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LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

VOLUME IV

(18th August to 5th September 1927)

FIRST SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY,

1927



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LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE FIRST SESSION OF THE THIRD
LEGISLATIVE ASSEMBLY)

VOLUME IV—1927

LEGISLATIVE ASSEMBLY.

Thursday, 18th August, 1927.

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

MEMBERS SWORN :

The Honourable Sir George Rainy, K.C.I.E., C.I.E. (Member for Commerce and Railways); the Honourable Mr. James Crerar, C.S.I., C.I.E. (Home Member); Mr. William Alexander, M.L.A. (Madras : European); Mr. Satyendra Chandra Mitra, M.L.A. (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) (*Cries of "Bande Mataram" from the Swarajist Benches*); Mr. Abdul Qadir Siddiqi, M.L.A. (Central Provinces : Muhammadan); Mr. Satya Charan Mukherjee, M.L.A. (Bengal : Nominated Non-Official); Mr. Muhammad Yamin Khan, M.L.A. (United Provinces : Nominated Non-Official); Mr. Ardeshir Rustomji Dalal, M.L.A. (Secretary, Education, Health and Lands); Mr. Wilfrid Thomas Mermoud Wright, C.I.E., M.L.A. (Secretary, Legislative Department); Sir Denys de Saumarez Bray, K.C.I.E., C.S.I., C.B.E., M.L.A. (Foreign Secretary); Mr. Hubert Arthur Sams, C.I.E., M.L.A. (Director General of Posts and Telegraphs); Mr. Girja Shankar Bajpai, C.I.E., C.B.E., M.L.A. (Department of Education, Health and Lands : Nominated Official); Mr. R. H. Courtenay, M.L.A. (Madras : Nominated Official); Mr. Richard Thomas Francis Kirk, M.L.A. (Bombay : Nominated Official); Mr. Percy Barnes Haigh, M.L.A. (Bombay : Nominated Official); Mr. Miles Irving, C.I.E., O.B.E., M.L.A. (Punjab : Nominated Official); Mr. Richard Marsh Crofton, M.L.A. (Central Provinces : Nominated Official); and Mr. William Alexander Cosgrave, M.L.A. (Assam : Nominated Official).

QUESTIONS AND ANSWERS.

EXPERIMENTAL CREW SYSTEM ON THE EAST INDIAN RAILWAY.

1. *Mr. Amar Nath Dutt : (a) Have the Government decided to institute an experimental crew system on the East Indian Railway to prevent the public from travelling without tickets ?

(2969)

(b) Is it a fact that an officer has already been appointed to recruit staff for the purpose? If so, will the Government give the name of the officer appointed for the purpose?

(c) What is the number of crew inspectors and crew subordinates already recruited and to what community do they belong?

(d) What is the total strength of the crew contemplated?

(e) How many cases of assault have been reported against the crews?

(f) Was there any death due to the pushing of a woman from a running train at Burdwan, East Indian Railway? Has the crew guilty of pushing resulting in the death of the woman been found out and prosecuted?

(g) What is the educational qualification required of those recruited to the crews and to what provinces do they belong?

(h) Are Government aware that the crew system is condemned by the general public? If so, do the Government propose to discontinue the same?

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

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

(c) & (d). A statement showing the sanctioned strength of the crew staff for the Howrah, Lucknow and a portion of the Asansol Division on which the crew system has been introduced, together with information as to number of ticket collectors' appointments brought under reduction, is being sent separately to the Honourable Member.

Government have no information as to the various communities to which the members of the crew system belong.

(e) Government have received copies of two such reports and have been informed of three court cases of this nature instituted against members of the crew.

(f) A report to this effect was made but the Government understand that it was found to be untrue.

(g) The recruitment of the crews is in the hands of the Agent, East Indian Railway, and Government do not know what educational qualifications are required nor the provinces to which members of the crew belong.

(h) The answer to both parts of the question is in the negative.

Mr. Amar Nath Dutt : As regards (f) may I inquire where did the Government get the information from? Was it from the Railway Police?

Mr. A. A. L. Parsons : From the Agent of the East Indian Railway.

Pandit Hirday Nath Kunzru : May I ask if Government will find out from the Agent what the educational qualifications of the men recruited are?

Mr. A. A. L. Parsons : I don't think any educational qualifications have been definitely laid down.

Pandit Hirday Nath Kunzru : Are they likely to be laid down soon?

Mr. A. A. L. Parsons : Not at present.

Pandit Hirday Nath Kunzru : Are the Government aware that in the Oudh and Rohilkhand Railway sections of the East Indian Railway there are serious complaints against men recently recruited because of their improper behaviour towards the travelling public, particularly the third class travelling public ?

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

Pandit Hirday Nath Kunzru : Will Government inquire ?

Mr. A. A. L. Parsons : If the Honourable Member can give me information which justifies my making an inquiry, I am perfectly prepared to do so.

Pandit Hirday Nath Kunzru : May I point out, Sir, that I have made as definite a statement as possible. I cannot be expected to find out the names of the actual offenders.

Mr. President : Order, order. Will the Honourable Member put a supplementary question.

DEFECTIVE CONSTRUCTION OF THE COUNCIL CHAMBERS AT NEW DELHI.

2. ***Mr. B. Das :** (a) Are Government aware that the defective construction of the Council Chambers at New Delhi has already brought lateral cracks along the arched roofs of the corridors on both floors ?

(b) Will Government be pleased to state if the Consulting Engineers and Architects of the Council Chambers at New Delhi took into consideration the likelihood of the appearance of cracks through defective design or defective construction or other causes and did they provide sufficient safeguards to avoid such cracks ?

(c) Will Government be pleased to lay on the table a statement showing the provision made by the Consulting Engineers and Architects in their initial design ?

The Honourable Sir Bhupendra Nath Mitra : (a) & (b) Government are not aware of any cracks due to defective construction or defective design. Some cracks are inevitable in a building of this size which is founded on a variable foundation, partly of rock and partly of clay, and subjected to such wide variations of temperature and humidity as in New Delhi. Government are informed that such cracks as exist are not a matter of serious concern, and that it is not possible to provide sufficient safeguard to avoid such cracks.

(c) Does not arise.

Maulvi Muhammad Yakub : Will the Government be pleased to state if there are any cracks in the Delhi Jumma Musjid or the old Fort at Delhi ?

The Honourable Sir Bhupendra Nath Mitra : I have no information, Sir.

Maulvi Muhammad Yakub : Will the Government be pleased to collect the information and inform the House ?

The Honourable Sir Bhupendra Nath Mitra : I shall try to get the information and send it on to the Honourable Member.

Mr. Gaya Prasad Singh : Why not place it on the table ?

Mr. A. Rangaswami Iyengar : May I know, Sir, what exactly has been done to the dome of the Assembly which caused so much risk of injury ?

The Honourable Sir Bhupendra Nath Mitra : Sir, there is another question on that point. If the Honourable Member will wait he will get the answer to his question.

Sir Hari Singh Gour : May I beg to inquire if the Honourable Member is aware of any cracks in the old temporary Secretariat in Delhi where the Assembly Chamber used to be before it was shifted to the Imperial Capital.

The Honourable Sir Bhupendra Nath Mitra : I am pretty sure there are cracks in that building. I have myself noticed it.

Mr. N. M. Joshi : May I ask, Sir, in view of the fact that these cracks are due to variations in the temperature, whether the Government of India will make arrangements for taking the temperature of this House from hour to hour ?

SAFETY OF THE CEILING OF THE ASSEMBLY CHAMBER AT NEW DELHI.

3. ***Mr. B. Das :** Are Government prepared to invite an independent committee of Consulting Engineers to give their opinion on :

(a) the safety of the ceiling of the Assembly Chamber at New Delhi, and

(b) on the defective construction leading to cracks all along the roof of the arched corridors ?

The Honourable Sir Bhupendra Nath Mitra : Government do not consider the action suggested to be necessary.

REPORTS OF THE DIRECTOR OF WAGON INTERCHANGE.

4. ***Mr. A. Rangaswami Iyengar :** (a) Will the Government be pleased to state if the wagon exchange officer makes any reports to the Railway Board and whether these reports are made every three months or every year ?

(b) Will the Government be pleased to lay the reports made by this officer for the last two years on the table ?

Mr. A. A. L. Parsons : (a) The Director of Wagon Interchange is an officer of the Indian Railway Conference Association and makes no direct reports to the Railway Board, but copies of the following reports prepared by him are received by the Railway Board :

Annually—

(i) Working of the wagon pool.

(ii) Wagon census.

Weekly—

(i) Wagon position.

(ii) Traffic report.

(b) These are purely departmental reports but copies will be shown to the Honourable Member if he will call at the Railway Board's office for the purpose.

PURCHASE BY GOVERNMENT OF THE WORKS OF THE PENINSULAR LOCOMOTIVE COMPANY.

5. *Mr. A. Rangaswami Iyengar : (a) Will the Government be pleased to state whether on account of the wagon surplus they have made an offer to purchase the works of the Peninsular Locomotive Company ?

(b) Has the Company expressed a desire for the price to be fixed by independent valuation ?

(c) Have Government rejected the offer of an independent valuation and if so, why ?

The Honourable Sir George Rainy : (a) Yes. When last autumn the Government of India became aware that they would not be able to place orders for the supply in 1927-28, and probably in 1928-29, or possibly for some years thereafter, of broad gauge general service wagons—the types of wagon which Indian firms had been manufacturing under the bounty scheme introduced on the passing of the Steel Industry (Protection) Act—they immediately placed the position before representatives of the firms concerned, and discussed with them what measures should be adopted to help them to tide over an admittedly difficult period. As a result of these discussions they made the firms the offer which is described in paragraphs 6 and 7 of a memorandum presented to them, a copy of which I lay on the table. Briefly, the offer was to place orders in India only for wagons of other types and underframes which they would require in 1927-28, and also for certain other railway material needed in that year, provided a reasonable price could be agreed upon, and the firms were unanimous that this would be the best course. I may mention that, though the firms were not unanimous on the subject, the Government of India have implemented this offer. At the same time a suggestion of purchase had been made in the course of the discussion with the firms, and the Government of India accordingly stated that, if either the Indian Standard Wagon Company or the Peninsular Locomotive Company, the two Indian firms which had hitherto specialised in wagon building only, were unwilling to acquiesce in this offer and would prefer that their works should be taken over by Government, they would be ready to discuss the terms on which they would be prepared, as an alternative, to purchase the works. The Peninsular Locomotive Company considered the offer inadequate, and stated that they had therefore no option except to request the Government to take the entire works over. The Government of India thereupon deputed two officers to inspect the works of the Peninsular Locomotive Company, and, after receiving their report, offered the Company a sum of 20 lakhs for the property in a letter dated the 6th of January, 1927, a copy of which I place on the table.

(b) Yes. After the Peninsular Locomotive Company had received the offer made verbally on the 5th of January, 1927 and in writing on the following day, they wrote, on the 31st of January, 1927 expressing their willingness, should Government desire that the process of fixing a

price should be by valuation, to abide by the decision of an independent valuation at the hands of an approved party on the basis of replacement cost or earning capacity in normal conditions.

(c) Yes. The price offered by Government was not entirely based on a valuation of the property, but took into consideration all the facts of the case. The Government of India are satisfied that it is a more liberal price than would have been obtained by an independent valuation, and in the circumstances they did not consider that an independent valuation would have served any useful purpose.

MEMORANDUM.

The position of the firms engaged in the manufacture of railway wagons in India arising out of the decision of the Railway Board that for the present the purchase of broad gauge wagons of the usual types is not required, was discussed in Calcutta with representatives of Messrs. Burn and Co., Ltd., and the Indian Standard Wagon Company, Ltd., and in Bombay with the representatives of the Peninsular Locomotive Company.

2. In 1916 the Government of India raised the question of encouraging the manufacture of wagons in India. They recognised that some form of encouragement was necessary, and after discussions with certain of the firms interested, they issued on 1st March 1918 a communiqué in which they guaranteed to purchase in India 2,500 broad gauge and 500 metre gauge wagons annually for a period of ten years, provided that the price was not higher than the price at which wagons could be imported and that the materials and workmanship were satisfactory. Tenders in accordance with the terms of this communiqué were first called for in March 1920. But this form of encouragement proved ineffective, and in 1924 on the recommendation of the Tariff Board the Government of India instituted a new method of assistance. The essential feature of the new scheme was that the Government of India were authorised by the Steel Industry (Protection) Act to pay for Indian wagons a price higher than the price at which wagons could be imported. The theory of the scheme was that the number of wagons purchased in India would be determined by the amount set aside for bounties divided by the difference between the lowest satisfactory tender and the accepted Indian tender. Another feature of the scheme was that it was decided, in order to assist the Indian firms, that orders should be placed in India for as few types of wagons as possible. In view of the material change in the position caused by the enactment of the Steel Industry (Protection) Act, the Government of India issued on the 27th June 1924 another communiqué in which they formally withdrew the communiqué of 1st March 1918. In this later communiqué they expressly stated that they were not in a position to forecast the exact number of railway wagons of different types that they were now likely to require annually in the future, but they went on to say that they had every reason to expect that their requirements would be amply sufficient to give effect to the policy contained in Section 4 of the Steel Industry (Protection) Act. This communiqué elicited no protest or objection from the firms engaged in the manufacture of wagons in India.

3. The Government of India have thought it necessary briefly to re-state the position as they see it, in view of the statements which were freely made by the representatives of the firms in Calcutta and Bombay that the communiqué of March 1st, 1918, was still in force. The Government of India are unable to accept this view. At the same time, they recognise that their policy since 1918 has been directed towards fostering the wagon industry in India, and they are anxious to do what they can to find the best solution of the difficulty which has now arisen.

4. The position is that after a careful assessment of the results of the measures which have been and are being taken to expedite and improve the working of Indian Railways, the Railway Board have arrived at the conclusion that the broad gauge Railways in India should be able to carry efficiently with their existing stock of wagons all the traffic that is likely to offer in 1927-28 and 1928-29 and possibly for some further years. They are not likely to require therefore in 1927-28 more than a few wagons of special types.

5. Various proposals have been made by the firms concerned. But the one which seemed to find most favour was that the Government should lease, until such time as they found themselves again able to guarantee continuity of orders, the works of the Indian Standard Wagon Company and of the Peninsular Locomotive Company, and that they should endeavour to provide the remaining firms with remunerative work. The Government of India are not prepared to accept this proposal, nor do the other suggestions made commend themselves to them.

6. If the firms are unanimous that their best course is to face the risk and to hold on until the Railways are again in a position to place orders for wagons of the type usually made in India, the Government, after giving their most careful consideration to the problem; are unable to make any other suggestion for assisting them than that made by Sir Charles Innes at the interviews in Calcutta and Bombay. That offer was as follows :

- (i) They will call as soon as possible for tenders in India only on such miscellaneous wagons of different gauges and different types as they will require in 1927-28. The exact number of the wagons will depend upon the conversations now going with the Company Railways, but it is hoped that the number will reach between 1,700 and 1,800.
- (ii) The Government will also call, as soon as possible for tenders in India only for such underframes as they will require in 1927-28. Here again, the exact number will depend upon the conversations now proceeding with the Companies, but it is hoped that the number will be in the neighbourhood of 600.
- (iii) The Government will instruct the State-worked Railways to place orders in India for such spare parts as they require and as they cannot conveniently make in their own workshops, and
- (iv) Government will undertake to instruct the State-worked Railways to call for tenders in India only for shedding, roof trusses and bridge spans up to 80 feet span.

7. This offer will relate to the material required in 1927-28 only, and the Government cannot say more than that they will consider the situation again in the autumn of next year. The offer, moreover, is subject to the stipulation that orders will be placed in India only if a reasonable price can be agreed on.

8. This offer is being made to each of the four firms concerned. It may be that some of them may be unwilling to acquiesce in this offer and may prefer that their works should be taken over by Government. If this is so, the Government will be prepared to discuss the terms on which they would be willing to purchase the works either of the Indian Standard Wagon Company or of the Peninsular Locomotive Company or of both these firms. In this connection, they would wish to inspect the works and equipment of these two firms with the object of determining what in such an event would be a fair offer. But it should be clearly understood that if they do take over these works, it is their intention ultimately to use the Indian Standard Wagon Company's works for the manufacture of railway wagons and to use the works of the Peninsular Locomotive Company for the manufacture of underframes.

Copy of a letter, dated the 6th January 1927, to Mr. Manu Subedar.

