly to the conduct of the Railway Administration in disregarding the repeated representations of the subordinate railway employees of the Bengal Nagpur Railway on certain most important grievances, the neglect of which occasioned the present strike to the great inconvenience of the public; secondly to the conduct of the Government in calling out the Auxiliary Railway Force to shoot and bayonet indiscriminately, not only the workmen but also others assembled, without the least warning or

[Mr. Varahagiri Venkata Jogiah.]

threat that shooting would take place without persuading the crowd to disperse and without having recourse to the use of blank shots in the first instance; and thirdly to the conduct of the telegraphic authorities in refusing the despatch of telegrams that were sent from the Indian Labour Union, Kharagpur, to a large number of the Members of this House.

Sir, Honourable Members of this House are aware that there was for some time a good deal of unrest among the subordinate employees of the Bengal Nagpur Railway. Representations on the subject were made not only to the railway authorities but also to the Government by questions put on the floor of this House with regard to these grievances. You may remember a Resolution was moved on the 5th of February 1926 in this House recommending an enquiry into the grievances of the subordinate railway employees, generally, by the Central Advisory Committee on Railways and the Resolution was adopted by the House with only one dissentient voice, that of Sir Charles Innes, the Honourable Member for Commerce and Railways. In spite of this motion being adopted by almost the whole House, no effect was given to it. On the other hand the Government stated, in answer to interpellations, that not even a departmental enquiry would be ordered, but that the Railway Administrations concerned would remedy the genuine grievances, if any existed.

In this state of circumstances credit is due to Mr. Greenham, the Agent of the Bengal Nagpur Railway, for having received a deputation from the representatives of the Union and given it a patient and sympathetic hearing. The chief grievances placed before him were fourfold:

One was the insecurity of service due to summary dismissals without any proper enquiry. The second was insufficiency of wages or pay. The third was ill-treatment of subordinate employees by subordinate officers. The fourth and last was general grievances.

The first head of grievances referred to dismissals of workmen from the Kharagpur workshop and of the chowkidars attached to the Station Committee at Kharagpur. The Agent instructed the Acting Chief Mechanical Engineer, Mr. Bluett, who was present at the deputation, that he should enquire into the cases of workshop dismissals in the presence of the executive of the Union and as for the dismissal of chowkidars the Agent wanted that their cases should be discussed by the members of the Station Committee which consisted of some of the executive members of the Union and be disposed of by the Committee. As for the latter suggestion of the Agent, when the matter was placed before the Station Committee for discussion it was unceremoniously disallowed by the Acting Chief Mechanical Engineer, Mr. Bluett, the ex-officio President of the Committee. As for the dismissal of the workmen, no enquiry was held for about 25 days after the deputation and directions of the Agent. The workmen naturally grew impatient and passed a resolution to strike work and about this time, i.e., on the 20th December, there was the fifth annual meeting of the Indian Labour Union at Kharagpur and the disappointed workmen came resolved to press a resolution to strike work. But an hour before this meeting Mr. Bluett sent a letter promising to begin enquiry on the 21st December, i.e., the next day after this annual meeting. The Union representatives on the strength of this letter persuaded the employees to possess their souls in patience and not declare any direct action. Mr. Bluett on the 21st December classified cases of dismissal under two

heads, some as final and some as fit for enquiry, and adjourned the enquiry to 28rd December and from that day again to 3rd January. Again he did no work from 3rd January to 6th January and put off the enquiry from the 6th January to the 17th and no work was done again on the 17th January or till the 28th. In the meantime, the workmen resolved to have the strike on the 30th January. Mr. Bluett again had recourse to his old ways and gave notice on 29th January, a day prior to the date of the announced strike, that the enquiry would begin on the 31st January. On the persuasion of the Union the workmen again yielded and put off the strike. But with regard to the enquiry the same old story repeated itself and Mr. Bluett again postponed enquiry to the 3rd February and did not go into it. In spite of this attitude of Mr. Bluett the Agent made a statement recently in the Press that there was no grievance on the score of dismissals as he instructed Mr. Bluett to review the dismissals. I have drawn the attention of the House to the way in which Mr. Bluett enquired into the cases of dismissals and narrated to you how the enquiry was being conducted by him, and how he put off the same from day to day on the flimsiest of grounds or I may say without any grounds whatever. It is for the House to judge whether in these circumstances employees can expect any justice from Mr. Bluett.

It was also stated by the Agent in the same press communiqué that dismissed servants had an unrestricted right of appeal. I need not say much on this point as it is well known how dismissals are made on Railways and how appeals therefrom are summarily rejected by the authorities. And the statement made by the Agent in the Press in regard to dismissals is that only a small percentage of the workmen was dismissed. What matters is not the number of dismissals but the manner and circumstances under which dismissals are made. Summary dismissals without affording opportunities for explanation create panic and a feeling of insecurity of service among the employees.

Coming next to the insufficiency of wages or pay the Agent's statement in the Press shows that wages or pay range from 7 to 9 annas a day for unskilled labour, and 13 annas to Rs. 2 per day for clerks even with academic qualifications and some service. This is said to be sufficient to maintain these men with their families consisting of at least three members, a wife, a child and a dependent. A family budget presented by the workmen to the Agent shows that anything less than Rs. 20 for an unskilled workman and Rs. 45 for clerks would be a very insufficient wage. The Agent asked if that were true how these men were living all these days. They said they were foregoing all their necessaries and living sometimes on one meal a day. The other argument of the Agent with regard to the insufficiency of wages was that the long list of applications for any vacancy on the Bengal Nagpur Railway is the best proof that service on the Bengal Nagpur Railway is eagerly sought. This surely is no argument to deny the poor people a living wage. It is a matter of common knowledge that almost all lucrative appointments on the Railways are held by officers other than Indians, leaving to Indians but the crumbs, and the poor Indians have somehow to keep body and soul together, and therefore are forced to accept these offices however low and unremunerative the salary may be. In these circumstances I say that it is very unjust that the authorities instead of sympathising with the applicants should take advantage of the number of applications and argue simply that because a large number of applications have been received, therefore the wages are sufficient.

[Mr. Varahagiri Venkata Jogiah.]

Coming next to ill treatment, the Agent says that these relate to abusive language and trifling assaults, and that occasional cases of this sort are inevitable, that proved cases are severely dealt with and that the injured party are at liberty to go to court. I have not much time to dwell at length on the subject, so I shall refer you only to one case quoted in the statement of grievances presented by the employees on page 2. This was a case of a workshop employee who was assaulted in the presence of his co-workers while in an unconscious condition due to an attack of sunstroke. The statement says as follows:

"In spite of representations from the Union it has been found that instead of reprimanding and punishing the delinquents * * * there has been utter indifference shewn to such complaints. The case of Sukhalal, a workshop employee, who was dragged by the hair and kicked by Mr. Round in the presence of his co-workers while in an unconscious condition due to an attack of sunstroke and dismissed on plea of unsatisfactory working needs special mention."

Other cases of ill treatment are also given in the same statement on page 2. The question is not whether there was a large number of cases of ill-treatment, but it is whether any effective action is taken, with regard to the cases of ill treatment, against officers who have resorted to it. It is also stated that these men who were ill treated have their legal remedy and they can go to courts. It is no doubt very generous now to say and allow these poor employees the birth-right of every British citizen to go to a court of law, till lately even this privilege was denied to these poor men. Sir George Godfrey issued only 2 years ago an order in which it was stated that one railway employee cannot complain or bring a suit against another railway employee without his permission.

As for the general grievances, these are innumerable. The want of proper house accommodation for the employees and the way in which their requests are treated are well known. I will just give one instance of it. There has been a great scarcity of quarters for subordinate railway employees and about 150 of them built houses for themselves in a place called bustee and they were living there for the last 20 years. During the last communal troubles they were asked to leave those huts at very short notice. They prayed for more time, but the Secretary of the Station Committee refused this request and told them that unless they vacated their houses immediately, the houses would be burnt. It may be a strange coincidence that a few houses were really burnt and the people naturally associated the burning with the threat, and the poor employees who had been living there for 20 years with their wives and children had to leave the huts immediately. For some time, they had no hearths or homes, but, subsequently, some of them were provided with some kind of accommodation.

The present situation would certainly not have arisen but for the conduct of Mr. Bluett, the Acting Chief Mechanical Engineer. If he had carried out the wishes of the Agent there would have been no trouble whatever. When the workmen were very much disappointed and in a state of mind which would enrage any one, an officer was appointed to look after the housing of the employees and he directed the removal of certain fencings before the quarters of the Indians. The latter protested against this, as this would deprive their families of privacy, and some of those who protested were suspended and some were dismissed. Mr. W. R. Naidu, a clerk in Mr. Bluett's office and a member of the Station Committee and a strong supporter of housing grievances and a joint secretary of the Union,

who had been protesting against the executive officer's methods, was suddenly transferred and placed under the executive officer. He appealed against this order to Mr. Bluett and stated that his interests would be prejudiced if he was placed under the executive officer whose proposals he had been strongly opposing. Thereupon he was fined . . .

