

28th March 1927

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume III

(15th March to 28th March, 1927)

FIRST SESSION
OF THE
THIRD LEGISLATIVE ASSEMBLY, 1927



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LEGISLATIVE ASSEMBLY.

Monday, 28th March, 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.

RECOMMENDATION OF THE LEE COMMISSION REGARDING PROMOTION OF MEN IN THE PROVINCIAL SERVICES TO THE INDIAN CIVIL SERVICE.

1245. *Pandit Hirday Nath Kunru: Will Government be pleased to state what steps have been taken to give effect to the recommendation of the Lee Commission that 20 per cent. of the superior posts in the Indian Civil Service should be filled by promotion from the Provincial Services in the various provinces?

The Honourable Sir Alexander Muddiman: I would refer the Honourable Member to part (a) of the answer that I gave to Mr. K. C. Neogy's question on the 24th March 1926. Since 1st April 1924, 12 fresh posts have been listed.

LISTED POSTS IN THE PROVINCIAL CADRES OF THE INDIAN CIVIL SERVICE.

1246. *Pandit Hirday Nath Kunru: Will Government be pleased to state:

- (1) the total number of superior executive and superior judicial posts sanctioned for each province;
- (2) the number of superior executive and superior judicial posts thrown open up-to-date to members of the Provincial Services in each province;
- (3) the number of superior executive and superior judicial posts still remaining to be thrown open to members of the Provincial Services in each province;
- (4) the number of Provincial Service officers holding under Local Governments the posts of (a) Secretary to Government, (b) Member of Board of Revenue, (c) Commissioner of Division, and (d) Judge of the High Court; and
- (5) the number and names of officers being holders of "listed" posts in the Indian Civil Service who have held or are holding the posts of Secretary or Deputy Secretary to the Government of India?

The Honourable Sir Alexander Muddiman: (1), (2) and (3). A statement is laid on the table.

(4) and (5). I am making enquiries and will furnish the Honourable Member with the information in due course.

Statement showing the number of superior posts and the number of listed posts in the provincial cadres of the Indian Civil Service on the 1st January 1927; also the number of posts remaining to be listed to reach the full 20 per cent. recommended by the Lee Commission.

Province	Number of superior posts.		Number of listed posts on 1st January 1927.		Number of posts to be listed.
	Ex.	Judl.	Ex.	Judl.	
Madras	74	31	6	9	6
Bombay	57	* 35	5	6	7
Bengal	67	45	6	9	7
United Provinces	86	37	6	8	11
Punjab	62	28	6	7	5
Burma	72	26	9	7	4
Bihar and Orissa	50	17	5	3	5
Central Provinces	43	14	2	5	4
Assam	22	(a)	2	...	2
Totals	533	233	47	54	51

(a) There is no separate judicial cadre in Assam. Assam and Bengal have a common judicial cadre.

Pandit Hirday Nath Kunzru: May I ask what the reply is to No. 5?

The Honourable Sir Alexander Muddiman: (4) and (5). I am making enquiries and will furnish the Honourable Member with the information in due course.

(1), (2) and (3). A statement is laid on the table.

Pandit Hirday Nath Kunzru: With regard to (5), may I ask the Honourable Member whether it is not a fact that there is no member of the Provincial Service who is acting as Secretary or Deputy Secretary?

The Honourable Sir Alexander Muddiman: I do not know, Sir.

Pandit Hirday Nath Kunzru: May I ask whether in making enquiries in regard to (4), Government will bear in mind that the Public Service Commission recommended that one post of Commissioner and one post of Member of the Board of Revenue, or of corresponding posts, should be reserved for Provincial Service officers?

The Honourable Sir Alexander Muddiman: That will not make any difference to the existing facts. What the Honourable Member asked for is in regard to existing facts

INCREASE IN THE NUMBER OF LISTED INDIAN CIVIL SERVICE POSTS.

1247. *Pandit Hriday Nath Kunru: If the number of superior posts thrown open to the Provincial Civil Service in any province is less than 20 per cent. recommended by the Lee Commission, in how many years do Government expect that the 20 per cent. will be reached and what orders have been issued for ensuring that it is reached as soon as possible?

The Honourable Sir Alexander Muddiman: I would refer the Honourable Member to part (c) of the answer that I gave to a question by Mr. K. C. Neogy on the 24th March 1926. Government are at present in consultation with the Public Service Commission on the question of issuing general orders.

Pandit Hriday Nath Kunru: May I ask what the period is during which it is contemplated these people should occupy the posts to be listed: whether any decision has been reached in regard to the period?

The Honourable Sir Alexander Muddiman: The Public Service Commission is taking up the whole question. It is a most difficult and complicated matter to adjust competing claims.

SENIORITY OF PROVINCIAL CIVIL SERVICE OFFICERS HOLDING LISTED INDIAN CIVIL SERVICE POSTS.

1248. *Pandit Hriday Nath Kunru: 1. (a) Will Government be pleased to state whether it is a fact that under the existing orders of the Secretary of State, officers promoted from the Provincial Civil Services to 'listed' posts in the Indian Civil Service are graded in the Indian Civil Service cadre immediately below the Indian Civil Service officer last confirmed as Collector or Deputy Commissioner or District and Sessions Judge, as the case may be? If so, have these orders been given effect to in all the provinces?

(b) Have any representations been received from officers of the Indian Civil Service or from Associations of such officers, for the alteration of these orders to their own advantage and to the detriment of members of the Provincial Civil Services?

2. (a) If the answer to 1 (b) is in the affirmative, will Government be pleased to give particulars as to the alterations proposed and to state, what action, if any, they have taken or propose to take on such representations?

(b) If the answer to 1 (b) is in the negative, have Government themselves initiated any proposals for an alteration of the Secretary of State's orders referred to in 1 (a)?

The Honourable Sir Alexander Muddiman: 1 (a). The Honourable Member correctly describes the established principle though I have not been able to find any explicit orders of the Secretary of State prescribing such a rule. It has been ascertained recently that in one province a different rule had been followed.

1 (b). Representations have been received to the effect that an alteration made in 1922 in the rules governing the system of listed posts has rendered inequitable orders which were passed with reference to previous conditions.

2 (a). These representations have been referred to the Public Service Commission for their advice.

2 (b). Does not arise.

Mr. A. Rangaswami Iyengar: May I know if Government will give an opportunity to Provincial Civil Service Associations or officers to make their representations before final orders are passed?

The Honourable Sir Alexander Muddiman: If a representation is received within a reasonable time I will give it my careful consideration. But I will not postpone the orders indefinitely.

Mr. A. Rangaswami Iyengar: Having regard to the fact that a representation has already been received from one of the parties, will not an opportunity be given?

The Honourable Sir Alexander Muddiman: An opportunity will be given so long as the representation is presented within a reasonable time. I cannot defer orders indefinitely.

Pandit Hirday Nath Kunzru: Would Government be pleased to tell us what are the points raised in these representations that have been received?

The Honourable Sir Alexander Muddiman: I cannot within the scope of answering the question go into a complicated matter of that kind.

Pandit Hirday Nath Kunzru: Would the Honourable Member enumerate one or two important points in these representations?

The Honourable Sir Alexander Muddiman: I regret the matter is not in my memory. If the Honourable Member will put down the question he will get an answer. I am quite prepared also to furnish him with the information if he will see one of my officers at my office.

Mr. A. Rangaswami Iyengar: May I know if these representations have been referred to the Public Service Commission?

The Honourable Sir Alexander Muddiman: Yes.

Mr. A. Rangaswami Iyengar: Have the Government expressed any views to the Public Service Commission?

The Honourable Sir Alexander Muddiman: No, we are awaiting their answer.

SUPERSESSION OF SENIOR TRAVELLING TICKET EXAMINERS OF THE NORTH WESTERN RAILWAY.

1249. ***Mr. Ohaman Lall:** (a) Is it a fact that 19 senior Travelling Ticket Examiners of the North Western Railway drawing Rs. 180, 150, 120, and 110 per month respectively have been superseded by their juniors drawing Rs. 180, 150, 110, respectively, without any rhyme or reason?

(b) Is it a fact that some of the superseded Travelling Ticket Examiners are on the eve of retirement?

(c) Is it a fact that the above-mentioned superseded men are serving this Railway since 16 to 32 years respectively and some of them were awarded special prizes and promotions in recognition of their good and faithful services, and many fraud cases of a serious nature were detected by them which are on the record and credit entries are on their service sheets?

(d) Is it a fact that these 19 aggrieved men are even now getting regularly their annual increments and eight of them are drawing the maximum pay of their class and grade?

(e) Will Government kindly state if there is any record against them which show that their work was not satisfactory?

(f) Is it known to the Government that there were articles in the *Tribune* of 22nd September, 24th October and 16th November, 1926; and in the *Nation*, dated 16th December, 1926, and 8th January, 1927, which clearly states that the test was merely a farce and mockery?

(g) Is it a fact that Messrs. Nazir Ahmed Khan and Mohammed Hussain, newly appointed special Travelling Ticket Examiners, have never been appointed in headquarters outside Lahore since they have joined the Department while others have been shifted from one place to another many a time and will Government state whether transfers in the Travelling Ticket Examiners' Branch are made in the sole interest of the Railway or in the interests of the individual officers concerned?

TRAVELLING TICKET EXAMINERS OF THE NORTH WESTERN RAILWAY.

1250. *Mr. Chaman Lall: (a) Will Government state the names of the Travelling Ticket Examiners who frequently accompany the sectional officer (K. S. Ghulam Zakria Khan) whenever he goes on the line, on tour, and the reason why he keeps the particular Travelling Ticket Examiners with him when on tour?

(b) Is it a fact that there is a graduate, L. Har Gopal, a senior Travelling Ticket Examiner in the department, who worked for 8 years as an Assistant Superintendent but was not given a chance to serve as a Superintendent, although he was appointed Assistant to succeed the Superintendent?

(c) Is it a fact that Mr. Mohamed Ali, the present Superintendent, was a Travelling Ticket Examiner on Rs. 150 per month and was employed in the office to distribute forms and stationery to the other Travelling Ticket Examiners and for that duty was given an average allowance which was nearly Rs. 200 per month in addition to his pay without working on the line as a Travelling Ticket Examiner which was condemned by the Deputy Accountant, Railways (Inspection) in his inspection, and that now he has been dealt with more favourably by his salary being fixed at Rs. 350 when the starting pay of the post is Rs. 270 per month? If the post was reserved for a Travelling Ticket Examiner why did not any other man get it in his stead?

TRAVELLING TICKET EXAMINERS OF THE NORTH WESTERN RAILWAY.

1251. *Mr. Ohaman Lall: (a) Is it a fact that there is a rule in the Audit Department that the post of clerks can be given only to those who have passed the Matriculation Examination in the first Division?

(b) Will Government state the reasons for giving appointments to F. S. Zehir-ud-Din, Zahur-ul-Haq and Qamar Zaman, clerks of the Travelling Ticket Examiners' section of the North-Western Railway, who have passed no examination, while there are many educated men available for the job?

(c) Will Government state the names of the particular Travelling Ticket Examiners who are given special duty without any programme while other Travelling Ticket Examiners are ordered to work on fixed programme? Will the Government state the reasons for this anomaly?

(d) Will Government explain why the present sectional officer has never been transferred elsewhere as other railway officers, and why he has held charge of the Travelling Ticket Examiners' section since 1922?

(e) Is it a fact that the most senior Travelling Ticket Examiners have submitted their petitions against supersession by their juniors to the Chief Auditor, Agent and Accountant-General, Railways, requesting them for an enquiry, and is it a fact that no action has yet been taken?

COST OF AN *AT HOME* GIVEN TO KHAN SAHIB G. Z. KHAN, ASSISTANT AUDIT OFFICER, NORTH WESTERN RAILWAY.

1252. *Mr. Ohaman Lall: (a) Are Government aware that when the title of Khan Sahib was awarded to Mr. G. Z. Khan, Assistant Audit Officer, North Western Railway, all the Travelling Ticket Examiners and other staff employed under him were called by official telegrams on State Service to Lahore and is it a fact that a subscription was collected to meet the expenses of an *at home* on 5th June 1925 and the most senior officials attended?

(b) Will Government state the following:—

- (i) What was the cost of the telegrams thus issued to staff?
- (ii) What was the total amount which was collected by the subordinates, and how much was spent?
- (iii) Who is responsible for the cost of telegrams and if the Government have borne the expenses, please state reasons?
- (iv) Can the Government place before the House the account of the expenditure incurred at the *at home* on 5th June, 1925, if it was a Government function at all? What are the names of the gentlemen who were photographed?

GRANT OF THREE DAYS' ALLOWANCES TO THE OUTDOOR STAFF ATTENDING THE *AT HOME* TO KHAN SAHIB G. Z. KHAN, ASSISTANT AUDIT OFFICER, NORTH WESTERN RAILWAY, ETC.

1253. *Mr. Ohaman Lall: (a) Are Government aware that allowances were drawn by the outdoor staff as for duty for 8 days when at Lahore, 5th, 6th, 7th June 1925 which was a private function and not official, and why was the allowance passed by the sectional officer for these dates including Sunday when the office was closed?

(b) Do the rules regarding the conduct of public servants permit such a practice?

(c) Is it known to Government that two real brothers, Mohammad Hussain and Muhammad Ishaq, Travelling Ticket Examiners, are working in one Division, and is this against the "Civil Service Regulations?" Is it a fact that the former is an Inspector and the latter is serving under him?

(d) Are Government aware that Khan Sahib G. Z. Khan sectional officer and his two brothers named Sheob Khan and Abdul Samad Khan are working together in the same Department and section and that the latter was transferred from the Civil Department of Peshawar to the North Western Railway? Will the Government please state whether the two brothers are graduates as required by the rules?

(e) Is it a fact that Lala Salig Ram now working as a Travelling Ticket Examiner worked for 7 years as a Local Auditor before the two brothers of the sectional officer were appointed but was never given the post of an Inspector, Coaching Goods?

Mr. A. A. L. Parsons: I propose, Sir, to reply to questions Nos. 1249 to 1253 together.

Enquiries have been made and the information asked for will be supplied to the Honourable Member when received.

ADVANCE OF HOUSE BUILDING LOANS TO RAILWAY EMPLOYEES.

1254. ***Mr. Chaman Lall:** Is it a fact that the Railway Department advances loans to its employees for the purpose of house building and that such advances of money are made only when the sanctioning authority is satisfied that the employee has a legal title to the plot of land upon which the proposed building is to be erected, and that the plot of land as well as the proposed building are mortgaged to the Department for such period as the money advanced is not repaid by the employee?

ADVANCE OF A HOUSE BUILDING LOAN TO MR. G. ZAKRIA KHAN, AN OFFICER OF THE NORTH WESTERN RAILWAY.

1255. ***Mr. Chaman Lall:** (a) Is it a fact that a loan for house building purposes was sanctioned to one Mr. G. Zakria Khan, an officer in the North Western Railway at Lahore, and Rs. 4,000 was paid to him in August 1923 and Rs. 4,040 in March 1924?

(b) Did not that officer build the house on the plot for which the loan was sanctioned and paid in full after making a statement as to the progress of the building?

(c) If the answers to (a) and (b) are in the affirmative, will the Government say what action has been taken against that officer for furnishing inaccurate statements for the purpose of obtaining the money?

(d) Will Government say if the money advanced has been repaid by the said officer? If not, why?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to reply to questions Nos. 1254 and 1255 together.

Enquiries have been made and the information asked for will be supplied to the Honourable Member when received.

**EXEMPTION OF SOCIETIES, INSTITUTIONS OR BANKS FROM PAYMENT OF
POSTAL, INSURANCE AND REGISTRATION COMMISSIONS.**

1256. ***Mr. T. Prakasam:** (a) Is any exemption made by the Government of India exempting any societies or institutions or banks from payment of postal, insurance and registration commissions?

(b) If so, what are they? For what reasons has any such exemption been made?

Sir Ganen Roy: (a) No.

(b) Does not arise.

**UTILIZATION OF THE SALT SWAMPS ADJOINING THE VEDARANYAM FACTORY
FOR THE PRODUCTION OF SALT.**

1257. ***Mr. T. Prakasam:** Will the Government be pleased to state:

(a) the extent of salt swamps that can properly be utilised for the production of salt, adjoining the Vedaranyam Factory;

(b) the extent of land that has now been brought under factory control;

(c) whether any facilities have been given for the working of table salt by the Government; if not, why have such vast areas been left without an attempt at proper working;

(d) whether it is a fact that in the days of war when foreign table salt was not available to supply the province of Bengal some arrangements were made and proposals started for working the Vedaranyam salt factory for producing table salt; and why the proposals were abandoned as soon as the War was over; and

(e) whether the Government have any proposals to resurrect the same and work up the scheme?

The Honourable Sir Basil Blackett: (a) The swamp round Vedaranyam Factory is 28 miles long and 5 miles broad. The greater part of it is flooded at high tides and is therefore unsuitable for salt production.

(b) 895 acres.

(c) The answer to the first part of this question is in the negative. The answer to the second part is that there is no shortage of salt in the Madras Presidency, nor is there a market for Madras salt outside the Presidency.

(d) The answer to the first part of this question is in the negative; the second part does not arise.

It follows therefore that (e) does not arise.

Mr. A. Rangaswami Iyengar: May I know why Government have found it impossible to manufacture table salt in this area?

The Honourable Sir Basil Blackett: If the Honourable Member would like a lecture on that subject, I would ask him to come round to me privately afterwards.

REFUSAL OF THE LEE COMMISSION PASSAGE CONCESSIONS TO OFFICERS OF THE INDIAN MEDICAL SERVICE OF ASIATIC DOMICILE.

1258. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will the Honourable Member be good enough to state if it is the final intention of the Government of India to refuse any passage concessions to England (as recommended to non-Asiatic officers by the Lee Commission) to officers of the Indian Medical Service of Asiatic domicile?

(b) Has any memorial been received by the Government from the Asiatic domiciled members of the Indian Medical Service asking for equal treatment regarding passage concessions with their European conferees? If so, will the Honourable Member be pleased to state what has been the result of this memorial?

(c) Are Government aware of the fact that if passage concessions are refused to Asiatic domiciled officers in the Indian Medical Service they are handicapped in regard to accelerated promotion in the Department?

(d) If this is so, do Government propose to remove this disadvantage?

Mr. G. M. Young: (a) It has been finally decided not to grant the Lee Commission passage concessions to officers of the Indian Medical Service of Asiatic domicile.

(b) Yes. The Government of India have decided in consultation with the Secretary of State to grant certain passage concessions to Indian Medical Service officers of Asiatic domicile proceeding to the United Kingdom on study leave. Some details of the scheme have not yet been settled, but it is hoped to make an announcement shortly.

(c) Yes, and

(d) that is why it has been decided to grant some concessions.

REFUSAL OF THE LEE COMMISSION PASSAGE CONCESSIONS TO OFFICERS OF THE INDIAN MEDICAL SERVICE OF ASIATIC DOMICILE.

1259. ***Lieut.-Colonel H. A. J. Gidney:** Is it a fact that European passage concessions are given to Asiatic domiciled members of the Indian Civil Service including nominated members up to April 1925? If so, why has this concession been denied to Asiatic domiciled Indian Medical Service officers including those who have entered by open competition?

Mr. G. M. Young: The only Indian officers eligible for passage concessions are those Indian members of the I. C. S. who draw overseas pay. They were granted the concession on the special recommendation of the Lee Commission. The Commission did not recommend any such concession to Indian Medical Service officers with an Asiatic domicile.

Lieut.-Colonel H. A. J. Gidney: Did the Lee Commission recommend, and does Government accept the principle that officers of the superior services who are drawing overseas allowance are entitled to passage concessions for themselves, their wives and children?

Mr. G. M. Young: I must ask for notice of that.

Lieut.-Colonel H. A. J. Gidney: Will Government tell me why I.M.S. officers of Asiatic domicile, who answer to the requirements of the Lee Commission, so far as overseas allowances are concerned, are deprived of free passage concessions.

The Honourable Sir Alexander Muddiman: I think probably that is an answer for me to make, but I am not prepared to answer the question without notice.

GRANT OF PASSAGES TO ENGLAND BY TRANSPORT TO OFFICERS OF THE INDIAN MEDICAL SERVICE OF ASIATIC DOMICILE.

1260. ***Lieut.-Colonel H. A. J. Gidney:** (a) Is it a fact that the Secretary of State for India has sanctioned one passage only to Asiatic domiciled officers of the Indian Medical Service and that only by a "transport"?

(b) If so, are Government aware of the fact:

- (i) that the transport season from October to March is a very unsuitable time as far as the opening of the sessions of various medical schools in England is concerned; and
- (ii) that extreme difficulty will be experienced in securing such a passage in view of other more urgent and pressing military requirements?

Mr. G. M. Young: (a) and (b). I am afraid that I cannot divulge particulars of the scheme before it is settled. But the concession will be a real one, and will meet the object for which it is designed, namely, the provision of facilities for study in the United Kingdom.

ESTABLISHMENT OF INDIAN FAMILY HOSPITALS IN ALL MILITARY STATIONS CONTAINING INDIAN TROOPS.

1261. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state what medical relief is obtainable for the women and children of Indian troops residing in Cantonments?

(b) Is it a fact that such medical relief as exists to-day is of a voluntary nature and at the expense of voluntary contributions from the public?

(c) Will Government be pleased to state whether they are prepared to establish Indian Family Hospitals at all military stations where Indian troops are stationed on similar lines as are to-day established for British troops?

Mr. G. M. Young: (a) Families of Indian troops residing in Cantonments are entitled to free medical attendance in their houses.