I write to confirm what I told you yesterday, namely *Firstly*, that whether or not the Government of India take over the Peninsular Locomotive Company and the Indian Standard Wagon Company or only one of them, and notwithstanding that the Indian Wagon Building firms are not unanimous in their views as to what is the best course for them to adopt, the Government of India intend to carry out the offer contained in clauses (i) to (iv) of paragraph 6 of the memorandum which formed an enclosure to Railway Board's letter No. 3420-S.II, dated the 19th November 1926, subject only to the conditions stated in paragraph 7 of that memorandum; *Secondly*, the Government of India are not prepared to extend the scope or duration of that offer; and *Thirdly*, that Government of India offer to purchase the whole of the buildings, fixtures, plant, tools, machinery, materials, equipment, land and stock in trade of the Peninsular Locomotive Company hereinafter referred to as the "property", subject to the following conditions :

- (a) that the Company are in a position to sell the property to Government free of all encumbrances and particularly that Government will not be bound

by the terms of any leases or agreements executed by the Peninsular Locomotive Company. Government will not take over any contractual obligations entered into by or any liabilities of the Company in respect, for instance, to loans or to agreements with employees ;

- (b) that the property referred to shall be that existing on the 31st December 1926 in accordance with certified lists to be agreed upon by representatives of the Company and the Government and shall also include all other equipment obtained in replacement of any part of the said property ; also all small tools obtained after the 31st December 1926 and used for the work carried on in the workshops. But it shall not include any equipment, plant, machinery or tools under order on the 1st January 1927, or ordered thereafter. If the Company wish to sell to Government any such equipment, plant, machinery, or tools this will be a matter for separate negotiation and the purchase price therefor will be in addition to the purchase price offered for the property ;
- (c) that Government are able on terms suitable to them to obtain possession of all the land in the occupation of the Company and to secure the continuation of such of the conveniences and arrangements incidental to the business of the Company as will enable Government to make use of the purchased property for the conduct of the business they have in view ;
- (d) that the date of purchase will be decided later with reference to the time when the Company will have completed all their existing contracts ;
- (e) that Government shall not be charged with any expenses incurred by the Company in connection with the sale of the property to Government or the winding up of the business of the Company ;
- (f) that Government shall pay as the purchase price of the property Rs. 20 lakhs. This is a final figure, and the Government of India are not prepared to discuss it.

The offer to purchase will expire on the 28th February 1927.

Mr. A. Rangaswami Iyengar : May I know, Sir, if the Companies acquiesced in the proposition that an independent valuation will be worse for them than the offer that was made by the Government of India ?

The Honourable Sir George Rainy : I have no information to that effect, Sir.

Mr. A. Rangaswami Iyengar : Then upon what basis do the Government say that, as a matter of fact, the independent valuation will be worse for the Companies than what the Companies themselves consider good for them ?

The Honourable Sir George Rainy : That was the opinion of the Government of India, Sir.

Mr. A. Rangaswami Iyengar : I know. Have the Government any opinion as to what the Company thinks of this matter ?

The Honourable Sir George Rainy : There has been considerable amount of correspondence between the Company and the Government of India. But I do not wish to suggest in any way that the Company took this view of the case.

Mr. A. Rangaswami Iyengar : May I know, Sir, whether the Company still urges an independent valuation ?

The Honourable Sir George Rainy : I do not think the question arises, Sir, of an independent valuation. The Company have accepted the Government of India's offer and the transaction is complete.

Mr. A. Rangaswami Iyengar : May I know once again what exactly is the offer which the Company have accepted now ?

The Honourable Sir George Rainy : Rs. 20 lakhs, Sir.

NUMBER OF CASUALTIES AMONG PUNJABI TROOPS AT SHANGHAI.

6. ***Diwan Chaman Lall** : (a) Will Government state the number of casualties and the circumstances under which they took place, among Punjabi troops at Shanghai since their arrival there ?

(b) In view of the danger of Indian troops being involved in hostilities at Shanghai and the danger of consequent loss of Indian lives, will Government state whether they intend to recall their forces ?

Mr. G. M. Young : (a) One of the Indian contingent has been killed and two wounded.

(b) The Indian troops, with the exception of the Company of Sappers and Miners and a few ancillary units, are under orders to return to India.

RIOT AT PONABALIA.

7. ***Maulvi Abdul Matin Chaudhury** : Will the Government be pleased to make a statement with regard to the shooting incident at Ponabalia in the district of Barisal as foreshadowed in the Honourable the Home Member's reply to Mr. K. Ahmed's question on March 4th, 1927 ?

The Honourable Mr. J. Crerar : A full statement was issued by the Bengal Government in a communique, dated March 5th, 1927. I am afraid I am unable to add any information to the facts contained in that communique except that the latest report of casualties was that they amounted to 19 killed and 12 wounded. The whole circumstances connected with this occurrence are, as the Honourable Member is probably aware, at present under judicial examination in connection with the case of rioting which has been instituted against certain persons, and it would not be proper for me at this stage to make any further statement.

Maulvi Abdul Matin Chaudhury : Do the Government intend to hold a public inquiry after the cases are finished ?

The Honourable Mr. J. Crerar : Government will await the result of the judicial inquiry before forming any opinion on the subject.

HARDSHIPS OF PILGRIMS RETURNING FROM THE GURUKUL KANGRI (HARDWAR) FAIR.

8. ***Pandit Thakur Das Bhargava** : (a) Are Government aware that the pilgrims who attended the Gurukul Kangri (Hardwar) Fair in March 1927 numbering about 70,000 people were put to much inconvenience and trouble on their return journey owing to the inadequate and unsatisfactory arrangements of the railway authorities ?

(b) Is it a fact that no enquiry office was opened by the Railway up till 21st March either in or about the railway premises ?

(c) Are enquiry offices generally opened for the convenience of the passengers at big fairs ?

(d) Was any mela officer appointed on the occasion ? If so, will the Government kindly name the gentleman ?

Mr. A. A. L. Parsons : (a) No.

(b) A special officer and extra staff were posted at Hardwar early in March and were available to supply any information required.

An enquiry office was opened in April before the outward rush commenced.

(c) Government understand that enquiry offices are opened when occasion renders this advisable.

(d) Yes. If the question refers to railway officials, the name of the officer is Khan Sahib M. A. Rashid.

ALLEGED HARASSMENT OF PILGRIMS AT HARDWAR.

9. ***Pandit Thakur Das Bhargava :** (a) Is it a fact that originally there was a proposal to run special trains on 20th and 21st March to enable pilgrims to leave Hardwar but subsequently these trains were cancelled with the result that the pilgrims had to wait for a much longer time at Hardwar ?

(b) Is it a fact that coolies and subordinate railway staff harassed the pilgrims and, owing to the absence of information in respect of the arrival and departure of trains, pilgrims and their family members and children had to run from one passenger hall to another ?

(c) Is it a fact that no platform tickets were issued and no passenger could have access to the railway station authorities for getting information or making any complaints ?

(d) Is it a fact that the two ticket collectors on duty between 8 and 11 P.M. at the first class entrance were very rude to passengers so much so that gentlemen connected with the personal staff of Mahatma Gandhi and Mr. Deshbandhu, editor of *Tej*, were very roughly treated and that the latter lodged a complaint with the station master on duty ?

(e) Has any action been taken against the offending ticket collectors, and if so, what ?

Mr. A. A. L. Parsons : (a) Two special trains were run on the 21st March 1927 conveying outward pilgrims from Hardwar and in addition extra coaching rakes were available at Hardwar if required. The Railway reports that no pilgrims were detained at Hardwar.

(b) No complaints of harassment were received. Railway officers and extra supervising staff were stationed at Hardwar and every endeavour was made to assist pilgrims by distribution of explanatory pamphlets, special marks on tickets and exhibition of signs.

(c) A number of platform passes were issued enabling passengers to get on to the platform and it is reported that any passenger who wished to make a complaint could without difficulty have seen the special officer posted at Hardwar.

(d) Government have no information and understand that no complaints against the ticket collectors were received by the Railway.

(e) Does not arise.

APPOINTMENT OF INCOME-TAX OFFICERS, INSPECTORS AND STENOGRAPHERS IN THE PUNJAB AND THE NORTH-WEST FRONTIER PROVINCE.

10. ***Pandit Thakur Das Bhargava** : (a) How do the Government propose to fill the posts of Income-tax Officers, Inspectors and stenographers who are to be appointed from 1st April 1927 in the Punjab and the North-West Frontier Province ?

(b) If the answer to part (a) is that these posts are to be filled by direct recruitment, will the Government state if any departmental men possess the qualifications necessary for such posts and in case such men are available why their claims should be ignored ?

(c) Are there any clerks in the department who have passed the departmental examination of Inspectors ?

(d) Are there any clerks who have already been doing the work of stenographers ?

(e) Do Government propose to consider the advisability of filling the newly created posts of Inspectors and stenographers by clerks already working in the Department ?

The Honourable Sir Basil Blackett : (a) and (e). Appointments of Income-tax Officers are made by the Commissioner of Income-tax subject to the approval of the Local Government. Appointments to the other posts mentioned are made by the Commissioner of Income-tax.

(b), (c) and (d). The Government have no detailed information as to the qualifications, etc., of men in the Department. They have no reason to suppose that their claims have not been (or will not be) duly considered in making the appointments referred to.

Nawab Sir Sahibzada Abdul Qaiyum : Are the Government aware that the posts of stenographers in the North-West Frontier Province are practically monopolised by clerks from outside the province ? Are they prepared to find facilities for local people with proper qualifications ?

The Honourable Sir Basil Blackett : I doubt, Sir, whether the question arises, but I am afraid the answer is not within my knowledge.

LIQUIDATION OF THE ARMY CANTEN BOARD AND REVERSION TO THE SYSTEM OF INDIAN CONTRACTORS.

11. ***Mr. T. A. K. Shervani** : 1. Is it a fact that a Circular No. 30946/4, dated the 25th January 1927, has been issued by the Army Department ?

2. (a) Is it a fact that on the 17th January 1927 the Quartermaster-General in India called a meeting of the Army Contractors at Delhi to intimate to them the Government's decision to liquidate the Army Canteen Board and to revert to the system of Indian contractors ?

(b) If the answer to part 2 (a) is in the affirmative, was the decision based on the recommendation of the Commission appointed to investigate into the working and financial position of the Army Canteen Board and also on the almost universal condemnation of the Army Canteen Board by the Commanding Officers in India and their approval of the tenancy system ?

(c) Did the Quartermaster-General in India on the 17th January 1927 read over to the Army Contractors certain proposals, now embodied in the Circular referred to above ?

(d) Did the contractors ask for time to think over the matter ?

(e) Was such permission refused to them ?

(f) Did the Quartermaster-General allow them 45 minutes only after their persistent request ?

(g) Is it a fact that the contractors were not allowed to get from the office copies of the above proposals, and that scores of such copies in typed form were then available ?

(h) If the answer to part 2 (g) is in the affirmative, what was the Government's objection ?

3. Are Government aware that some of the contractors at that very time objected to the measures as being exacting and unworkable ?

4. (a) Are Government aware that the Quartermaster-General in India tried to secure consent, threatening to import the Navy, Army and Air Force Institutes from England ?

(b) Did the Quartermaster-General in India try to silence any objections and criticisms by threatening to remove from the approved list the names of those contractors who did not agree to these proposals *in toto* ?

Mr. G. M. Young : 1. A letter was issued by the Government of India bearing the number and date mentioned by the Honourable Member, and laying down the terms on which Government was prepared to revert to the unit contractor system for Army Canteen arrangements. A revised letter containing modified terms is under issue.

2. (a) The Quartermaster-General called the meeting referred to in order to intimate the Government's decision to liquidate the Army Canteen Board (India) and to inform those present of the conditions on which Government was prepared to revert to the system of unit contractors.

(b) In deciding to liquidate the Army Canteen Board full weight was given by Government, amongst other considerations, to the recommendations of the Commission referred to, and to the wishes of a large number of Commanding Officers.

(c) The Quartermaster-General read over and explained the conditions on which Government were prepared to revert to a system of unit contractors. These conditions were in the main based on proposals made by the contractors in a memorial submitted by them to His Excellency the Commander-in-Chief, praying for a return to the unit contractor system. The conditions were embodied in the letter referred to by the Honourable Member.

(d) Yes.

(e) No.

(f) The contractors were given about an hour to consider and discuss matters among themselves, after some discussion had taken place between them and the Quartermaster-General.

(g) Each contractor present had a typed copy of the conditions.

(h) Does not arise.

3. Yes, but a considerable number of the contractors expressed themselves as satisfied with the conditions, which, as I have already stated, were largely based on proposals made by the contractors themselves. Some of the terms are being modified in the revised letter to which I have already referred.

4. (a) The Quartermaster-General was not concerned to secure consent by threats. His object at the meeting was to ascertain whether there was a sufficient number of contractors ready to accept the conditions and render possible a reversion to the unit contractor system. He found that there was a sufficient number. He explained that if there were not a sufficient number, the only alternative was a central system, which would probably be the Navy, Army and Air Force Institutes.

(b) The answer is in the negative. The approved list was not then in existence : but it now exists, and is composed of the contractors who accepted the terms.

DISPOSAL OF THE STOCKS OF THE ARMY CANTEN BOARD.

2. **Mr. T. A. K. Shervani** : (a) Is it a fact that the Government have suffered much financially in consequence of the failure of the Army Canteen Board and is at present anxious to replenish the losses by the disposal of the Board's stock ?

(b) Are Government aware that the Army Canteen Board has already been declared to be no quasi-Governmental Institution but a private concern, incorporated under the Indian Companies Act ?

(c) Are Government interested in furthering the Board's interests even at the cost of those of Indian tradesmen ? If so, why ?

(d) Is it a fact that the objects of the institution of the Army Canteen Board were mainly two, namely :—

(a) improvement of the Canteen Service ; and

(b) provision of a war time organisation ?

Mr. G. M. Young : (a) Yes, Sir. The actual extent of the losses will not be known until the Board's stock is finally disposed of.

(b) The Government are not aware of any such declaration. The Army Canteen Board is a company guaranteed by the Government of India.

(c) No, Sir. The second part does not arise.

(d) The answer is in the affirmative.

DISPOSAL OF THE STOCKS OF THE ARMY CANTEN BOARD TO INDIAN CONTRACTORS.

13. **Mr. T. A. K. Shervani** ; (a) Is an intending contractor in the Northern or Western Command bound to purchase from the Army Canteen Board stocks apportioned to each regiment, which may roughly be estimated to be about Rs. 80,000 ?

(b) If so, what steps have been taken to make this huge investment safe for the contractor ?

(c) Is he given fixed tenures or a period sufficient to enable him to get a return on his investment, and within which he could not be turned out except for a serious breach of the terms of the agreement ?

(d) Are Government aware that the "terminable-at-will" nature of the contract is causing great dissatisfaction and unrest among the *bona fide* contractors who have in consequence evinced no keen interest in taking over Institutes from the Army Canteen Board ?

(e) Are Government prepared to consider any amendment in the duration of contract which might be a stimulus to and foster enterprises for the betterment of the condition of the troops ?

Mr. G. M. Young : (a) The answer is in the affirmative, except that the estimated figure is greatly in excess of the actual.

(b) to (e) Government are reconsidering the question of the duration of contracts.

REFORMS IN THE CANTEEN SERVICE.

14. ***Mr. T. A. K. Shervani :** (a) Are Government aware that certain reforms in the Canteen Service have been proposed by an eminent contractor, wherein a war time organisation finds a conspicuous place ?

(b) If so, are Government prepared to consider a syndicate as therein suggested, financially self-supporting promoting co-operation among contractors for war time emergencies and always at the beck and call of the Army Headquarters ?

Mr. G. M. Young : (a) The answer is in the affirmative.

(b) Government are now considering what is the most effective and economical method of utilizing the services of contractors in war.

PURCHASE OF THE STOCK OF THE ARMY CANTEEN BOARD BY INDIAN CONTRACTORS.

15. ***Mr. T. A. K. Shervani :** (a) Are Government aware that under the rules recently enforced a contractor purchasing stores from the Army Canteen Board has no option, but is constrained to accept the decision of the Board's representative ?

(b) If so, do Government propose to see that contractors are given a free hand to refuse to purchase those things which they have reason to believe to be unfit for use or unsaleable from the nature of the thing ?

(c) Are Government aware that the scale of valuation of the Board's stock has been arbitrarily fixed ?

(d) Have the prices been calculated on the invoice (not sale) price of the stuff to be sold, and has a percentage of reduction been fixed thereon ?