Mr. President: Order, order. I know the Honourable Member has many more things to say, but his time is up. The Honourable Member must resume his seat when the Chair rises. The Honourable Member's time is up.

Mr. Varahagiri Venkata Jogiah: Just one word and I shall close. Sir, when this trusted leader was transferred like this and placed under this executive officer, naturally the workmen resented it and struck work. After this, they wanted to enlist the sympathies of the traffic department and went to the station. Taking advantage of this, interested officials magnified this conduct on the part of their workmen into an attack on the traffic men and the authorities called out the Auxiliary Force, which consisted of Europeans and Anglo-Indians commanded by officers against whom the employees have often complained—and the force took to violence, and not only were workmen shot and bayoneted, but also the public who were present there. One poor man was bayoneted four inches deep from the nose to the palate and another old man, who was taking food to his son, was injured by gun shots. No warning was given beforehand that shooting would take place and no persuasion was resorted to for the men to disperse. Another . . .

Mr. President: I cannot allow the Honourable Member to open another matter now.

Mr. Varahagiri Venkata Jogiah: With these words I move the motion.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, my friend Mr. Jogiah has presented one aspect of the case, and he has presented it very lucidly, very clearly. My Honourable friend the Commerce Member I see is smiling and I believe acknowledges the lucidity of his speech. I saw him taking notes and we may expect a complete reply, if it is his wish to give as much information to this House as he has in his possession in regard to this particular matter.

Sir, it is a matter which very much concerns the peace of this country, for we have just emerged or more correctly we are about to emerge from a controversy of the protection of the steel industry. Industries mean industrial disputes, industrial crises, industrial developments, industrial upheavals and attendant on it the awakening of the industrial workers.

Sir, here we are dealing with the workers and the awakening of the workers, and I would expect the Government, which knows how labour disputes are dealt with in England, to treat Indian labour disputes in the manner in which English disputes are settled in England. Sir, the other day Colonel Crawford said the situation in Bengal was much worse than the situation in England during the coal strike. That was a hyperbolic statement, or was he talking as a prophet anticipating the present strike? Does he think the present strike has presented a situation much worse than the situation in England? Sir, in that huge crisis, when England was on the verge of a revolution, when England could not produce a single newspaper, a country in which newspapers have circulation in millions, even then the

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English police and the English military forces acted with caution: they acted with restraint. Sir, my friend Mr. Joghiah was about to deal with this aspect of the indiscriminate use of power. I would rather say the discriminate abuse of power. (Laughter.)

Sir, I have been put in possession of a document which I shall read to this House and I will leave it to subsequent speakers to comment on that document because, Sir, that is the basis of this motion for adjournment, namely, the manner in which the Auxiliary Force were let loose on our countrymen, the manner in which the companions of our friend Colonel Gidney were let loose on the comrades of Mr. Joshi. (Laughter.) Sir, I object most strongly to the manner in which this Government is perpetuating fratricidal strife in this country. Could they not have asked the European soldiers instead of Anglo-Indian auxiliaries to shoot down the Indians? Could they not have asked the Europeans instead of Anglo-Indians to bayonet the Indian workers? Why should they ask the Auxiliary Force, men most of whom have not gone abroad and not seen England, why should they be asked indiscriminately to commit all these excesses and create bitter feeling among the people? Did I hear Colonel Gidney say "Question"? (Lieut.-Colonel H. A. J. Gidney: "No, I did not!") I am very glad that Colonel Gidney appreciates my argument because he stands as a peace-maker between his community and my community unlike the Government which believes in the baleful maxim *Divide et Impere* and wants to divide even the Anglo-Indians from the Indians. Sir, apropos the present affray this is the document which has been placed in our hands by the Labour Union and some of the statements made therein are appalling:

"The railway officers arrived soon on the platform and began to attack the noisy strikers there. Mr. Bluett and Mr. Purkis were the first to start the assaults. The former squeezed a man by the neck and the latter whipped him and he was thrown down into the yard. Soon the people began to run away to avoid violence but some more people while running away were assaulted. The authorities seem to have employed some *agents provocateur*. One Mr. Pragdutt Tewari who was dismissed from service on account of the Union's representation on behalf of the workmen somehow got into the running crowd, raised a cry that one of their men was deadly wounded, excited the men and instigated them to throw stones. In the excitement all could not recognise the voice of the men and instigated them to throw stones. At once the police and the Auxiliary Force charged the men with bayonets and the men began to run away,"

thus, Sir, illustrating the well-known policy of the Government which we have been condemning in this House, namely, bayonets for brickbats. Then comes indiscriminate whipping and the use of the butt-ends of rifles on the men who began to run away. Then comes indiscriminate locking up of persons including innocent passengers and also the *agents provocateur*:

"Mr. Pragdutt told the police that he was a spy of the authorities and requested them to verify the truth of it by a reference to Mr. Tyers, an officer employed in the workshop. At 1 A.M. that gentleman along with another European officer went to the lock-up and had Mr. Pragdutt and his accomplices released."

Thus, Sir, as the strike was growing they wanted to instigate violence by violence so that the superior violence of the authorities might come down on the men. That is always the way with the Government. That was what they did during the non-co-operation movement. That has happened again and again. It is no use my Honourable friends there, on the Government Benches, laughing. What I expect them to do is seriously to change this attitude of mind that some of their officials have got and to combat growing estrangement with all their power. We are supposed to be entering on spacious days, spacious times; therefore let us turn over a

new leaf. Even bureaucrats must recognize the rule "The old order giveth place to the new". I want the order of bullets for brickbats to change; I want the order of bayonets for brickbats to change. I want them to treat our lives in the same manner as Englishmen are accustomed to treat European lives.

Sir, I shall not take up any more time of this House as I believe there are other Members who want to take part in the discussion, but I would put it to the House, to Honourable Members on the other side of the House, in all seriousness to enquire into this matter, to go deeply into this matter and to make an example of one or two people who have let themselves go on this occasion, for a repetition of this thing can never be tolerated by the people of this country in these days. I am sure, Sir, the Honourable the Commerce Member who is about to leave the country would not like to leave it tolerating the terrible situation, the terrible havoc, that has been perpetrated in Kharagpur. I am sure he must be very unhappy over it and I believe it will be a crowning act of his career if he goes into the situation, takes it seriously in hand with the same facility with which at short notice he gave information to this House, on the important question, if he will go into the question in all earnestness and see that the manner in which things have been done here will not be repeated hereafter.

Lieut.-Col. H. A. J. Gidney (Nominated: Anglo-Indians): Sir, as I listened to the Honourable the Mover introduce the subject which is now before us I expected to hear from him a matter of urgent importance—one necessitating the adjournment of the House. What I have heard from him has been a catalogue of the grievances of railway employees, some of which are no doubt real but many of which are certainly not so. But, Sir, I think the best time to discuss these grievances is when we deal with the Railway Demands for grants next week.

I now turn to what was said by my Honourable friend Mr. Ranga Iyer. I know him to be an excellent companion in the lobby but I had no idea he was such a courtier and such an arrant flirt. He has certainly started flirting with my community. He calls it Gidney's community *versus* Joshi's. Might I ask what community does he represent? (*Mr. C. S. Ranga Iyer*: "The same community!") Well, why do you accuse Government of dividing us when you are doing it yourself. I am sorry, but I cannot respond to this attempt at flirtation. Personally I see the seriousness and the delicacy of the situation so far as my community is concerned and I regret the necessity which arose for the participation in it of my people who are in the Auxiliary Force. I put it to the Mover of this motion and to this Honourable House, if their property were attacked by thieves or their habitation invaded by rioters would they stand still and look on, or would they defend it and call in help if necessary?

Mr. N. M. Joshi (Nominated: Labour Interests): Whose property is it?

Lieut.-Colonel H. A. J. Gidney: I will answer that. I repeat when you have an angry mob of rioters invading the station, taking possession of the station, emptying it of the staff, and attempting to take possession of the cabin boxes—and God knows what they might not have done if they had not been stopped, because remember they had practically taken possession and control of the station—what do you think the railway authorities should have done under the circumstances and what would you have done? Sat down and looked on, endangering the lives of hundreds and thousands of passengers with the control of the traffic for miles, in the hands of an infuriated mob of ignorant rioters?

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Shoot them down!

Mr. C. S. Ranga Iyer: Bayonet them!