(b) No, Sir; this medical relief is provided by the State.

(c) Government do not propose at present to establish such hospitals, but efforts are being made to establish Child Welfare Centres in Cantonments.

Lieut.-Colonel H. A. J. Gidney: Is it a fact or not that the medical relief given to the wives and families of Indian troops are really "nil" and that no provision whatever for this purpose is made for medicine and other accessories in Indian Military Hospital indents?

Mr. G. M. Young: I am not aware of that.

Lieut.-Colonel H. A. J. Gidney: It is an absolute fact. Will the Honourable Member kindly make inquiries?

Mr. G. M. Young: Certainly.

Mr. Chaman Lall: May I ask what provision is made in the New Delhi Cantonment for providing medical facilities for the wives and children of Indian soldiers?

Mr. G. M. Young: The same as for every one else; they are entitled to medical attendance in their houses.

Mr. Chaman Lall: Who are the medical practitioners in the Delhi Cantonment and what is their grade? What does the Honourable Member mean by providing facilities in their houses?

Mr. G. M. Young: They have the services of the medical staff, who draw upon the medical stores of the Cantonment.

Mr. Chaman Lall: May I ask the Honourable Member what the medical staff of Delhi consists of?

Mr. G. M. Young: Yes, Sir, if my Honourable friend will give me notice of that question.

Mr. Chaman Lall: Is the Honourable Member aware that the medical staff is entirely inadequate as far as attendants are concerned?

Mr. G. M. Young: No, Sir, I am not aware of that.

Mr. Chaman Lall: Will the Honourable Member make inquiries and let the House know?

Mr. G. M. Young: Very well.

Lieut.-Colonel H. A. J. Gidney: I am sorry to trouble the Honourable Member, but will he kindly let me know how medical attendance such as is available to-day for Indian Sepoys can be given to purdah women in the Indian troops lines?

Mr. G. M. Young: I think my Honourable friend knows the answer to that question better than I do.

Lieut.-Colonel H. A. J. Gidney: Oh!!

DELAY IN THE FORMATION OF PROVINCIAL MEDICAL SERVICES.

1262. ***Lieut.-Colonel H. A. J. Gidney:** (a) Are Government aware of the fact that the delay in announcing their intention with regard to that part of the Lee Commission Report dealing with the Indian Medical Service and the formation of Provincial Medical Services is causing not only great discontent, uneasiness and injury to recruitment to the Service but very seriously prejudicing and injuring the administration of this Department and the teaching of medicine throughout India?

(b) Are Government prepared to make a pronouncement on this subject?

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

(b) The Government of India are still in communication with the Secretary of State on the subject but will make every endeavour as far as lies in their power to expedite a decision.

TRANSFER OF LOCOMOTIVES FROM THE NORTH WESTERN RAILWAY TO
OTHER STATE-WORKED RAILWAYS.

1263. ***Pandit Hirday Nath Kunzru:** Will Government kindly state the number of locomotives transferred to date from the North Western Railway to other State-worked Railways as having been found in excess owing to improved methods of working and the number it is proposed to transfer during 1927-28?

Mr. A. A. L. Parsons: 102 locomotives have been transferred from the North-Western Railway to other State-worked Railways. There are not at the moment any proposals before the Railway Board for further transfers.

Mr. K. C. Neogy: How can the North-Western Railway be overstocked with so many locomotives?

Mr. A. A. L. Parsons: There has been an improvement in our traffic arrangements.

Pandit Hirday Nath Kunzru: May I ask whether it is a fact that the surplus was discovered before the improvement in methods took place?

Mr. A. A. L. Parsons: I do not remember the exact date; it is certainly due to the improvement in methods that we have such a large surplus.

Pandit Hirday Nath Kunzru: Will the Honourable Member inquire from the Agent, North-Western Railway, whether it is a fact or not?

Mr. A. A. L. Parsons: No, Sir.

Pandit Hirday Nath Kunzru: Is it to be inferred then that the Honourable Member already knows that there was a surplus?

Mr. A. A. L. Parsons: I am only concerned with the fact that there was a surplus and as to the best method of getting rid of it. I am not very interested in what happened in the past.

Mr. Chaman Lal: May I ask whether it is not a reflection on the Department that there should have been a surplus of this nature, and whether it is not the business of the Honourable Member to make inquiries and find out why there was a surplus?

Mr. A. A. L. Parsons: The answer to both parts of the question is in the negative.

Mr. Chaman Lal: May I ask what reply there is to the second part of the question?

Mr. A. A. L. Parsons: I said the reply to both parts was in the negative.

Mr. Chaman Lal: Does the Honourable Member realise that there was a suggestion that the cause of this surplus ought to be investigated with regard to the due efficiency of the department?

Mr. A. A. L. Parsons: I am aware that there was a surplus; I do not think there would be any practical advantage in such an investigation.

Mr. Chaman Lal: How does the Honourable Member propose to prevent a surplus occurring in the future if he does not investigate the past surplus?

Mr. A. A. L. Parsons: We have got arrangements by which we can discover approximately the number of locomotives required for running the traffic on a railway.

Pandit Hriday Nath Kunzru: Is there still a surplus to be disposed of?

Mr. A. A. L. Parsons: I think the North-Western Railway is still overstocked.

Mr. K. C. Neogy: Did the improvement in methods of working affect merely the North-Western Railway?

Mr. A. A. L. Parsons: No, Sir.

Mr. K. C. Neogy: Has there been a surplus of locomotives on other railway systems?

Mr. A. A. L. Parsons: If the Honourable Member wants this information, I shall have to ask for notice, because I do not remember whether we are at present overstocked with locomotives on any other lines. At various times of the year there is certainly a surplus of tractive power on a good many railways. It depends on the amount of traffic offering.

RAILWAY ROLLING STOCK.

1264. ***Pandit Hriday Nath Kunzru:** Do Government propose to show separately in their annual Railway Administration Report the number and cost of rolling stock attributable to new commercial lines on the same basis as has been adopted in ascertaining the number and cost attributable to the non-commercial or strategic railways, like the Khyber Railway? If not, will Government kindly state what are the difficulties?

Mr. A. A. L. Parsons: It was necessary to calculate separately the share of capital expenditure on rolling stock attributable to strategic railways on account of the fact that the accounts are kept separately for commercial and strategic lines. The same necessity does not arise as regards rolling stock attributable to new extensions to commercial lines. In calculating the financial results of such lines, however, allowance is always made for rolling stock supplied by the main line. It has been found in practice that 5 per cent. of the gross earnings is approximately a reasonable annual figure as a charge on this account.

TECHNICAL SECTION OF THE RAILWAY DEPARTMENT.

1265. ***Pandit Hriday Nath Kunzru:** Is it a fact that the Technical Section of the Railway Department which was established in 1887 was abolished in 1905 on the recommendation of the Railway Board?

The Honourable Sir Charles Innes: The Technical Section which consisted of 1 draftsman, 3 tracers, and 2 clerks was absorbed into the Drawing Branch in October, 1905.

Pandit Hriday Nath Kunzru: Would Government mind stating the reasons which led to that decision in 1905?

The Honourable Sir Charles Innes: I am afraid I do not remember what they were.

DEBITING OF FREIGHT AND INCIDENTAL CHARGES ON STORES TO THE RAILWAY REVENUE ACCOUNT.

1266. ***Pandit Hriday Nath Kunzru:** Is it a fact that when stores purchased are brought on to the Stores Account Ledgers, incidental charges,

such as those for railway carriage, handling, etc., are not debited to the Stores Account, but are charged off to the Railway Revenue Account; and if so, why?

Mr. A. A. L. Parsons: The Honourable Member's attention is invited to the rule in State Railway Open Line Code, Volume III, para. 16, which prescribes the procedure to be followed on State-worked Railways, and a copy of which is placed on the table. This procedure was introduced to simplify accounting and it provides that when stores are issued for other than the working of the railway the revenue account of the railway receives a payment to cover the freight and incidental charges previously debited to the revenue account.

Copy of paragraph 16 of the State Railway Open Line Code, Volume III.

Freight charges on stores—The following rules will govern the incidence of freight charges on stores :—

- (i) *Sea freight on English stores.*—This includes the 4/5ths paid in England and the 1/5th paid in India. Both items are brought out in the tonnage accounts and connected documents. The entire sea freight of each invoice will be proportionately distributed among the items of the invoice weighing 10 tons or over or measuring five feet or over. Other items will bear no charge on account of sea freight.
- (ii) *Indian freight from port or source of supply to depots.*—Such freight will be charged to a new sub-head in Abstract E of the Revenue Account titled 'Indian freight charges on stores in all cases however, in which stores are issued for capital works or are sold, a charge of 6 per cent. on the North Western Railway and 5 per cent. on other railways will be added to the book value of stores to cover Indian freight and other miscellaneous charges. These percentages will be adopted from 1st April 1925. This procedure, however, is not intended to be applied in respect of coal and fuel or large despatches of permanent way material or girders, or to non-standard articles of stores which are purchased for immediate consumption on works and not passed through the stores books. Foreign Railway freight on coal should be charged direct to Abstract B, III. In the case of coal issued to Capital Works or sold to outsiders a percentage to cover the freight charges should be added to the value of the coal. In all other cases the freight charges will be debited to the work or purpose for which the stores are obtained. Any home line freight arising out of inter-depot transfers will be borne by Revenue.
- (iii) *Miscellaneous charges on stores, e.g., Insurance, Port Loading and Yard charges.*—All such expenditure will be debited to suitable heads in Abstract E of the Revenue Account.

Sir Walter Willson: May I ask the Honourable Member if he will kindly send me a copy of the statement also?

**STARTING OF A PENSION FUND UNDER THE HEAD "RAILWAY
RESERVES" IN CONNECTION WITH THE STATE RAILWAY
REVENUE ESTABLISHMENT.**

1267. ***Pandit Hirday Nath Kunru:** Do Government propose to start a Pension Fund under the head "Railway Reserves" in connection with the State Railway Revenue Establishment?

Mr. A. A. L. Parsons: The revenue establishments on State-managed railways are non-pensionable, but I expect the Honourable Member's real concern is to discover whether we contemplate arrangements to fund our future liabilities on account of the provident fund to which these and other

railway establishments subscribe, and to which Government also contribute. If this is correct, the answer is that the question is now being examined.

DEPRECIATION FUNDS OF THE POSTAL AND TELEGRAPH DEPARTMENT
AND THE RAILWAY DEPARTMENT.

1268. ***Pandit Hirday Nath Kunzru:** Is it a fact that the Depreciation Fund in connection with the Postal and Telegraph Department is based on the "sinking fund" method, while that in connection with the Railway Department is based on the "straight line" method; and, if so, on what grounds is the differentiation made?

The Honourable Sir Bhupendra Nath Mitra: The reply to the first part of the question is in the affirmative.

As to the second part the Honourable Member will appreciate that there is a considerable difference between the conditions of the Railways and of the Postal and Telegraph Department. The latter, as the Honourable the Finance Member recently reminded the House, is not a profit making concern and its accounting system is designed mainly with a view to determining whether the rates charged for the services rendered to the public are on the whole inadequate or excessive as compared with the actual cost of the services. The ultimate effect of adopting either system may not appreciably differ from that of adopting the other, but the sinking fund has the special advantage in the circumstances of the Indian Postal and Telegraph Department that it distributes the provision for depreciation more uniformly over a series of years than the straight line system would do.

Pandit Hirday Nath Kunzru: With reference to that, may I ask the Honourable Member whether his attention has been drawn to the Report of the Public Accounts Committee for 1924-25 in which it is stated:

"Moreover in a State commercial undertaking there is not the same necessity for accumulating in the Depreciation Fund amounts that will at every stage of the life of the asset be equal to the accrued depreciation."

Does this not apply to the Railways? And, if I may add to it, the next sentence says:

"It is sufficient that the original cost is available in the Fund on the date replacement is expected."

Why should the Railways on this principle be treated differently from the Posts and Telegraphs?

The Honourable Sir Bhupendra Nath Mitra: The point is this, in the case of the Depreciation Fund for the Posts and Telegraphs the interest on the Depreciation Fund is credited to the Depreciation Fund. I believe on Railways that is not so: the interest is credited to the revenue account of Railways, and that is possible because the finances of Railways have been separated from general finance. As that separation has not taken place in the case of the Posts and Telegraphs Department, it is not possible to credit the interest on the Depreciation Fund to the Posts and Telegraphs Department.

Mr. K. C. Neogy: Sir, do I take it that the Honourable Member has been appointed Member for Communications, including Railways, in view of the fact that he has given an answer which covers the Railway Department as well as the Postal Department?

The Honourable Sir Bhupendra Nath Mitra: It is not unusual, Sir, for a single Member of the Executive Council to deal with a question which affects various Departments of the Government of India.

Mr. B. Das: That is all we ask!

AMOUNT OF THE DEPRECIATION RESERVE (RAILWAYS) THAT SHOULD HAVE BEEN BUILT UP FROM THE REVENUES OF PAST YEARS.

1269. ***Pandit Hirday Nath Kunzru:** With reference to paragraph 18 at page 94 of the Railway Administration Report for 1923-24, have Government taken any steps to ascertain the amount of the depreciation reserve that should have been built up from the revenues of past years; and, if so, what is the amount?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the negative; the second part of the question, therefore, does not arise.

COST OF LANDS PROVIDED FREE TO THE OLD DELHI-UMBALLA-KALKA RAILWAY COMPANY.

1270. ***Pandit Hirday Nath Kunzru:** Will Government kindly state whether the cost of lands provided free to the old Delhi Umballa Kalka Railway Company, has been brought on to the capital account; and, if not, why not?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the negative; as to the second part, I would refer the Honourable Member to the reply given in the Assembly by Mr. Sim to unstarred question No. 94 by the late Dr. Lohokare on the 25th August 1925.

Pandit Hirday Nath Kunzru: Have Government decided to continue the old practice?

Mr. A. A. L. Parsons: Yes, Sir. They have accepted the advice of the Standing Finance Committee for Railways on this matter.

EXPENDITURE ON SURVEYS OF NEW LINES FORMING PART OF A STATE-WORKED RAILWAY.

1271. ***Pandit Hirday Nath Kunzru:** Is it a fact that in respect of new lines forming part of a State-worked Railway the expenditure incurred on surveys undertaken in years previous to the year in which actual construction commences is not credited to the revenue account by debit to the capital account? If so, will Government kindly state their reasons for the procedure?

Mr. A. A. L. Parsons: Yes. In view of the separation of railway from general finances the question whether the present procedure should be altered is under the consideration of Government.

ADJUSTMENT OF THE AMOUNT SHOWN AGAINST ABANDONED PROJECTS IN THE EXPLANATORY MEMORANDUM ON THE RAILWAY BUDGET FOR 1927-28.

1272. ***Pandit Hirday Nath Kunzru:** With reference to the amount of Rs. 82,86,816 shown against abandoned projects at page 88 of the Explanatory Memorandum on the Railway Budget for 1927-28, will Government kindly state how long the amount has been left unadjusted and why?

Mr. A. A. L. Parsons: The amount of Rs. 82,86,816 comprises the expenditure on several projects which were abandoned at various periods; dating in some cases prior to 1898. The expenditure has remained at the debit of Capital in accordance with the rules regulating the incidence of expenditure in force at the time the projects were abandoned.

**NAME OF THE OFFICER ENTRUSTED WITH THE INVESTIGATION OF THE
QUESTION OF EDUCATIONAL FACILITIES FOR CHILDREN OF
RAILWAY EMPLOYEES.**

1273. *Pandit Hirday Nath Kunzru: With reference to the concluding portion of paragraph 87 of the Explanatory Memorandum on the Railway Budget for the year 1927-28, will Government kindly state the name of the senior officer of the Indian Educational Service entrusted with the investigation of the question of educational facilities for children of railway employees?

The Honourable Sir Charles Innes: Mr. C. E. W. Jones, C.I.E.

**TRANSFER OF ROLLING STOCK TO THE NORTH WESTERN AND GREAT
INDIAN PENINSULA RAILWAYS.**

1274. *Pandit Hirday Nath Kunzru: With reference to the transfer of the Delhi Umballa Kalka section to the North Western Railway, and of the Jubbulpore-Allahabad section to the Great Indian Peninsula Railway will Government kindly state the number of locomotives, carriages and wagons transferred to the two railways and the amounts debited to the capital account of the two Railways on that account?

Mr. A. A. L. Parsons: No rolling stock was transferred to the North Western and Great Indian Peninsula Railways when the Delhi-Umballa-Kalka and the Jubbulpore-Allahabad sections respectively were taken over by them.

**OMISSION OF THE EXPENDITURE ON THE KARGALI COLLIERY FROM
THE GRANT FOR THE GREAT INDIAN PENINSULA RAILWAY.**

1275. *Pandit Hirday Nath Kunzru: With reference to column 5, page 18 of the Budget Estimate for 1927-28 for the Great Indian Peninsula Railway, will Government kindly state why, in arriving at the 'Grand Total' the amount of Rs. 5.2 lakhs being the grant allotted on account of collieries to the Chief Mining Engineer has been omitted?

Mr. A. A. L. Parsons: The reason is that the Kargali Colliery which was formerly under the Great Indian Peninsula Railway has been transferred to the control of the Chief Mining Engineer, and it was considered desirable not to include in the grant for the Great Indian Peninsula Railway any portion of expenditure not under the control of that Administration. The figure against the head Collieries was put in for purposes of comparison with previous years.

Pandit Hirday Nath Kunzru: But should not this fact have been stated in the Budget?

Mr. A. A. L. Parsons: I do not think it is a fact of sufficient importance to mention in papers which are already very voluminous.

Pandit Hirday Nath Kunzru: But could not this sum have been shown separately after the Grand Total?

Mr. A. A. L. Parsons: It would be quite possible to show it separately or to put a footnote at the bottom, but I am not at all anxious to add to the length of the Budget Statements for Railways. I think Honourable Members of this House as a whole find them already too lengthy.

Pandit Hirday Nath Kunzru: Is the Honourable Member anxious to see that his Budget should be understood easily without questions being put in this House?

Mr. A. A. L. Parsons: Yes, Sir.

ACCRUAL OF THE CREDITS ON ACCOUNT OF THE SALE-PROCEEDS
OF ENGINES SOLD TO OTHER RAILWAYS TO THE REVENUE
ACCOUNT OF THE NORTH WESTERN RAILWAY.

1276. ***Pandit Hirday Nath Kunzru:** With reference to paragraph 2 at page 2 of the Budget Estimate for 1927-28 for the North Western Railway, will Government kindly state the circumstances in which the credits on account of the sale-proceeds of engines sold to other railways accrued to the Revenue Account instead of to the Capital Account?

Mr. A. A. L. Parsons: As the authorised stock of engines for the North Western Railway was reduced, the original cost of the engines was credited to Capital by *per contra* debit to the Depreciation Fund and the sale-proceeds were credited to Revenue. The procedure followed is in accordance with the rules approved by the Standing Finance Committee for Railways—*vide* Annexure B in Proceedings, Vol. 1, No. 1, of the Standing Finance Committee for Railways.

Pandit Hirday Nath Kunzru: Do I understand that the depreciation against the engines continued even after they had been sold?

Mr. A. A. L. Parsons: Yes

MAINTENANCE OF SEPARATE CAPITAL AND REVENUE ACCOUNTS FOR
BRANCH LINES BUILT ON THE GUARANTEE OF LOCAL
GOVERNMENTS.

1277. ***Pandit Hirday Nath Kunzru:** Will Government kindly state whether separate Capital and Revenue Accounts are not maintained for the branch lines built on the guarantee of Local Governments or local authorities in terms of Appendix E to the Railway Administration Report for 1925-26?

Mr. A. A. L. Parsons: Separate Capital and Revenue Accounts will be maintained for branch lines built on the guarantee of Local Governments in terms of Government of India Resolution No. 2181-F., dated 19th February 1925.

COMMITTEES APPOINTED IN 1922-24, COPIES OF THE REPORTS OF WHICH WERE SUPPLIED TO GOVERNMENT BUT NOT PLACED IN THE LIBRARY OF THE LEGISLATIVE ASSEMBLY.

1278. ***Pandit Hirday Nath Kunzru**: With reference to pages 255—257 of the Council of State Debates, Volume VII, will Government kindly lay on the table a statement showing the Reports of Committees submitted to Government but not placed in the Library of the Legislative Assembly?

The Honourable Sir Alexander Muddiman: I have much pleasure in laying on the table the statement which the Honourable Member desires.

Statement showing the Committees appointed in 1922-24 copies of the reports of which were submitted to Government but not placed in the Library of the Legislative Assembly.

1. Committee on Public Petitions.
2. Staff Selection Board Committee.
3. Seamen's Recruitment Committee.
4. The Indianization Committee.
5. The Waziristan Committee.
6. Braithwaite Committee.
7. Machinery Committee.
8. Railway Depreciation Fund Committee.
9. Committee on Police Uniforms.
10. Select Committee on the Abolition of Transportation Bill.
11. Carriage and Wagon Standards Committee.
12. Locomotive Standards Committee.
13. Standing Emigration Committee.
14. Committee of Enquiry into the working of the London Timber Agency of the Government of India.

SHORT NOTICE QUESTION AND ANSWER.

Sir Walter Willson: Sir, may I have your permission to ask a question which is down for to-morrow? The Honourable Member may be willing to answer the question as a private notice question to-day, as we may not meet to-morrow.

The Honourable Sir Bhupendra Nath Mitra: I have no objection, Sir, if you are willing to permit me to answer that question.

(Mr. President signified assent.)

DRAFT RULES FOR THE INTRODUCTION OF A SYSTEM OF RUPEE TENDER.