(e) Has any regard been paid to the fact that prices generally and more especially those of machinery have now considerably gone down ?

Mr. G. M. Young : (a) Under the strict letter of their agreements the contractors had no option : but in practice their objections were sympathetically dealt with by the Liquidator.

(b) No, Sir : but the contractors are not compelled to take over articles which in the opinion of the Liquidator are unfit for use or un-saleable.

(c) and (d) The answer is in the negative. Prices were calculated on retail prices, as in the latest available official price lists of the Army Canteen Board, less 15 per cent. discount for beer stocks, and 12½ per cent. for other stocks. Further concessions have since increased the discount on individual articles.

(e) Every factor has been considered.

UNIVERSAL RATE OF REBATE IN CONNECTION WITH THE CANTEEN SERVICE.

16. **Mr. T. A. K. Shervani :** (a) Is it a fact that the Government have sanctioned a universal rate of rebate applicable to the whole of India ?

(b) If so, are Government aware that business conditions on the plains differ from those in the hills ?

(c) If so, are Government prepared to see that in sanctioning universal rebates, the rates for the hills and the plains are to be separately considered ?

(d) Are Government aware that under the new rules an Officer Commanding has the power only to increase the rebate above the minimum fixed at Rs. 3-4-0 per head *per mensem* and that he is not to reduce it under any circumstances ?

(e) Do Government propose to sanction a universal rebate after due consideration of all conditions and circumstances and without leaving anything in the hands of the Officer Commanding to enhance the same ?

Mr. G. M. Young : (a), (b) and (d) Yes.

(c) and (e) Government are now reconsidering the terms of rebate.

ESTABLISHMENT IN INDIA OF THE BOARD OF THE NAVY, ARMY, AND AIR FORCE INSTITUTES.

17. **Mr. T. A. K. Shervani :** Is it a fact that the Government are anxious to import and establish the Board of the Navy, Army and Air Force Institutes and are therefore putting obstacles in the way of contractors ?

Mr. G. M. Young : The answer is in the negative in both places

(Mr. President then called on Sir Purshotamdas Thakurdas in whose name question No. 18 stood.)

Mr. K. O. Neogy : May I request you, Sir, under Standing Order 19, to direct that the answer to this question may be given ?

Mr. President : Does the Honourable Member wish to put the question standing in the name of Sir Purshotamdas Thakurdas ?

Mr. K. O. Neogy : It is for you, Sir, to ask the Government to answer this question.

Mr. President : I am perfectly prepared to allow the Honourable Member to put the question standing in the name of Sir Purshotamdas Thakurdas if he is willing to do so.

(Mr. K. C. Neogy then put question No. 18).

REFUSAL OF THE SWEDISH MATCH COMPANY TO FURNISH DETAILS OF THEIR WORKS COST TO THE TARIFF BOARD.

18. ***Sir Purshotamdas Thakurdas :** (a) With reference to the examination before the Tariff Board on 13th, 14th and 16th April last of the representative of the Swedish Match Combine in India, have Government noticed the report in the press that the said representative refused to supply the President of the Tariff Board with any details regarding the cost of production of matches by that Combine in India even in camera ?

(b) If the reply to the above be in the affirmative, will Government be pleased to state what action they propose to take against such a foreign Combine, manufacturing in India, thus challenging a technical body set up by the Government for the purpose of enquiry into the industry ?

(c) Will Government be pleased to state if they propose to undertake any legislation to prevent a repetition of such an incident in connection with any future enquiry by the Tariff Board ?

* **The Honourable Sir George Rainy :** (a) Yes.

(b) and (c) The attention of the Honourable Member is invited to the Tariff Board's press communique, dated the 7th July, 1927. In view of the changed attitude of the Swedish Match Company as announced therein, the Government of India do not propose to take any action in this matter.

Mr. B. Das : May I enquire if the Swedish Match Combine have received any concessions from the Government of India or from any Local Government in any shape or form ?

The Honourable Sir George Rainy : I am afraid I must ask for notice.

COASTAL SERVICE MAINTAINED BY THE BRITISH INDIA STEAM NAVIGATION COMPANY BETWEEN BOMBAY AND KARACHI.

19. ***Mr. Harchandrai Vishindas :** 1. Will Government be pleased to state if it is a fact :

(a) that the British India Steam Navigation Company used to ply two steamers every week for coastal ports between Karachi and Bombay and back ?

(b) that of late such service has been reduced to one steamer to the great hardship of the passengers of those ports ?

(c) that such action on the part of the above company is due to the lack of competition with them owing to their having the monopoly of the Government mail contract ?

2. Do Government propose to take steps to alleviate the public inconvenience by breaking the monopoly of the above company by making competition free or by any other means ?

The Honourable Sir George Rainy : 1. (a) The British India Steam Navigation Company ordinarily maintains a coastal service of two steamers between Bombay and Karachi and *vice versa*.

(b) It is understood that at the beginning of this year, one steamer had to be withdrawn from this service by the British India Company for a short period owing to other vessels of the Company being requisitioned by Government for transportation of troops for the Shanghai Defence Force. The withdrawal was unavoidable, but the Government understand that it caused no great inconvenience to passengers as on no occasion were any passengers unable to obtain accommodation on the reduced service.

1 (c) and 2. The Bombay Steam Navigation Company, Limited, also maintains a service of two steamers per week, one from Bombay to Karachi direct and back, and the other *via* intermediate ports. The British India Steam Navigation Company do not therefore hold a monopoly of this service.

Mr. Harchandrai Vishindas : May I enquire if the full service has been restored after the emergency for which some of the steamers were withdrawn to Shanghai and China was over ; that is to say, I wish to know whether the original service has been reinstated ?

The Honourable Sir George Rainy : I understand so. My information is that the service was reduced only for a short period.

Mr. Sarabhai Nemchand Haji : May I enquire if the Government propose to make any proportionate reduction in the mail subsidy in view of the fact that one ship had been removed from the mail service ?

The Honourable Sir George Rainy : I think that enquiry ought to be addressed to my Honourable Colleague in charge of the Department of Industries and Labour.

The Honourable Sir Bhupendra Nath Mitra : Will the Honourable Member kindly repeat the question ?

Mr. Sarabhai Nemchand Haji : In view of the fact that one of the mail ships for which the subsidies are granted was temporarily withdrawn, will Government consider the advisability of reducing proportionately the amount of the subsidy ?

The Honourable Sir Bhupendra Nath Mitra : So long as there was no interference with the conveyance of mails the question of reducing the subsidy did not arise.

Mr. Sarabhai Nemchand Haji : Is it no inconvenience if one ship is run instead of two ?

The Honourable Sir Bhupendra Nath Mitra : There is a certain volume of mails to be carried, and so long as the company carries that volume of mails, the question of reducing the subsidy cannot arise.

Mr. Sarabhai Nemchand Haji : Whether it is once a week or twice a week does not matter ?

The Honourable Sir Bhupendra Nath Mitra : As it is, the mail steamer takes the mails once a week. A subsidiary steamer does take certain mails occasionally, but the fact that the subsidiary steamer is not employed cannot be used as an excuse for reducing the subsidy.

Mr. B. Das : Is it a fact then that the steamship company was showing a favour to the Postal Department by carrying mails in the subsidiary steamer ?

The Honourable Sir Bhupendra Nath Mitra : It is not a question of favour at all. The steamship company do put in two vessels on that service mainly for commercial purposes, and the conveyance of mails was really a subsidiary function.

SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN.

20. ***Mr. Ganganand Sinha :** (a) Have Government prepared or are they preparing any report for presentation to the Traffic in Women and Children Committee of the Assembly of the League of Nations regarding the suppression of the traffic in women and children ?

(b) If the answer is in the negative, will the Government be pleased to state the reasons for the same ?

(c) If the answer is in the affirmative, are Government prepared to circulate the same among the Members of the Central Legislature ?

Mr. W. T. M. Wright : (a) The annual report for 1926 has been forwarded to the India Office for transmission to the Secretary General of the League of Nations.

(b) Does not arise.

(c) A copy of the report has been placed in the Library for perusal by Honourable Members

Mr. N. M. Joshi : May I know whether there is any Indian lady on the Committee of the Assembly of the League of Nations which is considering the question of the traffic in women and children ?

Mr. W. T. M. Wright : I believe not.

Mr. N. M. Joshi : May I ask whether Government will take steps to secure the appointment of an Indian lady on this Committee ?

Mr. W. T. M. Wright : A reference in this sense was received from a certain society and the letter was forwarded to the Secretary of State.

Mr. N. M. Joshi : May I ask whether the Government of India have recommended the appointment of an Indian lady to the Secretary of State ?

Mr. W. T. M. Wright : I am not sure of that— whether the communication amounted to a recommendation or not.

REPORTS OF THE VARIOUS COMMITTEES OF THE ASSEMBLY OF THE LEAGUE OF NATIONS.

21. ***Mr. Ganganand Sinha :** How many copies, if any, are Government receiving of the Reports of the various Committees of the Assembly of the League of Nations ? How many copies of them are kept in the Library for the use of Members ? Why are not these reports circulated among the Members of the Central Legislature for information ?

Mr. W. T. M. Wright : The number of copies received by Government is usually three and is in no case in excess of the number required for official use. Government doubt whether they would be justified in

incurring the very great expenditure involved in the printing of additional copies for circulation. The reports are, however, reproduced in the Official Journal of the League of Nations, one copy of each issue of which will be placed in the Library.

(1) SUPPRESSION OF THE CIRCULATION OF, AND TRAFFIC IN, OBSCENE PUBLICATIONS.

(2) EXPULSION OF FOREIGN PROSTITUTES.

22. *Mr. Ganganand Sinha : (a) Have Government sent any report to the Secretariat of the Assembly of the League of Nations regarding :

(i) suppression of the circulation of and traffic in obscene publications ;

(ii) expulsion of foreign prostitutes ?

(b) If so, will the Government be pleased to lay a copy of the same on the table ? If not, why ?

The Honourable Mr. J. Crerar : (a) (i) Yes.

(ii) Apart from the annual report on the traffic in women and children, which also refers to foreign prostitutes, no separate report about the latter has been sent to the League.

(b) The reports (a) (i) received from local authorities were transmitted in original and no copies have been kept. For the report on (a) (ii), the Honourable Member is referred to the annual report for 1926, now in the Library, on the traffic in women and children.

APPOINTMENT OF INDIANS IN THE SECRETARIAT OF THE LEAGUE OF NATIONS.

23. *Mr. Ganganand Sinha : (a) Will the Government be pleased to state how many Indians, if any, have been appointed in the Secretariat of the League of Nations ?

(b) What hand had the Government in these appointments ? How are they paid and by whom ? What are the qualifications of the gentlemen appointed ? How were selections made and on what basis ?

Mr. W. T. M. Wright : (a) Four, including two in the Secretariat of the International Labour Office.

(b) (i) None.

(b) (ii) From the funds of the League.

(b) (iii) Government have no information.

(b) (iv) Under Article 6 of the Covenant appointments to the League Secretariat are made by the Secretary General with the approval of the Council. The principles followed in making appointments are indicated in the statement of the Secretary General printed on page 21 of the Official Journal, Special Supplement, No. 37, a copy of which is in the Library. Government have no information regarding the circumstances in which the Indians employed in the Secretariat were selected.

Mr. B. K. Shanmukham Chetty : Was not some representation made by the representative of the Government of India to the League of Nations that more Indians ought to be appointed to the Secretariat of the Assembly and the International Labour Office ?

Mr. W. T. M. Wright : That was done, I believe, last year.

Mr. B. K. Shanmukham Chetty : May I know whether any more Indians have been appointed as a result of the representation thus made ?

Mr. W. T. M. Wright : I am not in a position to say whether any further appointments have been made since that representation was made ?

Mr. B. K. Shanmukham Chetty : I remember that this representation was made some years back by the Right Honourable Srinivasa Sastri when he represented the Government of India, and I would like to know whether, since that representation was made, the Government of India have taken any steps to bring to the notice of the authorities of the League the necessity of appointing more Indians to the Secretariat ?

Mr. W. T. M. Wright : I believe the Honourable Member is aware that the matter was brought to notice by the Indian Delegation in the last Assembly.

Mr. B. K. Shanmukham Chetty : What steps have the Government of India taken so far to see that the representations thus made are fruitful ?

Mr. W. T. M. Wright : The Delegation was instructed to make representations.

Mr. B. K. Shanmukham Chetty : Do the Government of India think that it is not necessary for them to take any further steps to bring this matter to the notice of the authorities of the League ?

Mr. W. T. M. Wright : If the Honourable Member wishes me to give a full history of the representations that the Government of India have made for the last 4 or 5 years, I must have notice of the question.

Diwan Chaman Lall : Is the Honourable Member aware of the fact that the Government of India lent the services of one of their officers to the League of Nations, and how can he say now that the Government of India do not know how these appointments are made ?

DIFFERENT NATIONALITIES REPRESENTED ON THE STAFF OF THE SECRETARIAT OF THE LEAGUE OF NATIONS, ETC.

24. ***Mr. Ganganand Sinha :** Have Government any up-to-date information as to the strength of the staff of different nationalities appointed to the League of Nations Secretariat and the respective contributions of those nations to the League ? If so, will the Government lay a statement on the table detailing the same ? What is the proportion of such appointments to the contributions of the different nations in general and India in particular ?

Mr. W. T. M. Wright : Information on the two points referred to in the first part of the question will be found on pages 73 to 91 of the League of Nations Official Journal, January, 1927, 8th Year, No. 1, a copy of which is in the Library. It has however been ascertained that an Indian, Mr. Dalal, whose name is not shown in the Staff List on pages 76 *et seq.* is in fact employed in the Legal Adviser's section of the League

Secretariat. The Government of India have been unable to undertake the somewhat elaborate mathematical calculations which would be involved in extracting the proportions referred to in the last part of the question.

Diwan Chaman Lall : May I ask the Honourable Member whether this is not a very simple calculation which would take less than half an hour ?

Mr. W. T. M. Wright : In that case I would suggest that the Honourable Member might make the calculation himself.

Diwan Chaman Lall : Is the Honourable Member aware that the subject has been raised time and again and that replies to this question have been given not only here but in Geneva as well ?

Mr. W. T. M. Wright : Yes. The facts are before the Honourable Member, and, if he likes to work out the proportion, it is perfectly open to him to do so.

Diwan Chaman Lall : Will the Honourable Member make inquiries as to what was said in Geneva ?

Mr. Ganganand Sinha : With reference to the question just asked, may I know what time is likely to be required in making that calculation ?

SUPPLY TO THE HEALTH ORGANISATION COMMITTEE OF THE ASSEMBLY OF THE LEAGUE OF NATIONS OF DATA REGARDING INFANT MORTALITY, PHYSICAL HYGIENE AND NUTRITION.

25. ***Mr. Ganganand Sinha** : (a) Have Government received any direction or suggestion from the Health Organisation Committee of the Assembly of the League of Nations regarding furnishing it with data regarding infant mortality, physical hygiene and nutrition ?

(b) If so, what steps, if any, are being taken by the Government to do the same ?

(c) Will the report of the Government on the subject be available to the Members of the Central Legislature ?

Mr. G. S. Bajpai : (a) No.

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

RECOMMENDATIONS AND CONVENTIONS ON UNEMPLOYMENT ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCES.

26. ***Mr. Ganganand Sinha** : (a) Have Government received any suggestion or direction from the International Labour Office regarding measures proposed in the recommendations and conventions on unemployment adopted by the International Labour Conferences ?

(b) If so, will the Government be pleased to lay the same on the table and indicate what steps, if any, they are taking to act up to it ?

The Honourable Sir Bhupendra Nath Mitra : Several Conventions and Recommendations relating to unemployment have been adopted at different sessions of the International Labour Conference. The Draft Conventions and Recommendations so far passed will be found in the statement laid on the table in answer to the Honourable Diwan Chaman Lall's starred question No. 286 on 27th January 1925. The effect given to these Conventions and Recommendations will be found in the same

statement. A Resolution concerning unemployment was adopted by the Eighth International Labour Conference in 1926, and the Government of India are at present endeavouring to collect certain information for which the International Labour Office has asked in this connection.

Mr. N. M. Joshi : May I ask whether the Government of India are aware that at this year's session of the International Labour Conference a committee was appointed to go into the question of the action taken on the ratifications, and the Committee laid some blame on the Government of India for not taking action on the Convention regarding unemployment and the establishment of labour exchanges in India ?

The Honourable Sir Bhupendra Nath Mitra : I have seen something to that effect in the papers but have not yet received authoritative reports from Geneva. As soon as we get the reports we shall certainly look into the matter.