Lieut.-Colonel H. A. J. Gidney: Yes, Sir, if they came to take my property and endangered my life. To introduce this subject to-day in the manner in which it has been introduced and so to advertise the indiscipline of Railway Labour Unions, of whose political activities this strike is the result, and then to talk of the indiscipline and brutality of the Auxiliary Force and the officials who control it is, I submit, Sir, to put the boot on the wrong foot and a childish argument and procedure. It is the political influence exercised by outside politicians on the Railway Union that has created this trouble, otherwise why should a body of workmen, because one of their number is transferred, take it into their heads to go out on strike and become dangerous rioters? And why should we, as the legislators of this country, accept their version of the matter—adjourn this House and lightly call into question the power and action of the railway authorities and, in attempting to move a censure on Government, send out a message of encouragement to other railways to follow suit and so disorganise our railway administration?

Sir, I was one of those who supported the Resolution against Government asking for a committee to enquire into the grievances of railway men. I did so because in my judgment it was absolutely necessary. I am of the same opinion now and I would vote against the Government to-morrow if anybody moved a similar Resolution, but not if I thought it would lead to railway men taking the law into their own hands as this strike certainly indicates. Sir, I cannot but deplore the riotous conduct of these men at Kharagpur, but do not let this House encourage them in their folly. I know there is great insecurity of service in railway employment, but that is a subject on which I shall have something to say at the right time—when the Railway Budget is discussed. There certainly is insecurity of service. The dismissal, removal and reduction of railway men is controlled by certain rules of Government, but on both Company and State-managed Railways Government knows that some railway officials dismiss their men unjustly and with impunity. (*The Honourable Sir Charles Innes*: "No.") The Honourable Member may say "No", but I know it to be so. Here is a Home Department Order which states that in all dismissals, removals or reductions, Rule 14 of the Home Department Circular, dated 21st June, 1924, must be carried out; and I here state on the floor of this Honourable House that this order is ruthlessly disregarded. The Railway Board are aware of this fact and should see to it that it is carried out and not encourage men to do acts of indiscipline and court discontent.

Sir, I am not one of those who believe in strikes, because, I think that strikes hit the strikers the hardest; but I do appeal to this House not to pass this motion or to send out a message of encouragement to other railway workmen and unions to act similarly. You cannot administer a railway any more than you can a regiment unless discipline is observed. By discussing this motion in this House to-day we are doing nothing less, than encouraging these misguided men in indiscipline and insubordination, to the extent that you will disorganise our Railways in the same way as happened to the police during the recent Calcutta riots. I ask this House to come back to a sense of sanity and not to be controlled by the wild telegrams

that have come from the rioters and riotous areas on the Bengal Nagpur Railway. With these observations, Sir, I oppose the motion for an adjournment.

Sir Darcy Lindsay (Bengal: European): I deplore the decision of the House this morning for adjournment to consider this matter of the rioting at Kharagpur. It seems to me, Sir, that as my Honourable friend Colonel Gidney has just told us, it is most unfortunate that we should discuss a matter on the floor of the House which in my opinion may tend to encourage the rioters to continue in their evil way. What we want to do is to allow the Railway Company to take such steps as they can to bring the men back to reason and to work and then there will be no more of the rioting or the necessity for the police to repress the rioters.

Another matter as regards the adjournment is this. I regard it as a great waste of public time. We sat to-day to consider and pass a very important measure. Owing to this adjournment motion, the Bill has been further hung up, and my Group has asked me to protest against the waste of public time on adjournments for which we feel that there is no sound reason. I agree with Colonel Gidney that the Mover of the adjournment motion went into matters that had very little to do with the subject before us. He was discussing points of grievances that he could very well have brought up in the budget debate on the Railways. As to my Honourable friend, Mr. Ranga Iyer, I much regret the levity with which he treated what must be a serious subject. There was great laughter on that side as well as in other parts of the House and this I deeply deplore. It almost brings home to me the truth of what I have read in several papers that this noble building is referred to as the gas-works. I can now realise what is meant by gas-works. I thought it referred to its being a round building, but I am afraid it refers to other things.

Another point is, whom are we proposing to pass a vote of censure on? Is it the Railway Board? Is it the Government of India who have had absolutely nothing to do with this matter, or are we passing a vote of censure on the Local Government? It seems to me it is a matter for the Local Government whose officials directed the police to resist the action of the rioters and it was also the Local Government who authorised the calling out of the Auxiliary Force to protect the station and I do not think it at all seemly on our part to discuss what the Local Government have done before we know a great deal more about it. The Honourable Member for Commerce has been frankness itself in the information that he has conveyed to this House and I do think that we should have accepted his statement and not brought on any further discussion in the matter. On those grounds, Sir, I strongly resist this vote of censure.

Mr. N. M. Joshi: I assure you that when I am speaking on this occasion I am not speaking in a light-hearted mood nor am I actuated by any political feeling in making my speech. I also assure you that I am speaking with a full sense of my responsibility not only to this House but to the labour movement in this country. And I give you a further assurance that in speaking I have nothing but the interests of the workers at Kharagpur in my mind. Sir, the adjournment motion was made necessary because more than 10,000 workers are now in danger of being starved—not only the workers themselves but their wives and children. Is this not a matter which is urgent? Is this not a matter which is of public importance, and if this House is not going to consider a matter like this as a matter of

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urgent public importance and if questions of £. s. d., as one of my Honourable friends said the other day, are matters of public importance and not the lives of ten thousand workers—I say that this House will be failing in its duty, this House will be showing that it represents only those people who have got money, that it represents those people who care for money but do not care for the lives of human beings.

The causes of the situation which has arisen were detailed by my Honourable friend, Mr. Jogiah. The people at Kharagpur feel that their employment is insecure. They feel that they have been ill-treated by their superiors. They feel that they do not get sufficient wages. These grievances may be real, may not be real,—I am not discussing whether they are real or not. The question which comes up in this House this afternoon is whether the authorities who are in charge of the Bengal Nagpur Railway have dealt with the employees in a manner worthy of their responsibilities and I feel that they have not done so. Mr. Jogiah has clearly explained that the employees of the Bengal Nagpur Railway expressed their grievances, made representations, sent memorials and sent deputations to the railway authorities first about the middle of November. It is now more than three months since the first deputation was sent and during these three months the employees of the Bengal Nagpur Railway have not got redress. If a large number of workers who are illiterate, who are almost starving cannot feel exasperated after waiting for three months, what can they do, I ask the Honourable Members of this House. If they themselves had been getting Rs. 9 a month, if their employment had been insecure, as the employment of these railway workers is, and if after patiently waiting for 3 months they do not secure redress, what will they do? Sir, I am not one of those people who like workers going on a strike; much less do I like workers going on a lightning strike. But when I think of this matter, I think of the illiteracy of the people. Are they responsible for their illiteracy? I think of their unorganised state. Are they responsible for being unorganised? Sir, it is this Government which has kept them illiterate and ignorant and has denied education to them. If these people had been educated they would not have gone on a lightning strike: they would have gone on a strike in as orderly a manner as the English workers do. The immediate cause of the strike has been described by my Honourable friend Mr. Jogiah and I do not wish to go into that matter. But the matter which this House has got to consider is this, whether it was right for the railway authorities to use not only the police but the Auxiliary Force.

The Honourable Sir Charles Innes (Member for Commerce and Railways): On a point of order. The Auxiliary Force was called out by the District Magistrate and not by the railway authorities.

Mr. N. M. Joshi: I am speaking of the Government of India. Is not the Government of India responsible for the use of the Auxiliary Force?

The Honourable Sir Charles Innes: At any rate the railway company is not.

Mr. N. M. Joshi: It is said that property was attacked. But where is the proof that any houses were broken or set on fire. We know that the only thing admitted is that some people went to the platform. If some people went to the platform, you had your legal remedy. You should

have served warrants on them. (Laughter.) Certainly, if any other man goes there, he is not shot or bayoneted. There is a further objectionable feature of the action of the Government of India or the agents of the Government of India. Now, who are these Auxiliary Force people. They are the officers of the Railway under whom these people are working. Is it a sound principle that the employers should be given the power of the military when their employees either go on strike or are locked out? It is the officers of the Railways who form the Auxiliary Force. They may be Anglo-Indians or Europeans or Indians. I do not care. It was wrong on the part of the Government of India and it was wrong on the part of the Local Government to use the employers against the employees during a strike and to arm them with bayonets and with fire-arms. Sir, the people were shot and they were bayoneted. It is said that the injuries are slight and not serious, but the point remains. Is it right that when people go on strike or are locked out Government should at once use the military to put them down? Is it done in any other country in the world? It is done in no other part of the world. Why is it done in India? This is not the first time in which the military has been used. I have seen the military and the police firing and using these deadly weapons not only in Kharagpur but in many big strikes. There is hardly any big strike in which the military is not called out, in which the military do not fire and use these deadly weapons. Is it right that the Government of India should allow such things to be done in the name of law and order? There are Governments in other countries maintaining law and order but they do not use the military during a strike. I want to ask the Government whether they realise their responsibility as the Government of this country towards the poor workers at Kharagpur. If they do so, I appeal to them to institute an impartial inquiry into the causes and incidents of the strike and let them find out whether shooting and the use of bayonets was necessary. If the committee decides that the workers had done things which people in other countries do not do, then certainly the public will know whether these people, who used fire-arms were right.