Sir Walter Willson: With reference to the statement of the Honourable Sir Charles Innes during the course of the debate on the voting of Demands for Grants on the 24th February, 1927 (motion of a cut of

Re. 1 to discuss the Indian stores policy) that the Government of India have decided as far as possible to introduce a system of rupee tender, will Government be pleased to state when the draft rules will be published?

The Honourable Sir Bhupendra Nath Mitra: The Government of India are not at present in a position to make a more definite pronouncement on the subject than that contained in the answer given by me in this House to a question by Mr. Jinnah on the 2nd March 1927.

Mr. Amar Nath Dutt: Sir, have I your permission to ask a question of which I gave short notice yesterday?

Mr. President: The Honourable Member's short notice question is not yet admitted.

MESSAGE FROM THE COUNCIL OF STATE.

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

"I am directed to inform you that the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Tariff Act, 1894, the Indian Stamp Act, 1899, and the Indian Paper Currency Act, 1923, and to fix rates of income-tax, which was passed by the Legislative Assembly at its meeting held on the 24th March, 1927, was passed by the Council of State at its meeting on the 26th March, 1927, with the following amendment:

In clause 2 for the words 'ten annas' the words 'one rupee and four annas' were substituted."

(Cries of "Shame, shame.").

"The Council of State requests the concurrence of the Legislative Assembly in the amendment."

Sir, I lay on the table the Bill as amended by the Council of State.

THE INDIAN FINANCE BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move:

"That the amendment made by the Council of State in the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Tariff Act, 1894, the Indian Stamp Act, 1899, and the Indian Paper Currency Act, 1923, and to fix rates of income-tax, be taken into consideration."

Sir, I do not think that it is necessary for me to-day to argue the question before us at any great length. I think it is a question which is well understood now on all sides of the House. The question is a simple one. Are we to tax the provinces through the provincial tax-payer in order to balance the Budget of the current year, or are we to tax the central tax-payer through the salt tax? The position at the time when I introduced the Budget was that we had a surplus of Rs. 864 lakhs and by having recourse to the realised surplus of the expiring year we were able to make a proposal for the complete remission, so far as the year 1927-28 was concerned, of the provincial contributions. The House by a small majority voted in

favour of a reduction of the salt duty from Rs. 1-4 to ten annas a maund. In a full year that reduction costs the Government about Rs. 812 lakhs. There has been some difficulty in ascertaining what its exact effect would be in the first year, owing to the fact that certain salt is issued on credit and will be paid for in the course of the ensuing year at the higher rate of duty. I found unexpected difficulty in ascertaining that figure, but I am inclined to think that it does not exceed Rs. 80 lakhs. That would mean that we should have a surplus of 864 plus 9, i.e., 873 minus 812, that is, 61 plus 80—i.e., Rs. 141 lakhs. It is quite impossible clearly with that surplus, of which Rs. 80 lakhs is non-recurring, to get rid of the provincial contributions altogether or indeed of any large portion of them; and the proposal therefore specially to apply the realised surplus of the current year falls to the ground. I think that those who are interested in seeing the Provincial Governments' finances placed in a better position will see that for the year before us there are very strong arguments in favour of maintaining the salt tax at its existing figure and getting rid of the provincial contributions. Even from the point of view of the Central Government, I would put it to the House that there are enormous advantages in making a clean sweep of these provincial contributions and saving the House from being confronted in any future year, unless we are very unlucky next year, with this dilemma of the reduction of central taxation or the reduction of provincial contributions. Once we have got rid of the provincial contributions, the House will no longer have this sword of Damocles, as it has been called, hanging over its head, and a wicked Finance Member will no longer be able to come forward and place before this House this dilemma of which so much has been made, which I assure the House is a dilemma which gives him all the year round a great deal of trouble, some of which alone is reflected in the annual Budget when it comes before this House. I think I could go further. We have as a Government—and it has been re-affirmed again and again by the House—stated that our financial policy should be directed towards the reduction and eventual extinction of the provincial contributions with the least possible delay. I think that we should be placing ourselves in a position of dubious good faith to the provinces if we were to reduce the salt tax at the expense of the provincial contributions this year. We have promised the provinces to do our best to get rid of these provincial contributions and to frame our financial policy accordingly. That we should, when we have the opportunity this year of getting rid of these provincial contributions, indulge ourselves in the luxury of reducing central taxation at the expense of the provinces would I think lay us open to a charge of breach of good faith from the provinces. The matter is before the House and the choice before them is perfectly clear. Either the salt tax is restored as proposed by the Council of State to Rs. 1-4 and the provincial contributions are extinguished for the year that is before us; or the salt tax is reduced to ten annas and only a small reduction is possible in the provincial contributions. I do not think that it is necessary for me to take the matter further than that. The Government are not prepared to adopt rash expedients such as a reduction of the sinking fund or other cheap ways to fame and popularity at the expense of the Indian people in order to be able to get rid of the provincial contributions as well as a portion of the salt tax this year. The reduction of the salt tax would not merely damage our position this year; but as I have pointed out it would mean a recurrent reduction of revenue of over Rs. 8 crores in the years to come. In such circumstances it is obvious that the future before those provinces who are still paying provincial contributions would

[Sir Basil Blackett.]

not be a happy one. It would certainly be necessary in some provinces to proceed to additional taxation for the year ahead of us; clearly Bombay could not be left to run its finances on a large deficit without any prospect of relief. Next year, 1928-29, the question of Bengal's contribution would come up and if such a reduction of the salt tax as was passed in this House a week ago were to be made, I think it is fairly certain that Bengal would have to be asked to pay her contribution a year hence. The other provinces also, except that which is represented by my friend, Mr. Gaya Prasad Singh, and others, are equally interested; and if I may judge by the contrast between his smiling face and the somewhat doubtful expression on the faces of others, I do not think the House will again be misled by Mr. Gaya Prasad Singh

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhamadan): The Madras Members are laughing at you.

The Honourable Sir Basil Blackett: . . . into treating the provinces in this scurvy way. I do strongly urge this House to take one last step to put our finances in order, so that we may be for the future free of any liability to the provinces for assistance from the provincial contributions in normal times. It is a state of affairs which has hampered the provinces, and has hampered the Central Government in every way, and this Assembly in the first Session of its life will, I think, have laid a very strong foundation for future successful financial action if it endorses the Government's recommendation to accept the amendment in the Bill proposed by the Council of State. Sir, I move.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhamadan Urban): Sir, I beg to oppose the motion which has just been made with such a pathetic appeal by my Honourable friend the Finance Member. In doing so, Sir, I am conscious that I stand but a poor chance of success, but we on this side cannot allow this occasion to pass without putting on record once again the utter hollowness of the constitution which makes it possible for such an occasion as the present to arise.

Sir, what has happened is this. This House which is supposed to be, and to a certain extent is, the House of popular representatives succeeded in carrying an amendment to the Finance Bill reducing the duty on an indispensable article of food, indispensable alike to the rich and the poor. That Bill has now been considered by the Council of State, and that august House has in its wisdom restored the higher duty. (*An Honourable Member:* "Shame.") It has been brought back to us to-day, and we are invited by our friend the Finance Member to go back upon our previous decision and say ditto to the Council of State. In fact, we are asked submissively to register the decree that has been made by the Council of State. We maintain, Sir, that it was wrong to impose this tax at all at any time. We say that it was wicked to continue to levy it for a long succession of years. We say that it is criminal now to insist on the higher rate being realised from a famished people whose representatives in their helplessness felt themselves justified in acquiescing in the lower rate, although it was a case, and a strong case, for the total abolition of the tax. But, Sir, we are the crippled representatives of a paralysed people, and we have to move cautiously if we are anxious at least to mitigate the suffering that we cannot entirely remove. We knew that the Government was bent upon

its pound of flesh. We knew, Sir, that the argument that "the bond doth give no jot of blood" would not avail for the simple reason that there are other instruments in the hands of the Government which can draw blood as well as flesh. We therefore contented ourselves with pleading that half a pound of flesh may be accepted in full payment. That, Sir, was a counsel of despair. We abstained from voting down the whole tax, and we rejoiced when we succeeded in reducing it by half; but our rejoicing has been short lived. To-day under the glorious constitution which has been conferred upon us as a free gift by the British Government, it has been made possible for the same Bill and the same provision to come back to us to be reconsidered by us and to be modified according to the wishes of the Council of State if we would be good boys.

Now, Sir, this constitution has given us two Houses, one in which the representatives of the people are in a majority and their proportion is carefully defined by the Statute itself. The other is a House for which the law gives Government the liberty to pack it as it pleases, of course by rules made under the Act.

Mr. L. Graham (Secretary, Legislative Department): Will the Honourable Member give us the figures of the constitution of the Council?

Pandit Motilal Nehru: I will, at once. Sir, I am reminded by my friend of what I was about to do, and over which I spent a very pleasant few minutes in the morning. I set to myself a little exercise in arithmetic, and I think the House will be interested in following my calculation. Sir, the present constitution of the great House of Elders is, barring the President, 59 members in all, of whom 26 are nominated and 33 are elected, I hope I am right. Now, that ostensibly gives a majority to the elected Members, but that only to the unsuspecting. It requires a little more examination and scrutiny to arrive at the real truth. Now, Sir, of the 33 elected Members, we have three Europeans from special European constituencies, and of the remainder we have nine bedecked and bejewelled gentlemen from G. C. I. E. to Khan Bahadur and Rai Bahadur. That leaves us a balance of 21 plain ordinary men as against 33 nominated officials, non-officials, Europeans and titled gentlemen. Now, Sir, far be it from me to say that all these titled gentlemen are at the beck and call of Government. There are honourable exceptions of course. But at the same time among these 21 plain ordinary men, as I have described them, there may be some who, though they do not possess honours now, might be aspirants for those honours. I therefore cancel the one against the other, and therefore the proportion remains as 33 to 21.

Raja Gharanfar Ali Khan (North Punjab: Muhammadan): What about the division list?

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban): That is much worse.

Pandit Motilal Nehru: This is how that House is packed. It is in the power of that House to undo whatever we might do in this House, and, as in the present case, to require us to eat humble pie and say ditto to what it has decided. That is the beauty, Sir, of the constitution. I ask if in plain language it means anything but compulsion. Are we not now being compelled to undo what we did on the previous occasion? Compulsion when it is used for raising money is by common people called extortion. I, therefore maintain, Sir, that this is a form of legalised extortion to which the people of this country are being subjected in spite of their representations.

[Pandit Motilal Nehru.]

It is quite clear from what I have stated on this particular point that the constitution only seeks to make us instruments of oppression and extortion in the hands of the Government. It pretends to give us new opportunities for service. May I express in my own words, Sir, what that means? It means new opportunities of showing to the Government that we can be willing to carry out its will and not the will of our constituents. Then it promises a further advance in the Reforms if and when it is shown that confidence can be reposed in our sense of responsibility. Those again, Sir, are very fine words, but if I may be permitted to translate them into my own simple language, I would put it in this way,—that the sense of responsibility there means a sense of abject servility to the Government. That is what we are being taught, that is what is being cultivated in this House by the procedure which is prescribed in our constitution. Now, Sir, we have recently had a pronouncement from the Secretary of State of which only a telegraphic summary is at present available. But this is what His Lordship says about these reforms, as to whether they have succeeded or not. He says:

"At the end of two years of assiduous study it was yet too early to pronounce definitely either upon the success or failure of the present constitution."

We know that His Lordship is not a slave of dates, and therefore he takes his own time to assure himself as to whether these reforms have been or are likely to be a success or a failure. But I put it to Honourable Members in this House if any of them, with all the evidence that has been recorded, with their daily experience and particularly with the experience they have had since the commencement of this Session, can have any doubt as to whether these reforms are a success or a failure. But of one thing His Lordship is quite certain and that is that they are not real, because we find in the same pronouncement another passage which runs thus:

"Given an India in which those who count manifest good-will and give a promise of fruitful co-operation, there is much that might gladly be offered and loyally accepted which would afford a precious promise for a constitution which might last for long and might bring India really and perhaps permanently on equal terms as an honoured member into that free community of the British Dominions which men know as the Empire."

So that, after all has been done, after all the fruitful co-operation that His Lordship demands has been given, what is it that we are promised. Simply this: We may perhaps get something which is real, something which is more permanent. So that, on his own showing we have nothing approaching reality at present. Then, Sir, this should come as an eye-opener to these Honourable Members who are looking forward to the early appointment of the Statutory Commission, as to what they may expect from that Commission. But, while I am on this subject, I would beg the indulgence of this House to permit me to read another passage which is also characteristic. It is this. Lord Birkenhead told:

"how he had frequently asked Indian deputations what would happen if the British left India to-morrow and he had not discovered one visitor, however critical, however acrimonious he might be to our methods, who had ever told him that he contemplated with indifference the withdrawal to-morrow from India of the Viceroy, the English lawyers, English soldiers and English Civil Service."

Now, Sir, if there can be a case of adding insult to injury, there can be no worse case than this. We have been emasculated as a nation. Our

affairs have been managed by others, in spite of our will, for over a century and a half. We have been tied hand and feet together and subjected to a kind of spoon-feeding at the hands of those who mount guard upon us, and now our guards say: What will happen if we leave you tied down as you are?

The Honourable Sir Basil Blackett: Sir, on a point of order. I do not wish to interrupt the Honourable Member, but is not this getting rather far away from the question of the restoration of the salt duty to Rs. 1-4-0?

Pandit Motilal Nehru: Sir, I was pointing out the cruel irony of the situation. Here we are, not responsible for our present plight, being asked by those who have reduced us to what we are: What will you do if we go away? What we are asking for is that the chains that tie us be broken and our hands and feet be left free and then you can please yourselves and go whenever you like. Now, Sir, as to the fruitful co-operation which the Secretary of State expects, we have only to see what has happened in the

12 Noon course of this Session. Not that things have not happened in the last Assembly. But it is no use repeating the old story: I shall confine myself to a few incidents of this Session. We began by asking for permission to one of the duly elected Members to attend this House. He was prevented from appearing, taking his oath of allegiance and showing that he was as honest a citizen as any of us here. Why? Because he was detained under suspicion. Then

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Last year you all walked out. What happened to the salt duty then?

Pandit Motilal Nehru: Then we were gagged when we complained that Indian soldiers had been sent to China without any reference to this House. We were allowed no say in that at all. I simply mention it to show how by executive action this gag was put upon us. Then we passed a Resolution about the detenus. We carried it, and after many promises and many negotiations between the Government of India and the Government of Bengal, what was the result? Finally, after holding out many hopes, it was declared that there would be no release at all, but only a change in the nature of imprisonment. Instead of internment in a jail, it was to be internment in a village or internment in one's home or elsewhere, but absolutely no inclination to allow these men an opportunity to clear themselves if there was anything against them. Then, Sir, there was our vote of censure on the Railway Board and on the Executive Council. They have been treated in a contemptuous way. Next we beheld the manner in which the Currency Bill was piloted in this House. It was no doubt a stiff fight which we put up, but there were forces at work which I need not detail and we lost. The crowning act of all is this return of the Finance Bill to us in order to compel us to go back upon our own decision. Now, Sir, my friend the Finance Member was pleased to interrupt me and ask what it had to do with the reduction of the duty on salt. What I have to do with is not merely the fact but the root cause of it. I say it is not the question to-day before us as to what would be the proper duty on salt or whether there should be any duty at all. I ask Honourable Members to bear clearly in mind what the real question that we have got to determine to-day is, and I specially appeal to those Honourable Members who may be against the reduction—the one issue before the House to-day is this. Are we to submit to the treatment which is being accorded to this House? It is to the interest of those who voted for the reduction as well as those

[Pandit Motilal Nehru.]

who did not vote for the reduction to uphold the honour of this House and the independence of this House. I say that that is the issue. Those who were in the minority, those who may be in the majority to-day, it is not for either of them to consider what is the real and the true duty which ought to be imposed upon salt but that the House of which they are Members having once decided—it may be against the opinion of certain Members—that a certain duty is to be levied and no more, ought they not to combine to honour that decision of the House and refuse to be dictated to by the other House? Sir, it will be said that that is the constitution. I have described the nature of this constitution. I do not say that technically it is not law. But what I have said and what I repeat again, Sir, is that there is such a thing as legalised extortion and legalised illegality. This, we must remember, is a money Bill and it is up to us, whatever the constitution may be, to establish a convention that the other House, whatever its composition may be, whatever its weight may be in other matters, shall have no voice in a money Bill. That is our opportunity. That is the opportunity we ought to seize.

Now, Sir, I am not aware what the grounds of Honourable Members of the other House were for restoring the duty. I was not there. But I have been informed that one brilliant argument was that an Honourable Member who was a *shikari* knew that the wild beast of the forest did not require any salt. They cannot get it and yet they lived. Why was it that we were asking for salt for our cattle? I think I ought to inform the Honourable Member—perhaps he does not know—that there are no veterinary hospitals in the jungles and the forests, that the beasts of the forests know where they can have the salt they want and they get it, as their movements are not restricted. But I should like to have asked the Honourable Member if he had gone into statistics of the Stone Age or some other pre-historic age, when the primitive man used to live and eat his meals, as to what those meals consisted of and what was the proportion of salt in them. He may well have argued from that that you do not want any salt because in those days salt mines were not discovered and other processes of making salt were not known. Arguments like this, Sir, show on what considerations this tax has been restored to its full amount, namely, its higher rate. I submit that this House will not take into any serious consideration the fiat of the other House, that those who voted for the reduction on the last occasion will adhere to their opinion and those who did not vote will, if for nothing else, at least to maintain the dignity and honour of this House, not accede to the motion that has been made by the Honourable the Finance Member. I do not propose, Sir, to go into any arguments on the merits because they have been sufficiently dealt with in the debate which took place when we carried the amendment. My friend the Honourable the Finance Member has only repeated what he said on the last occasion with the exception that he gave us somewhat nearer figures to-day than he gave on the last occasion. I take the whole of his argument to come to this. You have got these two ropes. Choose one to hang yourself with.—either it is the salt duty or it is the provincial contributions. That argument has been exposed over and over again on the floor of this House. We do maintain that it is possible to do away with the provincial contributions as well as with the salt duty. But I am not going to take the time of the House any longer and I would appeal once again to Honourable Members not to be misled in considering this question and not to weigh

what is the proper duty in golden scales and arrive at the exact duty to be levied. The point before the House is a very clear one. It is a constitutional point. It is a point which they must make a convention of, but if they continue to submit, well, there can be no hope for them in the future. I may remind the House that this is not the first occasion upon which this question has arisen. In the year 1925 we carried an amendment reducing the salt duty to one rupee by a far larger majority than the one by which we passed this amendment. It met with the same fate at the hands of the Council of State. The Council of State enhanced the duty, or rather restored the higher duty. It came back before us and some gentlemen for reasons best known to themselves voted differently to what they had voted on the first occasion. I hope that Honourable Members will not allow such an exhibition to take place again and I also trust that those who have not voted or who were absent will join with those who did vote in favour of the reduction, to maintain and uphold the honour and dignity of this House. Sir, I oppose the motion.

The Revd. Dr. E. M. Macphail (Madras: European): Sir, I did not have an opportunity of speaking on this question when it came before the House originally and I should like to make one or two remarks this morning in support of the Honourable Sir Basil Blackett's proposal. I am not enamoured of the salt tax, I do not like any tax. (*An Honourable Member*: "Then vote with us.") But there is such a thing in the world as necessity and one fact which I have learnt is that you cannot eat your cake and have it too. You cannot afford to indulge in a luxury and yet at the same time have the money to pay for another luxury, and, as the Honourable Pandit has truly said, you have the option of two ropes (*An Honourable Member*: "To hang oneself with.") to hang oneself with, and which do you prefer? I prefer the rope which gives the provinces the remission of their contributions. (*An Honourable Member*: "Is salt a luxury?") I shall come to that presently. The provincial contributions are, we have been told, if not a rope, a millstone round our necks. I remember in the year 1920 attending a meeting of the Legislative Council of Madras which was attended by nearly all the Members and which I think unanimously protested against the Meston award. We in Madras are accused nowadays of having obtained too much but what we found then was that we had been very unfairly treated and that we had got far too little. I think my Honourable friend, Mr. Srinivasa Iyengar, was present on that occasion and voted against the contributions. If I am wrong he will correct me . . .

Mr. S. Srinivasa Iyengar (Madras City: Non-Muhammadian Urban): When was that? I do not remember that. I was not a Member. I was not in the Council at all except in 1921 and I do not think this matter came up.

The Revd. Dr. E. M. Macphail: This was in the unreformed Council days. A meeting was held in the Banqueting Hall and perhaps my Honourable friend may remember it now.

Mr. S. Srinivasa Iyengar: If it was in the unreformed Council I was in another Ashram.

The Revd. Dr. E. M. Macphail: I do not think that any other Members in this House were Members of the Legislative Council at that time and I know that the Honourable Members who represent Madras in this House, or a large number of them, do not seem to have taken that interest

[Dr. E. M. Macphail.]

in the remission of contributions during past years which some of us in Madras thought they ought to have taken. It is possible, as was suggested in Madras, that there were reasons for that,—that in their disapproval of the non-Brahmin Ministry they thought that it was not desirable that they should receive larger sums to expend, whether that was true or not. (*An Honourable Member*: "We deny it.") It may not have been true, but it was reported in Madras at all events that the support which was given to the remission of contributions was very half-hearted indeed. When I came to this House for the first time I came up with a certain amount of suspicion of the Honourable the Finance Member. I thought he was a dragon who prevented us from receiving back our contributions, from getting back our golden fleece, and I was glad when I learnt that he had the interests of the provinces at heart as well as the interests of the Central Government. The Honourable Sir Basil Blackett needs no certificate from me, but I should like to take this opportunity of saying that from my own experience of him on the Public Accounts Committee, I was tremendously impressed not merely by his grasp of principles and mastery of details, but also by the way in which he honestly was anxious to serve India in the very best possible way that occurred to him. With regard to these provincial contributions there is not the least doubt that the Ministries in the provinces have been very much handicapped from the want of funds and we in Madras have specially been so.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): How much will they get now?