Mr. N. M. Joshi : May I ask whether the Government of India does not receive reports from their representative on the Governing Body of the International Labour Office ?

The Honourable Sir Bhupendra Nath Mitra : If the Honourable Member will have a little patience, he will get that information in my reply to another question. We are still awaiting those reports. We shall get them very soon and then we shall look into the whole question.

APPOINTMENT OF A CORRESPONDENT OF THE INTERNATIONAL LABOUR OFFICE IN INDIA.

27. ***Mr. Ganganand Sinha :** (a) Will the Government be pleased to state whether or not they have received any information regarding the appointment of a Correspondent of the International Labour Office in India in pursuance of the Resolutions passed by the International Labour Conferences ?

(b) If so, will the Government be pleased to lay the same on the table ?

(c) What hand, if any, have the Government in such an appointment ? If the appointment has been made, will the Government be pleased to state the name and qualification of the Correspondent ?

The Honourable Sir Bhupendra Nath Mitra : (a) The Governing Body of the International Labour Office has decided to create a correspondent's office in Delhi in 1928.

(b) This information will be found in the Report of the Director of the International Labour Office for 1927. I do not propose to lay the Report on the table.

(c) No appointment has yet been made, and the Government of India understand that it is the Director's intention that the correspondent should, if possible, be appointed in 1928 after a period of training in his office. The Director intends to consider in this connection the claims of those Indians who recently applied for a higher grade appointment in the International Labour Office, but the appointment will not necessarily be made from among these candidates. These applications

were received at the request of the Director by an officer of the Government of India and were forwarded to the Director with a report upon them : they were not examined by the Government of India.

CONDITIONS OF LABOUR IN INDIA.

28. ***Mr. Ganganand Sinha** : Have Government been in communication with the International Labour Office with regard to the conditions of labour in India in pursuance of the Resolutions passed in the International Labour Conferences ? How far has the matter progressed ? How is the matter to be investigated and by whom ? What have Government so far done to help the inquiry ?

The Honourable Sir Bhupendra Nath Mitra : I presume that the Honourable Member is referring to the documentary enquiry which is being conducted by the International Labour Office into conditions of labour in a number of Asiatic countries, including India. The Government of India have been in communication with the International Labour Office on the question, and they understand that the enquiry is in progress. They have supplied the International Labour Office, from time to time, with a large amount of documentary material bearing on labour conditions in India and are endeavouring to collect further information desired by the Director of the International Labour Office.

PROMOTIONS TO HEAD POSTMASTERSHIPS OF PERSONS WHO HAVE PASSED THE POSTAL ACCOUNTANTS' EXAMINATION.

29. ***Mr. B. P. Naidu** : (a) Is it a fact that the Director-General of Posts and Telegraphs in his special circular No. 50, dated the 16th October 1924, introducing the Postal Accountants' examination, has clearly stated as follows :

"As soon as the effects of this scheme begin to mature, Heads of circles will, in making appointments to Head Postmasterships *ordinarily* give preference to an official who holds a current certificate as Accountant, it being understood that the Accounts work in the Post Office must necessarily be defective, if the Postmaster himself is deficient in the knowledge of accounts."

(b) Is it a fact that 88 officials passed the Postal Accountants' examination held in April 1925 and 94 in the examination held in August 1926 ?

(c) Has any preference been given to those who passed the Postal Accountants' examination in making appointments to the Head Postmasterships in the Madras Circle ? If not, why ?

(d) What are the principles regulating the promotion to Head Postmastership from those who have passed the Postal Accountants examination ?

(e) Will the promotions be given according to seniority in the graduation list, irrespective of the date of passing the examination or regulated according to seniority and priority of passing, taken together ?

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

(b) Yes.

(c) No, because preference for the appointment of Head Postmasters is ordinarily to be given to passed Accountants only when they are sufficiently senior to be considered for promotion.

(d) Among the officials eligible for promotion to the appointment of Head Postmaster, preference will ordinarily be given to one who has passed the Accountants' Examination. It was not intended that promotions to Head Postmaster will be made only from among passed accountants irrespective of seniority.

(e) Promotion will ordinarily be given according to seniority in the gradation list irrespective of the date of passing the examination.

APPOINTMENT OF A JUNIOR POSTAL OFFICIAL AS ACCOUNTANT OF NELLORE.

30. ***Mr. B. P. Naidu** : Is it a fact that while the seniormost qualified Accountant in the Nellore Division was actually working as Accountant, Nellore, not only attending to the work in the Accounts Branch but also attending to the Telegraph Branch for 4 hours a day, in addition, for months together, an absolute junior, who was quite a novice, so far as practical work was concerned and who had to be trained by the former, was posted as permanent accountant, the former being transferred elsewhere as Sub-Postmaster ? If so, why ?

Mr. H. A. Sams : I have enquired into the matter and am satisfied that the transfer referred to was in the interests of the service.

PRINCIPLES REGULATING THE APPOINTMENT OF PERSONS WHO HAVE PASSED THE POSTAL ACCOUNTANTS' EXAMINATION AS ACCOUNTANTS.

31. ***Mr. B. P. Naidu** : What are the principles that generally regulate the appointment of those who have passed the Postal Accountants' examination as Accountants ? Are not seniority and efficiency taken into consideration ?

The Honourable Sir Bhupendra Nath Mitra : The principles are seniority and efficiency.

APPOINTMENT OF A PACKER IN THE KANDUKUR SUB-POST OFFICE.

32. ***Mr. B. P. Naidu** : (a) Is it a fact that there is no messenger or packer attached to the Kandukur Sub-Post Office under the Nellore Head Office ?

(b) Have the postmen who belong to the superior service to perform these functions also which are usually done by members of the inferior service ?

(c) Is it proposed to appoint a packer to that office to have the telegrams delivered promptly and relieve the postmen of the packer's work, for the performance of which they have to break their beats and attend the office in the noon alternately at considerable inconvenience ?

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

(b) Yes, when there is not sufficient work for a separate packer or messenger.

(c) The question has been under consideration and a packer will be sanctioned shortly.

HOUR OF DESPATCH OF SECTION MAILS AT KANDUKUR.

33. ***Mr. B. P. Naidu** : (a) Are the section mails at Kandukur despatched at 13 hours daily ? Are not the staff and the public put to considerable inconvenience, on account of the whole transactions to be included in the mails having to be performed within one hour, namely, from 11 to 12 ?

(b) Are Government prepared to consider the question of altering the hour of despatch of mails by availing themselves of the motor bus services which are now plying regularly between Singarayakonda and Kanigiri ?

Mr. H. A. Sams : (a) The reply to the first portion is in the affirmative. Regarding the second portion steps are being taken to remove the inconvenience by altering the working hours of the Kandukur Post Office.

(b) The matter is under consideration.

COST OF THE SIMLA EXODUS.

34. ***Mr. Gaya Prasad Singh** : With reference to my starred question No. 890 of the 14th March 1927, regarding the cost of the " Simla Exodus ", and the following statement of the cost subsequently furnished to me, namely :

					Rs.
1921-22	..	..	..	..	4,41,683
1922-23	..	..	..	..	6,40,049
1923-24	..	..	..	..	2,70,145
1924-25	..	..	..	..	4,47,120
1925-26	..	..	..	..	5,10,680

will the Government kindly give reasons for the increase in the cost in 1922-23, and 1925-26 ; and also state if the total cost includes house rent, hill allowances, etc., paid in Simla ? And if not, what is the additional expenditure on this account ?

The Honourable Mr. J. Orerar : Information is being collected and will be supplied to the Honourable Member.

Mr. Gaya Prasad Singh : I wish that the information collected should be laid on the table, considering its importance.

The Honourable Mr. J. Orerar : I will consider the matter when the information is before me.

CURTAILMENT OF THE STAY OF THE GOVERNMENT OF INDIA IN SIMLA, ETC.

35. ***Mr. Gaya Prasad Singh** : Is there any proposal to curtail the length of the stay of the Government of India in Simla ? If so, will the Government be pleased to give the result, and also state what offices and establishments it has been decided to locate permanently in Delhi all the year round ?

The Honourable Mr. J. Orerar : The question of the duration of the stay of the Government of India in Simla is under consideration, but no decision regarding it or upon the question of locating permanently in New Delhi further offices and establishments has yet been reached.

Mr. A. Rangaswami Iyengar : Is it a fact that when the project of constructing a new capital at Delhi was decided in 1911 the main reason urged was that it would avoid the Simla exodus and the huge additional cost involved in it ?

The Honourable Mr. J. Orerar : I am not aware that in 1911 it was contemplated that it was possible for the Government of India to remain for the whole year round at Delhi.

Mr. K. C. Neogy : Is it a fact that it was expected at one time that it would be possible for the Government of India to stay at Delhi for seven months in the year and at Simla for five months ?

The Honourable Mr. J. Orerar : I think that proposal has been considered. As I informed the Honourable Member who asked the question, the whole matter is under consideration and no decision has yet been arrived at.

Mr. A. Rangaswami Iyengar : Is it a fact, Sir, that an enormous amount of expenditure has been incurred in Delhi with a view to making it suitable for Honourable Members and the Secretariat to live there during the hot season ?

The Honourable Mr. J. Orerar : It is certainly a fact that the construction of New Delhi has involved very considerable expenditure.

HOLDING OF THE AUTUMN SESSION OF THE CENTRAL LEGISLATURE IN DELHI.

36. **Mr. Gaya Prasad Singh :** (a) Is it in contemplation to hold the Autumn Session of the Central Legislature in Delhi in future, instead of in Simla, in September and October ?

(b) Is it a fact that a query addressed to the Health Officer of Delhi has elicited the reply that the climate of Delhi at that time is extremely malarious, and should be avoided, if possible ? If so, will the Government be pleased to lay a copy of this communication on the table ?

(c) Is it not a fact that it is more costly to the tax-payer to hold a Session of the Indian Legislature in Delhi than in Simla, on account of motor haulage, and conveyance allowances paid to Honourable Members ?

(d) Will the Indian Legislature be consulted before coming to a decision on this point ?

Mr. W. T. M. Wright : (a) No, Sir, but the question of holding an Autumn Session in Delhi in *November* instead of in Simla in September is under consideration in connection with the question of the duration of the stay of the Government of India in Delhi.

(b) A copy of a letter from the Honourable the Chief Commissioner of Delhi to the Government of India giving information on the subject is laid on the table.

(c) The answer is in the affirmative, so far as the budget of the Central Legislature is concerned.

(d) I am not in a position to give any definite assurance on this point at present, but Government would certainly be concerned to ascertain the views of the Legislature.

Copy of a letter No. 3482-Home, dated the 11th May 1927, from the Honourable Mr. A. M. Stow, O.B.E., I.C.S., Chief Commissioner, Delhi, to the Joint Secretary to the Government of India, Home Department.

In reply to your letter No. F-202|1|27-Public, dated the 20th April 1927, I have the honour to forward a copy of Statement 2—Temperature, in Volume B of the Delhi District Gazetteer, 1913, which has been brought up to date by the Director General of Observatories, who remarks that, as fortnightly normals of 8 hours temperature are not available, monthly normals have been given instead. He adds that the periods during which temperature changes most rapidly on the average in Delhi are the middle of March and the middle of November. The average changes occurring in April and October are exemplified by the following normal data of temperature :—

		1st.	8th.	15th.	22nd.	29th.
April	{(Max.	93.4	95.5	97.0	100.0	102.2
	{(Min.	55.8	58.3	61.1	64.1	66.0
October	{(Max.	93.4	93.3	92.5	90.7	88.2
	{(Min.	74.1	71.6	68.8	66.1	63.2

2. I also enclose statements supplied by the Chief Medical Officer, Delhi, showing—

- Maximum and minimum temperatures and rainfall* in April, May, June, October and November 1922 to 1926 inclusive ;
- total deaths from fever during the same five months with an explanatory note dealing with exceptional conditions. Particulars for fortnightly periods cannot be furnished ;
- the number of cases of " fever " treated at the New Delhi Hospital, month by month, for the last three years.

The Chief Medical Officer, who has 3 years' experience of Delhi, points out that the diagnosis shown by these figures cannot be relied on, but that the total figures can be taken as a very reliable guide to the health of the community. He suggests that, if the Government of India contemplate spending a longer period in New Delhi than they have done hitherto, they should remain there for April, May and June which are the healthiest, although the hottest months of the year, and avoid New Delhi in October, which is the unhealthiest month. The particulars given by Colonel Franklin have been collected in collaboration with the Health Officer of New Delhi who has five years' experience of health conditions there throughout the year. It is common knowledge locally that September and October are " bad " months.

Comparative statement showing death from fever in Delhi Province.

	Fever.					Total deaths.				
	April.	May.	June.	October.	November.	April.	May.	June.	October.	November.
1922 ..	514	652	706	910	800	883	1,108	1,154	1,545	1,466
1923 ..	1,504	1,216	1,128	979	713	3,058	2,109	1,700	1,634	1,262
1924 ..	819	961	1,105	614	635	2,169	1,797	1,666	1,195	1,226
1925 ..	735	826	529	1,030	736	1,293	1,373	952	1,523	1,265
1926 ..	717	1,007	1,254	1,964	1,628	1,475	1,758	2,022	2,976	2,527

In 1923 there was plague throughout Delhi Province.

In 1924 owing to the measures taken, the plague was confined to rural circles.

In 1926 there was a general epidemic of Malaria.

SEPARATE ESTABLISHMENT FOR THE LEGISLATIVE ASSEMBLY.

37. ***Mr. Gaya Prasad Singh** : (a) With reference to starred question No. 971 of the 16th March 1927, regarding a separate establishment for the Legislative Assembly, have the Government received any scheme from the Honourable the President of the Legislative Assembly for the separation of the office of the Assembly from the Legislative Department ?

(b) If so, are Government in a position to place the scheme on the table, and to indicate their decision thereon ?

Mr. W. T. M. Wright : (a) Yes, the scheme was received only yesterday and will be considered by Government with as little delay as possible, after the close of the present Session.

(b) The answer is in the negative.

Sir Hari Singh Gour : I beg to inquire if a copy of the scheme will be made available for inspection by Members on this side of the House ?

Mr. W. T. M. Wright : I am not in a position to answer that yet. We will consider the matter.

APPOINTMENT OF A COMMITTEE OF THE GOVERNMENT OF INDIA TO CONSIDER THE QUESTION OF REFORMS AND THE STATUTORY COMMISSION.

38. ***Mr. Gaya Prasad Singh** : Is it a fact that a Committee of the Government of India, consisting of the Honourable Mr. S. R. Das, the Honourable Sir Alexander Muddiman, the Honourable Sir Basil Blackett, and the Honourable Sir John Thompson, have discussed certain proposals regarding the Reforms, and the Statutory Commission, about May last ? Was there any conference held in Simla about that time ; and are Government in a position to indicate the nature of the conference, and the decision arrived therein ?

The Honourable Mr. J. Orerar : The Honourable Member is correct in supposing that the Viceroy, accompanied by certain members of his Government, held certain informal discussions, to which I presume his question refers, a short time ago. These discussions were confidential, and the Honourable Member will therefore appreciate that it is impossible for me to make any statement in regard to them.

Mr. A. Rangaswami Iyengar : Is it a fact that certain Governors were also consulted in this connection.

The Honourable Mr. J. Orerar : I have no information on that point.

STATUTORY COMMISSION ON REFORMS.

39. ***Mr. Gaya Prasad Singh** : Has there been any correspondence between the Government and the Secretary of State for India, regarding the appointment of the Statutory Commission on Reforms ; and are Government in a position to make any statement on the subject ?

The Honourable Mr. J. Orerar : The reply to both parts of the Honourable Member's question is in the negative.

OPENING BY THE BENGAL NAGPUR RAILWAY OF A BOOKING OFFICE IN THE TOWN OF PURI.

40. *Mr. Gaya Prasad Singh : (a) Are Government aware that Puri (in Orissa) is an important place of pilgrimage, as well as a health resort ?

(b) Is it a fact that a largely-signed petition was submitted by the public and the pilgrims of Puri to the Agent, Bengal Nagpur Railway, asking for a booking office to be opened in the town ?

(c) Are Government aware that when this matter formed the subject of an interpellation in the Bihar and Orissa Legislative Council on the 8th March, last, the Local Government stated that " they are aware that the absence of such an office is a local grievance with which they have some sympathy " ?

(d) Do Government propose to have a booking office of the Bengal Nagpur Railway opened in Puri town for the convenience of the public and the pilgrims ?