Then I would like the Government of India not only to make an inquiry into the incidents of the shooting but I would like the Government of India to go into the root cause of this strike. Let them find out why this strike took place. Let them appoint an arbitrator. Industrial disputes take place in all countries in the world. They do not take place only in India but it is only in India that the workers have no remedy either from the Government or from the public against their employers. If such a dispute had arisen in England, I am quite sure the Government would have moved. They would have appointed a committee to inquire. They would have appointed a conciliation board. There are several kinds of machinery available in England and in other parts of the world whenever disputes arise. But in India no such remedy lies with the workers. The agent is considered to be responsible for everything. Is it right that the Government of India should act as the government of a barbarous or uncivilised country? I ask the Government of India whether it is right that the workers in this country should have no opportunity of having their disputes with the employers settled by means of conciliation or by means of arbitration. Only recently a dispute arose on the South Indian Railway and the dispute was settled very easily by one of the Members of this Assembly who is sitting on the Government Benches. If the Government of India had appointed an arbitrator like the one who was appointed by the

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South Indian Railway I am sure this dispute would have been settled. May I ask, Sir, if the Government had failed in their duty some time ago, if they will mend matters now. Let them appoint an arbitrator, let them appoint a committee of inquiry to go into the causes of this strike and I assure you this strike will end in no time. I assure the Honourable the Commerce Member on behalf of the workers of Kharagpur and I assure you, after full knowledge of the men who are working there, that they are not actuated by political motives as Colonel Gidney has said. The president of the Union is Mr. V. V. Giri, son of Mr. Jogiah, who had the honour of moving this adjournment—a man who is very mild, very peaceful and very reasonable, perhaps I may say more mild, more reasonable than I shall be or I am. When the Union is under the control of a man like Mr. Giri, I am quite sure the men will be reasonable. But how can the men be reasonable when the other side is unreasonable? I therefore appeal to the Honourable the Commerce Member to take steps to appoint some arbitrator and find out some machinery by which the grievances of the workers will be inquired into. It is no good merely saying that the Agent will look into the matter. The Agent has failed in his duty and I hope the Government of India will not fail in its duty but if the Government of India fails in its duty, I want to ask this House whether it is going to fail in its duty. If the Honourable the Commerce Member does not promise to appoint an arbitrator, or does not promise to appoint a committee of inquiry, this House will not fail to pass this vote of censure upon a Government which fails to do its duty towards its subjects.

The Honourable Sir Charles Innes: I think that I have got some complaint in respect of this motion for adjournment. Ever since this unhappy occurrence I have made it my business to keep in touch with my friends Mr. Joshi and Mr. Jogiah and I have done my best to give them all the information that I have got as soon as possible. I was perfectly willing to work with them as far as I could and what is the reward I have got—a motion for adjournment, a vote of censure upon the Government, and that, Sir, at a time when admittedly neither the one side nor the other is in full possession of the facts. I venture to say that these motions for adjournment are getting too common. It is becoming a matter of daily occurrence and my Honourable friends opposite use their big battalions to move votes of censure upon Government. And what is the inevitable result?

The inevitable result will be that we shall cease to take any notice of these so-called votes of censure. This is my 14th Session in the Legislative Assembly. It is a body that I have the highest respect for, and I do think that the Legislative Assembly will be well advised to make sparing and reasonable use of weapons which ought to be got out very seldom.

Now, Sir, let me get back to Mr. Jogiah's motion. I understand, Sir, his position is that he wants to censure the Government
5 P.M. in order to draw the attention of this House, first, to the conduct of the railway administration in disregarding the grievances of railway subordinates. Now, Sir, I will meet him at once on that ground. I say that in five and a half years' experience of administration of the Indian Railways, I have never yet had a case where the Agent of the railway has so gone out of his way to extend sympathetic and considerate hearing to the grievances put before him by his Union. In November

last, the Agent met the Committee of the Union; the Committee of the Union produced a statement of some 50 pages of print and the Agent spent 5½ hours in going through each and every detail of that statement. Naturally he could not in the course of even 5½ hours immediately deal with each and every point raised, and consequently the Agent promised that he would send a detailed written reply, and he did. On the 18th of January he sent to the Union a long reply on every one of their grievances. I have not got much time and I cannot go into each of these grievances, but let me just show how far the Agent has gone in trying to work with this Union—and mind you, one of the main complaints is that Agents will not work with their Unions. Here you have a case where the Agent has been working with the Union throughout this matter.

One of the complaints they made was what they call insecurity of service, and the Agent in consultation with the Union devised a new procedure. Notice of inquiry together with a charge sheet will be sent to the Secretary of the Union and the President of the Union if desired stating the date and time of the inquiry to be held so as to enable them to attend if they wish to do so. There are some Members of this House, Sir, who might think that the Agent has gone too far in the way of meeting the Union, but at any rate it shows the Agent has gone a long way to meet the Union in dealing with this grievance of insecurity of service. Then again, Sir, they complain of insufficiency of pay. Well, Sir, what their complaint was was that they wanted increases of pay ranging from 100 to 150 per cent. The Agent—unfortunately his line is not doing very well at the moment and he was not able exactly to meet them in that matter—but he did promise that wherever the minimum wage in any particular case seemed low he would go into the matter. Now, Sir, if the House is going to censure me for the railway administration not paying proper attention to the grievances of the subordinate employees on this railway, they are going to censure the Union of the Railway itself, that Union which is presided over by Mr. Jogiah's son. When the Agent gave this reply to the Union the Union had a meeting and they definitely decided that they would not strike, and the Union officials I am glad to say—and I am sure Mr. Jogiah will bear me out always did their very best to prevent this strike coming off. Now if the Union was satisfied—at any rate they decided they would not strike—what right has this House to censure the Government because the Agent has not given a satisfactory reply to these men and because he was unsympathetic in his attitude?

Then, Sir, let me come to the next ground on which the Government are to be censured. We are going to be censured because of the action of Government in calling out the Auxiliary Force. Now, Sir, after the Union in a formal meeting had decided that they would not strike, and after the matter we hoped had blown over altogether, this very unfortunate occurrence of this man, Mr. Naidu, who is a clerk in one of the offices in Kharagpur and who is also the Secretary of the Union, occurred. Mr. Naidu was transferred from his office to work under the Executive Officer in the Housing Department in order to assist in the allotment of quarters. That is one of the grievances of the Union and the railway authorities definitely thought that they were doing the Union a service in appointing the Branch Secretary to assist in this matter. But the order was unfortunately worded. Mr. Naidu thought that he was being transferred permanently and that it was a case of what is technically known as victimisation, and that occasioned further trouble among the men. I have already

[Sir Charles Innes.]

told the House of the fact that as soon as the matter was brought to the notice of the Agent, he cancelled the fine imposed on Mr. Naidu and directed the order to be explained to the workmen, that there was no victimisation and no permanent transfer of Mr. Naidu and that he was merely being asked to assist the Executive Officer in the allotment of quarters. Upon that the men went back to work.

Sir, Mr. Joshi talked of these ignorant and illiterate men. I will not go into the question of who is responsible for that. But, Sir, I agree that this ignorance and this illiteracy on the part of our railway workers is a real danger. And why is it a real danger? Mr. Joshi can answer that question and Diwan Chaman Lall can answer it. It is a real danger because we get coming down to Kharagpur gentlemen from Calcutta—I will not mention their names—but they are gentlemen who are out to advertise themselves, to advertise themselves by stirring up trouble on the Railways and by stirring up trouble between capital and labour, and they work on inflammable and dangerous material. This is what has happened in this case. A few days after the whole matter had blown over they had this meeting on the 11th February. I do not know what happened there, but apparently the whole question of this man Naidu was brought up again, and the whole meeting burst out of the meeting hall and rushed to the station; they attacked the signal cabins; they stopped trains from moving and stopped work in the yard, and Mr. Joshi says no property was attacked! Mr. Joshi and Mr. Ranga Iyer think that the officers should have done nothing but serve warrants or writs or whatever the correct term is on the mob! Sir, let Mr. Joshi be sensible. Let him try to realize the difficulties which a District Magistrate or any District Officer meets on occasions like that. Let him try to think of the difficulties he has to face. In all my service I have never myself had to deal with a riot of that kind, and whenever I have heard of a District Magistrate or other District Officer attacked for what he has done in a difficult state of things of that kind, when he has to make up his mind on the spur of the moment and has to stand the racket of his decision if it is wrong, I say to myself, "There but for the grace of God goes Charles Innes". And that, Sir, is what I should like every Member of this House to say. Then, Sir, Mr. Ranga Iyer suggested that all would be well if Government would only dismiss somebody, somebody connected with the action taken at Kharagpur. And, Sir, my reply to Mr. Ranga Iyer is that, as long as I am a Member of the Government of India, no district officer in India will be punished or penalized for trying to do his duty in circumstances of that kind. (Applause.)