The Revd. Dr. E. M. Macphail: They will get about Rs. 1½ crores.

Mr. M. K. Acharya: Not the Ministries.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): And pay it over to the reserved services.

The Revd. Dr. E. M. Macphail: I am not going to allow myself to be interrupted any more. They get a crore and a half and I hope that all the Members of this House will recognise the magnanimity of the Madras Members. I do not know, I have not worked it out in detail, but as far as I see, I think that the amount that Madras will have to pay as salt tax if this remission is made, is only about Rs. 50 lakhs, assuming that Madras eats as much salt as my Honourable friend Mr. Duraiswamy Aiyangar said. By the way I should like to tell my Honourable friend Mr. Duraiswamy that India is not surrounded on all sides by sea as he said the other day in the course of his speech. There is one side which is still occupied by land.

Mr. C. Duraiswamy Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadan Rural): When I was in school I was taught that a peninsula is an island.

The Revd. Dr. E. M. Macphail: We in Madras have been anxiously looking forward to putting an end to these contributions and it cheered me very much when I found in the Budget that there was provision made this year for the complete abolition of these contributions. As I have said, I am not enamoured of the salt tax and I hope a time will come when it may eventually be dispensed with. But Honourable Members make a

great deal too much of the salt-tax. First of all, the burden of it is, after all, extremely small, although I know that for a poor man even a single anna is something. But my experience is that the poor man very often spends his anna in other ways. (*An Honourable Member*: "Why should not he?"). I do not blame him, I do not grudge his spending money on luxuries. That I leave to the advocates of the 1s. 4d. ratio. I hope that in the future, the salt tax will be done away with because, after all, it is a relic of the old days—it is a relic of the administration which the British took over from the people who were ruling the country when they came there. I should like to suggest to my friend, Mr. Acharya, who is a great reactionary, that he ought to support it in consequence of that fact. But apart from that, it has been said that no civilised country has a salt tax. It is only a century since it was given up in Great Britain, and it is still the monopoly of the Italian Government. There is a salt tax in France, there is a salt tax in Germany, in fact almost the only countries in the world in which a salt tax is not levied are Great Britain and the United States. I say I have no love for it and I hope it will ultimately disappear, but until we have got some other method of raising revenue which can take its place it must go on and in any case it is extremely bad policy to reduce it to a very low figure so long as we have the expenses connected with the upkeep of the Salt Department. It will not be possible to my mind to do away with the salt tax until there comes really scientific revision of the whole system of taxation in India, and then perhaps we may have something done also about the permanent settlement in Bengal. It is quite easy for Honourable Members who come from Bengal to vote to-day for the reduction of the salt tax. They have been enjoying the remission of their contribution for the last two or three years. Their withers are unwrung; we in Madras have been feeling it most. We are the people who have been claiming that the first duty of the Government is to settle this matter. Once this matter is settled it will be possible to deal with the whole taxation system in an adequate and scientific manner. I have sometimes thought that Members on that side of the House remind me of a story which I remember being told by a well known Scottish comedian who gave an account of a conversation between two men. One man said "I am in favour of a Labour Government." The other man asked "Why?" He replied "If you have a Labour Government you will have long holidays and very little work and very good pay." The other man said to him, "But you know that is impossible". His friend replied "Yes, I know it is impossible but I am in favour of it". (Laughter). I support Sir Basil Blackett's proposal.

***Mr. M. S. Aney** (Berar Representative): Sir, my object in rising on this occasion is to insist that this House in considering the motion before it at present should be guided mainly by considerations of the prestige of this House in regard to money Bills. I believe that Honourable Members need not be told that it has been an established convention as well as constitutional practice in England that money Bills are not interfered with by the other House. Under our constitution we have not been given that right. It is up to us to see that an interference with the decision of this House in regard to money Bills by the other House is at least resented by the House in such a way that it will make that sort of thing impossible hereafter. It is in that spirit that we must deal with the motion before the House. The indignation which the House of Commons used to feel in former times when money Bills were interfered with by the House of

*Speech not corrected by the Honourable Member.

[Mr. M. S. Aney.]

Lords is graphically described in Mr. Anson's Law and Customs of the Constitution. I shall read a passage so that Honourable Members may know the proper way to deal with a motion of this kind :

" These are civil ways of rejecting a bill : but there are precedents for a bill being rejected, and torn in the House : and in 1772 a bill was rejected, thrown over the table by the Speaker and kicked out of the House by the members. The offence of this particular bill was that it had been returned from the Lords with an amendment to a money clause."

I do not want this House to imitate this uncivil way but let us establish a civil way by turning this amendment down in the manner suggested by the Honourable the Leader of the Congress Party. I believe all the Members of this House who are under instructions should vote this down.

***Mr. O. Duraiswamy Aiyangar:** If I rise to say what I feel, it is not in the hope that we will be able to contend against this torrent but only with this view that we want the poor man's food and the self-respect of India under this magnificent Taj of Delhi unwept, unhonoured and unsung. Therefore it is that I rise to say a few words on this question as this clause has been turned down against this House by the other House. If we want to reckon the friends of the poor in India in the other House we may reckon them on one's fingers and there will be one finger more because they are only 9 in number, while we have got 10 fingers. Sir, this has been miserably turned down by the other House. It is not that the Honourable Members of that House do not value even the smallest amount. It is only a week prior to this that the other House passed a Resolution that travelling allowance of the Members in that House must be increased to such an extent that even during days of travelling they must get Rs. 20 a day and they bargained eventually for Rs. 10 a day. The Honourable Members of that House are made up of zamindars, jagirdars, mirasadars, title holders, Maharajas and Nawabs. These people fought for Rs. 10 a day for the period of travel and yet they did not recognise the value of money in the hands of the poorest man who has to pay 8 annas per head for the sake of one item, namely, salt. They are honourable men. I do not want to say anything about them. If the Honourable Members of this House cried " Shame " when the message from that House was read in the solemn manner characteristic of Mr. Gupta, I resented it, not on the ground put by the Chair. It is to our own shame that we should cry " Shame ". This House should not receive with tolerance a message like that and must maintain its self-respect. If we cannot do that, we must cry " Shame " on ourselves. Unfortunately in this country the destiny and the self-respect of the poor people is in the hands of those who will fiddle when the country is burning. That is the kind of people in whose hands our destiny is put. We have got Honourable Members on the official Benches who eat the salt of India and vote against the reduction of the salt duty. We have got others who have not come into contact with poor people and yet stand up here and say, " That is no difficulty for the poor man ". We have got Anglo-Indian Journalists and their army of correspondents and reporters who will call this only an election cry. These are the ways in which any plea that is raised by this House is knocked out and yet we stand here to plead the cause of the poor man, whatever may be the opposition, the ridicule and

*Speech not corrected by the Honourable Member.

the scoffing. It is our duty to do it and our chief mourner, the revered leader, has led the procession and we are bound to follow and we will not leave him alone. What is it that we have done, if we could only take a total reckoning of our work in this Session? Have we done anything for the poor man? We abolished the export duty on tea. Why? Because it is an article of food in Great Britain, and, says the Statement of Objects and Reasons, it is bad in principle to levy an export duty on tea. And why? As I again say, it is a principal article of food for the Britisher. We have reduced the duty on motor cars. Why? Because the rich men of this country have to buy motor cars imported from Great Britain and they can do so more cheaply now. We have reduced the stamp duty on cheques and bills of exchange. Why? Because they are used for transactions carried on by the mercantile firms who are influential in this country. And on the other hand, Sir, what have we done for the poor man? We have refused to reduce third class railway fares. We have refused to introduce the pice postcard, and we have refused over and over again to reduce the duty on salt and thus make more salt available to them. Have we done our duty in this House, have we done our best for the poor man whom we represent here? Sir, a day will come when the reforms will be so changed that no man who is paying more than Rs. 50 a year in taxes will be entitled to sit in this House; only those will be Members who are paying less. This House will then be the poor man's House and then will come the time when the views of the poor man will be as warmly considered as they deserve to be. Till then, Sir, the poor have no voice in this House. It is an idle fraud that we are playing on them by saying that we are legislating here for democracy. The Honourable Sir Basil Blackett is not tired of trying to serve out that democracy stuff over and over again. Year after year he pleads, either we must have this or do without that. We must have the salt tax or do without remission of provincial contributions. For my part, Sir, I am not afraid, even if we cannot have both by any means. And I will show you what the net result really is. The remission of provincial contributions to Madras will amount to 1.47 crores. And what is it that you derive from Madras by way of salt duty? The amount of salt on which duty is assessed is 1,87,000 maunds, and at Rs. 1-4-0 the amount of duty is Rs. 1,67,97,227. Even if out of this you remit the Madras contribution of Rs. 1,65,00,000, there is still with you, Sir, Rs. 2,97,227. Then what does the benefit amount to? If you collect this tax in this manner and kindly remit it and still retain a portion of it, where is the benefit to Madras? Sir, if Sir Basil Blackett were to give that remission out of something that he collected for himself it would be something. I will not go into that aspect of the question, but I do maintain that the finance of the Central Government must be based not on the calculations of the salt duty but on other taxes which it collects entirely as its own, and then it should give back to Madras what it has promised and what it is bound to give back as early as possible. That, Sir, is my contention. You must reduce your military expenditure. Then you can raise money in other ways. But go back to the standard which the Inchcape Committee has fixed and you will be able to spare 4 crores and odd. There are many other sources also, but I will not go into those details on this question. There are many other methods by which this Government is bound to save money and relieve the provinces. But to say simply that you will give them a portion of what they themselves raise by way of salt duty is neither kind, nor fair nor just to the provinces. Sir, the

[Mr. C. Duraiswamy Aiyangar.]

Revd. Dr. Macphail rose once again—I am told that it will probably be his last speech in this Assembly because Sir Walter Willson said that he will not be a Member in September. For that I am no doubt sorry. (Laughter.) (An Honourable Member: "You don't sound like it.") Sir, the Revd. Dr. Macphail said that we, the Madras Members of this Assembly, have not been paying attention to this question of provincial contributions because we do not like the non-Brahmin Ministry.

The Revd. Dr. E. M. Macphail: May I rise to a point of personal explanation. What I said was that that was currently reported in Madras.

Mr. C. Duraiswamy Aiyangar: Sir, every statement of the learned Professor has always to be corrected. Sir, if it is reported in Madras, the question is, is it a correct report? Is it worthy of being repeated here? How many Madras Members in this Assembly are Madras Brahmins? Is Murtaza Sahib a Brahmin? Is Dr. Jilani a Brahmin? Is Mr. R. K. Chetty a Brahmin? Was Mr. Reddy a Brahmin? I am referring to Members of the last Assembly. Are these Members now all Brahmins? Or have they become Brahmins after coming to Delhi? What is the point then of saying that the Madras Members of this Assembly are not in favour of this reduction of provincial contributions because there is a non-Brahmin Ministry there? Sir, I repudiate the suggestion. If the Revd. Dr. Macphail will go into the proceedings of the previous Assembly he will find that both the Brahmin and the non-Brahmin Members voted for the reduction of the salt duty as well as the provincial contributions. Sir, from physiology I learn that a man changes once in 7 years. But I never thought that the Revd. Dr. Macphail would entirely change his views. Where is his Sermon on the Mount now, where is the preaching of his Sabbath? Now I am led to believe that the Sabbath is the one day set apart in the week for doing good to the people, but that day being a holiday there is no scope for doing good. Sir, it has also been said by the Revd. Dr. Macphail that the salt duty is an inheritance from our ancient kings. I would request him to read history properly. In India there were many transit duties levied on goods going from one province to another, including salt. Lord Clive obtained a monopoly of salt production and made use of it by selling it and making money as a reserve fund for paying the Company's servants. And, Sir, it is only later that we find this taken up as a regular source of public revenue. And it is not a fact that previously a salt duty was imposed for the purpose of deriving public revenue. Then again, Sir, he said that it was only a century ago that salt duty was abolished in Great Britain—just at the time in fact when they introduced it in India. If that was done in England for the sake of civilization and out of good principle, why did not their emissaries in India adopt the same principle for India? Now I would ask him to point out—and he need not roam over the whole world—from the history of any country, for instance, England, Scotland or Ireland, any duty equivalent to this salt duty which stands on the principle of taxing a man's food. (Several Honourable Members: "Tea, sugar and beer.") Is sugar as much a necessity as salt? Does any man believe that the very poor can command sugar, sweetmeats and ice cream? I am surprised that sugar and ice cream should be put forward as necessary articles of food. (An Honourable Member: "Who put cream forward?") Sir, I ask you, I ask the Honourable Members on the other side, to take both the aspects of the poverty of the people and the humiliation which accompanies a taxation which affects

the actual breakfast of the poorest man in the country, into consideration. Taking both these things into consideration, I ask the Honourable the Finance Member to make up his mind to give up any idea of distiguishing his Budget by a salt tax, to give up altogether this item and source of his revenue and, Sir, the capacity of Sir Basil Blackett is unbounded as it is proclaimed on all hands, and I too acknowledge it. Let him discover some method by which he can make up, make good, what would be lost by the reduction of the salt duty. For the sake of the honour of this House, for the sake of the honour of a House in which he has more often to appear than in a House where he only occasionally goes, let him also maintain the honour of this House along with us, because he is a part and parcel of this House and he is only a non-votable guest there (Laughter) for the purpose of explaining matters to them. I ask him to join hands with us and maintain the dignity of this House by seeing that ten annas is again restored and sending this Bill back with that declaration, with that establishment of the self-respect and the honour of this House.

Sir George Paddison (Madras: Nominated Official): Sir, the learned Pandit... (An Honourable Member: "Poor man's representative?") (Honourable Members: "Order, order.") I am not a frequent speaker, and I have no experience of being interrupted before I have even said a word. I think you might allow me to say a couple of words before you find you can laugh at my speech. The Honourable and learned Pandit who again on the opposite side opposed this Bill stated that these proceedings in this House were not real and that this House was acting under compulsion. I can assure him as one who knows the Presidency of Madras, who have been overpaying to the central revenues all these years, that to us it is terribly real, and that our anxiety on this occasion is very very serious. Either we are to go ahead—for Madras is peculiarly proud of the way in which she has tried to work out this constitution—either Madras must go again into bankruptcy, or she and her Ministers will be enabled to continue the policy they have been trying to put into effect for some years of building sufficient schools, of introducing compulsory education, new schemes of medicine and sanitation, new roads and better roads: all these will be knocked on the head unless we carry this restoration. It is a very serious thing to us. I can assure you! Moreover, as regards the House itself, I am afraid that some people here may think "Well, we have voted in one way, we must in fact stick to that"—I think it was stated that we should be humiliated if we voted the other way again. If now we realize, as some I believe honestly did not realize before, that it is a real choice between these contributions being remitted and this reduction of the salt tax, then I hope that no one in this House will object to voting according as he really thinks, merely because he may have registered a different vote a week ago. It is not weakness but it is strength to acknowledge that you have made a mistake, and I ask everyone here who really wants the good of the reforms, the good of India, to vote that this money shall be given back to the provinces which is admitted by everyone to be due to them. This money is due to the provinces, and therefore if we as a House reduce the salt tax now, we shall be paying with money which is not our money. We ask that before you are generous, you should be just that you should give back the money that is really, honestly due to us in the provinces before you bargain to make these large reductions which can come later and I hope the whole question as has been promised, will be reconsidered later on. There is one other point. I was

[Sir George Paddison.]

jeered at at the start because I was supposed to speak on behalf of the labourer. I am not speaking on behalf of the labourer, but I will read to you what the representative of the Madras depressed classes said in the Legislative Council in Madras last time this came up. (*An Honourable Member*: "Who is he?") Mr. R. Srinivasan, who is now the leader of the depressed classes in Madras in the absence of my friend, Rao Bahadur M. C. Rajah. (*An Honourable Member*: "Was he a Government nominated Member?") All members for the depressed classes undoubtedly are and must be given nomination (Hear, hear) as otherwise it is impossible for them to have any chance at an election. (Applause.) (*An Honourable Member*: "Why impossible?") Because it is quite impossible that any should be elected in the present state of feeling in Madras. (*An Honourable Member*: "Give them special representation.") They have not got a sufficient number of voters amongst them. I will now, with your permission, Sir, read this passage:

"With regard to the salt tax, I may say that one anna per head per annum is not so much felt by our people. We are willing to pay any tax provided it is guaranteed that a fair proportion of it will be given to our people who contribute it to ameliorate their condition in the ways of education, sanitation and acquiring of land."

(*Mr. Chaman Lall*: "Who wrote that speech for him?") If you suggest that I wrote it for him, I can tell you that that is absolutely untrue. I did not. Now that is what they want. These people in Madras—and I am sure Mr. Rajah, if he is here, will confirm it—their only chance of coming forward is to get education, scholarships, wells, schools, and roads, pathways and burial grounds and things of that sort which now they cannot get, and which they will not be able to get if you take this away from them. Sir, there are places in Madras where men have to go a mile and a half to get water; there are places where they have to pay for getting water, and if this remission of contributions is given, we shall be able to do something substantial this year to remove these things. I do beg the House that they will not take away this money from Madras and from Bombay and from other places, that they will really give the Ministers a chance, where they are trying to work hard. (*Mr. A. Kangerwami Iyengar*: "What did you do with the money given previously?") I was away last year, but I built wells and schools and during that short time we did the very best we could. Sir, I support the motion of Sir Basil Blackett.

Mr. M. K. Acharya: Sir, I was described a few minutes ago as a "reactionary". When, however, Sir, actionaries are going wrong, one will try and enjoy being a reactionary,—for what, after all, are the meanings of these words. I hope I have learnt enough from my own old school. (*The Honourable Sir Basil Blackett*: "What is an "actionary"?") Sir, "actionary" and "reactionary" are after all relative words, and I am coining the word "actionary". An "actionary", I would suggest, is one who is trying to act for various purposes. Whatever it is, Sir, after all there are right actions and wrong actions, and therefore correspondingly wrong reactions and very right reactions also. I do not believe that there is any man under the sun who does not often make wrong actions, and is not forced to make a right reaction. But referring to my old college days, I was taught many things in my old college days, particularly the beautiful

things about Jesus, whom, by the way, I regard as an Indian. The culture of Jesus was Indian, and the religion of Christ was an echo of the beautiful Indian path of Bhakti. But that is by the way. I will come now to the point.

It has been said that we must choose between two ropes, but it is not a very great sin to say that possibly we may escape both ropes. That is the way of prudence. Much has been said about Madras, both by some non-officials and officials who claimed to speak on behalf of Madras and said that they were speaking on behalf of the people of Madras. We were very anxious to know how much of the provincial contributions will really go to next year's Madras Budget, into the hands of Ministers, for education, sanitation, etc. . . .

Sir George Paddison: Practically the whole lot was given last year.

Mr. M. K. Acharya: It is better for some people to know before they speak. They should not speak on things they do not know.

Sir George Paddison: I rise to a personal explanation, Sir. Does the Honourable Member think I said that I did not know? I said practically the whole lot.

Mr. M. K. Acharya: That is very much open to question. It is very much open to question whether all this that is going to be remitted will go to the Ministers. Again the charge was made that we were not keen on provincial contributions. For myself I wish that Madras should get as much benefit as possible, and indeed, if possible, more benefits than other provinces, but not at the cost of other provinces.