Mr. A. A. L. Parsons : (a), (b) and (c). Yes.

(d) The Agent of the Railway reports that after a careful examination of the subject it has been decided that the opening of a booking office in Puri town will not be an advantage to ignorant and illiterate pilgrims, who form the bulk of the passenger traffic, as it would not be possible to supervise a booking office in the town as effectually as at the station.

Mr. B. Das : Is the Honourable Member aware that the Pilgrims' Committee in 1915-16 recommended that a booking office should be opened in Puri Town, as also in Gaya ? How is it that that recommendation has not been given effect to for so long ?

Mr. A. A. L. Parsons : The recommendation has not been given effect to for the reasons I have just given in my reply to the main question. I was not myself aware of a committee having dealt with the matter before, but I am quite prepared to take it from the Honourable Member that that is the case.

Mr. B. Das : Will the Honourable Member consult his colleagues on his left in the Department of Education, Health and Lands regarding the recommendations of the Pilgrims' Committee ?

CONSTRUCTION OF A RAILWAY FROM RISHIKESH TO KARNAPRAYAG.

41. *Mr. Gaya Prasad Singh : Will the Government kindly state what progress, if any, has been made in the proposal to construct a railway from Rishikesh to Karnaprayag, on the way to Badri Nath, and when is the survey of the section likely to be completed ?

Mr. A. A. L. Parsons : Owing to the difficult nature of the country and the late start made last working season due to staff not being available, the progress on the Rishikesh Karnaprayag Railway survey has been rather slow. It is expected, however, that the field work will be completed by March, 1928.

OPENING UP OF THE SANTHAL PARGANAS BY RAILWAYS.

42. ***Mr. Gaya Prasad Singh** : (a) Is it proposed to launch any railway project (East Indian Railway) in Bihar, which will open up the Santhal Parganas areas, and bring them into touch with centres of trade and industry ?

(b) Are Government aware that this tract of the country is rich in coal and iron, and awaits development ?

Mr. A. A. L. Parsons : (a) The Bausi-Naya Dumka-Sainthia Railway, which will serve the Santhal Parganas, is under investigation.

(b) Coal and iron are known to exist in the locality.

REMODELLING THE STATION OF BAIDYANATH DHAM ON THE EAST INDIAN RAILWAY.

43. ***Mr. Gaya Prasad Singh** : Are Government aware that the railway station of Baidyanath Dham (East Indian Railway) is insufficient to cope with the requirements of the heavy pilgrim traffic, and is there any proposal to make necessary extensions in connection with it ?

Mr. A. A. L. Parsons : Government understand that the remodelling of Baidyanath Dham station has already been sanctioned by the East Indian Railway authorities and that the work is expected to be completed by 31st March 1928.

CASES DEALT WITH BY THE RAILWAY RATES ADVISORY TRIBUNAL.

44. ***Mr. Gaya Prasad Singh** : Will the Government kindly furnish a statement, showing the number and details of cases submitted to the Railway Rates Advisory Tribunal since its inception, together with the decision or other steps in connection with them ?

Mr. A. A. L. Parsons : I am having a copy of the statement required placed in the Library.

Mr. B. Das : Will Government be pleased to state whether they have considered the advisability of changing the function of the Rates Advisory Committee to that of a Rates Tribunal, as was recommended by the Acworth Committee ?

Mr. A. A. L. Parsons : There is no present intention of doing so, Sir.

Mr. B. Das : What are the reasons why this has not been given effect to ?

Mr. A. A. L. Parsons : The reasons have, I think, been previously explained in this House, but I am afraid in any case it would not be possible for me to give a complete answer to that question without notice.

Mr. B. Das : Does the Honourable Member realise that the Rates Advisory Committee has no statutory powers ?

Mr. A. A. L. Parsons : I am well aware that the Rates Advisory Committee has no statutory powers.

LEGISLATION FOR THE REGULATION OF TRADE DISPUTES IN INDIA.

45. *Mr. Gaya Prasad Singh : Is it a fact that about August 1924, the Government drafted a Bill for the regulation of trade disputes in India ? If so, what has happened to it ; and is there any such measure likely to come up before the House ?

The Honourable Sir Bhupendra Nath Mitra : A Bill relating to the investigation and settlement of trade disputes was drafted by the Government of India in August 1924. Thereafter it was circulated to Local Governments and published for criticism. A number of criticisms were received and it is probable that, as a result of these criticisms, it will be necessary to modify the original proposals. In this connection the provisions of the law recently passed in England are also being examined. A Bill dealing with this subject will in all probability be introduced in the next Session of this House.

WORKMEN OF THE EASTERN BENGAL RAILWAY AND MEMBERSHIP OF LABOUR UNIONS.

46. *Mr. Gaya Prasad Singh : Has the Agent, Eastern Bengal Railway, issued a notice (No. 438-0-3-27), dated 16th March last, warning the workmen of that Railway not to join Labour Unions which have not been registered under the Trade Unions Act ? If so, what is the reason for this pressure for compulsory registration ?

The Honourable Sir George Rainy : The answer to the first part of the question is in the affirmative. As regards the second part of the question Government do not accept the interpretation put upon the notice by the Honourable Member. The Agent issued it in the interest of the workmen themselves.

Diwan Chaman Lall : May I ask the Honourable Member whether the workmen themselves are more competent to consider their own interests than the Agent ?

The Honourable Sir George Rainy : I do not think that arises, Sir, but I think it is clearly within the province of the Agent to take action which he believes to be in the interests of his workmen.

Diwan Chaman Lall : May I ask the Honourable Member whether it is not a fact that under the Trade Unions Act it is not compulsory for a union to register itself, and if workmen want to form a union there should not be any objection ?

The Honourable Sir George Rainy : If this is a question of law which he has put to me, I am afraid I must ask for notice.

Mr. A. Rangaswami Iyengar : Does not that amount to a certain amount of pressure ?

The Honourable Sir George Rainy : I do not think so, and I am quite sure it was not meant as such by the Agent.

Diwan Chaman Lall : If, as the Honourable Member has said, it was in the interests of the workmen, may I ask why the Agent refused permission for the formation of this union ?

The Honourable Sir George Rainy : I think it is obvious, Sir, that the Legislature having provided for the registration of trade unions, it must be to the advantage of workmen to belong to a registered union rather than an unregistered union.

Mr. A. Rangaswami Iyengar : But why did the Agent issue a notice if it was not to compel people ?

The Honourable Sir George Rainy : I do not think there was any compulsion.

Pandit Nilakantha Das : May I ask if this is confined to one railway ?

The Honourable Sir George Rainy : The notice to which the question refers relates to one railway only.

ISSUE OF THIRD CLASS ORDINARY RETURN TICKETS.

47. ***Mr. Gaya Prasad Singh :** (a) Have the Government received any representation addressed to the Secretary, Railway Board, from certain citizens of Patna, in which the following passage occurs, relating to the grievances of third class passengers :

“ The necessity of granting third class ordinary return tickets looms large to those observers, who experience the terrible rush at the window of the third class booking office, which is always found at almost all the big stations. The rush generally at stations, such as Gaya, Patna, Allahabad, etc., is so terrible that it becomes almost impossible to reach the window, and the passengers are often left behind.”

(b) Are Government aware that the above represents a substantially correct state of affairs ? What steps have been taken to remedy this evil ?

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

(b) The reply to the first part of the question is in the negative. Both the Railway Board and Railway Administrations are paying particular attention to improving the facilities for the issue of tickets to third class passengers, and I am sure that the Agent of the East Indian Railway will be glad to consider whether the arrangements at any particular station are capable of improvement, if the matter is brought to his attention by his Local Advisory Committee. But the issue of third class ordinary return tickets is likely to encourage fraudulent travelling, which, as the Honourable Member is aware, is already far too prevalent ; and the Railway Board are not therefore prepared at present to consider their issue.

EXPULSION OF HINDUS FROM THE NORTH-WEST FRONTIER TRIBAL TERRITORY.

Mr. H. G. Cocke : With your permission, Sir, I desire to ask the Foreign Secretary if he is in a position to make a statement about the recent expulsion of Hindus from the North-West Frontier tribal territory ?

12 NOON.

Sir Denys Bray : Excitement over the *Rangila Rasul* case spread to the frontier districts early in June and reached its height in Peshawar towards the latter part of July. The atmosphere became tense and caused the authorities much anxiety. Under Sir Norman Bolton's skilful handling, however, the frontier districts issued from a grave crisis without a

serious breach of the peace. For though the economic boycott of Hindus was freely advocated, especially in Peshawar, the movement met with little success; and though in one or two villages Hindus were maltreated, order was restored on the arrest of the culprits, coupled with action under the Police Act and the Code of Criminal Procedure.

The spread of the indignation across the border into tribal territory was more serious. Here feelings, always acutely sensitive to the appeal of religion, rapidly became deeply stirred. The Afridi and Shinwari countries were inflamed by the preaching of a well-known Mullah, who called upon the tribesmen to expel the Hindus from their midst, unless they dissociated themselves in writing from the doings of down-country Hindus. The first class to expel their Hindu neighbours were the Kuki Khel and Zakka Khel on the 22nd July. Fired by their example the Shinwaris gave their Hindus notice to quit a few days later; but after some of them had gone, agreed to allow the rest to remain. Some of the Hindus on leaving the Khyber were roughly handled. In two cases stones were thrown though happily without damage. In a third a Hindu was wounded and a large amount of property carried off; but the property was recovered by Afridi Khassadars in full, and the culprits fined for the offence. Thereafter arrangements were made for the picketing of the road for the passage of any Hindus evacuating tribal territory. Under pressure from the Political Officer an Afridi *jirga* decided towards the end of July to suspend the Hindu boycott pending a decision in the *Vartman* case. In the following week, however, several families, who had been living in sarais at Landi Kotal moved to Peshawar, refusing to accept the assurances of the tribal Malikis, yet leaving one person from each family behind to watch over their interests. In all between four hundred and four hundred and fifty Hindus, men, women and children, came into Peshawar. The latest news is that a *jirga* of the leading Malikis has been summoned to Peshawar from various parts of Tirah to discuss their return.

It will be seen that the trouble has been confined to one small section of tribal territory in the neighbourhood of the Khyber Pass, and this localising of the movement is a matter for which Sir Norman Bolton and his officers may justly take credit. Some of the Hindus were definitely expelled; some were induced to leave their homes by threats; some left from fear; some no doubt from sympathy with their neighbours. Now expulsion and voluntary exodus from tribal territory are alike without parallel. These Hindus have lived there, most of them, for more generations than they can record, as valued and respected, and indeed essential members of the tribal system, for whose protection the tribesmen are jealous and whose blood-feuds they commonly make their own, and throughout this unhappy business it has been the aim of Government to use their influence so that as soon as the passions of wrath and bitterness on either side permit, the Hindus may return to their homes and take up their old position of respect among the tribes of Tirah. Powerful economic and traditional forces are already at work to heal the breach. That the breach will be healed before long I am confident, provided always that nothing untoward arises from any malicious or thoughtless intrusion from without. I do not like to add more, lest something be said that might retard the return of these Hindus to their homes, or worse still, that might open up fresh tribal areas to the contamination of a bitterness which is now fast dying out.

Nawab Sir Sahibzada Abdul Qaiyum : May I know whether the Government are aware that these tribal Hindus had voluntarily and for various reasons sympathised with the Mussalmans of the country in their troubles in connection with the *Rajpal* case but that after the down-country propaganda extended to that place from their own co-religionists, they retracted their sympathy and came up to the authorities and demanded extraordinary protective measures to be taken in their favour, which according to the custom of the country, it was not the business of the authorities to interfere in ?

Sir Denys Bray : If the Honourable Member would allow me to say so I would venture to deprecate any questions of detail on the case.

Mr. B. Das : Will the Honourable Member kindly make a statement showing the result of the meeting that takes place between the Maliks and the Chief Commissioner in order to allay the feelings of the Members of this House ?

Sir Denys Bray : I shall gladly do so if it seems to be in the public interest that I should.

Diwan Chaman Lall : May I ask the Honourable Member if the Mullah who went about preaching in the territory came from Peshawar or from down-country ?

Sir Denys Bray : The Mullah came up from India ; he had just returned from the Haj.

Diwan Chaman Lall : May I ask whether any steps were taken to prohibit the entry of the Mullah into that tribal territory, or to prosecute him when he came back ?

Sir Denys Bray : I possibly did not make myself clear. The Mullah belongs to the trans-frontier.

Nawab Sir Sahibzada Abdul Qaiyum : Do Government know that there is a Mullah called " Chaknawar Mulla " who comes from Afghan territory, that on his way back from the Haj he passed through the Khyber, where there are a good many followers of his in the Shinwari and other countries, and that his preaching was also a factor in this matter ?

Sir Denys Bray : That is so, Sir.

UNSTARRED QUESTIONS AND ANSWERS.

NUMERICAL STRENGTH OF MUSLIMS AND NON-MUSLIMS IN THE CLERICAL ESTABLISHMENT OF THE PUNJAB POSTAL CIRCLE.

1. **Mr. Abdul Haya :** (a) Will the Government please lay on the table a statement showing the numerical strength of Muslims and non-Muslims employed in the clerical establishment of the Punjab Postal Circle, in each grade, in each Division and 1st class H. O. separately ?

(b) Will the Government please state what ratio Muslim officials in each Division and 1st class H. O. bore in 1900, 1910, 1920, and 1926-27 ?

(c) Will the Government state in what Postal Division and 1st class H. Os. the recruitment of Hindus is totally or partially restricted ?

(d) Will the Government place on the table a statement showing the number of Muslims and non-Muslims appointed in the clerical establishment of the Post Offices in each Division and 1st class H. O. in the Punjab since the passing of the order referred to in (c), if any ?

The Honourable Sir Bhupendra Nath Mitra : Government do not possess the information called for, nor do they propose to collect it as they consider that the amount of labour and expenditure involved would be disproportionate to the value of the result. Steps are being taken to ensure that in all future recruitment the policy of the Government of India in regard to communal representation in services is given effect to.

MEAGRE REPRESENTATION OF MUSLIMS IN THE POSTAL DEPARTMENT.

2. **Mr. Abdul Haya :** (a) Are Government aware that great dissatisfaction exists among Muslims in the Punjab with regard to their meagre representation in the Postal Department ?

(b) Will the Government please state what steps are being taken to remove the general discontent in this respect ?

The Honourable Sir Bhupendra Nath Mitra : (a) Government are aware of such feeling as exists on this question.

(b) In certain Head Offices and Divisions a proportion of vacancies in the clerical cadre is being reserved for the present exclusively for Muhammadan recruitment.

MEAGRE REPRESENTATION OF MUSLIMS IN THE OFFICE OF THE POSTMASTER GENERAL, PUNJAB.

3. **Mr. Abdul Haya :** (a) Will the Government please state if a Muslim was ever appointed as Superintendent, Postmaster General's office, Punjab, during the last 20 years, if not, why ?

(b) Will the Government please state if a Muslim was ever appointed as Head Assistant, Postmaster General's office, if so, when and for what period ? If not, why ?

(c) Will the Government state the number of Head Clerks' appointments in the Postmaster General's office (Punjab) and in what ratio they are held by Muslims and non-Muslims ?

(d) Will the Government state the number of selection grade appointments in the Postmaster General's office, Punjab, and how many of them are held by Muslims ?

(e) If the Muslims are meagrely represented in the above-mentioned appointments in the Postmaster General's office (Punjab), what steps are Government prepared to take to increase their number ?

The Honourable Sir Bhupendra Nath Mitra : (a) No; because no senior Muslim was available at the time a vacancy occurred.

(b) No ; the appointment was created in 1919, and has since then been held by senior officials who happened to be non-Muslims.

(c) Twelve. The ratio of Muslims to non-Muslims is 1 to 5.

(d) Twenty-two,—of these three are held by Muslims.

(e) The appointments in question are filled by selection from among the senior suitable officials. Government do not propose to take any steps to modify the existing method of selection so as to base the selection on principles of communal representation.

TRANSFER OF OFFICIALS IN THE OFFICE OF THE POSTMASTER GENERAL, PUNJAB.

4. **Mr. Abdul Haye** : Will the Government state whether formerly officials in the Postmaster General's office were transferred to Circle appointments and *vice versa* ? If so, why has this practice been discontinued ?

Mr. H. A. Sams : Transfers of officials belonging to the Postmaster General's office to Circle appointments and *vice versa* used to be made and are still made in exceptional circumstances to meet the exigencies of the public service.