Sir, I regret this unfortunate occurrence as much as anybody. I do say it is unfortunate that the bayonets had to be used, but I am assured by the Agent that the only alternative to the use of the bayonet was the use of fire arms; and had fire-arms been used we should have had a much worse situation. After all what was the damage done? Twelve wounds of a superficial kind, just little pricks. Three of them were rather more serious, but even so not very serious.

Mr. N. M. Joshi: What was the damage done to the railway station?

The Honourable Sir Charles Innes: The damage done to the railway station was that a disorderly mob of men had taken possession of the station,

were holding up the station staff and trying to put the signal cabins out of action. We, who are responsible for the running of the Indian railway system, know the grave danger of a situation of that kind. Let me get back to the facts. I am sorry I have got warm but I think Mr. Joshi deserved it. As I understand it, this motion of adjournment is to censure Government because of the calling out of the Auxiliary Force and because of the use of force on the Kharagpur platform. Mr. Jogiah and Mr. Ranga Iyer have given you one version of the case. I have given the version which has been supplied to me by the railway authorities. It may be that the two versions do not actually square, but how are we going to decide which of the two versions is correct? And that is why I say, Sir, that it is absolutely wrong for this House to pass a motion for adjournment to-day and to censure Government when admittedly they do not know the full facts. Mr. Joshi suggests that I should appoint a committee of inquiry. Sir, if Mr. Joshi had wanted me to take action, I would suggest that it was wrong for him to associate himself with any motion of censure of this kind. I suggest that the real danger of a motion of censure of this kind, which no doubt will be carried—I see all the serried ranks in front of me—is this. You have what Mr. Joshi calls these ignorant, illiterate men at Kharagpur. They will misunderstand any action of this kind to-day. Mr. Joshi called them "starving". Let this House see to it that they do not prolong that starvation by passing this motion. (Applause.)

Mr. Chaman Lall (West Punjab: Non-Muhammadan): Sir, I regret very much the difficulty in which Sir Charles Innes is placed in view of this motion for adjournment, but I submit, Sir, that we are quite within our rights in moving this motion for adjournment because of the seriousness of the situation at Kharagpur. We may not have all the facts, we may not have very detailed information, but I say, Sir, we have enough facts to justify our action; and the action that we intend to take in moving this motion for adjournment is to censure the local agents of the Government in resorting to the bayoneting of the strikers there and opening fire upon them. That is a definite matter for investigation by the Government. It is a definite matter which we on this side of the House know very well is of supreme importance and I have yet to hear one word of regret from the Honourable Sir Charles Innes

The Honourable Sir Charles Innes: I did express regret.

Mr. Chaman Lall: I say, Sir, there was no need for Colonel Gidney to take a view of the situation which I might call the button-hole view (Laughter),—the sort of hoity-toity attitude that he adopted towards the Indian workers. He himself seems to take for granted that these workers were rioting. On his own statement he has told us that he wants more information regarding the strike. He wants more information regarding what he is pleased to call rioting, and yet that does not prevent him in the least from calling these men "rioters". What are the facts? Were they rioters? I deny the charge. I say they were not rioters. The information placed before the House does not convince any man that these men were resorting to any form of riot. Here is a statement I have.

Lieut.-Colonel H. A. J. Gidney: Were they out for a picnic?

Mr. Chaman Lall: They were out to be made the targets of your bayonets.

Mr. President: Order, order. Honourable Members must address the Chair.

Mr. Chaman Lall: Sir, I will address the Honourable Member through you: they were out in order to be made the targets of the bayonets of the members of the Auxiliary Force. Then the Honourable Sir Charles Innes made the statement that the Auxiliary Force has nothing to do with the railway. May I ask the Honourable Member whether the head of the Auxiliary Force, Colonel Anderson, is not the Executive Head of the Station Committee? Is he or is he not connected with the Railway Administration?

The Honourable Sir Charles Innes: What I said, Sir, was that the Auxiliary Force had been called out by the District Magistrate and not by the Railway.

Mr. Chaman Lall: Was he the head of the Auxiliary Force, and was he not a railway man?

The Honourable Sir Charles Innes: I do not know.

Mr. Chaman Lall: The question, Sir, is a very pertinent one because you are resorting to these methods by which you intend to cow down the Indian worker. It is most disgraceful that the Indian workers should have been treated in this abominable fashion. I say, Sir, that no man has any right to take the law into his own hands. (Hear, hear.) No man has the right in this fashion to take the law into his own hands to the detriment of other people's lives; and if Honourable Members do not understand that, they will understand it because they are in my opinion setting a very bad example to the strikers and workers of this country. If you, on the slightest provocation, turn round and use your bayonets on strikers, the only remedy then in the hands of the strikers is to use those same fire-arms and bayonets against you. Is that a delectable state of affairs? Do you consider that a desirable state of affairs? You are setting a very wrong example to the strikers. The only remedy they will have is to follow the same example. What are the actual facts? Here is a statement by the Agent himself. He does not say that there was any necessity to resort to fire-arms or to bayoneting on the ground that these men were out of hand or were indulging in stone-throwing. He does not say that. What he says is that "owing to the violence of the strikers" (Laughter)—Honourable Members will laugh with the other side of the mouth when they hear the rest of it—the Agent says that "owing to the violence of the strikers, who invaded the Kharagpur station"—where is the statement in which these men were said to be indulging in stone-throwing, because the only ground advanced for the use of fire-arms and of bayonets against these workers was that these men had indulged in stone throwing? But it is alleged they merely invaded the station! (An Honourable Member: "How many?")—400 of them are supposed to have invaded the station. "On Friday the District Magistrate was present and ordered the mobilization of the local contingent of the Auxiliary Force, and the station was cleared without resort to firing." Had there been any damage to property done by them? No. Was any official hurt? No. And yet they cleared these men from the station premises with their bayonets, wounding several of them. We say, Sir, that they had no justification whatever. We do not wish to attribute any ill motives to the Government since the bayoneting was not by order of Honourable Members opposite, but we do attribute

very serious motives to the men on the spot, and we are bringing in this motion for adjournment with the idea that you must institute an inquiry into the conduct of the local officials who resorted, or who allowed the District Magistrate and the volunteers to resort to, this sort of action. Now even under the law the right of private defence is given, but when even an official exceeds that right, the remedy is in the hands of the private citizen. There is not the slightest doubt that even under the law the position is perfectly clear. Did the men on the spot, the officials who were under the orders of the District Magistrate, have any justification whatsoever in resorting to this extreme step? Did they have any justification? We want the facts about that. We want you to institute a proper and impartial inquiry.

Then, Sir, all the facts point to this, that there was really no justification, as far as we have been able to gather. If there was, why did the Government resort to the censoring of messages from Kharagpur? For days we were without information; for days we could not get at the facts. We had to postpone our motion for adjournment day before yesterday. The Honourable Member knows that. (Laughter.) I regret very much that the Honourable Members opposite are taking this matter so very lightly. It is not a matter to be taken lightly. Whenever Indian workers are being treated in this fashion (Laughter)—no doubt Honourable gentlemen on the opposite side can laugh, but it is not a matter for laughter at all as you will learn to your cost if you do not pay sufficient attention to the manner in which local officers are behaving towards the Indian workers. Sir, I call attention to the fact that the reports in the newspapers point to this that there could have been no justification for the action taken. There is the very suspicious factor, as I pointed out, of the censorship. Why should there have been any necessity to censor messages? Why was there any necessity? Where was the necessity for prohibiting meetings of these workers under section 144 if all that you had done was done with a clear conscience? I say, Sir, that what was done was not done with a clear conscience. It was highhanded action, tyrannical action, and the result of that was that many of these workers were bayoneted and some fired upon. I hold in my hand a telegram which arrived this morning from the President of the Association. He says:

"Strike stiffening and spreading. Strikers observing strictest non-violence (Laughter) despite intimidation by Auxiliary Forces. Union signboard thrown away. Union flag found Monday in Indian women's latrine. Great indignation prevails, also threats of eviction from quarters, threats of non-payment of wages due for January inform Members Assembly pray fight just cause."

The Honourable Sir Charles Innes: I understand the wages have been paid.

Mr. Chaman Lall: I am very glad to hear that.

"Oblige issue appeal financial support strikers' families immediately. Goswami and other leaders here studying situation. Reply to Chaman Lall's wire Union version from evidence received as follows—cabin captured by Auxiliary Force, not by strikers (Laughter)."

The Auxiliary Force volunteers rushed to the cabin because they thought that the cabin would be in danger if they did not go and occupy it and from that cabin they did start against these workers with their bayonets and they did use their fire-arms.

"Evidence shows persons shot not by police but Auxiliary Force. No deaths; four wounded persons in hospital. Twelve treated; others received minor injuries."

[Mr. Chaman Lall.]