Again it was said that after all it comes to a few annas only for the poor man, even if the salt tax is reduced, and that the poor man will spend his money elsewhere. The poor man may spend his money elsewhere, therefore, shall we say: "Don't give him any annas?" We do not want him to spend any annas elsewhere, for that matter, but that should not prevent us from doing what we think is right. I was taught to regard that our duty was to do what we think is right: "And because right is right, to follow right were wisdom in scorn of consequence." If it is right that these poor men should get their salt as cheaply as possible, then it is right that they should get that benefit. The fear that they may in other respects misbehave should not in any way retard us from doing the right by them in this respect. Similarly, Sir, the official speaker from Madras said that without this provincial contribution being remitted Madras will be reduced to bankruptcy. That would be a very serious vicissitude indeed for Madras, but Madras has passed through many vicissitudes. Long before non-official Europeans came to Madras that province had suffered and survived many vicissitudes. We are not going to be over-terrified by threats of bankruptcy if this contribution is not at once remitted. There was also a quotation from a good man from Madras who was once nominated to the Madras Council. I do not believe that it is proper on an occasion like this to make any reflections on his nomination. If any member of the depressed classes does not get elected to the Council in Madras, the fault lies at the door of the constitution which the benign British people have given to us. I have not made the constitution, nor other wicked Brahmins of Madras, nor have we placed any obstacle in the way of anybody's election to the Madras Council. I do not think it "

[Mr. M. K. Acharya.]

right for anyone to take us to task that no member of the depressed classes has been elected to the Madras Council. All that takes us away from the real issue. The real issue is not the fancy picture of provincial paradise that has been painted for us, but the problem of the wrong that this House will be doing to itself if it went back on the vote given the other day. I was sorry, Sir, to hear the view expressed that some who voted for a reduction the other day did so without a full knowledge of what they were doing and without seeing and weighing the consequences. It is very uncharitable for any official gentlemen to say that those who voted against him had not full knowledge and were not probably doing the right thing. It may be said on the other hand with equal or greater truth that many of those who voted with the Government on that and on many other occasions had done so with far less knowledge of the realities and far less sense of their responsibilities than perhaps most of those who voted against the Government on the salt question. Sir, therefore I maintain that I am not behind anybody in wishing Madras should have as much progress in the matter of sanitation, education and other things as it can. I do maintain that every effort should be made to give to the people of Madras, and indeed to the people of every province, as much money as is possible to lead them to go onward steadily on the path of progress. But the whole question is simply this: whether the Finance Member can find enough money to remit the contributions and at the same time to reduce the salt tax. That question must be carefully scrutinised, having before us the whole Budget so to speak; and I maintain, Sir, that it should be possible to have the strictest economy practicable in every branch of the administration in order to realise a much larger surplus than is now budgeted for. I believe, Sir, in a budget the revenue is always put, to be on the safe side, at the minimum and the expenditure is always shown at a certain maximum rate, and therefore there is a small surplus. The surplus, to be on the safe side, is put lower than what it is sure to be when realised; and in this way we have budgeted for a surplus of 5 crores. It must be possible to realise more money from other departments, and when they are driven to the necessity of it, the Executive must make it possible to find out some three crores more of surplus and they will be able to do it. On the other hand, if we now give them the full amount of money on the salt-tax that they want, they will be easily led to be lavish and they will not practise that strict economy which would enable us to have a larger surplus. Therefore I strongly feel that, taking the whole Budget together, it must be possible to find a large enough surplus to remit at least one half of the salt-tax, which is really what is proposed. And on one more point I will just say a word before I sit down. It is very essential that we should in this transitional stage set up precedents and conventions of constitutional progress of the right kind, and I do strongly feel that it is not very proper on the part of the Council of State to come and interfere in financial matters relating to taxation in a way so as to upset the decision of this House. It is far more necessary for future generations of India that the power to impose taxes should be more and more vested in this House and not in any other House than to dig wells from which men may draw water. Therefore, Sir, when this is the more important question the question of establishing a right precedent and right constitutional principles, the minor question of a few more lakhs in any one province will have to be ignored. Not that I do not want the lakhs by any means.

Not that I do not want provincial contributions remitted to Madras by any means. I am not the Finance Member; but if any one of us were the Finance Member we should certainly lay up enough money to remit the provincial contributions and at the same time to reduce the salt tax. As I say, you do not give us the chance to do it. We could do it, but we have not the opportunity of doing it; and I will therefore appeal to the Honourable the Finance Member to make it possible for him to leave his name in golden letters on the annals of this kind, by remitting the provincial contributions and also by reducing the salt tax. And this, Sir, is the thing which weighs with me—that the salt tax reduction goes to every man in the country, while the remission of provincial contributions, even the opening of schools and the laying of good roads and all those things, do not benefit every man. On that principle we ought to utilise the surplus for that purpose which will bring benefit to every man in the country, and not only to certain classes of people. On that principle the reduction of the salt tax appeals to me very much more forcibly than even the remission of provincial contributions, then enabling the Ministers to get a few more lakhs for the opening of a few schools or the digging of a few more wells. The largest good of the largest number was the maxim I was taught in the old days; and I hope Honourable Members will not forget the old maxim when they come to these legislative bodies. On that score I hope, both on the merits and on the question of principle, they will reaffirm the decision they gave the other day. Let it not be said that they were practically misled to do the wrong thing by the very plausible arguments adduced by the official Benches and unfortunately by certain non-officials who probably find it the best thing to support the official view. With these few words, Sir, I strongly oppose the motion brought forward by the Honourable the Finance Member and beg of every Member, every non-official Member, to see that out of this surplus this year something goes to every man who lives in this country so that he may say that this is the first thing the new Assembly has done, something from which he derives some little benefit. In the name therefore of the millions on whose behalf I speak—and I claim to have more authority to speak for them than my Honourable friend the Revd. Dr. Macphail—in the name of the millions I appeal to my fellow-members here to join in opposing the motion brought forward by the Honourable the Finance Member.

*Khan Bahadur Mián Abdul Aziz (Punjab: Nominated Official): Sir, I do not know if it redounds to the credit of this House to belittle what has been done elsewhere; nor do I know if any Members of this House are really serious in the desire to throw mud at others; but I do believe that all of us here are anxious to appreciate at its full worth the view of the man in the village. The view of the man in the village, as I know it in the Punjab, is simply this, that we can afford to buy salt at the rate at which we are buying it now but if possible our *abiana*, which is technically known as the occupier's rate, might be a little less, because that was raised to meet the extortion known as the provincial contributions. You have heard from the representatives of all the other provinces about these provincial contributions. I have never said anything; but the whole surplus belongs to the Punjab and not to anybody else, and we should have had it. So all we beg of this House is that in the Punjab we have a very large scheme of progressive development, on the

*Speech not corrected by the Honourable Member.

[Mian Abdul Aziz.]

one hand, and another well thought out plan for development in other directions and the Honourable the Minister for Agriculture has already to a certain extent given out the details of that. The whole of that scheme will be absolutely ruined if the provincial contribution is not abolished altogether. That is one point.

The second point is this. I assure this House of this fact—I do not want to say that anybody in this House is not entitled to take a contrary view—that in sixteen winters spent continuously in the field in more than 4,000 villages, where all sorts of subjects were discussed, that not once did any villager, rich or poor, ever speak to me about the price of salt. People certainly objected to the price of cloth, to the high prices of grain and gram; they certainly objected to the increase in railway fares; but I assure you that not even once was the subject of salt mentioned as being high in price

Mr. Jamnadas M. Mehta: Because you are an official.

Khan Bahadur Mian Abdul Aziz: Sir, they have taken a leaf out of Mr. Jamnadas' book and even in villages we hear unpleasant things.

The only other argument advanced was that because the Council of State has interfered therefore we should certainly say "No". Most respectfully I beg to say that merely to spite the Council of State we should not cut off our own nose. That is a kind of playfulness to which I hope every Member here objects. With these words I support the motion.

Raja Gharanfar Ali Khan: Sir, fortunately, I am one of those people who were not present on the last occasion, and so am not committed to either Rs. 1-4-0 or 10 annas. I listened with great attention to the speech of the Honourable the Finance Member and with still greater attention to the speech of the Honourable Pandit Motilal Nehru, who rightly commands the highest respect of every Member of this House. I look at this question merely from this point of view: is it possible for the Honourable the Finance Member to remit the provincial contributions as well as to get the salt duty reduced to ten annas? (*Cries of "Certainly."*) and I think the strongest argument which the opposition could have used was to prove and establish definitely, by facts and figures, how it was possible for the Finance Member to remit provincial contributions even at the reduced rate of ten annas duty on salt. I am very sorry to find that so far not a single practical argument has fallen from the lips of any Member of the opposition to establish or prove that it is really possible for the Finance Member to do both. I heard some sentimental appeals made to the Finance Member, that his name will be written in golden letters if he could do that. But that alone is not quite sufficient unless this thing is proved by real facts and figures. Obviously it is very difficult to believe that it is possible for the Finance Member to have both these things done at the same time. If that is so, Sir, if the Honourable the Finance Member has got some hidden surplus in the Budget, I do not know whether he has got it or not, because I am not a financial expert—Mr. Jamnadas Mehta knows it better—but if he has got that, I would strongly appeal to him that after we pass Rs. 1-4-0, which I am sure we will do to-day, he should still find his way to reduce the salt duty to ten annas, because, after all, he knows that the general feeling of this House is that the salt duty should be reduced to ten annas.

It is really very unpleasant for any non-official Member to vote against the reduction of any sort of taxation; and if I propose now to vote against this reduction, it is because I feel that I shall be voting, by doing that, for the reduction of another taxation. As was remarked by my Honourable friend, Khan Bahadur Mian Abdul Aziz, with whom I generally do not agree, the water rate was increased in the Punjab and this hardship is very much felt by all the zamindars in the Province. I want the increase in the water rate to be immediately abolished, and I trust that the Punjab Government will find its way to reduce this tax when they get the remission, because last year when they got about 28 lakhs on account of remission of provincial contributions, they reduced the water rates by 9 lakhs and also the registration fees by 7 lakhs. I know only about the 16 lakhs which they spent last year, and I do not know how they spent the other 12 lakhs. This time, I submit my friends from the Punjab are going to vote for Rs. 1-4-0 on the definite understanding that all this money which will go to the Punjab Government will either be spent for a reduction in taxation in water rates, or other such taxes levied on the poor zamindars, or on some constructive programme. I know during the last budget discussion in the Punjab Council they had about 6 or 7 proposals before them. A cut was proposed by some of the Members there for want of compulsory primary education. I would certainly be very glad if this money could be spent on compulsory primary education which everybody would welcome in the province.

Now, with regard to the arguments advanced by the Honourable Pandit Motilal Nehru, he mentioned only two things; one was about the grievances. I entirely agree, Sir, with all that he said, but I am doubtful whether this was the proper occasion to raise this question that we should throw out the Rs. 1-4-0 rate on account of certain grievances. The second thing which Panditji said was with regard to the Council of State. I am in entire agreement with him, that whatever comes from the Council of State should be looked upon with suspicion, and I certainly do not trust what the Council of State Members do on many occasions. During the last five years at least, I know, that it was only twice that I felt obliged to them—one was in 1925 when they restored the salt duty from 0-10-0 to Rs. 1-4-0, and again this year in 1927 they have done the same thing and given us an opportunity of seeing that the provincial contributions are remitted. (*An Honourable Member*: "They are true to their salt.") Anyhow, of all the arguments advanced on this side of the House, there is only one argument, which requires serious consideration, and it is this. On money matters it seems to me, Sir, that we should establish a convention that the interference of the Council of State will not be tolerated. I entirely agree with that suggestion, and if I could vote for this principle at a smaller sacrifice, I should certainly vote for it. but I think that the sacrifice which we are now required to make on this particular occasion is too much. Therefore, I would request all those Members, specially my friends from Punjab, who want to see the water rate reduced, who want to see an expansion in compulsory primary education, who want to give medical relief to the poor villagers, to vote for Rs. 1-4-0. and, as the Honourable the Finance Member stated, this would be the last occasion when we would be confronted with this dilemma. I have got a complaint against the Finance Member, that during the last three years a sort of undue advantage has always been taken of these provincial contributions. Whenever the question of the reduction of the salt duty came up, or whenever any question for the

[Raja Ghazanfar Ali Khan.] *

reduction of any other tax came up, the bogey of provincial contributions was trotted out, and this is the chief reason why I am going to vote for Rs. 1-4-0 because I think that by our voting for Rs. 1-4-0 on this occasion we shall for ever get rid of the argument of the Finance Member about the provincial contributions. Sir, I will conclude by quoting a small passage from the speech of the Honourable the Revenue Member of the Punjab Government made when discussing this water-rate increase and the use of surplus money:

"I expected the Members to say: 'You have only 50 lakhs or a crore of surplus, our needs are much greater. We want you to push agricultural advancement, we want you to push educational advancement, we want you further to strengthen the excise staff of the province so as to detect illicit distillation and to improve the morals of the people, we want you to bring medical relief to the door of the poor, we want you to take steps to save the lives of lakhs of poor infants who die because they are not properly looked after.'"

If this amount will be spent by the Punjab Government in this spirit and on such methods, I certainly vote for it.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, like my friend Raja Ghazanfar Ali Khan, I am also one of those fortunate or unfortunate Members of the House who were absent when this question was taken up on the former occasion and therefore, in order to avoid being misunderstood, I was anxious to get an opportunity to say a few words on the question. Sir, I am very glad that the esteemed leader of the Swaraj Party this morning recognised the representative character of this House, which one of his ardent followers, my friend the Honourable Mr. Ranga Iyer, denied us the other day. But, Sir, I really regret very much that a highly-cultured gentleman like the Honourable the Leader of the Swaraj Party should impute motives and attack the sincerity of the other House who were not present here to defend themselves. Certainly, Sir, it is not right, and I do not agree with my friend Raja Ghazanfar Ali Khan also when he says that every measure that comes from the Upper House should be looked upon by us with suspicion. Certainly, Sir, in the Upper House there are some gentlemen who may be called the fathers of the constitutional agitation in India.

Mr. C. Duraiswamy Aiyangar: May I know what is meant by the Upper House?

Maulvi Muhammad Yakub: Well, probably you know what I mean: I mean the Council of State.

Mr. C. Duraiswamy Aiyangar: That is the other House.

Maulvi Muhammad Yakub: There are certain gentlemen, Sir, in that House who started the work for getting constitutional reforms for India before the time when many of the Honourable Members in this House were born. They were the gentlemen who started making the road towards Swaraj when it was all uneven and stony, and now it is not right for us when we have got a clear road to run to condemn those who have facilitated the way for us.

Mr. Chaman Lal: Name them.

Mr. C. Duraiswamy Aiyangar: How many?

Masivi Muhammad Yakub: It may be one, or two or three or four, that is not the question. In any case, Sir, leaders were not so numerous in those days. And whatever may be the case, certainly it is not right that we should condemn a portion of our own community, a portion of our own people and say we look upon what they say with suspicion. How can we say we are capable of governing our own affairs, we are fit for Swaraj in the country? If we ourselves say that certain members of our own community work against their own conscience, this is certainly not right.

Now, Sir, coming to the question of the salt duty, I entirely agree that on principle salt is a commodity which should not be taxed. But at present the question is not whether it ought to be taxed or not. We are not taxing salt for the first time, Sir. There has been a duty on salt for many years. The only question is whether the duty which was put on salt some years ago should be retained or not. On this question, Sir, I may tell you very frankly that I find myself between two evils, the evil of the salt tax and the evil of the provincial contributions, and I have got to choose the lesser evil. Now, Sir, let us examine which of the two is the lesser evil. I do not say that I question those Honourable Members of the House who say that the Finance Member can find other means to reduce the provincial contributions, but, Sir, placed as we are in the present circumstances, we have not got the power to coerce the Finance Member to-day according to our wishes and therefore, unless we get more power and more control of the purse, we have got to put up with the circumstances in which we are placed. Now, the fact remains that the Honourable the Finance Member has clearly said to-day, and even on the first day when this question came up for debate, that he will not be able to reduce or abolish the provincial contributions if the salt duty is reduced to 10 annas. That fact remains as it is. We have therefore to choose between the old duty on salt and the reduction of financial contributions. Let us see which of them is more to the benefit of the people of this country. I cannot claim to know the conditions about the other provinces, but what are the conditions in my own province? In the villages we have not got sufficient wells to give even pure water, which is more necessary than even salt for the poor villager. During the rainy season malaria is intolerable in these villages and hundreds and thousands of poor people die because they cannot get even pure water to drink. Then, Sir, there is the horrible rate of infant mortality. We know that the rate of infant mortality in India is appalling and we have got no institutions for baby welfare in the country. We know, Sir, that there are no institutions to produce a sufficient number of midwives for the poor ladies of this country and hundreds and thousands of poor ladies in the villages die for want of having good midwives and sufficient aid. Now, leaving aside compulsory primary education, good roads and good bridges, the very fact that you cannot get pure drinking water, that you cannot improve the condition of your families, that you cannot do anything for the welfare of the infants and for the decrease of infant mortality is sufficient to establish that the reduction of provincial contributions is more necessary than the reduction of the salt duty.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non Muhammadan Rural): Where is the guarantee that the provincial contributions that are remitted will go to the relief of the poor?

An Honourable Member: Will it be given to the Ministers?

Maulvi Muhammad Yakub: That is the point which I made plain in the House on the last occasion and I want to make it clear on this occasion. I urge upon the Honourable the Finance Member with all the strength that I can command that he would urge upon the Provincial Governments that the bulk of the reductions of the provincial contributions will go for the improvement of nation-building departments in the provinces and it is on this very clear understanding, Sir, that we want to substitute (*Mr. Chaman Lal*: "Where is the understanding?") the tax by the reduction of provincial contributions.

An Honourable Member: Does the Finance Member give any guarantee?

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Ask the Honourable Member to earmark this money for the relief of the poor.

Mr. President: Does the Honourable Member wish to give way?

Maulvi Muhammad Yakub: I will not give way to any Honourable gentleman who wants to interrupt me.

Mr. M. Keane (United Provinces: Nominated Official): If the Honourable Member will give way for a moment I can answer that point.

Mr. President: The Honourable Member is not prepared to give way to any Member.

Maulvi Muhammad Yakub: From the way in which the Ministers, at least in my province, have told me to try and get a reduction of provincial contributions and the anxiety they have shown in the matter of these contributions, I feel very satisfied that the Ministers of my province will try their best to spend the bulk of the money which will be saved by the remission of the contributions upon the nation-building departments.

Pandit Motilal Nehru: They have absolutely no power.

Maulvi Muhammad Yakub: They have power to spend the money which is allotted to their department in any way they like more than we in this House have got. In fact, the provincial Councils have got more power to do good to the people of the country than we have in the Legislative Assembly, because we have got no transferred subjects and nearly all the nation-building departments belong to the transferred subjects. We would be helping the transferred departments if we were to see that provincial contributions are abolished or reduced. We would be enabling the Ministers in the provinces to do what they like. In fact, the Ministers say, "You condemn us. You condemn diarchy, but you do not give us sufficient money to carry out our schemes." They say, "We want to introduce so many schemes for the welfare of the people, for the villagers and for the poor people, but we have not got the money to carry out those schemes, and unless the provincial contributions are abolished we do not know whether we shall be able to carry out those schemes." So it is necessary that we should at least give a trial to our Ministers, to our representatives in the provinces, to whom we are very anxious to give provincial autonomy. The first step towards the reforms we want is the grant of provincial autonomy, and unless we can prove that the Ministers in the Provinces

have succeeded, how can we claim provincial autonomy for the country? We cannot say that our Ministers have been a success unless we give them sufficient money to introduce and carry out schemes for the benefit of the people. So, the only question is: which will be more beneficial to the country, a reduction of the salt duty to ten annas a maund or the development of the nation-building departments? It is quite clear that the saving on account of a reduction in the salt duty will be so insignificant that it will not in any way improve the financial condition of the poor villagers of the country for whom we are pleading. On the other hand, if the provincial contributions are abolished and if the money is spent on nation-building departments, for instance, good wells, hospitals or what are called travelling dispensaries,—we have got centres for the upkeep of babies, and such other nation-building departments—I think that the poor villager would like that much more than a reduction of the salt duty. I think my Honourable friend—I will not call him a friend, he is my elder, he is my father's friend, and I look upon him as my elder—Pandit Motilal Nehru said that Government insist upon having a pound of flesh from the poor man (*An Honourable Member*: "Half a pound.") or even half a pound of flesh. Let us admit for the sake of argument that the salt tax is half a pound of flesh. Will not a man sacrifice half a pound of his flesh for the upkeep of his soul? After all, the soul is more valuable than a pound of flesh and the departments which we want to institute as a result of the reduction of the provincial contributions give benefit to our soul. For instance, primary education and other nation-building activities (*An Honourable Member*: "The benefit is after death.")

(At this stage several Honourable Members interrupted the speaker.)

Mr. President: Order, order. Maulvi Muhammad Yakub.

Maulvi Muhammad Yakub: There is one thing more to which I should like to refer and that is about the changing of one's opinion. The Leader of the Swaraj Party said that Honourable Members should not change their opinion on this occasion. I would only remind him of what he is reported to have said on one occasion, that consistency in politics is the virtue of asses. There was a time when the Honourable Pandit believed that it was no good going into the Councils. He did not come to the Council. He did not allow others to come to the Councils but after a few years' time he changed his views. He is now a believer in coming into the Councils. If you change your view for good reasons, if you are satisfied that the opinion which you held first was wrong, it is a virtue to admit your faults and change your view and there is no harm in it. For these reasons I support the proposal put forward by the Honourable the Finance Member.