PERIOD OF EMPLOYMENT OF MR. NAUBAT RAI IN THE PUNJAB CIRCLE AS PERSONAL ASSISTANT AND DEPUTY POSTMASTER GENERAL.

5. **Mr. Abdul Haye** : Will the Government state for how long Mr. Naubat Rai has been in the Punjab Circle office both as P. A. and Deputy Postmaster General ?

Mr. H. A. Sams : Rai Bahadur Naubat Rai has been in the Punjab Circle as P. A. for 2 years 8 months and 12 days and as Deputy Postmaster General for 4 years and 11 days.

APPOINTMENT OF MUSLIMS AS PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

6. **Mr. Abdul Haye** : Will the Government please state how many appointments of Probationary Superintendents of Post Offices were made from 18th August 1925 to 1st April 1927 and how many of them were Muslims ?

Mr. H. A. Sams : Six appointments of Probationary Superintendents of Post Offices were made between the 18th August 1925, and the 1st April 1927. None of them were Muslims.

MAXIMUM PERIOD OF EMPLOYMENT OF AN OFFICER AS DEPUTY POSTMASTER GENERAL OF A CIRCLE.

7. **Mr. Abdul Haye** : Will the Government please state what is the maximum period for a Deputy Postmaster General to work in a Circle ?

Mr. H. A. Sams : No definite period is prescribed.

EDUCATIONAL GRANT TO THE BHARATI SCHOOL COMMITTEE OF THE HINDUS OF KOHAT FOR THE CONSTRUCTION OF THEIR HIGH SCHOOL.

8. **Pandit Thakur Das Bhargava** : (1) Have the Government helped the distressed Hindus of Kohat by any educational grant in the last year or the present year ?

(2) Have the Bharati School Committee of the Hindus of Kohat applied for a grant-in-aid for the construction of their High School ?

(3) If so, has the grant been sanctioned ? What is its amount ?

(4) If none has been sanctioned so far, will the Government consider sympathetically the justice of sanctioning the grant as soon as possible ?

Mr. A. B. Dalal : (1) Yes.

(2) Yes.

(3) No. The plans and estimates of the proposed building are under scrutiny; the amount of grant cannot be determined until the scrutiny is complete.

(4) The case will be considered under the rules laid down in the Education Code of the North-West Frontier Province.

**HINDU AND MUHAMMADAN COLLEGES, HIGH SCHOOLS AND MIDDLE SCHOOLS
IN THE NORTH-WEST FRONTIER PROVINCE.**

9. **Pandit Thakur Das Bhargava :** (1) Will the Government be pleased to state how many Hindu Colleges, High and Middle Schools exist in the North-West Frontier Province ?

(2) Will the Government be pleased to state how many Muhammadan Colleges, High and Middle Schools exist in the North-West Frontier Province ?

(3) Do Government pay any grant-in-aid to any such Hindu College, High or Middle Schools ? If so, how much ?

(4) Do Government pay any grant-in-aid to any such Muhammadan College, High or Middle Schools ? If so, how much ?

Mr. A. B. Dalal : The information is given below :

(1)

College .. .. .	..	..	..	..	..	..	1
High schools .. .. .	..	..	..	..	..	..	9
Middle schools for boys .. .. .	..	..	..	..	..	..	5
Middle schools for girls .. .. .	..	..	..	..	..	..	5
							<hr/> 20

(2)

College .. .. .	..	..	..	..	..	..	1
High schools .. .. .	..	..	..	..	..	..	5
Middle schools .. .. .	..	..	..	..	..	..	2
							<hr/> 8

(3) Yes ; Rs. 10,000 a year to the College and Rs. 94,939 a year to the High and Middle schools.

(4) Yes ; Rs. 80,000 a year to the College and Rs. 67,723 a year to the High and Middle schools.

INCREASE OF THE WATER TAX IN THE KASALI CANTONMENT.

10. **Pandit Thakur Das Bhargava :** (1) When were the waterworks at Kasali established and who stood the expenses ?

(2) What is the rate of water tax realised from the citizens of Kasali Cantonment ?

(3) Is it proposed to increase the water taxes in Kasauli ?

(4) Have the Cantonment Board of Kasauli taken over certain pipes and do they propose to pay for the extra water supply for the civil population at the rate of Rs. 2-8-0 per thousand gallons ?

(5) Is it a fact that a public meeting of the citizens of Kasauli was held to enter emphatic protests against the contemplated proposals mentioned in part 4, and did a deputation of citizens wait upon the Executive Officer in this connection ?

(6) What was the ultimate decision of the Cantonment Board ?

(7) In view of increased cost of living and other hardships occasioned by increasing the water taxes at Kasauli, do the Government propose to drop the proposals, if any, for increasing the water tax at Kasauli ?

Mr. G. M. Young : (1) The waterworks at Kasauli were established in 1904 at the expense of the State.

(2) The existing water rate is Rs. 2 per 1,000 gallons. The existing water tax is :

(a) 3 per cent. on the annual rental of buildings within 1,000 feet of the nearest standpost, and

(b) 1½ per cent. on the annual rental of buildings beyond 1,000 feet of the nearest standpost.

The question is under consideration in view of the fact that the loss to the State during 1925-26, under the existing rates, amounted to Rs. 30,022.

(4). (a) No. The water costs Rs. 2-8-0 per 1,000 gallons to produce, and the Military Engineer Services have claimed to be paid at this rate. The question of accepting this enhanced rate is under consideration by the Cantonment Board.

(5) A meeting of the residents of the bazaar was held on the 16th January 1927, and a copy of the proceedings was sent to the Cantonment Board in the form of a petition. No deputation waited on the Executive Officer, but on the invitation of the President a deputation representing the residents of the bazaar attended a meeting of the Board held on the 19th January 1927. The whole situation was explained and the Board assured the deputation of sympathetic treatment.

(6) The Cantonment Board has not yet come to a decision on the subject.

(7) No, but the Government are considering the possibility of assisting Cantonment Authorities generally by grants-in-aid to pay for water supplied by the Military Engineer Services at full rates.

COMPLAINTS OF HOUSE OWNERS IN THE AMBALA CANTONMENT REGARDING THE INACCURACY OF THE SURVEY PLAN.

11. **Pandit Thakur Das Bhargava :** (a) Is it a fact that the owner of a house in B. C. Bazar, Ambala Cantonment, applied to the Cantonment Authority for permission to reconstruct his house on a more sanitary plan ?

(b) Is it a fact that on receiving the application the Executive Officer found that the house in question did not exist in the Survey Plan and the site under the house was shown there as an open plot ?

(c) Is it a fact that the Executive Officer, on his own authority, not only rejected the application of the house owner but also directed him to demolish the house as it was an encroachment according to the Survey Plan ?

(d) Is it a fact that on the protest of the non-official members, the Executive Officer withdrew the notice of demolition issued by him, but insisted on the application being referred to the Government of India for orders ?

(e) Are Government aware that the Survey Plan in Ambala was prepared by petty subordinates of the Cantonment Authority in 1902 without informing the people of the results of the survey and giving them an opportunity to contest the same where they conflicted with their rights ?

(f) Is it a fact that in scores of cases in the past the Survey Plan has been found to be wrong and has either shown houses where none existed or shown sites of old houses as vacant plots ?

(g) Are Government aware that in the past the Cantonment Authority in Ambala has been deciding each case, where the Survey Plan has not tallied with the existing conditions of land, on its merits ?

(h) Is it a fact that some secret instructions were issued by Colonel Lawrinson in November 1926 directing the Executive Officer to stick to the Survey Plan regardless of its discrepancies ?

(i) Is it a fact that these instructions having been enforced by the Executive Officer with the support of the official members have caused great hardships to house owners in Ambala Cantonment and trampled upon their rights in many cases ?

(j) Do Government propose to issue instructions that the Survey Plan not being a conclusive document of title, the discrepancies therein should be dealt with as in the past on the merits of each case ?

Mr. G. M. Young : (a) and (b). Yes.

(c) No. The Cantonment Board directed the Executive Officer to issue a notice to remove the encroachment.

(d) The notice was withdrawn and the case referred to higher authority.

(e) No. The Plan of 1902-03 was correctly prepared by the Survey of India.

(f) The Government of India are informed that this is not the case.

(g) Government have no information of individual cases.

(h) The Government of India understand that no such instructions were issued to the Executive Officer.

(i) Does not arise.

(j) The Government do not propose to issue any such instructions, but they have no doubt that any case in which discrepancies are disclosed will be dealt with on the merits.

ELECTRIC STREET LIGHTING OF THE SADAR BAZAR, AMBALA.

12. **Pandit Thakur Das Bhargava** : (a) Are Government aware that a large portion of the Sadar Bazar, Ambala, with a population of 10,000, is still without electric street lighting ?

(b) Is it a fact that for further extension of electric street lighting, a sum of Rs. 70,000 was provided for in the budget of 1927-28 ?

(c) Is it a fact that the major portion of this allotment has been diverted from the Sadar Bazaar and is being spent on providing electric lights on the roads leading to N. I. Lines ?

(d) Is it a fact that there are very few bungalows on these roads ?

(e) Do the Government propose in view of the obvious undesirability of the proposal to direct that the same may not be given effect to ?

Mr. G. M. Young : (a) Government are informed that the greater part of the Sadar Bazaar has already been provided with electric street lighting. They are not aware of the exact extent of the area still unlighted.

(b) No. A sum of Rs. 7,000 only was provided for the whole Cantonment.

(c) No. Less than half the budgetted sum is to be utilised for this purpose.

(d) No.

(e) No. The Government do not regard the proposal as undesirable.

APPOINTMENT OF THE VICE-PRESIDENT OF THE CANTONMENT BOARD, AMBALA, AS CHAIRMAN OF ALL SUB-COMMITTEES.

13. **Pandit Thakur Das Bhargava** : (1) Is it a fact that in the regulations framed under section 44 of the Cantonments Act by the Cantonment Board, Ambala, in June 1926 and submitted after the unanimous approval of the Cantonment Board to the Local Government, it was provided that the Vice-President should be the *ex-officio* Chairman of all sub-committees ?

(2) Is it a fact that in the meeting of the Cantonment Board held on 28th February 1927, it was decided by a majority of votes that instead of the Vice-President, as originally proposed, the President should be the Chairman of all sub-committees ?

(3) Are Government aware that the above majority consists mainly of the official members ?

(4) Is it a fact that the Government of India have recognised that at the present time, the non-official Vice-President is a figurehead in a Cantonment Board and has held out assurances, to the All-India Cantonments Association that the Government would shortly either by executive instructions or by a modification of the Cantonments Act, confer increased and definite powers upon the Vice-President ?

(5) If the reply to the above question be in the affirmative, do the Government intend to take steps that the amendment proposed and passed by the majority of the Cantonment Board to make the President

instead of the Vice-President Chairman of the sub-committees, is not accepted by the Local Government ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result.

REGULATION RELATING TO THE LAYING OF PAPERS APPERTAINING TO THE AGENDA OF THE CANTONMENT BOARD, AMBALA, ON THE TABLE FOUR DAYS BEFORE A MEETING.

14. **Pandit Thakur Das Bhargava :** (1) Is it a fact that in the regulations submitted to the Local Government for approval by the Ambala Cantonment Board under section 44 of the Cantonments Act in June 1926, it was provided that the Secretary shall lay on the table all the papers pertaining to the agenda four days before the date of a meeting of the Cantonment Board ?

(2) Is it a fact that in the amended form in which the regulations have been adopted in the meeting of the Cantonment Board held on 28th February 1927 by a majority of votes mainly official, it has been proposed to reduce four days to two ?

(3) Are Government aware that there are bulky papers, files and account papers to be seen by a member before he is able to express his opinion about the same in the next meeting of the Cantonment Board ?

(4) Are Government aware that the responsible non-official members of the Board filed a strong note of dissent protesting against the change ?

(5) Do Government propose to take steps to see that the amendment is not approved by the Local Government ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result.

COMPLAINTS OF HOUSE-OWNERS IN AMBALA CANTONMENT.

15. **Pandit Thakur Das Bhargava :** (1) Is it a fact that when an owner of a house in a cantonment having a large compound attached to it, desires to sub-divide the compound, for building another house, the Cantonment Authority requires him to execute a fresh lease for the whole site ?

(2) Will the Government be pleased to lay on the table the number of cases with particulars, in Ambala Cantonment, in which a fresh lease has been demanded in case of the sub-dividing of the site during the last three years ?

(3) Will the Government quote the law under which such lease is demanded ?

(4) Is it a fact that the demand for a new lease has been made in Ambala Cantonment even where the site happens to be an old free grant ? If so, why ?

(5) Are Government aware that this practice has caused great discontent among the house-owners in Ambala Cantonment who contend that the municipal powers of the Cantonment Authority should not be used to destroy people's rights in land ?

(6) Will the Government be pleased to state in what way Government interests will suffer, if a house-owner is allowed to build another house, on the old existing site already in his occupation ?

Mr. G. M. Young : (1) If the site belongs to Government, Government requires a fresh lease to be executed for the sub-divided portion only.

(2) The answer is in the negative.

(3) A fresh lease is required by Government as landlord before agreeing to any large modification of the purposes to which the site is put.

(4) Government have no information whether a demand has actually been made in such a case, but, if it has, they consider that it is within the legitimate rights of a landlord. Government remains the owner of cantonment land, even when the grant is free of rent ; and retains the right to resume whenever it so desires.

(5) Government are not aware of the existence of any discontent ; nor are the municipal powers of the Cantonment Authority in any way concerned.

(6) Government interests are liable to suffer, if land that is in their ownership is subjected by the tenant to any encumbrance not provided for in the original grant.

EXPENDITURE ON ROADS IN THE BAZARS IN AMBALA CANTONMENT.

16. **Pandit Thakur Das Bhargava :** (1) Are Government aware that out of Rs. 23,000 set apart for Cantonment Fund Roads in Ambala, the Cantonment Board has, by an official majority of votes, allotted only Rs. 8,500 for roads in the bazars and decided to spend the large balance of Rs. 14,500 on roads in the Cantonment area outside the bazars ?

(2) Are Government aware that prior to the constitution of the elected board in Ambala, a very large portion of the grant under roads was spent from year to year on the roads outside the bazars with the result that some of the metalled roads of the bazars were not renewed for over a score of years and several roads continued to be 'kachha' as at the time of the establishment of the Cantonment ?

(3) Is it within the knowledge of the Government that five non-official members including the Vice-President pressed for Rs. 15,500 being spent on the bazar roads and the balance for the outside ?

(4) Is it a fact that the bazars contribute 70 per cent. of the Cantonment Fund, have all local trade and industry there and have several kachha roads without drains which by becoming marshy in the rainy season form a great menace to public health ?

(5) Is it a fact that the official members disregarded the wishes of the elected members in this respect and put forth the plea of dividing the grant between the two areas according to the length of roads in each ?

(6) Are Government aware that the condition of roads in the two areas differs greatly and the bazar roads stand no comparison with roads outside ?

(7) Have Government seen the note of dissent filed by the elected members against the decision of the majority, namely, the official members ?

(8) Do Government propose to go through the note and direct if they think fit, that the grant under roads be divided as suggested by the elected members—at least for the next year ?

Mr. G. M. Young : (1) The figures quoted by the Honourable Member are correct : but, as by themselves they might convey a wrong impression, I may add that in the previous year 1926-27, Rs. 40,000 were spent on roads in the bazaars and only Rs. 5,000 on roads in the Cantonment area outside the bazaars.

(2) Government are informed that the facts are not as stated in the question.

(3) Yes.

(4) It is difficult to estimate the actual contribution of the bazaars to the income of the cantonment, as much of the wealth of the bazaars is derived from the cantonment area outside the bazaars. Government understand that the Cantonment Board is pursuing a policy of gradual improvement in the roads and drains throughout the whole cantonment.

(5) No, Sir. Government are informed that the matter was reported on by a special Committee, and that both points of view were put forward and fully discussed in the Cantonment Board.

(6) No, Sir. Government are informed that the bazaar roads are in a better condition, if anything, than those outside the bazaars, as the result of the very large expenditure recently incurred on the former.

(7) and (8) The answer is in the negative.

PUBLICATION OF THE AMENDMENTS MADE BY THE CANTONMENT BOARD, AMBALA, TO THE REGULATIONS FRAMED UNDER SECTION 44 OF THE CANTONMENTS ACT.

17. Pandit Thakur Das Bhargava : (1) Are Government aware that section 44 (3) of the Cantonments Act requires that the regulations framed under section 44 be published for public objections in such manner as the Local Government may prescribe ?