Now, Sir, this is a very definite statement and I want to draw the attention of the Government to the statement, because I find that Honourable Members are not quite taking this matter as they should be taking it. We, on our side, feel that although Sir Charles Innes considers the motion for adjournment should not be used as often as it has been in this Assembly, we have no other way of bringing effectively to the notice of the Government such brutal treatment meted out to the workers as has been meted out to them at Kharagpur. We have every right to bring to the notice of both the public and the Government matters of this kind in this particular manner. Sir, there is no doubt that Sir Charles Innes is afraid that men coming down from Calcutta would stir up trouble at Kharagpur. If there are men going down from Calcutta—one Honourable Member of this Assembly, Mr. T. C. Goswami, has already, I understand from the telegrams I received, gone down to Kharagpur,—if he is going down there, he is going to investigate the true causes that have led to the strike and the true causes which have resulted in the firing, and the true causes which have resulted in the bayoneting of the strikers. Is that a very wrong thing for an Honourable Member to do in pursuance of his duty? I say no. You can turn it into political capital for your purposes. You can prevent these men from going to Kharagpur but I say that Honourable Members over there are ultimately responsible for preventing the spread of information and news from that quarter. To us here what other course is open except to get correct information, and that is being made political capital of by my Honourable friend. I say, Sir, a very grave wrong has been done to the workers at Kharagpur. My Honourable friend related the story as to how the strike was called off last time. He does surely know that the strike was called off because at the very last moment when the general meeting was being held the Agent sent information that he would hold an enquiry into their grievances. The men were not satisfied with the sort of enquiry that was held and insisted upon a joint enquiry which, to this day, has not been given to them. That is the reason why the strike was called on. There are other grievances of the men which I need not go into, grievances of whatever kind they may be; yet the fact remains that in pursuance of their policy of intimidating workers, the local officials have been guilty of assaulting those workers with the bayonet and by firing upon them, and that is a policy which ought to be condemned by this House, that is a policy which no civilised Government ought to condone. Has England ever, even in the case of a general strike, permitted such action to be taken without some sort of a public enquiry being instituted afterwards? Here what we ask you to do is this. In justification of the position which Honourable Members have taken up what we ask, Sir, the Government to-day is to institute a judicial enquiry into the firing upon the workers and the bayoneting of the workers, and that is the only thing that will satisfy Members on this side of the House. All that we ask you, as my Honourable friend Mr. Joshi has asked Honourable Members over there, is that they should institute an impartial enquiry into the grievances of the railway workmen of the Bengal Nagpur Railway. Those are the two crucial points and I cannot see why Honourable Members sitting opposite should object to our demand for an impartial enquiry into these two matters; and it is because we know that they have not the slightest intention of instituting any impartial enquiry into these matters that we are now pressing our motion for adjournment in order to censure the action of the Government

in this behalf. If my Honourable friend is prepared to give me that assurance on the floor of this House, I am certain Honourable Members on this side will be prepared to withdraw this motion—if he is prepared to give an assurance that an impartial judicial enquiry will be held into the bayoneting of these workers and that an impartial enquiry will be held into their grievances. I do not know what the Honourable Member intends to do. But we are convinced that he does not intend to do this, and it is because we are convinced of this that we intend to press this motion to its logical conclusion.

And finally, Sir, I want to add one word, and that is, whatever may be the views of my friends over there, I want my European and Anglo-Indian friends to remember this, that no Indian life should be treated lightly. I want them to remember this.

Sir Darcy Lindsay: Who wants that they should be treated lightly?

Mr. Ohaman Lal: In that case I hope my Honourable friend will be voting with us in this lobby. On the other hand, I want them to remember that there is such a thing as humanity, that there is such a thing as civilisation. Let us not turn ourselves into mere brutes, mere beasts, by condoning the action of the Dyerites of Kharagpur. Let us behave as civilised mortals and let us, when the wrong has been done, try our best to right that wrong.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I do not want to detain the House with many observations, but I must make a few remarks on one aspect of this case. Singularly unfortunate as this motion for adjournment was to-day from the point of view of Government business, I think possibly it may have good results if it has convinced the House of the danger of moving motions of adjournment of this character in matters which are not the direct concern of the Government of India. It can only result, as it has to-day resulted, in statements being made which must prejudice the position of those who have taken action in preserving law and order. It would be singularly unfortunate if this House should take up the position that whenever there is a riot anywhere in British India—it does not matter whether the rioters are railway workers or anybody else for it must be supposed that we cannot differentiate between rioters who are railway workers and rioters who are agricultural labourers—the adjournment should be moved. Is there any special sanctity attaching to railway workers rather than agricultural labourers, whom my friend Mr. Joshi was not so anxious to defend the other day.

Mr. N. M. Joshi: When?

The Honourable Sir Alexander Muddiman: My Honourable friend well knows when. If this House takes up the position that whenever a riot occurs and there is collision between the police or other forces of law and order, it is right for the adjournment of this House to be moved. If so it will create a serious position. Let us look at it from the broader constitutional point of view. There is the Government of India and there is the Central Legislature. Matters agitated in the Central Legislature should be matters which concern the Government of India. There are Provincial Governments and there are Provincial Legislatures and the matters to be agitated in those Legislatures should be matters which concern those Governments. I submit to this House that it will be extremely unwise to take any other view. If by bringing motions of censure . . .

Mr. M. S. Aney (Berar Representative): On a point of order, Sir, when this question was first raised, this was the very objection taken that the question was one relating to the province and should not be discussed here. The Chair has ruled that this question could be discussed here. Is the Honourable Member in order in pointing out the same objection again?

Mr. President: The Chair had ruled that it was not for the Chair to disallow this motion on the ground that it did not relate to a matter which was the primary concern of the Governor General in Council. On that ground the Viceroy alone could interfere and the Chair had no power under the adjournment rules. Beyond that the Chair did not go and it was quite open to the Honourable Member to point out to this House to vote against a motion relating to a matter of provincial concern. In doing so, the Home Member was not in any way questioning the ruling of the Chair.

The Honourable Sir Alexander Muddiman: I am obliged to you, Sir. Nothing was farther from me than to question your ruling. You have expressed my position entirely accurately. I seriously ask this House, apart from the merits or demerits of this motion, to deprecate the exercise of this power. If it does not, it will get itself into a very unfortunate position, and that, Sir, is what I have to say on the general constitutional position.

I now turn to the contention that undue force was used on this particular occasion. Now, Sir, we have the statement that Sir Charles Innes has given to this House. He has given all information to the House in a most frank way. He has agreed to answer short notice questions. He has made a statement and placed at the disposal of the House all the information he had. I submit he has treated the House very well in that matter. On the information given, what do we find? We find that these people came and occupied the station platform. They then proceeded to try and take possession of the Signal Cabin. I ask this House to consider what is the result of having a mob in a Signal Cabin? Who is going to suffer? I will tell the House who is going to suffer. It is the innocent passengers in the trains, and those will not be Anglo-Indians or anybody else but the general class of passengers. I cannot imagine anything more dangerous than the occupation of a cabin at a big railway junction by a mob.

Mr. Chaman Lall: Bayoneting took place in the railway yard.

The Honourable Sir Alexander Muddiman: The next point I notice is that with singular celerity the leading officials of the place were present. Almost immediately apparently after the mob got on to the platform the District Magistrate and the Superintendent of Police and other officials arrived. They went and told the crowd to leave the platform. They endeavoured to persuade them to do so; they succeeded in clearing the place as far as the motor car landing on the Midnapore platform; they were unable to go any further. And why? Because they were stoned with ballast. Is there no violence in that? Is a stone on your head no violence? Mr. Dalrymple was hit on the head with a stone. Others were also struck. Does my Honourable friend opposite say that there was no violence by the mob?

Mr. Chaman Lall: After the bayoneting.

The Honourable Sir Alexander Muddiman: Is that peaceful persuasion? It was not after the bayoneting. It was before the bayoneting. The

District Magistrate therefore authorised the calling out of the Auxiliary Force and the Armed Police. The crowd at this time obviously getting out of hand was making an attempt to enter the signal cabins. After the arrival of the Auxiliary Force on the platform, orders were issued to clear both ends of the station yard and to place guards there. This was after officials holding high rank had been assaulted with stones and after every alternative had failed. That is the statement I have here. My Honourable friend may have a better statement somewhere else. The information we have had we have supplied to the House and the information not only justifies the action taken but in my opinion was very correct action. It is said, "We do not want to censure the Government of India, but the man on the spot." What do you want to censure the man on the spot for? What is the use of censuring the man on the spot if he has done his duty? What will happen if you do so? There will be not one District Magistrate in India who will not feel that this House is not behind him in the discharge of his functions. What will the result be? The next time you have a riot, say at Rawalpindi, and the forces of law and order have to operate they will do so with a feeling that the Legislature of this country does not wish to support its officers in their plain duty.