The House then adjourned for Lunch till Twenty-Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty-Five Minutes to Three of the Clock, Mr. President in the Chair.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I would have assured my Honourable friend Mr. Yakub, had he been here now, that I had no intention to indulge in any fling at the other House, because if we have deliberately taken a decision it is quite up to us to

[Mr. K. C. Neogy.]

stick to it. If we fail to endorse the decision that we took on the last occasion, certainly that will be due to our own remissness. In this view, I do not also quite like the note of pessimism in the speech of my Honourable friend Pandit Motilal Nehru. Sir, I do not find here to-day some of the Honourable gentlemen who described themselves as friends of the poor not very many days ago. When we were considering the two rival ratios in connection with the Currency Bill, claims were put forward by advocates of both ratios on behalf of the poor man, and I really miss some of those Honourable Members who said that by adopting the lower ratio we would be helping the poor to the extent of 12½ per cent. which they would gain on the price of their produce. Sir, whatever the merits of either ratio might be, the facts on which those claims were based were at best speculative. But, Sir, in the present instance we can definitely say that by reducing the salt duty by 50 per cent. we will be reducing the price of salt by exactly 12½ per cent., a reduction which would be felt from to-morrow in every village and by every consumer of salt. It is therefore very much to be regretted that those Honourable gentlemen who described themselves as friends of the poor are away from the floor of this House on the present occasion. I do not propose to say anything more on this point. I will at once come to Sir Basil Blackett's threat to Bengal that if we were to pass the reduced rate, Bengal's contribution would have to be revived with effect from the next year. I never thought Sir Basil Blackett was suffering from so short a memory. I want to remind him of the circumstances in which the remission of Bengal's contribution was effected. It was effected in pursuance of the Resolution brought forward by the Government in the autumn of 1921, in pursuance of the very definite recommendation made by the Joint Parliamentary Committee to the Government of India. That was a year in which the Government of India itself was faced with a very heavy deficit, and yet my Honourable friend's predecessor did not hesitate to bring forward a proposal for relieving Bengal altogether of the contribution of 63 lakhs a year. It is a pity, Sir, that the remission was not made permanent on that occasion. Perhaps it was due to the fact that the Government of India's finances were in such an unsatisfactory position at that time that any remission for more than three years was rather beyond the range of practical politics in the year 1921. Again, when it fell to the lot of my Honourable friend the Finance Member to bring forward another proposal to continue that remission, he pointed out in very clear terms the difference between the conditions of the other provinces and of Bengal. I have no intention of giving any long extracts on this occasion from the speeches of the Honourable Member, but I am sure he will not deny that he stated that Bengal's case stood on quite a different footing from that of the other provinces, and that the main justification for the remission of Bengal's contribution was to be found in that recommendation of the Joint Parliamentary Committee. And now, after the Government of India have produced several balanced and surplus Budgets in succession, he comes along and gives this threat to Bengal, that "unless you support this enhanced taxation, we are going to take off the remission". (The Honourable Sir Basil Blackett: "There is no question of enhanced taxation.") Well, "enhanced" in so far as we are concerned. I do not suppose my Honourable friend would dispute that proposition. So far as this House is concerned, it has taken its decision, its deliberate decision, and to agree to the higher rate now will be enhanced

taxation so far as we are concerned. Sir, it is not fair, therefore, I say for the Honourable Member to come forward with that threat. I do not know whether I need read out to him once again the recommendation of the Joint Parliamentary Committee. Sir, if I had no necessity for doing it for his benefit, I would have had to do it for the benefit of my Honourable friend, Dr. Macphail, whom I am sorry not to find in his seat just now. Sir, I would not have taken up the task of instructing a veteran teacher like the reverend Doctor, but, Sir, when he says that Bengal must not be allowed to be a charity province, when he says that Bengal must revise her permanent settlement, I am very much afraid that he has got to take his instruction even from a man like myself. Sir, the Joint Parliamentary Committee made the following observations in their Report. They said:

"They desire to add their recognition of the peculiar financial difficulties of the Presidency of Bengal, which they accordingly commend to the special consideration of the Government of India."

Sir, upon that, the Honourable Sir Malcolm Hailey said in 1921:

"Bengal has behind it in making a claim for assistance an argument which no other province can put forward, namely, the specific recommendation of the Joint Parliamentary Committee. Bengal now demands that we should implement that recommendation. Nor is it for this Government, nor indeed, Sir, for this House, which owes its statutory existence to that Committee, to disregard this claim."

(*The Honourable Sir Basil Blackett*: "Hear, hear.") Then, again, I will refer to another point. I am rather anxious about the soul of the Honourable the Finance Member, which as my Honourable friend, Mr. Yakub, remarked, has got to be saved even at the expense of half a pound of flesh. Sir, I am rather anxious about my Honourable friend the Finance Member's soul because I find him deliberately going back upon the position taken up by the Government of India in the past with regard to Bengal. About two years back I brought forward a motion in the course of which I drew the attention of the Government to the defective working of Devolution Rule 15 under which, as is admitted even by the Honourable the Finance Member, it was expected that the Governments of Bombay and Bengal would get some share of the income-tax revenue. On that occasion the Honourable the Finance Member admitted that the Devolution Rule had failed of its purpose, that the Devolution Rule 15, which was intended for the benefit of the two industrial Provinces, was not benefiting them at all, and that contrary to all expectations, it was yielding some more benefit to the other provinces which had already gained under the new financial arrangements. Sir, on that occasion, my Honourable friend gave this House an assurance that he would go into this question and find some solution that will be satisfactory to these two provinces.

The Honourable Sir Basil Blackett: I am prepared to look into the matter as soon as the provincial contributions have gone.

Mr. K. C. Neogy: I am very glad that my Honourable friend gives me that assurance. But what do we find in his budget speech of this year? So far as the case of Bombay is concerned, he said that apart from her remission of provincial contribution, under the general scheme of reduction as laid down in the Devolution Rules, Bombay had a special claim on the assistance of the Government of India, because Devolution Rule 15 had not been working in the manner expected. But in the case of Bengal the Honourable Member observes, she has already had her relief. Bengal got the remission of her contribution from the year 1922, and certainly

[Mr. K. C. Neogy.]

the defective working of Devolution Rule 15 had not been brought to the attention of the Finance Member in that year. When I moved that motion in 1925, the Finance Member had the candour to admit that that was the first time when his attention was drawn to the defective working of the rule. And now the Finance Member comes forward and says that Bengal has had her remission already and cannot look forward to any assistance on account of the defective working of the Devolution Rule. I am surprised that my friend can take up such an attitude. Then again we come to the case of the abolition of the stamp duty on cheques; there again he said that only two provinces were going to be materially affected, Bengal and Bombay; but Bengal had no claim to be compensated for loss of revenue. I must ask my Honourable friend once again why was it, and on what considerations was it that the remission of Bengal's contribution was decided upon in 1921; was it on account of the defective working of Devolution Rule 15? Could any one anticipate the defective working of that Devolution Rule when we were just beginning to work the new constitution? And now the Honourable the Finance Member says that Bengal has no claim to compensation. Sir, we expect a better standard of justice and fairness even from Finance Members.

The Honourable Sir Basil Blackett: If the Honourable Member will vote for the increased tax he will get all he wants.

Mr. K. O. Neogy: What I intend to point out is that Bengal's claim for remission of contribution, her claim for a share of the income-tax revenue, her claim for a share of the customs duty on jute, stands on a higher footing, and you have got to do something for Bengal in these directions, whether your salt duty remain at 10 annas or Rs. 1-4.

The Honourable Sir Basil Blackett: All that has been said has to be reconsidered in the light of the position created by the Assembly.

Mr. K. O. Neogy: Subject to the recommendation of the Joint Parliamentary Committee quoted by me. I do not suppose my Honourable friend has the authority to go behind that recommendation.

Sir George Paddison was talking of new schools, new roads, new hospitals, new wells, which the Ministry in Madras propose to bring about if this remission is made. Then again I heard the Punjab official representative talking of development schemes in different directions. Does my Honourable friend care to know what the present financial position of Bengal is? In spite of this remission of 68 lakhs, Bengal is unable to balance her budget.

The Honourable Sir Basil Blackett: Is that not all the more reason for not obstructing the remission of her contribution next year?

Mr. K. O. Neogy: It is all the more reason for considering Bengal's case quite apart from the reduction of the salt duty.

The Honourable Sir Basil Blackett: The Honourable Member has to take the finance of the Government of Bengal into consideration.

Mr. K. O. Neogy: Certainly. Under the new federal system of finance, separation of the financial burden as between the provinces and the Central Exchequer has been brought about in a complete and rigid manner unexampled in the history of federal finance.

The Honourable Sir Basil Blackett: Why do not the Honourable Members help me to get rid of that situation?

Mr. K. O. Neogy: Exactly, that is what I want. What I intended to say was that prior to the introduction of the new constitution the Government of India was solely responsible for the financial welfare of the provinces and the Provincial Governments were no better and no more than the Government of India working in the Provinces, and it is not proper on the part of the Honourable the Finance Member now to deny all at once his responsibility for the financial position of the Provinces.

The Honourable Sir Basil Blackett: I have asserted my responsibility and asked the House to recollect it in voting on this motion.

Mr. K. O. Neogy: I do hope the Honourable Member will remember the case of Bengal, which, as I say, stands on a different footing. I was going to say, when I was interrupted by my Honourable friend, that the financial position of Bengal as it appears to-day shows that her normal expenditure exceeds her normal income by no less than 64½ lakhs even in spite of the fact that she has not got to pay a contribution of 63 lakhs a year. I do hope my Honourable friend will condescend to look into these figures, although Bengal is not represented by those stalwarts who represent Bombay's interests in this House. Sir, we find too much of special pleading for Bombay in the Honourable Member's budget speech. I think, Sir, at that time, on the 28th February, when he made that speech, he had some hope that that would enable him to catch some votes on the ratio question; but now that the ratio is out of the way altogether, would he kindly condescend to bestow a little more attention on the financial position of Bengal?

The Honourable Sir Basil Blackett: I do not wish to be continually interrupting the Honourable Member but I would like to understand what he means. How on earth is the Government of India to consider the financial position of Bengal or any other province if its revenue is taken away by the Central Legislature?

Mr. K. O. Neogy: Certainly you can, by making certain other readjustments, by reconsidering your policy about the sinking fund, your policy about the redemption of debt. Sir it is not the occasion just now to go into any details about that; but if my Honourable friend is really anxious to know a little more about these things, he might sit round a table along with some of us, and we shall be quite happy to assist him with what little advice we can offer. But, Sir, I had no intention of making such a long speech, and I will just conclude by saying that in spite of the threat of the Honourable the Finance Member, I do support the reduction that we made on the last occasion.

***Mr. H. G. Cocke (Bombay: European):** Sir, the invitation issued by the last speaker for a round table conference to discuss the debt position is not very alluring. We had such a conference two or three years ago and arrived at a certain scheme of debt redemption which was generally accepted at that time, and I think it would be a great mistake to interfere with that now. That, however, is by the way.

*Speech not corrected by the Honourable Member.

[Mr. H. G. Cooke.]

Sir, I am very anxious to say a few words in the interests of Bombay on this subject, particularly as there are so many of my Bombay friends who have melted away. Sir, after the division the other day when certain Bombay Members came to know that they had defeated the Government narrowly, some of them were really alarmed as they had rather hoped that Government would carry the day. I am quite sure that not only certain Bombay Members in this House, but Bombay generally is very anxious to see the Rs. 1-4-0 rate restored with a view to asking for further remission of her provincial contribution. Sir, there are many reasons for that. In the first place the necessity for hospitals and wells which has been referred to to-day is really no laughing matter. I do not profess to know the districts myself, but I have heard accounts during this Session of various important schemes which are required in provinces which have been allowed to lapse in the course of the last two or three years owing to the retrenchment policy which had been adopted. We have heard about the state of finances in Bengal; the state of finances in Bombay is very much in the same position, and the remission of provincial contributions is a very urgent matter.

There is another important point to be remembered, as the Honourable the Finance Member pointed out. Unless the provincial contributions are totally remitted, we shall not be able to get rid of the Meston Settlement which the House so uniformly, I think, is anxious to have superseded. That Settlement will remain and it will be liable to come before us again in future years in the event of financial embarrassment. Our anxiety in Bombay, and I think in other provinces, is to have the Meston Settlement reviewed so that when, if ever, the provinces are called upon to contribute to the Central Government, it will not be on the basis of the Meston Settlement, but on a basis which is more in conformity with the recent finances of the provinces.

Sir, as regards the practical effects of the salt tax, very little opposition has been made to the Rs. 1-4-0 salt tax on that basis. But I should like to read to the House a paragraph from the Report of the Indian Taxation Enquiry Committee which no doubt Members have already read. It is not a paragraph written by any of the members of the Committee, but it is written by a distinguished American writer, Professor Jensen. This is what he says:

"From ancient times salt has frequently been selected for special taxation. Almost every country has taxed it at one time or another. An alternative method of exacting revenue from the salt industry has been to make it a fiscal monopoly. Such has been the case in Japan, China, France, Austria and Italy. Elsewhere it is usually the object of a high excise duty. From every point of view salt is admirably adapted to be a tax-bearer. It is universally used, but the amount that is used by any one tax-payer is small."

Now, Sir, that comes from an independent authority, and therefore from the point of view of the practical effect of the salt tax which has so often been opposed in this House, I think these few lines will repay study. (An Honourable Member: "Please read the further paragraphs.") I do not profess to dodge through the Committee's Report and read every

paragraph which some Honourable Members of this House might like me to do as they have no doubt been supplied with copies of this Report, and they are at full liberty to read it.

The other day, Sir, I said that we had a good deal of sentiment in this House in connection with the salt tax and the so-called 1s. 4d. natural ratio, and so on, and I feel, Sir, that we are having the same sentiment displayed in a greater degree to-day; it would be very much better if we got down to more practical business. The Honourable Sir Purshotamdas Thakurdas turned on me for what I said on that occasion, and said that I did not know India and I had no sympathy for the poor man, and so on. Sir, I yield neither to Sir Purshotamdas nor to any Member of this House in my sympathy for the poor man of India. I do not profess to know him so well as possibly some Members of this House do, but if I thought that this 10 as. salt tax was going to give him any benefit, I would even go so far as to defer provincial contributions by all means. When I first came to this House in March 1921, I knew very little about this subject or politics at all. But I put a question to the Finance Member at that time on the result of the raising of the salt tax from Rs. 1-4-0 to Rs. 2-8-0. I asked:

"Will Government be pleased to state whether they have made any inquiries in various parts of the country as to the difference which the enhanced salt tax has made to the working man's expenses, and, if so, the result of those inquiries?"

The Finance Member in his reply said:

"No specific or formal inquiry was undertaken. But the Government took steps to watch the movements of retail prices throughout India week by week, and to gather all the information they could as to the effect of the increase in the price. The general tenor of the information received was that the increase was practically unnoticed by the bulk of the population. As stated a year ago, during the budget debates (that is, in 1923) the statistics show that the average cost to the consumer of the increase in the tax from Rs. 1-4 to Rs. 2-8 could not exceed 3 annas per head, or less than a rupee per family per annum. Judging by the average prices of retail salt during the past year, this was on the whole an over-estimate."

And we have been told this morning by a gentleman who is familiar with 4,000 villages of this country that he has never heard a complaint about the price of salt, but only complaints about the price of cloth and grain, and so on. Therefore for all practical purposes there is no opposition to the Rs. 1-4 salt duty. We may object to the principle of a salt tax at all, although as I pointed out an independent American writer does not share that view; but as regards the amount of duty there can be no possible objection to Rs. 1-4. If the increase from Rs. 1-4 to Rs. 2-8 only makes a difference of a rupee per family per annum, then obviously the difference between ten annas and Rs. 1-4 makes a smaller difference per family per annum. I therefore appeal to this House not only on behalf of Bombay, but on behalf of all provinces, not to be led away by this appeal which has been made this morning either on the constitutional basis or on any other basis, but to face facts and accept this salt duty at Rs. 1-4.

Mr. Nirmal Chunder Chunder (Calcutta: Non-Muhammadian Urban): Sir, I do not want to make a speech. All that I want is to give two stories for the Revd. E. M. Macphail's one story. There were two working women, one of them old and paralytic, just going to the workhouse

[Mr. Nirmal Chunder Chunder.]

and this was the conversation which passed between the two. The younger girl was a labourer herself of the weaver class, and though there may not be as much of economics in it as there was in Dr. Macphail's story, I can assure you that there is Christianity in every line of it.

The old woman said: "A never was a saving sort."

The young woman said: "There is nowt against thee for that. Theer's some as can be careful o' their brass an' some as can't. It's not a virtue, it's a gift. That's what my moother allays says."

Then the old woman says: "She's reecht an' all. We never 'ad the gift of savin' my man and me. An' when Tom Ormerod took an' died the club money as A drew all went on 'is funeral an' 'is gravestone. A warn't going to 'ave it said as 'e warn't buried proper."

The girl said: "May be A'm young but A know 'ow 'tis. We works cruel 'ard in th' mill an' when us plays us plays as 'ard too. An' small blame to us either. It's our own we're spendin'."

That, Sir, is one story. The other is: when Mark Twain was once asked to speak on charity, he got up and simply said "Whosoever giveth unto the poor lendeth unto the Lord. Gentlemen, if you are satisfied with the security, invest your money." Sir, I did not expect the Honourable the Finance Member to be satisfied with this security; but I certainly should have expected the Reverend the Vice-Chancellor of the Madras University to be satisfied with the security.

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

Mr. President: The question is that the question be now put.

The motion was adopted.

The Honourable Sir Basil Blackett: Sir, I do not wish to speak at any great length. The question is before the House and I think that my friend Maulvi Muhammad Yakub put it quite clearly. The only question is, which of the two alternatives before the House is most for the benefit of the country. We have heard a good deal on both sides as to the effect of this tax on the poor man. I maintain, Sir, that when we have an opportunity of spending a sum of approximately three crores for the good of the nation-building departments, for primary education, sanitation and the bringing forward of those people in order to make them better citizens, we are doing more good for them than we are if we relieve them of something over one anna a year in taxation. Secondly, the choice is before the House between the one and the other. There is no good my friend Mr. Acharya saying: "Oh, the Finance Member is such a brilliant Finance Member that he could bring another rabbit out of his hat." The question is perfectly simple and the final decision lies with this House. Do they want the provincial contributions reduced or do they want the salt tax reduced this year? They cannot have both. The choice is absolutely before them. And it is not for this year only. Mr. Neogy, whose speech was the strongest speech in favour of the maintenance of the salt tax at Rs. 1/4 that I have heard to-day, came down with a complete *non sequitur* in favour of voting for ten annas. He pointed out that all the provinces, and in particular Bengal, had a great claim on the Government of India for consideration in view of their financial difficulties. Sir, the Government

of India has associated with it in considering this question the Central Legislature, and we ask the Central Legislature to join with us in considering the requirements of the provinces and not play fast and loose with our promises by depriving them of what they have every reason to expect, by a vote in favour of the reduction of a tax which—I do not quite like using the word—which may be said to have been at the natural rate of Rs. 1/4. It was at Rs. 1/4 at the time when the reforms were brought into existence. It was raised specially to Rs. 2/8 for the period of one year in order to help the Government of India in a period of deficit, but it was immediately reduced to its old natural rate of Rs. 1/4, and, though we may all desire possibly to see the salt tax lowered, I claim that the time for reducing the rate below Rs. 1/4 has not come until we have first dealt with the provincial contributions. If I were a superstitious person, 1/4 has been so unlucky this Session that I should feel some doubt as to the result. Therefore, I make one special appeal. Do help the Government and help the provinces to get rid of the provincial contributions this year and thereby start a new era as we hope next year when Finance Members will cease from worrying you with dilemmas and the provinces will be at rest.

Mr. President: The question is:

"That the amendment made by the Council of State in the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Tariff Act, 1894, the Indian Stamp Act, 1899, and the Indian Paper Currency Act, 1923, and to fix rates of income-tax, be taken into consideration."

The Assembly divided:

AYES—52.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Akram Hussain Bahadur, Prince

A. M. M.

Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ariff, Mr. Yacoub C.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha.
Ayyangar, Rao Bahadur Narasimha
Gopalaswami.

Bhore, Mr. J. W.
Blackett, The Honourable Sir Basil.
Coatman, Mr. J.
Cooke, Mr. H. G.
Dalal, Sir Bomanji.
Donovan, Mr. J. T.
Dunnett, Mr. J. M.
Ghazanfar Ali Khan, Raja.
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.
Hozlett, Mr. J.
Howell, Mr. E. B.
Hussain Shah, Sayyed.
Innes, The Honourable Sir Charles.

Jowahir Singh, Sardar Bahadur
Sardar.

Kabul Singh Bahadur, Risaldar-Major
and Honorary Captain.

Keane, Mr. M.

Khin Maung, U.

Lamb, Mr. W. S.

Macphail, The Revd. Dr. E. M.

Mitra, The Honourable Sir Bhupendra
Nath.

Moore, Mr. Arthur.

Muddiman, The Honourable Sir
Alexander.

Nasir-ud-din Ahmad, Khan Bahadur.

Paddison, Sir George.

Parsons, Mr. A. A. L.

Rajah, Rao Bahadur M. C.

Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.

Rau, Mr. H. Shankar.

Roy, Mr. K. C.

Roy, Sir Ganen.

Shah Nawaz, Mian Mohammad.

Singh, Rai Bahadur S. N.

Sykes, Mr. E. F.

Tonkinson, Mr. H.

Willson, Sir Walter.

Yakub, Maulvi Muhammad.

Young, Mr. G. M.

Zulfikar Ali Khan, Nawab Sir.

NOES—41.

Abdul Latif Sahab Farooqui, Mr.
 Abdul Matin Chaudhury, Maulvi.
 Agherya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Bhargava, Pandit Thakur Das.
 Chaman Lall, Mr.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Sriish Chandra.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iyengar, Mr. A. Rangaswami.
 Jogiah, Mr. Varchagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.

Kanuru, Pandit Hirday Nath.
 Lahiri Chaudhary, Mr. Dharendra
 Kanta.
 Mehta, Mr. Jannadas M.
 Misra, Mr. Dwarka Prasad.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtusa Sahab Bahadar, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Prakasam, Mr. T.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. Bhambendra Chandra.
 Sarwaras Hussain Khan, Khan
 Bahadur.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Ambika Prasad.

The motion was adopted.

The Honourable Sir Basil Blackett: I move that the amendment made by the Council of State be concurred in.

Mr. Jannadas M. Mehta: I rise to oppose this motion. I purposely delayed speaking on the motion for consideration; my Honourable friend, Raja Ghazanfar Ali Khan told us that if we could get sufficient money both for the remission of the provincial contributions and for the reduction of the salt duty from Re. 1-4-0 to ten annas he would certainly vote for the reduction of the duty to ten annas . . .

Raja Ghazanfar Ali Khan: On a point of personal explanation. I did not say that. I said if there is money available, then the duty on salt may be reduced to ten annas and the provincial contributions may also be remitted.