(2) Is it a fact that the Local Government of the Punjab have so far prescribed no system or procedure of publication for such regulations ?

(3) Are Government aware that the Central Provinces Government have decided that such regulations framed by the Cantonment Board of the Cantonments in its jurisdiction, should be translated into the vernacular of the Province, displayed at conspicuous places, announced by beat of drum and published in the local Gazette and other papers having circulation in the Cantonment concerned ?

(4) Are Government aware that no such thing was done by the Ambala Cantonment Board when it framed its regulations in June 1926 ?

(5) Is it a fact that these regulations have been materially altered by the Cantonment Board, Ambala, by a majority of votes in its meeting of 28th February 1927 and submitted to the Local Government without notifying the amendments to the public or inviting their opinions and views about the same ?

(6) Do Government propose to direct that the regulations be published in the manner adopted by the Central Provinces Government, before these are considered and approved by the Local Government.?

(7) Are Government aware that there is a strong public feeling against the non-publication of these amendments and that several non-official members have filed notes of dissent against non-publication ?

(8) Do Government propose to peruse those notes of dissent and see that the regulations are passed in a way that their legality may not be challenged in future ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result.

**GRANT OF PERMISSION TO NON-MEMBERS TO ADDRESS MEETINGS OF THE
CANTONMENT BOARD, AMBALA.**

18. **Pandit Thakur Das Bhargava :** (1) Are Government aware that in the regulations framed by the Cantonment Board, Ambala, under section 44 of the Cantonments Act, provision has been made to allow a person, not a member of the Board, to address a meeting of the Board, if the majority of the members present desire the same ?

(2) Is it a fact that in the meeting of the Cantonment Board held on 28th January 1927, the President allowed one Mian Khan to address the meeting and on an objection being raised by the Vice-President to the illegality of the procedure, a reference was made to the Northern Command to give a ruling on the point ?

(3) Is it a fact that the Northern Command in its letter No. 36264-A.I.L.C., dated 10th February 1927, informed the President that no one who was not a member of the Board could address its meeting ?

(4) Are Government aware that in spite of this ruling, the Cantonment Board, Ambala, in its meeting held on 28th February 1927, decided by a majority of votes that permission to address the meeting of the Board could be given to a non-member if the majority of the members so desired ?

(5) Are Government aware that there being a standing majority of official members in the Cantonment Board, the regulation in question would practically give them the power of allowing outsiders to speak in or address a meeting of the Cantonment Board ?

(6) Do Government propose to direct that this regulation be cancelled as being both illegal and opposed to the instructions given by the Northern Command ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result.

**IMPROPRIETY OF DISCUSSIONS OF THE AGENDA OF BUSINESS BY THE PRESIDENT
OF THE CANTONMENT BOARD, AMBALA, WITH INDIVIDUAL MEMBERS,
BEFORE THE MEETING.**

19. **Pandit Thakur Das Bhargava :** (1) Is it a fact that the President, Ambala Cantonment Board, discussed certain items of the agenda fixed for the meeting of the Cantonment Board, Ambala, held on 28th January 1927, some days before the date of meeting, with a member of the Cantonment Board ?

(2) Is it a fact that on the fact coming to the notice of the Vice-President, he wrote to the President to come to the meeting with an open

mind and to protest against his discussing the agenda with individual members before coming to the meeting ?

(3) Are Government aware that as a result of these secret discussions, the Cantonment Board either approved the decisions already arrived at and brought in typed form to the meeting or passed them by a majority of votes ?

(4) Do Government propose to issue instructions as to the impropriety of such discussions by the President with individual members before the meeting is held ?

(5) Do Government propose to put a stop to the practice of bringing in, by the Executive Officer, of typed decisions already arrived at in such secret meeting, to be passed by the Board or at any rate by the standing official majority ?

Mr. G. M. Young : (1), (2), (3), (4) and (5). The Government of India have no information of this incident, and propose to take no action. They see no reason why the President of a Cantonment Board should not discuss the agenda with any member of the Board at his discretion.

REJECTION OF MOTION FOR ADJOURNMENT PROPOSED BY NON-OFFICIAL MEMBERS OF THE CANTONMENT BOARD, AMBALA.

20. **Pandit Thakur Das Bhargava :** (1) Are Government aware that a motion for adjournment of the meeting of the Ambala Cantonment Board was brought forward by 5 non-official members, as a protest against certain high-handed and illegal acts of the President ?

(2) Will the Government state the circumstances under which the adjournment motion was brought forward ?

(3) Is it a fact that after the motion was rejected by a majority of votes, mainly official, the non-official members filed a note of dissent stating the facts which necessitated the motion ?

(4) Do Government propose to direct the official President of Ambala Cantonment Board to show greater regard and consideration to the views of the non-official members ?

Mr. G. M. Young : (1), (2) and (3). The Government understand that a motion for adjournment was put forward and rejected by a majority of the votes of the Board including those of certain elected members, and that certain other elected members filed a note of dissent. They are not aware of the grounds on which the motion was put forward and do not consider that any useful purpose would be served by making enquiries.

(4) The answer is in the negative.

HOLDING IN CAMERA OF MEETINGS OF THE CANTONMENT BOARD, AMBALA.

21. **Pandit Thakur Das Bhargava :** (1) Are Government aware that in the ordinary meeting of the Cantonment Board, Ambala, held on 29th January 1927 and in the special meeting of the same Board held on 5th February 1927, the President directed the discussion of one or two items in camera ?

(2) Is it a fact that as required by section 42 of the Cantonment Act, no reasons were recorded by the President for the decision of these items in camera ?

(3) Are Government aware that on the Vice-President's pointing out the illegality, the President on 28th February 1927, while confirming the

proceedings of the meetings mentioned above, added to the proceedings that the meeting was held in camera, in the interests of the Cantonment Board ?

(4) Do the Government know that the giving of this vague reason has caused great stir among the people, some of whose representatives had to leave the meeting when it was declared to be held in camera ?

(5) Will the Government be pleased to enquire why the reasons were not recorded at the time the meeting was held in camera and why these reasons were not specified ?

Mr. G. M. Young : (1) Yes.

(2) No.

(3) The Government of India understand that the President did not record his reasons in writing until his attention was drawn to the section.

(4) The Government are informed that there was no stir.

(5) In view of the facts stated above, the Government do not propose to make any further enquiry into this incident.

INDIANIZATION OF THE SUPERIOR SERVICES.

22. **Mr. N. M. Joshi :** Will Government be pleased to place on the table a statement on the Indianization of each of the Superior Services for 1920, 1921, 1922, 1923, 1924, 1925 and 1926 showing :

(a) the number of posts in each Service at the beginning of each year, new posts created and number of posts at the end of the year ;

(b) the number and percentage of Indians and non-Indians at the beginning and at the end of each of these years ;

(c) the number of vacancies and newly created posts filled during each of these years by Indians and non-Indians and also their percentage ;

(d) the percentage recommended by the Lee Commission ?

The Honourable Mr. J. Orerar : I would refer the Honourable Member to the statements laid on the table in reply to his questions of the 15th September 1921, the 2nd July 1923, and the 8th March 1924, and in reply to Mr. J. Chaudhuri's question of the 8th September 1922. A statement showing the progress of Indianization during the years 1924 and 1925 and the position on the 1st January 1925 and the 1st January 1926 was placed in the Library of the House during the earlier part of the Session, and a further statement, bringing the figures up to the 1st January 1927, has since been placed in the Library. These statements, I think, show in a convenient form what is essential for observing the progress of Indianization, and I hope will meet the requirements of the Honourable Member.

The percentages of recruitment recommended by the Lee Commission are stated in Chapter V of their Report.

GRANT OF COMPENSATION TO THE HEIRS OF ROLLA SINGH, MOTOR VAN DRIVER, KILLED IN THE CALCUTTA RIOTS.

23. **Mr. N. M. Joshi :** (a) Will Government be pleased to state whether any compensation has been given to the heirs of Mr. Rolla Singh,

driver of the motor van killed during the Calcutta riots and, if so, how much ?

(b) Will Government be pleased to state whether they have not yet come to a decision and if they have not, will they explain the cause of delay ?

Mr. H. A. Sams : (a) Yes. A gratuity of Rs. 600 was sanctioned for the widowed sister of the late Rolla Singh.

(b) Does not arise.

CONSUMPTION OF OPIUM IN INDIA.

24. **Mr. N. M. Joshi :** Will Government of India be pleased to give a statement of the figures in seers of the consumption of opium per 10,000 population in the different provinces of India also mentioning separately the figures for some of the largest cities ?

The Honourable Sir Basil Blackett : A statement showing opium consumption per 10,000 of population in the various provinces of British India and in some of the districts containing large cities, for the three years, 1923-24 to 1925-26, is laid on the table.

(Opium consumption per 10,000 in seers.)

STATEMENT I.

Provinces.	1923-24.	1924-25.	1925-26.
Madras	8.27	8.26	8.41
Bombay Presidency proper	16.78	16.43	15.27
Sind	17.98	18.27	17.14
Bengal	8.55	8.59	8.55
Bihar and Orissa	7.75	7.50	7.37
Assam	47.70	48.61	44.21
Burma	23.37	22.35	21.55
United Provinces	5.32	5.13	4.85
Central Provinces and Berar	21.88 (1923)	22.88 (1924)	22.81 (1925)
Punjab	16.13	16.28	18.20
Delhi	See Statement II.		
North-West Frontier Province	12.78	10.74	8.48
Ajmer-Merwara	56.46	62.38	67.32
Coorg	2.13	2.31	2.07
Baluchistan	6.95	7.98	6.96

STATEMENT II.

Districts.	1923-24.	1924-25.	1925-26.
Calcutta	92.46	89.75	86.96
24-Parganas	20.36	20.93	19.27
Howrah	16.26	16.49	15.80
Rangoon	110.10	89.39	83.05
Madras	26.24	24.94	27.31
Bombay	42.35	35.85	27.95
Cawnpore	24.70	24.75	23.44
Delhi	20.35	25.49	32.18

OPENING OF A HOSPITAL FOR RAILWAY SERVANTS IN JHANSI CITY.

25. **Mr. N. M. Joshi** : (a) Are Government aware that a large number of railway servants residing in Jhansi City have to go to take medicine and get their attendance marked in the railway hospital when they are on sick list leave ?

(b) How far is this hospital from the City ?

(c) Will the Government consider the advisability of opening a hospital in the Jhansi City ?

Mr. A. A. L. Parsons : (a) It is not compulsory for the railway servants residing in Jhansi City to go to the railway hospital when sick. They have the option of being attended to by their own family doctor provided they report their illness to the Railway Medical Officer in charge of their station within 48 hours.

(b) Approximately 2½ miles.

(c) The question of opening a branch dispensary at Jhansi City was taken up in 1921, but a dispensary at the place was not considered justified at the time. In view of the recent growth of the station, the question whether such a dispensary is now justified is again under the consideration of the railway administration.

NON-EMPLOYMENT ON SATURDAYS OF WORKERS ON DAILY WAGES IN RAILWAY WORKSHOPS.

26. **Mr. N. M. Joshi** : (a) Is it a fact that men on daily wages in workshops are given holidays on Saturdays also ? If so, since when has this practice been started and why ?

(b) What savings have the Government effected by adopting this procedure ?

(c) Has this practice been started in the Jhansi City only or throughout the Great Indian Peninsula Railway ?

(d) Are Government aware that a similar practice has also been started in the Madras and Southern Mahratta Railway workshop at Perambur ?

Has any other Railway in India adopted this practice ?

(e) Are Government aware that the workers are getting less wages on account of this practice ?

(f) Will Government be pleased to state what they propose to do to make up the loss in wages which the workers suffer ?

Mr. A. A. L. Parsons : (a), (c) and (d). As a general practice workshops are kept open on Saturdays. Recently some portions of the Jhansi Workshops on the Great Indian Peninsula Railway were closed on Saturdays for a short period, as the public traffic requirements would not permit of sufficient vehicles being sent in for periodical repairs. The workshops on the Madras and Southern Mahratta Railway were also closed on Saturdays for a short period owing, I believe, to absenteeism. In both these cases the practice of keeping the workshops open on Saturdays has been resumed.

(b), (e) and (f). In view of the reply to (a) the question does not arise.

CONTRACT WITH THE EMPLOYEES OF THE GREAT INDIAN PENINSULA RAILWAY NOT TO ENGAGE ON PRIVATE WORK ON SUNDAYS AND HOLIDAYS.

27. **Mr. N. M. Joshi :** Is it a fact that workers in railway workshops have been bound by contract not to take up any other work on Sundays, Saturdays and other holidays for which they do not get any pay from the Railways ?

Mr. A. A. L. Parsons : Under the terms of his agreement no employee of the Great Indian Peninsula Railway can carry on or be interested in any business or trade without the permission of the authorities.

POSTING OF ORDERS AND CIRCULARS ON NOTICE BOARDS IN THE JHANSI RAILWAY WORKSHOPS.

28. **Mr. N. M. Joshi :** Is it a fact that orders and circulars are not posted on Notice Boards in the Jhansi workshops ; if not, why not ?

Mr. A. A. L. Parsons : No. Orders and circulars intended for workmen are posted on the Notice Board in the Jhansi workshops.

INDIAN GUARDS AND DRIVERS EMPLOYED ON THE MAIN LINE OF THE GREAT INDIAN PENINSULA RAILWAY.

29. **Mr. N. M. Joshi :** Will Government be pleased to state how many Indian guards and drivers are running on the main line of the Great Indian Peninsula Railway for passenger trains and for goods trains ?

Mr. A. A. L. Parsons : Government have no information.

MEDICAL CERTIFICATES OF EMPLOYEES OF THE GREAT INDIAN PENINSULA RAILWAY.

30. **Mr. N. M. Joshi :** Will Government be pleased to state whether the certificates regarding sickness of railway employees of the

Great Indian Peninsula Railway issued by the Civil or Assistant Surgeons are not accepted by the railway authorities; if not, why not ?

Mr. A. A. L. Parsons : The certificates are accepted if countersigned by Railway Medical Officers.

SICK LEAVE PAY OF EUROPEANS AND INDIANS ON RAILWAYS.

31. **Mr. N. M. Joshi :** (a) Is it a fact that the European staff on Indian Railways when on the sick list get full pay and the Indians only half pay ? If so, why ?

(b) Is it a fact that the sick leave period of the European staff is excluded from long leave while in the case of Indians, it is not ? If so, why ?

Mr. A. A. L. Parsons : The position as stated in the questions only applies, as far as State-managed Railways are concerned, to old employees of the old East Indian and Great Indian Peninsula Railway Companies, who were taken over by the State under the original terms of service. It does not apply to employees of those Railways appointed since the lines came under State management, who have been brought under the Fundamental Leave Rules, nor does it apply to the other State-managed Railways.

The State Railway leave rules are now under revision and the employees of the old East Indian and Great Indian Peninsula Railway Companies will be given the option of electing these new rules, when issued, under certain conditions.

The position also on most of the Company-worked Railways is as stated in the question, but the leave rules for the employees on these Railways are framed by the Board of Directors under their own powers subject to the condition that the rules are within the basic rules prescribed by Government for Company-worked Railways. Under the terms of the contracts Government cannot interfere with the discretion of the Board of Directors in this matter.

INTRODUCTION OF THE FUNDAMENTAL LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

32. **Mr. N. M. Joshi :** (a) Is it a fact that the Fundamental Leave Rules are not yet brought into force on Great Indian Peninsula Railway ? If not, why not ?

(b) Will the Fundamental Leave Rules apply to all new as well as to the old employees of the Great Indian Peninsula Railway ?

Mr. A. A. L. Parsons : The Honourable Member is referred to the answer just given to his question No. 31.

GOODS SHED ACCOMMODATION AT JHANSI STATION.

33. **Mr. N. M. Joshi :** (a) Are Government aware that the goods shed on the Jhansi Station platform is quite insufficient to meet the needs of the traffic of the Station ?

(b) Is it a fact that goods remain lying in open space for several days for being despatched and delivered and that much loss is caused by rain thereby ?

(c) Will the Government consider the advisability of erecting sheds early ?

(d) Why has Orai Station (on the Jhansi-Cawnpore section) been abolished as a Headquarters and Chauranah opened instead ?

(e) Has the change increased the hours of duty of the drivers to 18 hours ?

Mr. A. A. L. Parsons : (a) No. The goods shed accommodation at Jhansi was increased by 25 per cent. early this year.

(b) No complaints to this effect have been received.

(c) This is not considered necessary.