Mr. Chaman Lal: How many people were bayoneted at Rawalpindi?

Mr. President: The Honourable Member does not give way. Sir Alexander Muddiman.

The Honourable Sir Alexander Muddiman: Sir, Mr. Joshi let the cat out of the bag this morning. When speaking on a point of order, he took a point of argument. He said "What we want to do is to censure Government"; censure regardless of whether the Government ought to be censured or not.

Mr. N. M. Joshi: Censured because Government have failed in their duty.

The Honourable Sir Alexander Muddiman: You said you wanted to censure Government whether they failed in their duty or not.

Mr. N. M. Joshi: Because Government have failed in their duty.

The Honourable Sir Alexander Muddiman: Mr. Joshi said the men were starving. Sir Charles Innes has informed us that they had received their pay.

Mr. N. M. Joshi: Rs. 9 a month.

The Honourable Sir Alexander Muddiman: Pay, small or large, they got.

I do not wish to detain the House further. Sir Charles Innes has dealt with the main question very thoroughly. My main contentions are these: this is a matter, in so far as the police side of it is concerned, which ought to be dealt with by the Local Government and not to be considered in this House, and as far as these papers go, they show nothing to deserve censure on the district authorities. (Applause.)

Mr. President: If the Honourable Member really thought that the motion related exclusively to a matter which was not the primary concern of the Governor General and therefore it was not proper for this Assembly to raise a debate on it, what prevented him from moving the Governor General to disallow it?

The Honourable Sir Alexander Muddiman: We did not go to His Excellency, Sir, because we did not think it necessary.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, it is with great regret that I rise to say anything in this debate. My regret is due to the fact that in the unfortunate discussion of this unfortunate incident a great deal of heat has been imparted, which I sincerely wish had been avoided. The occurrence was a most regrettable one, but the discussion of it has been, I am sorry to think, more regrettable because the question has not been approached in that spirit of calm consideration which the situation demanded. I wish to say at once that I am generally opposed to strikes. Every time anybody has approached me after a strike has been started, I have advised that the strike should be ended as early as possible. I do not like to encourage anyone in the matter of strikes, and therefore what I am going to say should be taken as coming from one who is anxious that there should be no strikes, for strikes mean a great deal of injury not only to the public but also to the men who go in for it. Sir, there are certain points which have been raised which call for consideration. Speaking personally I do not wish that this motion should be regarded as a motion for the censure of the Government of India. I think this should be regarded as a motion to give an opportunity to Members who feel deeply in this connection to express their feelings to the Government, to ask for further information and to suggest means as to how this matter may be dealt with. So far as the question of the Government of India not being directly concerned is concerned, I submit that that point might well be waived. The Indian Auxiliary Force was used, bayonets were used, firing was resorted to. Those are unfortunate undeniable facts and they occurred in connection with the administration of a railway which is a Central subject. I therefore hope that the Honourable the Home Member and the Honourable Member for Commerce will recognise that there is justification for this House desiring to draw attention to the events that took place, and I wish that the motion should be regarded as merely one for drawing attention to what has taken place with a view to pointing out what calls for further enquiry and what requires further action.

Mr. President: I may point out to the Honourable Member that a motion for adjournment, if carried, amounts to a vote of censure on Government. It can have no other meaning.

(An Honourable Member: "Withdraw it.")

Pandit Madan Mohan Malaviya: Technically that is so. (An Honourable Member: "It is meant to be a motion for censure".) And my friend on my right says that it is meant to be a motion for censure. Yet I wish to make it clear that so far as I am concerned I regard this not as a motion of censure but as one affording an opportunity of giving expression to the feelings which are entertained by many Honourable Members of this House, and to draw attention to facts which might help Government and the public and the strikers to arrive at a proper solution of the unfortunate situation, and treating it as such I shall say just a few words more.

I do think that the men were ill-advised in going in the numbers they did to the railway station. At the same time I think that those officers who were present there, whether they were railway officers or the District Magistrate, acted in unwise and unjustifiable haste in calling out the Auxiliary Force and in ordering or allowing the use of the bayonets and firing. I

submit that judging from all that I have heard and read the men who went to the railway platform evidently went with the idea of asking their fellow-workers to go on strike. If I were convinced that they went on to the railway platform with a view to resort to violence, I should not be taking up the time of the House, and I submit that there is one important fact which the Honourable Member will take note of in that connection. Not a single injury to any railway material or property has been even alleged. If the men were prompted by any desire to cause any wrongful loss to the railway or to resort to lawless violence, we should have heard of some injury done to some railway property there. But we have not heard of any injury to any railway property. Is it therefore unreasonable to ask the Honourable Member for Commerce to infer that the object of the men in going on to the railway platform was to inform their fellow workers that they wanted them to go on strike? I submit it is perfectly legitimate, reasonable, permissible for a man to ask a fellow-worker to go on strike. The action may be wise or unwise, but it is permissible, and if that was the whole object of the men who went to the station, I submit there should have been more patience exercised on the part of the authorities. I regret there was a want of patience, a want of sufficient restraint shown by the men, but I do regret at the same time that a greater amount of impatience and a greater lack of restraint was shown by the officers and men who were in charge of the station. Now, Sir, let us just think what the position was. Some workers, as much our fellow-men as any Member sitting here, who are as much servants of the public as any of those sitting here, have a grievance. They are led or misled, guided or misguided to resort to a strike, perhaps on insufficient ground. What is the right way to deal with them? Is it the right way to call them and tell them that they must not behave foolishly, that they must not injure any railway property, but must get back to their homes and make their representation in a suitable manner? Is it inconceivable that such a course might have been adopted and that it might have prevented any trouble? My Honourable friend the Finance Member disagrees. I regret it, but I hope he will agree that I am entitled to emphasize that point of view before the House and ask even him to consider whether it is not a reasonable view. These men were railway men; they were trained as workers; they were not hooligans from the streets; they were not vagabonds who had any ill intent. They had a grievance and the manner in which the officer in charge on the spot dealt with it urged them to resort to the method they did. They may have been unwise, but when the railway authorities found that they had taken that course, I submit more patience, more discretion should have been shown, and I submit if it were, it would not have been necessary to call the Auxiliary Force, and most certainly not to ask them to resort to the action they did. I grant that if a crowd assembles, and if after being duly asked to disperse, it does not disperse, the law gives the magistrate the power to say that so much force shall be used as is necessary to disperse the crowd, but I ask anybody sitting on that side of the House to tell me whether the law permits any man to use more force than is necessary to disperse such a crowd. Unless the crowd becomes violent or begins to resort to lawless action, no man has any authority under the law to use the bayonet on or to shoot a fellow man who may be in the crowd, and if he does so he does it at his peril. I submit that as bayoneting and firing were resorted to, the matter clearly calls for some notice from the Government of India. If when my Honourable friend the Member for Commerce spoke this morning and gave us the information he did, and said that the matter was undoubtedly unfortunate, if he had then said he was

[Pandit Madan Mohan Malaviya.]

waiting for further information and that on the receipt of that information he would institute an inquiry to find out whether the use of the bayonet and of fire-arms was justifiable in the circumstances of the case and if he had at the same time stated that in his opinion or in the opinion of the Government of India bayoneting or firing were to be resorted to only in a case of clear necessity and not otherwise, that the Government disapproved their use unless there was a clear case made for it, and that if the Government found that such action had been resorted to without a clear case having been made out, they would consider what action should be taken in the matter, the Honourable the Commerce Member would, I venture to think, have had the whole House with him, and he will still have the whole House with him, I venture to think, if he will make it clear that, without pronouncing a judgment upon the officers concerned, without giving up the District Magistrate, without giving up the Captain of the Auxiliary Force, without expressing any opinion as to the validity or invalidity of the action taken, he would still institute an inquiry to find out whether the resort to bayoneting and firing on this occasion was proper, was right, or whether though it was done honestly, yet it was done hastily, unwisely, and was unjustifiable. If such an expression of opinion were made by the Honourable the Commerce Member, I think this matter would come down to its proper proportions. I grieve to think that in the heat that was generated on both sides in the debate the poor unfortunate men who have gone on strike may suffer. I do not wish them to suffer, I wish that this sad chapter should be ended as soon as possible, and I appeal to the Honourable Member for Commerce to say that which will help to smooth the situation and to solve it in the right manner.

(Several Honourable Members moved that the question be put.)

Mr. K. O. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, the constitutional point raised by the Honourable the Home Member places us between the devil and the deep sea. There is the Government of India on the one hand, who object to our discussing this question on the floor of this House on the ground that this is a provincial subject, or rather that most of the points dealt with by Honourable Members relate to provincial subjects. On the other hand we have the President of the Bengal Legislative Council disallowing Resolutions on this very subject, evidently on the ground that they relate to a Central subject. I am afraid the Honourable the Home Member does not care to read the papers that come from Bengal, otherwise he would have seen that there were several Resolutions of which notice was given by Members of the Bengal Legislative Council, all of which were disallowed by the President.