Mr. Jannadas M. Mehta: I quite agree. If there was money available he wishes that the provincial contributions should be remitted and the salt duty reduced to ten annas. I propose to show that the money is available and is being purposely frittered away on an unnecessarily cautious policy of debt redemption, which if properly applied would reduce our debt in a very sound manner and yet give a substantial relief to the tax-payer. I want to confine my observations only to this point and to show that there is a surplus bigger than is necessary for the reduction of the salt tax by ten annas and the remission of provincial contributions. The Finance Member said that if the salt duty was reduced to ten annas there would be a deficit of 141 lakhs in the matter of the reduction of provincial contributions this year and that in the next year perhaps the deficit would be larger. Confining my observations to this year I shall prove that we have more than a crore and 41 lakhs if we will only turn our eyes to the sum of Rs. 5 crores and odd provided for debt redemption as will be seen from the Budget book.

The Honourable Sir Basil Blackett: On a point of order. The provision for debt redemption has been passed by this House. I would submit

to you, Sir, that the question of re-opening it is not germane now and that it is a repetition of exactly the same argument that we have had before. I submit to you, Sir, that the Honourable Member is not in order in going into detail about debt redemption which has already been passed by this House.

Mr. President: It is true that the provision for debt redemption has been passed by the House. It means that the House has permitted the expenditure of the amount sanctioned. It does not mean that the Government are bound to spend that money and it is open to the Honourable Member to point out that Government need not do so in deference to the opinion of the House to reduce the salt duty. I would like however to point out to the Honourable Member that the principle of this particular amendment has been first accepted by the House and the Honourable Member is now asking the House to go back on that principle.

Mr. Jamnadas M. Mehta: I submit that the principle has been accepted under the misapprehension, if I may so put it, that there is no money available. The House

Mr. President: I do not see how the Honourable Member can ask the House to go back on the principle which it has just accepted.

Mr. Jamnadas M. Mehta: If you take the view that I am not in order, I shall not persist. I submit that what the House has accepted is that there is a case for reconsideration but it is still open to the House to decide that as money is available the reduction ought, on reconsideration, to be confirmed.

Mr. President: That was quite germane at the consideration stage.

Mr. Jamnadas M. Mehta: I submit that the House has certainly not accepted the restoration of Rs. 1-4-0. All that the House has agreed to is to reconsider its previous decision. At present we have simply agreed to consider the amendment made by the Council of State, and I want to show to the House that in considering that amendment we are not obliged on financial grounds to accept Re. 1-4-0. That is my submission.

Mr. President: The House has accepted the principle that the duty should not be ten annas but something more. The House has reversed its previous decision that the salt tax be reduced to ten annas. The next question is whether it should be 12 annas, or one rupee or Re. 1-4-0. That is open to discussion. The Honourable Member has not put down any such amendment; and that is his difficulty.

Mr. Jamnadas M. Mehta: If the House has accepted that, there will be no meaning in putting this motion. The House has certainly not accepted the rejection of ten annas. The House has agreed to the reconsideration of the matter. They have not agreed to Re. 1-4-0.

Mr. President: I do not say that the House has agreed to Re. 1-4-0. The House has accepted this at any rate, that its previous decision requires reconsideration and that the duty should not be ten annas now.

Mr. Jamnadas M. Mehta: We are reconsidering it.

Mr. President: I am afraid I cannot agree with the Honourable Member.

Mr. Jamnadas M. Mehta: Then do you rule me out of order, Sir . . .

Mr. President: I am sure the Honourable Member does not want me to give a definite ruling on this point. If he, however, insists I shall have no hesitation in doing so.

***Mr. T. Prakasam** (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): We can bring forward new arguments in opposing this measure; we have got a right to oppose it at this final stage and my submission is that we can put forward new arguments or those that we have put forward already.

Mr. President: The Honourable Member knows very well that Honourable Members had an opportunity of putting forward their views against the amendment by the Council of State at the consideration stage. To raise the same debate over again at this stage is not a desirable thing. If Honourable Members, however, insist the Chair will not prevent them. But I would ask them to consider whether it is worthwhile doing so at this stage. I certainly think that the scheme which Mr. Jannadas Mehta desires to propound can usefully form the subject matter of a separate Resolution.

Mr. T. Prakasam: If any argument requires supplementing we shall have to do that now.

The Honourable Sir Basil Blackett: May I submit, Sir, that we have as a matter of fact fully exhausted this debate. There is no real possibility of anything except repetition at this stage. Therefore the only thing to do is to put the matter to the vote.

Mr. T. Prakasam: I certainly protest against this.

Mr. President: What does the Honourable Member protest against?

Mr. T. Prakasam: Against the Honourable Member's request to put it to the vote.

Mr. President: Just as the Honourable Member has the right to state that it should not be put to the vote now, so the Honourable the Finance Member has the right to ask that it should be put to the vote.

Mr. Chaman Lal: We are now at the second stage, and I think that under the circumstances those Members who were unable to catch the President's eye at the first stage have every right now to express their views.

Mr. President: The Honourable Member knows the House has passed the closure.

Mr. Jannadas M. Mehta: When the Chair ruled that although the House had passed the amount for debt redemption the Government were not obliged to spend the whole amount, then, Sir, the Chair really conceded that it was still open to this House to show to Government that, though we had sanctioned the amount necessary, it was desirable in the interests of the finances of the country and in the interests of the taxpayer that the whole amount should not be spent but should be utilized for the reduction of the salt duty.

Mr. President: I am afraid no useful purpose will be served by prolonging this discussion. I propose to put the question unless any Member seriously objects.

*Speech not corrected by the Honourable Member.

The question is:

"That in clause 2 for the words 'ten annas' the words 'one rupee and four annas' be substituted."

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS.

MISCELLANEOUS EXPENDITURE.

The Honourable Sir Basil Blackett (Finance Member): Sir, I move:

"That a supplementary sum not exceeding Rs. 2,82,04,000 be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending the 31st day of March, 1927, in respect of 'Miscellaneous Expenditure'."

This motion is for the formal regularisation of the position which the Government desire to create by appropriating the realized surplus of the year 1926-27 towards a special reserve fund in order to enable the provincial contributions to be extinguished in their entirety in the year 1927-28. (Applause.) I do not think that any question of principle arises on this. The purpose of the motion is to regularise a decision which I believe has the unanimous support of the whole House, namely, that the Government should apply a portion of the realized surplus of the current year towards enabling provincial contributions to be extinguished next year. I think therefore, Sir, that as the House is desirous of proceeding with other questions of greater importance after dealing with this motion, I will confine myself to moving it.

The motion was adopted.

THE BENGAL TENANCY (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move that the Bill further to amend the Bengal Tenancy Act, 1885, for a certain purpose, as passed by the Council of State, be taken into consideration.

Sir, this is a small Bill which gives effect to one of the recommendations of the Civil Justice Committee in connection with the Bengal Tenancy Act. As the law stands at present, appeals to the High Court in rent suits decided by Munsifs and Subordinate and District Judges are restricted to decrees of above the value of Rs. 50 and Rs. 100 respectively. The effect of the Bill is to raise that limit to Rs. 100 and Rs. 200, that is, Rs. 100 in the case of Munsifs and Rs. 200 in the case of Subordinate Judges and District Judges. The recommendation has been approved by the Government of Bengal and the Calcutta High Court. The only reason why it is brought in to this Legislature is that it affects the appellate jurisdiction of the High Court. Sir, I move.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadian Rural): Sir, I beg to move the amendment which stands in my name, namely:

"That the consideration of the Bill be postponed *sine die*."

The Honourable Sir Alexander Muddiman: What is the motion?

Mr. Amar Nath Dutt: That the consideration of the Bill be postponed *sine die*.

No doubt, this is a short and simple Bill, as has been said by the Honourable the Home Member, but it restricts the valued right of appeal, and the only reason for introducing this Bill is based upon a certain casual recommendation of the Civil Justice Committee which dealt with the congestion of work in our law courts. Sir, at the outset I may point out that it is one thing to have speedy disposals of cases and it is another thing to do justice. Every one knows that in India, the subordinate courts have often to decide cases, so as to show a large number of disposals upon which depend their promotions in the service. Hence adjournments for production of evidence have to be denied, and evidence curtailed to reduce as far as possible the congested files. The remedy suggested by the Civil Justice Committee is this, that if we restrict the right of appeal and raise the limits to Rs. 100 and Rs. 200, that will to some extent reduce the work. But I beg to submit that it will not reduce work much, and that therefore this remedy, even if it is considered from that standpoint, is not sufficient. Then, Sir, you will see that this Bill deals with a very important right both of the landlord and of the tenant. It has been said that when there is any question of title involved or any question of rate of rent involved, this section does not apply. Yes, but it applies where the relationship of landlord and tenant is found to exist. Now, Sir, this phrase "the relationship of landlord and tenant existing" is a very ambiguous phrase, because you know that once a tenant, always a tenant. At least in Bengal I know that people who do not actually possess any holding but merely because they happen to be the heirs of a certain original tenant, are proceeded against, and it is said that they are liable for the rent as the relationship of landlord and tenant existed between their ancestors and the ancestors or the predecessors in interest of the landlords and that it had continued up till then. It may be said, why did not the tenant relinquish it if he had not any holding, but many of the Members may not know that relinquishment is only possible in the case of occupancy holdings but not in the case of intermediate tenures, and so the worse sufferers will be those intermediate tenure holders whose lands or estates have been washed away by flood or lost through other causes, and who have practically no land from which to derive any rent, but will have to continue to pay rent. These are questions which also come within the purview of the words. I would have been very glad if the Honourable Member had seen his way to take away this small restriction of Rs. 50 rather than extend it, because as it is known, these holdings in Bengal often bear rentals of Rs. 8 or Rs. 10 or Rs. 25 or Rs. 80. In that case if the landlord chooses to bring a rent suit every year, there is no appeal, and it will be found that the relationship of landlord and tenant exists and he has no right of appeal. Instead of restricting the rights in order to do away with congestion in the lower courts, other remedies should have been found. Of course in all those contested cases generally there are no appeals in every case, but I should think that the Honourable the Home Member should not have been so eager to curtail the rights of appeal because it is a salutary check on the vagaries of the subordinate judiciary. There need not be appeals always, but the existence of the right of appeal compels the subordinate judiciary to be more careful in deciding cases, and in taking evidence and recording evidence.

Further I have another reason. It has been said that this Bill has been brought here because it affects the rights of the High Courts, but I beg to submit that appeals lie from Munsiff's Courts which generally have jurisdiction up to Rs. 50 to try cases for which no appeal lies, and I beg to submit that these appeals lie before the District Judges, so the Central Legislature should not have taken the trouble to bring this Bill here.

Then again I may remind the House that a special committee has been formed with an ex-Chief Justice of Bengal as President, to arrive at a comprehensive revision of the whole rent law of Bengal, and it will naturally come before them for consideration, and it is not necessary that we should hurry up with this legislation until we hear what this special committee have to say on the point. Also I beg to remind the House that this provision has been in operation in Bengal for the last 40 years or so, and there has been no complaint against it either by the landlords or tenants, and so without consulting them this legislation ought not to have been brought. It has been said that the Government of Bengal and the High Courts were consulted in this matter, but, Sir, such important bodies as the British Indian Association, the Bengal Landholders' Association, the Indian Association, and the Vakils' Association have not been consulted at all. In fact the members of the British Indian Association and the Bengal Landholders Association are vitally interested in legislation of this kind. Therefore I would request the Honourable the Home Member not to press this legislation. It may be brought forward when the special committee reports on the Rent Act of Bengal. And I beg also to remind Honourable Members of this House that undoubtedly this is legislation of a provincial character, but at the same time I hope Bengal will not be dealt with as the Cinderella of the Empire by the Central Legislature because we have very few representatives here to support both the cause of the tenants and the cause of the landlords. We know how shabbily they have been treated in the case of the Reserve Bank. I am not going to deal with it but we have felt this always here, beginning from the release of detenus up to the Reserve Bank in which only one Honourable Member from Bengal has found a place. I beg to submit that Honourable Members will consider the case of Bengal and will support me wholeheartedly by at least postponing the consideration of this Bill *sine die*.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I do not propose to discuss the merits of the proposed amending Bill. My Honourable friend Mr. Amar Nath Dutt has already pointed out certain defects in the case of the Honourable the Home Member. I want to remind the House of the circumstances in which this Bill comes up. The Bengal tenancy law is certainly a matter of provincial interest; and but for certain technical difficulties, this particular Bill could have been taken up by the local Legislature in Calcutta. (*The Honourable Sir Alexander Muddiman*: "No".) But for a technical defect, I say, Sir, it must be remembered that although the name of this Act is the Bengal Tenancy Act, it applies to a considerable part of Bihar, and I do not find any mention in the Statement of Objects and Reasons of the fact that either the Bihar Government or the Bihar High Court were consulted in regard to the merits of this proposal. Apart from that, Sir, as I said, the local Legislature of the province of Bengal is not competent to deal with this question only because of a technical difficulty. I do not know whether that position holds good in regard to the Bihar Council also. I should have thought that the Bihar Legislative Council is competent to deal with a

[Mr. K. O. Neogy.]

measure of this character so far as they were concerned. I do not know whether I am correct in that contention. If I am, then certainly this House should consider very seriously as to whether it should legislate in a matter with which at least one local Legislature was competent to deal. Apart from that, Sir, I wish the Honourable the Home Member to consider the desirability of establishing a convention by which, when this House is called upon to consider proposals of this nature, where the local Legislature cannot undertake legislation simply on account of some technical difficulty, the local Legislature could not be given an opportunity of expressing their opinion on the merits of the question. Because it is not quite fair to this House to ask it to undertake to legislate in a matter which might perhaps not pass muster with the local Legislature concerned. In this view, I would request the Honourable the Home Member to consider as to whether it is not possible to ask the Governments of Bengal and Bihar to put forward the substance of this amendment in the shape of a Resolution before the Bengal Legislative Council, and the Bihar Legislative Council, respectively, and get their criticisms on it, and then ask this House to consider the measure in the light of those criticisms. Sir, I do not share the fears of my Honourable friend Mr. Amar Nath Dutt about Government doing anything to prejudice the interests of Bengal, so far at least as this matter is concerned. My Honourable friend the Home Member, I know, has got a soft corner in his heart for my province, and I am sure the interests of my province are quite safe in his hands so far as these small matters are concerned. I do hope he will see his way to accede to this modest request of ours.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhammadan): Sir, I have got an amendment. Will it be convenient to take it now or should this motion be disposed of before I move my amendment.

Mr. President: What is the amendment? Will the Honourable Member say what it is?

Mr. Gaya Prasad Singh: That the Bill as passed by the Council of State be circulated to the Government of Bihar and Orissa, the High Court at Patna, and the public concerned, for the purpose of eliciting opinions thereon.

Mr. President: The Honourable Member has not satisfied me that the amendment is in order. The Bill has come from the Council of State; and the only amendment permissible, so far as I can see from the Rules and Standing Orders, is that the Bill be referred to a Select Committee. A motion for circulating the Bill for opinions is, I think, not in order.

The Honourable Sir Alexander Muddiman: I should certainly take that view; it was taken yesterday in this House by the Chair.

Mr. Gaya Prasad Singh: Then, Sir, I want to speak on the Bill, if you will permit me. This legislation affects not only Bengal but a considerable portion of the Province of Bihar and Orissa as well. From the Statement of Objects and Reasons it appears that my Honourable friend the Home Member has consulted the Government of Bengal and

the Calcutta High Court; but strangely enough it does not appear that he has consulted either the Patna High Court or the Government of Bihar and Orissa who are also interested in this legislation. Then again it appears that the public concerned, I mean to say, the public of Bengal as well as the public of Bihar—either landlords and tenants—who are affected by this measure have not been consulted at all. It appears, Sir, that, although not consulted, such important bodies as the British Indian Association, the Bengal Landholders Association, the Indian Association, and the Vakils' Association of Calcutta have protested against this measure. Moreover, as has been pointed out by my Honourable friend, Mr. Amar Nath Dutt, a special Committee appointed by Government of Bengal is already sitting to consider the question of a comprehensive revision of the Bengal Tenancy Act; and it is presided over by Sir Nalini Ranjan Chatterjee, a retired Judge of the Calcutta High Court. This is an important measure; it restricts the right of appeal in rent suits. I would therefore support my Honourable friend Mr. Amar Nath Dutt that the consideration of this Bill be postponed. Again Sir, the Bihar Legislative Council is presumably competent to deal with this question as it applies to a portion of that province. That Legislative Council has not been given an opportunity of considering the matter, and in the circumstances the only course open to me is to support the motion that the consideration of the Bill be postponed.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I want to rise to support my friend, Mr. Amar Nath Dutt. I come from Bihar and that is a place which is also affected by the Bill. It is therefore only proper that this Bill should be sent to that Government and to the Council for their opinion; and besides, Sir, the public and the Associations in that province have not been consulted. There is also a committee sitting presided over by a retired High Court Judge of Calcutta; and in these circumstances I do not think there is any necessity for taking up this matter here now. Indeed I think it is premature to do so, and I would request the Honourable the Home Member to consult the Government of Bihar and Orissa and others and postpone the consideration of this Bill at present.

Mr. Nirmal Chunder Chunder (Calcutta: Non-Muhammadan Urban): Mr. President, I speak so seldom that I am almost feeling ashamed to get up twice on the same day to speak. This is a Bill to amend the Bengal Tenancy Act, and if I get up to speak my only justification is that I served on the Select Committee on the Bengal Tenancy Act Amendment Bill which was before the Bengal Legislative Council and which took the Select Committee about four months or more, when almost every important section of that Bill was discussed. Unfortunately the Bill emerged from the Select Committee in a shape in which it was not liked by either the landlords, or the ryots or the under-ryots or the Government; and the Bill had to be withdrawn. This time, Sir, the Government has appointed a Committee to go into this question, and the Committee is to take as the basis of their discussion, I trust, the Bill as it emerged from the Select Committee I referred to. I do not think, Sir, that I shall be betraying a secret if I tell the Honourable the Home Member that the President of the present Committee which has been appointed by the Government of Bengal was kept posted up almost from

[Mr. Nirmal Chunder Chunder.]

day to day as to what was passing in the Select Committee, as it was to him that I turned for advice and help in connection with my labours in the Select Committee. Therefore, Sir, when that Bill is being considered by a Committee, I should request the Honourable the Home Member not to press this Bill but to agree to Mr. Amar Nath Dutt's motion. I should be very sorry indeed to have to vote against this Bill for the simple reason that I am not yet clear whether this Bill will be harmful or beneficial to the ryots at large, and I believe that most of the Members from Bengal are of the same opinion. It will be a pity, therefore, if this Bill is rushed through and we are forced to vote against it. I can assure the Honourable the Home Member that if the Committee recommends that the amendment proposed here should be made and if the Bengal Legislative Council also takes that view, there will be little or no difficulty for him to get the Bill passed. Nothing will be lost if we adjourn this motion *sine die*.

Mr. K. V. Rangaswami Aiyangar (Madras: Landholders): Sir, I think on the whole this Bill is a wholesome measure to check unnecessary litigation in the province concerned. Sir, I cannot speak with authority for Bengal, but I may say that as one who is interested in seeing that litigation is not on the increase, I am in sympathy with the principles embodied in this Bill. I think both the landlords and tenants will gain immensely by the provisions of this measure. The District Munsiffs and the Subordinate Judges dispense justice very fairly, and I have got very great regard for them, and in my opinion appeals should lie only in big cases. I do not know why my Bengal friends oppose this measure. As a landholder and as one who sympathises with the ryots, I am in agreement with the principles embodied in this Bill.

***Mr. T. Prakasam** (East Godavari and West Godavari cum Kistna: Non-Muhammadan Rural): Sir, I rise to associate myself with the Mover of the amendment, that this Bill should be adjourned *sine die*. It is a very simple request made to the Honourable the Home Member and the circumstances have been enumerated by the mover in order. All those circumstances show that this is a premature measure, and, that it is better that it should be adjourned until the Committee which is sitting on this Bill decides and advises the Government. Of course, on the merits much could be said with regard to the right of appeal, but I do not wish to go into those details now. But I certainly consider, Sir, that this measure should not be passed into law now.

The Honourable Sir Alexander Muddiman: Sir, in so far as the Mover proposes that the Bill should be adjourned *sine die* on the ground of his objection to the Bill, I shall naturally oppose him. He put forward two pleas, one that it should be opposed because he does not like the measure and the other to postpone the further consideration of the Bill, and I shall meet these two points. In so far as he speaks on the merits and says that he opposes the consideration of the Bill, we heard the other day the attitude of the other side, of the House, on the question of anything that may have to be taken up for improved justice and we know and discount opposition to all attempts to curtail appeals. But on the question of postponement many Members in various parts of the

*Speech not corrected by the Honourable Member.

House have made an appeal to me that it should be postponed. Not I hope, however, *sine die*; that I could not agree to. I am quite prepared to agree that it should be postponed till the next Session and will take an opportunity of consulting certain bodies that have not been consulted. It is not true, as a matter of fact, that the Bihar High Court was not consulted. It was consulted: it gave an opinion in favour of the Bill.

Mr. Gaya Prasad Singh: Why is there no mention of it in the Statement of Objects and Reasons?

The Honourable Sir Alexander Muddiman: It was not mentioned in the Statement of Objects and Reasons because they were consulted after the Statement was drafted. It was entirely due to my Honourable friend, who delayed the item coming on the paper, that I was not able to state that the Bihar High Court and the Bihar and Orissa Government had been consulted and were in favour of the Bill. But if the House would like this motion to stand over till the next Simla Session, during which time I will consult further opinion in Bihar and Orissa and Bengal, then I am quite prepared to meet the wishes of the House.

I move, Sir, that in the motion moved by my Honourable friend for the words "*sine die*" the words "till the next Simla Session" be inserted.

Mr. President: I do not know whether it would be proper for the mover of the original motion to move any amendment.

The Honourable Sir Alexander Muddiman: I submit, Sir, yes, entirely.

The Honourable Sir Basil Blackett: Shall I do it?

Mr. President: I do not know whether after the reply of the Honourable the Home Member, any amendment could be moved. I will, however, permit it as the House wants it.

The Honourable Sir Basil Blackett (Finance Member): Sir, I desire to move that the consideration of this Bill be adjourned till the Simla Session.

Mr. President: The original question was:

"That the Bill further to amend the Bengal Tenancy Act, 1885, for a certain purpose, as passed by the Council of State, be taken into consideration."

Since which the following amendment has been moved:

"That the consideration of this Bill be postponed till the Simla Session."

The question I have to put is that that amendment be made.

The motion was adopted.

THE INSOLVENCY (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move that the Bill further to amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920, for certain purposes, be taken into consideration.

Sir, I explained this Bill in detail when I moved for introduction. The motion has been on the paper for many weeks and no amendment has been put down and no one has come to me and made any criticisms of the provisions of the Bill. I therefore take it that everybody in the House accepts the Bill and I move that it be taken into consideration.

The motion was adopted.

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

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Alexander Muddiman: Sir, I move that the Bill be passed.

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move for leave to introduce a Bill to amend section 96 of the Code of Civil Procedure, 1908, for a certain purpose.

That certain purpose, Sir, is described in the Statement of Objects and Reasons and the Bill is, as many other small Bills of this kind brought before the House recently, based on a recommendation in paragraph 2 of Chapter 80 of the Civil Justice Committee's Report. This also is a Bill limiting appeals. The purpose for which the appeals are limited is stated in the Statement of Objects and Reasons and I need not detain the House further.

Sir, I move.

The motion was adopted.

The Honourable Sir Alexander Muddiman: Sir, I introduce the Bill.

THE INDIAN DIVORCE (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move for leave to introduce a Bill further to amend the Indian Divorce Act for a certain purpose.

That purpose arises out of the new Act which has been passed by Parliament and which is entitled the Indian and Colonial Divorce Jurisdiction Act, 1926. That Act of Parliament cured a doubt which has arisen for a long period in regard to the jurisdiction of the High Courts in India in respect of the divorce of those persons to whom that Act relates. Under Rules made under that Act it was provided that there might be officers within the jurisdiction of each High Court concerned who should have the right of showing cause why a decree nisi should not be made absolute in the same way as the King's Proctor in the English Courts has that right. The provisions of the Act and these provisions relating to the King's Proctor only refer to persons who are British subjects domiciled in England or Scotland. It enables an official to be appointed who would perform those functions. The functions of the King's Proctor in England are that at any time during the progress of a petition for dissolution or nullage of marriage, before a decree nisi is made absolute, the King's Proctor, upon the information of any person on suspicion that any of the parties are or have been in collusion to obtain relief, may, under the direction of the Attorney General and by leave of the Court, intervene in the suit. He is liable, if he does not successfully intervene to be cast in damages and if he does successfully intervene, the

opposite parties are liable to be cast in damages. The Bill is an empowering Bill. If its provisions are given effect to it will leave the particular class of persons who seek divorce under the provisions of the English Act in the same position as regards intervention as they would be if they tried to obtain divorce in the English Courts and it enables proceedings to be taken to prevent collusive divorce. Whether this provision is or is not desirable will no doubt be discussed by the House when the Bill goes to a further stage. At present, I confine myself to asking for leave to introduce the Bill. Sir, I move.

The motion was adopted.

The Honourable Sir Alexander Muddiman: Sir, I introduce the Bill.

THE INDIAN BAR COUNCILS (AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move for leave to introduce a Bill to amend the Indian Bar Councils Act, 1926, for certain purposes.

Sir, it will be within the recollection of a great many Members of this House who were Members of the last Assembly that the Select Committee on the Indian Bar Councils Bill which became Act XXXVIII of 1926 inserted certain provisions regulating seniority and pre-audience among Advocates. Now that was a matter which when the Bill came before the House to be considered and passed excited a considerable amount of criticism. In the end an agreement was reached with that House that these provisions should be circulated for the purpose of obtaining opinions. They were not part of the original recommendations of the Bar Committee and they were inserted in the Bill by the Select Committee and they had never been considered either by the High Courts or by the professional men or by the public. We carried out the promise that these provisions should be circulated and the opinions we have received disclose a considerable lack of unanimity. On the whole, however, the majority of the High Courts prefer that, subject to the preservation of vested rights, seniority and pre-audience should be regulated in accordance with the original recommendations of the Indian Bar Committee. To that opinion the Bill I seek leave to introduce gives effect. Sir, I move.

The motion was adopted.

The Honourable Sir Alexander Muddiman: I introduce the Bill.

THE SEA CUSTOMS (AMENDMENT) BILL.

The Honourable Sir Basil Blackett (Finance Member): I move that the Bill further to amend the Sea Customs Act, 1878, for a certain purpose, as passed by the Council of State, be taken into consideration.

This is a small Bill the purpose of which is to remove a hardship on the public which the existing state of the law tends to impose. The aim of the Bill is explained in the Statement of Objects and Reasons. A partial rebate of duty is allowed by the Sea Customs Act on goods which have deteriorated or have been damaged prior to entry provided the duty is leviable *ad valorem* but there is no provision for such a rebate in the case of goods where duty is leviable on quantity and not on value. We have been introducing specific duties in place of *ad valorem* duties in various cases of recent years, and with regard to such articles as sugar and paper, which

[Sir Basil Blackett.]

are liable to deterioration, the absence of this power to allow a partial rebate when goods have been damaged is a hardship on the public which this Bill is designed to remove. This Bill was introduced and passed in another place and I have heard no criticism or objection to it from any quarter. I think therefore that it will not be necessary for me to give any further explanation or argumentation as to the reasons in favour of the Bill. Sir, I move.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Basil Blackett: I move that the Bill further to amend the Sea Customs Act, 1876, for a certain purpose, as passed by the Council of State, be passed.

The motion was adopted.

THE INDIAN LIMITATION (SECOND AMENDMENT) BILL.

The Honourable Sir Alexander Muddiman (Home Member): I move that the amendments made by the Council of State in the Bill further to amend the Indian Limitation Act, 1908, for a certain purpose, be taken into consideration.

It will be in the recollection of this House that when this Bill was passed in this Chamber the Honourable the Law Member, speaking on an amendment moved by some other Member, gave a promise that he would look into the matter, and that if on looking into it he found that an amendment in the law was required he would bring it on as an amendment in the Council of State. On that assurance the Member who moved the original amendment withdrew his amendment. The Honourable the Law Member, as he always does, carried out his promise. He did look into the matter and he did move an amendment in the Council of State and that amendment is the amendment that I now ask you to take into consideration. That amendment has been on the paper for a long time. It is a very obvious amendment. It clearly meets the point which was in dispute and I ask the House to take it into consideration.

Mr. President: The question is:

"That the amendments made by the Council of State in the Bill further to amend the Indian Limitation Act, 1908, for a certain purpose, be taken into consideration."

The motion was adopted.

Mr. President: Amendment made by the Council of State:

"In sub-clause (1) of clause 1, for the word 'Amendment' the words 'Second Amendment' be substituted."

The question I have to put is that this Assembly do agree with the Council of State in that amendment.

The motion was adopted.

Mr. President: Further amendment made by the Council of State:

"In clause 2—

- (i) after the figures '182', the letter and brackets '(a)' be inserted; and
- (ii) after the words 'shall be substituted' the following be added, namely:

- 'and
(b) for clause 6 of the same entry the following shall be substituted, namely—
'6. (In respect of any amount, recovered by execution of the decree or order, which the decree-holder has been directed to refund by a decree passed in a suit for such refund) the date of such last-mentioned decree or, in the case of an appeal therefrom, the date of the final decree of the Appellate Court or of the withdrawal of the appeal.'

The question I have to put is that this Assembly do agree with the Council of State in that amendment.

The motion was adopted.

THE REPEALING AND AMENDING BILL.

Mr. L. Graham (Secretary, Legislative Department): Sir, I move that the Bill to amend certain enactments and to repeal certain other enactments, as passed by the Council of State, be taken into consideration.

This is a small Bill which might be described as our annual spring-cleaning Bill. In this we have got to clear up small points which require clearing up in our Statute-book for the benefit of the public generally. The object of the Bill is merely to make necessary amendments of a formal nature in certain enactments and to repeal certain unnecessary enactments. Sir, I move.

The motion was adopted.

Clause 2, 3 and 4 were added to the Bill.

Schedules I and II were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. L. Graham: I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

THE VOLUNTEER POLICE BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I move for leave to introduce a Bill to make provision to enable volunteer police forces to be constituted temporarily and employed locally for the purpose of preserving the public peace and protecting persons and property, and to define the powers and duties of such police.

Sir, Honourable Members will find annexed to this Bill a fairly lengthy Statement of Objects and Reasons, but notwithstanding the late hour and the state of the Session I would ask the indulgence of the House for two or three minutes to make one or two observations on the Bill. I shall be exceedingly brief. Sir, it has often been suggested to me by non-officials in the course of my long service in India that we do not do enough to enable them to assist the cause of law and order, because they suggest we are inclined to think they are indifferent to this cause. On that point I will not express an opinion. It has been my lot frequently to bring forward measures regarding law and order which have not met with that support which I myself have wished. But I do believe that there are occasions when all men of good-will, all men of whatever political party, all men of whatever school of thought, are prepared to combine together to defeat the forces of anarchy and disorder. There must have been occasions of that kind in the knowledge of all persons who live in this country. But, Sir, unfortunately it has frequently happened that though the mobilisation of the

[Sir Alexander Muddiman.]

forces of disorder is not unknown in this country, the mobilisation of the forces of law and order, in so far as that is the wish of the community, is sometimes neglected. And indeed, Sir, it is often the case that while there are many individuals of good-will, they are individuals and it is not always easy—and I think most Members of this House will recognize that fact—to manifest one's good intentions in the midst of persons who have very different intentions. In other words, it is necessary to enable individuals to make their good influence felt by giving them some kind of corporate capacity. Individuals alone, though there may be many of them, if they are not associated in some corporate capacity, may be unable to make their weight felt as they would if they were given that association. Now, Sir, I saw a criticism some months ago by some one who apparently had information that I was likely to bring in a Bill of this kind, that it was an idea which had struck me when I was at Home last year during the general strike. I do not wish to disguise from the House that the wonderful manifestation of civic duty which I saw with my own eyes during the general strike at home had a very powerful influence on my mind. I do not know whether it made me bring in this Bill, but it did make me see that if citizens are determined that law and order shall be preserved they can preserve it themselves far better than any other agency. I am also charged with being one of those who imagine that English traditions are always applicable to this country. Sir, in a service of 28 years I have lost many of my illusions, but I have not lost my faith in human nature, and I do not believe that men act, whatever the part of the world in which they move, from motives very different. The manifestation of their action may be influenced by upbringing, training and many other things, but human nature to my mind is very much the same in whatever part of the world you may encounter it. And if you can show to men that their self-interest lies in the preservation of law and order, and you can enable them to act in that direction, you obtain a very powerful motive power in effecting your object. Nothing, as I have said, could have been more striking than that manifestation of civic duty I saw in England last year, but it is not the only reason that moved me to bring in this Bill. I do not expect and I am not so hopeful as to suppose that this Bill is going to bring in the millenium, or that we shall find my Honourable friends rushing to enlist in my volunteer police force. That, Sir, would be to ask too much, but I do say this that on occasion, in places and at certain times it may be a very valuable adjunct; at any rate it is a proposition which I desire to bring before this House. I have no doubt, when we come to a later stage on this Bill, it will be criticized, not only on that side of the House but also on this, for anything in the shape of a somewhat novel provision in this country is always regarded with suspicion, and the way of the moderate reformer is hard. Even I have been charged with being a reformer, but I am at any rate a moderate one, and this Bill is a moderate measure of what I regard as reform. I ask leave, Sir, to introduce it.

The motion was adopted.

The Honourable Sir Alexander Muddiman: Sir, I introduce the Bill.

Sir, I make the next motion with the object of inviting the inevitable criticism I referred to in my previous speech. I move that the Bill be circulated for the purpose of eliciting opinions thereon.

The motion was adopted.

ELECTION OF A PANEL FOR THE STANDING COMMITTEE TO
ADVISE ON SUBJECTS IN THE DEPARTMENT OF INDUS-
TRIES AND LABOUR.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I have moved my motion* and the question now before the House is its further consideration.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muham-
madan Rural): May I move, Sir, that this motion as well as the other
three motions that follow

Mr. President: The Honourable Member cannot deal with all motions
simultaneously.

Mr. A. Rangaswami Iyengar: I move, Sir:

"That the further consideration of this motion be adjourned,"

because, even if this motion is carried to-day, you, Sir, will have to fix a day
for the nomination of candidates and another day for the election, and,
as we are at the close of the Session, it is hardly possible to take any
further steps with regard to this matter. I move, Sir, that the further
consideration of this motion be adjourned.

Mr. President: I think Government might as well agree to the sug-
gestion made by Mr. Rangaswami Iyengar with regard to all the motions
on the paper.

The Honourable Sir Alexander Muddiman (Home Member): I am in-
clined to agree to the suggestion. Sir Charles Innes, Mr. Bhore and
myself will not move our motions.†

The Honourable Sir Bhupendra Nath Mitra: I accept the motion for
adjournment of the discussion.

Mr. President: The question is:

"That the motion" in the name of the Honourable Sir Bhupendra Nath Mitra be
adjourned."

The motion was adopted.

*"That this Assembly do proceed to elect in the manner described in the rules
published in the Home Department notification No. F-49, dated the 22nd August,
1922, as amended by the Home Department notification No. D-794-C., dated the 30th
January, 1924, a panel consisting of 9 members from which the members of the Standing
Committee to advise on subjects in the Department of Industries and Labour will be
nominated."

†*The Honourable Sir Charles Innes—*

"That this Assembly do proceed to elect in the manner described in the rules
published in the Home Department notification No. F-49, dated the 22nd August, 1922,
as amended by the Home Department notification No. D-794-C., dated the 30th January,
1924, a panel consisting of 9 members from which 3 will be nominated to serve on the
Standing Committee to advise on subjects in the Department of Commerce."

The Honourable Sir Alexander Muddiman—

"That this Assembly do proceed to the election, in such method as may be approved
by the Honourable the President, of a panel of 14 members from which 7 members
of the Advisory Publicity Committee will be nominated."

Mr. J. W. Bhore—

"That this Assembly do proceed to elect, in the manner prescribed in the rules
published in the Home Department notification No. F-49, dated the 22nd August,
1922, as amended by the Home Department notification No. D-794-C., dated the 30th
January, 1924, a panel consisting of 9 members from which the members of the Standing
Advisory Committee to advise on subjects, other than emigration, dealt with in the
Department of Education, Health and Lands, will be nominated."

Mr. President: The non-official business on the paper is included, I take it, with the consent of the Government?

The Honourable Sir Alexander Muddiman: Yes.

Mr. President: I hope the Honourable Member is not going to make a speech. (Laughter).

THE CHILDREN'S PROTECTION BILL.

***Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I shall make just a short speech which is necessary. (Honourable Members: "No, no.")

Mr. President: The object of the Honourable Member is to have an opportunity of introducing this Bill in this Session, and the convention has been established that a motion for leave to introduce a Bill is not to be opposed. That being so, is not the Honourable Member satisfied that an opportunity has been given to him to introduce this Bill?

Sir Hari Singh Gour: That is what I wanted to do, Sir. I just wanted to thank the Honourable the Home Member for his courtesy in allotting me a short space in his very crowded agenda to enable me to introduce this Bill to-day, and to point out that this is not a new Bill but a very old one. It has been receiving a series of resurrections, and this is I think the fourth or the fifth one in which it has now received support, as I find from this interesting book of the All-India Women's Conference who have unanimously supported it; and I only wish, Sir, that the Honourable Members who have been given a copy of this book will read it, and that when it comes up for further consideration, there will be the same unanimity in favour of its passing as I observe to-day at the stage of introduction. Sir, I move.

Mr. President: The question is:

"That leave be given to Sir Hari Singh Gour to introduce a Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898."

The motion was adopted.

Sir Hari Singh Gour: Sir, I introduce the Bill.

The Assembly then adjourned *sine die*.

*Speech not corrected by the Honourable Member.

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Ruling by — that, as the amendment of Mr. B. Das sought to cancel the notification issued under section 52A of the Government of India Act declaring Angul to be a backward tract, and thus to enable the Assembly to ask questions and move resolutions regarding the administration of Angul, it was perfectly in order. 643.

Ruling by — that, as the Indian Forest Bill was a consolidating Bill it would be the duty of the Chairman of the Select Committee to which the Bill had been referred to see that the Committee restricted itself to the scope of the Bill and that no amendments of substance were made. 2899.

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Ruling by — that Honourable Member should use restrained and guarded language in the Chamber. 2736.

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Ruling by — that Mr. Joshi's amendment to clause 2 of the Steel Industry (Protection) Bill was out of order as it was clearly a proposal for the appropriation of the revenue or monies for a certain purpose. 1095.

Ruling by — that the motion for adjournment, limited as it was to the single narrow issue, namely, that the Government of India should not have agreed to send Indian troops to China without reference to the Legislative Assembly, was in order. 54-55.

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Ruling by — that the question of the ratio raised by clause 4 of the Currency Bill, together with the amendments thereto, should be disposed of first, after which other amendments would be allowed to be moved. If the House were in favour of the 1s. 6d. as against the 1s. 4d. ratio, that decision would have to be embodied in the other amendments, and the necessary alterations in those amendments would be permitted by the Chair. The question of the Gold Standard would not be blocked by the procedure outlined. 1835, 1836.

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- by Mr. President that an Honourable Member is not entitled to say that a supplementary question does not arise, but that he should submit his objection to the Chair for orders. 1126.
- by Mr. President that an Honourable Member was not justified in disclosing what happened in the Select Committee beyond what appeared in the Report of the Select Committee itself. 777.
- by Mr. President that, as the amendment of Mr. B. Das sought to cancel the notification issued under section 52A of the Government of India Act declaring Angul to be a backward tract and thus to enable the Assembly to ask questions and move Resolutions regarding the Administration of Angul, it was perfectly in order. 643.
- by Mr. President that, as the Indian Forest Bill was a consolidating Bill, it would be the duty of the Chairman of the Select Committee to which the Bill had been referred to see that the Committee restricted itself to the scope of the Bill and that no amendments of substance were made. 2899.
- by Mr. President that closure cannot be moved in the midst of a speech. 2701.
- by Mr. President that Government have not the last word in debates on amendments and, therefore, the debate does not conclude with the speech of the Member for Government. 2556.
- by Mr. President that Honourable Members should use restrained and guarded language in the Chamber. 2736.
- by Mr. President that if any Honourable Member wants a particular question to be thoroughly examined by the House, the best course for him would be to put down a Resolution on the subject, but not to go into details of the matter in the course of the discussion on the Indian Finance Bill on which the general criticism of the policy of the Government of India is perfectly admissible. 2706.
- by Mr. President that in respect of the Steel Industry (Protection) Bill full discussion would be allowed both on the consideration motion and on the motion for recommitting the Bill to the Select Committee; but, if the motion for referring the Bill back was lost, no further discussion would be permitted and the motion for consideration would also be put to the vote. 749.
- by Mr. President that Mr. Joshi's amendment to clause 2 of the Steel Industry (Protection) Bill was out of order as it was clearly a proposal for the appropriation of the revenue or monies for a certain purpose. 1095.
- by Mr. President that no motion for the omission of a whole grant either in the Railway or General Budget is admissible and that all motions for the reduction of a grant, no matter what the amount is, are technically in order unless they take the form for the entire omission of the whole Grant. 1914.
- by Mr. President that Rule 47, Appendix 2, of the Legislative Assembly Rules gives power to the Governor General to allot two days for the discussion of one Grant, and as no such allotment had been made, the Assembly was entitled to discuss one particular Demand for all the days allotted for the discussion of Demands for Grants. 1316.
- by Mr. President that when a motion that amendments to Standing Orders be referred to a Select Committee is accepted, it does not commit the House to any principle of those amendments. 372.

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- by Mr. President that the Chair would allow Sir Hari Singh Gour to move for leave to introduce the Criminal Law Repealing and Amending Bill if he accepted the position that he could not put down further motions on the same Bill on the same day. 369.
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- by Mr. President that the motion for adjournment to discuss the strike at Kharagpur on the Bengal Nagpur Railway was in order. 978.
- by Mr. President that the question of the ratio raised by clause 4 of the Currency Bill, together with the amendments thereto, should be disposed of first, after which other amendments, if in order, would be allowed to be moved. If the House were in favour of the 1s. 6d. as against the 1s. 4d. ratio, that decision would have to be embodied in the other amendments, and the necessary alterations in those amendments would be permitted by the Chair. The question of the Gold Standard would not be blocked by the procedure outlined. 1835, 1836.
- by Mr. President that there is nothing to prevent an Honourable Member from cutting down the last rupee in a total grant. 1975.
- by Mr. President that there should be a distinction between a motion the acceptance of which commits the House to the principle of the Bill and a motion which, when carried, does not commit the House to the principle of the Bill; not that on a motion of the latter kind Honourable Members are not entitled to raise objections to the principles of the Bill, but in doing so they should be as brief as possible and should not go into the details and turn that discussion into the discussion of a motion the acceptance of which would commit the House to the principle of the Bill. 849.
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