An Honourable Member: On what ground?

Mr. K. O. Neogy: The ground is not stated. It must have been evidently on the ground that the question of Railways is a Central subject, but on what ground I do not care; the fact is they were not in a position to discuss this question in the local Council which you say is the proper forum for this subject. Where are we to go? When I rise to support this motion, I intend it as a censure not merely on the Department of my Honourable friend Sir Charles Innes, but also on the department presided over by my friend the Honourable Sir Bhupendra Nath Mitra. Sir, mention was made this morning of the fact that telegrams relating to this question have been censored by the postal authorities. It was either the Home Member or the

Commerce Member who said that action was evidently taken under the responsibility of the Local Government. Sir, I myself am one of those unfortunate men to whom some of these telegrams were sent, and I hold in my hand copy of a telegram which was suppressed under the authority of the Sub-Post-Master of the Kharagpur Workshop Post Office. This copy was sent to me by post. I will read out the text of the telegram; it was addressed to 18 Members of this House, dated the 14th:

"Situation extremely serious, shooting commenced when other methods could be resorted to. Seventeen people injured, Auxiliary railway forces employed including officers against whom serious complaints already exist, resulting in wholesale intimidation. Railway authorities obdurate. Move adjournment House, pray co-operation Members."

It is signed by my esteemed friend Mr. Giri, the President of the Bengal Nagpur Railway Union. It was returned to him with this endorsement:

"The message cannot be accepted for transmission as laid down in rule 374 of the Postal Guide."

Evidently when the Honourable the Home Member made the statement this morning that this also did not relate to the Central Government, he was labouring under the misconception that action must have been taken under section 5 of the Telegraph Act, under which the Local Government, or any officer authorised by the Local Government, is empowered, under certain circumstances, to censor and to prevent the transmission of certain telegrams. Now, Sir, he was absolutely under a misapprehension when he said that. Rule 374 of the Post and Telegraph Guide says:

"Telegraph officers are required to refuse to accept any telegram which may be of a decidedly objectionable or alarming character."

So that in this particular instance it was a subordinate of the Honourable Sir Bhupendra Nath Mitra's Department who took it upon himself to hold back a telegram addressed, not to the strikers, not to possible sympathisers on the other sections of the Railway, for the purpose of fomenting strike, but to Members of this Assembly. I would request the Honourable Sir Bhupendra Nath Mitra to enquire as to whether he really controls the Post Office at Kharagpur, or is it the Agent of the Bengal Nagpur Railway and the other local officers?

Now, Sir, I come to Sir Charles Innes. I concede that on a strict view of the matter the details relating to the shooting and bayoneting do not relate to a Central subject; but, Sir, my complaint against the Railway Department, against the Agent of the Bengal Nagpur Railway, for whose action I suppose the Honourable Sir Charles Innes accepts responsibility, is about the systematic suppression of news. The incident occurred on the 11th. Here we have a Calcutta newspaper dated the 16th February, and the complaint which it makes is that there is "a disgraceful conspiracy of silence, as disgraceful a conspiracy of silence as is possible in any civilised country." The paper pointed out that they could not get any information on some of the most important points involved in this matter either from the Agent's Office, from the Headquarters Office which is situated at Calcutta, or from the news agencies. This is what it says:

"In spite of our best efforts on Saturday last, no information whatever could be got from the Bengal Nagpur Railway head office at Kidderpur as to the occasion for the firing and the bayonet charges at all."

And remember, Sir, that Kharagpur is only 72 miles from Calcutta.,

An Honourable Member: What paper is that?

Mr. K. O. Neogy: The *Bengalee*.

The Honourable Sir Charles Innes: What is the date of the paper?

Mr. K. O. Neogy: It is dated February the 16th.

The Honourable Sir Charles Innes: They apparently had not seen the press communiqué of the 14th.

Mr. K. O. Neogy: There is a postscript added to that article. I am trying to be as fair as possible to my Honourable friend. The first communication from the Agent is dated the 12th. I am confining myself to the point about the shooting and bayoneting. All that we gather from that communiqué is:

"At about 9 P.M., on Friday the 11th instant a large body of B. N. Railway workshop employees at Kharagpur proceeded to the Kharagpur Station and drove the Indian Traffic staff from the yard."

This is how the trouble started. Now this first communiqué, dated the 12th, says that a large body of the employees proceeded to the Kharagpur station and drove the Indian Traffic staff from the yard. The second information on the subject is from the Associated Press of India, and this is what it states:

"The following account of the B. N. Railway workmen is gathered from different sources"

and we find here that:

"in the late hours of the night 500 men went over to the station to request their brethren of the Traffic Department to sympathise with them and when returning to their quarters they were attacked by some loyal employees of the railway."

That is a different version. It is not over-lenient to the strikers, because we find no mention here that firing or bayoneting had ever taken place. It is the report of the Associated Press; and you cannot call that very lenient to the strikers. Sir, the third statement is the statement dated February the 14th, in which for the first time the Agent admits the fact of firing and bayoneting, fully three days after the occurrence. And there again we find that it is not quite the same thing as was described in the previous communiqué. This is what it states—I give it in the words of the *Bengalee*:

"Since the above was written we got an Associated Press message on Monday night purporting to be a statement of the Agent, B. N. Railway, which said that the workshop hands on Friday evening having invaded the railway station 'the station was cleared without resort to firing' and that subsequently that night a body of rioters attacked a police guard with stones and brickbats and with previous permission two shots were fired resulting in one of the mob being injured but not seriously."

There is a deliberate silence on the point as to who fired the shots and who did the bayoneting.

Mr. President: The Honourable Member has only got five minutes more.

Mr. K. O. Neogy: Now, Sir, the Honourable Sir Charles Innes comes to the House this morning and says "The strikers had taken possession:

of the 'station'. As time passes, the official version improves; and that is the point on which I want to censure the Railway Department; first because they suppressed the news as long as they could, and secondly because they have been cooking their reports a little.

Sir, the Honourable the Home Member enquired from Mr. Joshi, as to whether the strikers had dissipated their pay. Sir, I find that dissipation was not in the line of the strikers. Here I hold in my hand a letter—it was never intended to be adduced as evidence in this connection. It is a letter from an old retired officer of Government who was proceeding to Puri on that very night and whose train was held up at Kharagpur. He writes to a relation of his at Delhi and says:

"There were drunkards there, even the European railway officials had joined them at Kharagpur. Consequently I had to sit up practically the whole time as your mother and grandmother were with us."

Just imagine the predicament of these poor passengers. It does not look as if the whole body of railway officials, Europeans and Anglo-Indians, were a disciplined body merely working as members of the Auxiliary Force, and only responding to the lawful orders of the Magistrate, in the interest of peace and order. (*Cries of "Divide, divide"*.) Sir, this is a little straw which shows which way the wind was blowing on that night at Kharagpur.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, my friend, Mr. Neogy, has called into question the action of the Telegraph Office subordinates at Kharagpur in not transmitting certain messages which were addressed to him and to other Honourable Members of this House. Sir, on behalf of the Department, I am extremely sorry for any inconvenience that may have been caused to them thereby. I believe, however, that Mr. Neogy read out a message which concluded by asking the Members of this House to move a motion for adjournment.

Mr. K. C. Neogy: Was that the reason why it was not transmitted?

The Honourable Sir Bhupendra Nath Mitra: Now, Sir, the rule as it stands says this:

"Telegraph officers are required to refuse to accept any telegram which may be of a decidedly objectionable or alarming character."

Now, Sir, a telegraph subordinate when he gets a message requesting certain Members of this House to move the adjournment of the House may not unreasonably apprehend that the telegram is of an alarming character. However, Sir, we have not been placed in possession of the full facts of the case. I do not know yet whether that unfortunate telegraph-master took that action of his own motion. My friend Mr. Neogy was not kind enough to give to the House the complete rule.

Mr. N. M. Joshi: Will the Honourable Member enquire?

The Honourable Sir Bhupendra Nath Mitra: I shall first give the rule. The rule proceeds to state:

"In cases of doubt reference must be made by the Telegraph Office concerned to the authorities mentioned below."

Mr. K. C. Neogy: There is no mention of that in my copy.

The Honourable Sir Bhupendra Nath Mitra: I do not know from what copy my Honourable friend read out. I am simply reading out from the statutory rule:

"Objectionable telegrams except those relating to military matters or at the headquarters of Government should always be referred to the District Magistrate. When he is out of the station or not available they should be referred to the officer who is carrying out the current duties in his place."

It is quite possible that that telegraph master showed the telegram to the District Magistrate who we know was on the spot and under the orders of the District Magistrate withheld the telegram . . .

Mr. President: Order, order. As the debate has not been concluded 6 P.M. by 6 P.M., I rule that it automatically terminates.

The Assembly then adjourned till Eleven of the Clock on Monday, the 21st February, 1927.