(d) and (e). The engine-runs on the Jhansi-Cawnpore section have recently been revised, but the change of engine crews at Chauranah instead of at Orai has not increased the hours of duty of drivers to 18 hours.

SUPPLY OF WATER NEAR THE GOODS SHED AT JHANSI. *

34. **Mr. N. M. Joshi :** Is it a fact that there is no arrangement for the supply of water near the goods shed at Jhansi ?

Mr. A. A. L. Parsons : The reply is in the negative.

There is a stand pipe and a howd near the goods shed and chatties at the gate lodge at Jhansi station.

WIRE FENCING OF THE RAILWAY LINE IN THE JHANSI-MANIKPUR SECTION.

35. **Mr. N. M. Joshi :** (a) Is it a fact that there is no wire fencing on both sides of the railway line in the Jhansi-Manikpur section ?

(b) Will Government be pleased to state how many animals were run over by the absence of wire-fencing during the past year ?

Mr. A. A. L. Parsons : (a) The Jhansi-Banda portion of the Jhansi-Manikpur section is unfenced.

(b) During the 13 months January 1926 to January 1927, 61 animals were run over on the unfenced length or an average of 0.51 animals per mile as compared to 0.34 per mile on the fenced portions of the Jhansi Division.

CHARGE OF FULL FARE TO RAILWAY SERVANTS FAILING TO GET THEIR PASSES INITIALLED.

36. **Mr. N. M. Joshi :** Is it a fact that full fare is now being charged from railway servants if they fail to get their passes initialled on the journey ? If so, why ?

Mr. A. A. L. Parsons : The penalty of being treated as passengers without tickets was imposed on railway servants who failed to comply with the rule requiring that passes should be dated before commencement of journey, in order to prevent passes being used more than once.

PERIOD OF MID-DAY REST IN THE WORKSHOPS AT JHANSI.

37. **Mr. N. M. Joshi :** (a) Will Government be pleased to state when the workshop at Jhansi remains closed for mid-day rest and for what period ?

(b) Is it a fact that the open space where they used to sit and take their food is just being fenced ?

Mr. A. A. L. Parsons : (a) Jhansi workshops are closed for the mid-day rest from 11 to 12 hours, Monday to Friday.

(b) Yes.

PERIODICAL MEDICAL EXAMINATION OF RAILWAY EMPLOYEES.

38. **Mr. N. M. Joshi :** (a) Is it a fact that men in railway service are now medically examined periodically ? If so, why ?

(b) How many workers after this examination have been discharged or reduced during the last three years on the Great Indian Peninsula Railway and how many of them were Indians and how many were Europeans ?

Mr. A. A. L. Parsons : (a) I would refer the Honourable Member to the reply given to question No. 141 asked by Dr. K. G. Lohokare on the 20th August, 1926.

(b) Government have no information.

REDUCTION OF THE HOURS OF WORK OF THE STATION COMMERCIAL STAFF ON THE GREAT INDIAN PENINSULA RAILWAY.

39. **Mr. N. M. Joshi :** (a) Are Government aware that the Great Indian Peninsula Railway station commercial staff have to work for twelve to fourteen hours a day ?

(b) Is it a fact also that they have to work from 18 to 20 hours a day on Sundays ?

(c) Have Government considered the effect of this on the health of the servants and the advisability of reducing the hours of work ? If not, are they prepared to do so ?

(d) Is it a fact that on some other Railways the hours of work for such employees are only eight ?

Mr. A. A. L. Parsons : Government have no information on the subject but will make enquiries.

CLOSING OF THE CITY BOOKING OFFICE AT JHANSI.

40. **Mr. N. M. Joshi :** (a) Since when has the City booking office at Jhansi been closed and why ?

(b) Is it a fact that the Jhansi Municipal Board has passed a resolution requesting the re-opening of the booking office on account of the inconvenience caused to the passengers ? Do Government propose to order the office to be re-opened ?

Mr. A. A. L. Parsons : (a) The Jhansi City booking office was closed on the 1st May, 1923, as its continuance was not financially justifiable.

The Great Indian Peninsula Railway have elaborate and adequate arrangements at Jhansi station for dealing with passenger traffic.

(b) A petition on the subject was received by the Great Indian Peninsula Railway from the Chairman, Municipal Board, Jhansi. Government do not propose to intervene in the matter, but are forwarding a copy of the question and the reply to the Agent, Great Indian Peninsula Railway.

PAY OF CLERKS OF THE RAILWAY MAIL SERVICE IN THE MUFASSIL AND THE CITY OF MADRAS.

41. **Mr. Abdul Latif Saheb Farookhi :** (1) Is it a fact that the Director General of Posts and Telegraphs has sanctioned the equalization of salaries for postal clerks in the mufassil of the Madras Presidency while the Railway Mail Service staff has not been granted the same privilege ?

(2) If so, why ?

(3) Are Government prepared immediately to grant the same privilege to the Railway Mail Service employees both in the mufassil and the City of Madras ?

Mr. H. A. Sams : (1) No.

(2) and (3). Do not arise.

GRANT OF THE PRIVILEGE TO MEMBERS OF THE INDIAN LEGISLATURE TO KEEP RETAINERS FOR THEIR ARMS.

42. **Maulvi Muhammad Shafee :** (1) Will the Government be pleased to state whether the Ministers, the Executive Councillors, and the High Court Judges, who are exempted under clause (1) (a) of Schedule I of the Indian Arms Rules, 1924, can be allowed to keep retainers for their arms ?

(2) If the answer to the first question is in the affirmative, will the Government be pleased to state whether the Members of the Indian Legislature, who are also exempted under clause (1) (a) of Schedule I of the Indian Arms Rules, 1924, can be permitted to keep retainers for their arms ?

(3) Has the matter been brought to the notice of the Government that the Provincial Government of Bihar and Orissa has taken the view that the Members of the Indian Legislature are not fit persons to be allowed to keep retainers for their arms ?

(4) Do the Government propose to take some immediate step to remove the difficulty from the path of the Members of the Indian Legislature ?

(5) Are Government prepared to consider the advisability of issuing a detailed notification with regard to the question, clearly laying down the persons or the classes of persons who are entitled to enjoy the privilege of keeping retainers for their arms ?

The Honourable Mr. J. Crerar : (1) Retainers of the officials mentioned are not exempted from the provisions of the Arms Act and the rules framed thereunder.

(2) and (4). The position of Members of the Indian Legislature is the same. There is nothing to prevent their applying for arms licences for their servants.

(3) and (5). No.

STUDENTS FROM BIHAR AND ORISSA IN THE ROYAL INDIAN MILITARY COLLEGE, DEHRA DUN.

43 **Maulvi Muhammad Shafee** : (1) Will the Government be pleased to state the number of students from Bihar and Orissa, who have joined the Prince of Wales' Royal Indian Military College, Dehra Dun, since its inauguration ?

(2) Will the Government be pleased to state whether any student from Bihar and Orissa has been able to take advantage of the concession offered to the sons of Indian officers of good service as regards the curtailment of the college fees ?

(3) Will the Government be pleased to state whether the term Indian officers signifies military officers only or includes officers belonging to the civil services as well ?

(4) If the privilege is confined to the sons of military officers only, are Government prepared to consider the advisability of extending it to the sons of the officers belonging to the civil services ?

(5) If the answer to the last question is in the negative, will the Government be pleased to lay down the reasons for the same ?

Mr. G. M. Young : (1) Four.

(2) Yes ; one cadet.

(3) The term " Indian Officer " refers only to military officers.

(4) and (5). Government do not propose to institute special pecuniary concessions at Dehra Dun for the sons of civil officials. The reason is that those officials are not considered to be any more in need of such concessions than private individuals.

AMENDMENT OF SECTION 153 OF THE BENGAL TENANCY ACT.

44. **Mr. K. C. Neogy** : In connection with the pending amendment of section 153 of the Bengal Tenancy Act, will Government be pleased to make a statement showing—for the last two years—in respect of (a) the province of Bengal and (b) such parts of Bihar where the Bengal Tenancy Act applies :

(i) the number of appeals preferred in the District Courts, in rent suits in which the amounts claimed were above Rs. 50 and Rs. 100 respectively ; and

(ii) the number of appeals preferred in the High Courts, in rent suits in which the amounts claimed were above Rs. 100 and Rs. 200 respectively ?

The Honourable Mr. J. Orerar : The information is being obtained from the Local Governments, and will be communicated to the Honourable Member on receipt.

PROPER REPRESENTATION OF THE BANIK COMMUNITY OF BENGAL IN THE SERVICES.

45. **Mr. Amar Nath Dutt** : (a) Has the attention of the Government been drawn to the letter dated the 12th May, 1927, addressed to the Secretary, Government of India, Home Department, by Rabindra Nath Dhar ?

(b) Is it a fact that the Banik community of Bengal is very poorly represented in the Services, as stated in the letter ?

(c) If so, do Government propose to provide for the proper representation of this community ?

The Honourable Mr. J. Crerar : (a) Yes.

(b) Government have no information beyond that stated in the letter.

(c) No. It would not be practicable to make provision for the representation of particular castes or sub-divisions within a community.

TENDERS FOR PAINT, ZINC, LEAD, ETC., CALLED FOR BY THE DIRECTOR GENERAL OF THE INDIA STORES DEPARTMENT, LONDON.

46. **Mr. Nirmal Chunder Chunder** : (1) Will Government be pleased to state whether the Director General of India Stores Department, Branch No. 43, Belvedere Road, Lambeth, S. E. 1, invited tenders for 68 tons of paints, zinc, lead and various ground and mixed, in June and July last ?

(2) Will Government be pleased to state whether such tenders were due on the 5th July, 1927 ?

(3) Will Government be pleased to state whether those tenders have been opened and if so at what rates have the tenders been made with respect to each of the above classes of paints ?

(4) Were those tenders asked for in India and if so on what dates and with what results ?

(5) If the answer to the foregoing question is in the negative, will Government be pleased to state the reason why no tenders for the above classes of paints were called for in India ?

The Honourable Sir Bhupendra Nath Mitra : (1), (2) and (3). The Government of India have no information regarding the particular tenders referred to by the Honourable Member. The High Commissioner for India has been addressed on the subject and on receipt of his reply I shall supply the Honourable Member with such information as is available.

As regards parts 4 and 5 of the question, the attention of the Honourable Member is invited to the reply given to questions Nos. 21 and 22 asked by Sir Hari Singh Gour on the 22nd January, 1925.

LIST OF PAINT MANUFACTURERS IN INDIA ON THE APPROVED LIST OF THE INDIAN STORES DEPARTMENT.

47. **Mr. Nirmal Chunder Chunder** : Will Government be pleased to lay on the table a list of paint manufacturers in India who are on the approved list of the Indian Stores Department, noting against each, the prices and the quantities and classes of paints ordered from each and which of them were, or are to be, manufactured in India and which were, or are to be, imported from abroad ?

The Honourable Sir Bhupendra Nath Mitra : Statements giving the necessary information for the period from the 1st April, 1926 to the 15th July, 1927, are being supplied to the Honourable Member.

ARRIVAL OF THE 53 UP PASSENGER AT KIUL JUNCTION ON THE EAST INDIAN RAILWAY.

48. **Raja Raghunandan Prasad Singh** : Has the attention of the Government been drawn to the fact that under the present arrangement 53 Up Passenger arrives at Kiul Junction, East Indian Railway, 22 minutes too late and so misses connection with the 15 Up Express to the great inconvenience of the passengers concerned ? Do they propose to make the necessary changes in the Time Table so as to enable passengers travelling by 53 Up Passenger to avail themselves of a fast train at Kiul Junction ?

Mr. A. A. L. Parsons : According to the time table No. 53 UP Passenger terminates at Bhagalpur and the Honourable Member possibly refers to 47 Up Passenger.

It is quite impossible for Government to take any part in the arrangement of Time Tables. Copies of the question and this answer will be sent to the Agent, East Indian Railway.

MURDERS OF ARYA SAMAJISTS ENGAGED IN THE WORK OF SHUDDHI AND SANGATHAN.

49. **Mr. Mukhtar Singh** : (a) How many Arya Samajists engaged in the work of *Shuddhi* and *Sangathan* have been killed during the last three years ?

(b) In how many cases in the above cases have the accused been traced and convicted ?

The Honourable Mr. J. Crerar : Government are making enquiries. The information will be furnished to the Honourable Member in due course.

PURCHASE OF GHEE FOR THE ARMY IN INDIA.

50. **Mr. Mukhtar Singh** : Is it the intention of the Government to invite tenders for the agency for the purchase, during the coming ghee season, of ghee which will be required for the Army in India ? If the answer be in the negative will the Government be pleased to state its reasons for doing so ?

Mr. G. M. Young : Yes. Offers have already been called for by advertisement in the Press. The second part of the question does not arise.

STRENGTH, CONDITIONS OF SERVICE, ETC., OF LIGHT-HOUSE ESTABLISHMENTS IN BENGAL, MADRAS AND BOMBAY.

51. **Mr. Abdul Latif Saheb Farookhi** : Will the Government of India be pleased to state :

(a) The numbers of sea or coast light-houses which exist in each Presidency, namely, Bengal, Madras and Bombay ?

- (b) The total strength of the establishments in each Presidency ?
- (c) The years in which the establishments were introduced in each Presidency ?
- (d) The numbers and names of Brahmins, caste Hindus, Muslims, Adi-Dravidas and Anglo-Indians, or Christians, now working in the grades of assistant light keepers and head light keepers with the pay of their grades, in each Presidency ?
- (e) The number of men of the several Indian communities other than Anglo-Indians or Christians, appointed to the places of assistant light keepers and head light keepers in each Presidency from the year the sea or coast light-houses were introduced in each Presidency up to the year 1920 ?
- (f) The period of training for light-house work required to be undergone by a new man before he is appointed to the place of assistant light keeper in each Presidency, and the educational and other qualifications required for an assistant light keeper's post in each Presidency ?
- (g) The period of light-house experience or the period of service in the Department required by an assistant light keeper to qualify for promotion to the head light keeper's place in each Presidency ?
- (h) The total Government service of each member of the various Indian communities other than Anglo-Indians or Christians with their names, now working in the sea or coast light establishments in each Presidency ?
- (i) The number of permanent and temporary vacancies now existing in both the lower and upper grades (i.e., head light keeper's grade and assistant light keeper's grade) of the sea or coast light-house establishments in each Presidency ?
- (j) From what fund, the sea or coast light-houses and the staffs are being maintained in each Presidency, and from what source has such fund been derived ; and what is the balance of such fund on 1st April, 1927 ?
- (k) The number of automatical gas acetylene lights and the Chance's incandescent oil burner lights now exhibited in each Presidency, and the average yearly expenses for maintaining an automatical gas acetylene light and an incandescent oil burner light as well ?
- (l) The necessity for having converted some of the port-lights into automatical gas acetylene lights in the Presidencies, and whether there is any proposal to convert all the sea or coast lights into automatical gas acetylene lights in the Presidencies. If so, when ? If not, why ?
- (m) The numbers and names with their nationalities of the light-house mechanics, now working in each Presidency ?

COUNTING TOWARDS PENSION OF SERVICE RENDERED BY A PERSON AS PORT LIGHT KEEPER ON HIS TRANSFER TO THE SEA OR COAST LIGHT SERVICE.

52. **Mr. Abdul Latif Saheb Farookhi** : Will the Government of India be pleased to state whether the services of a port light keeper who is transferred to the sea or coast light service, is added to his service of the sea or coast light-house, and treated as one and the same Government service at the time of his retiring or completing 30 years' service in both the port and sea or coast light services in all Presidencies ?

The Honourable Sir George Rainy : I will reply to questions Nos. 51 and 52 together.

Information on the several points raised in these questions is being obtained from the Local Governments and will be supplied to the Honourable Member on receipt.

MOTION FOR ADJOURNMENT.

REPRESENTATION OF INDIANS ON THE ROYAL COMMISSION TO CONSIDER THE FEDERATION OF KENYA AND OTHER EAST AND CENTRAL AFRICAN COLONIES.

Mr. President : I have received the following notice of a motion for adjournment from Mr. K. C. Roy :

" I beg to give notice of my intention to move an adjournment of the business of the Assembly on the 18th August to discuss a definite matter of urgent public importance, namely, the situation created by the announcement by the Secretary of State for the Colonies of the early appointment of a Royal Commission to consider proposals for a closer union by federation of Kenya and other East and Central African Colonies and States, and the urgent necessity of immediate action on the part of the Government of India for securing adequate Indian representation in the said Commission and obtaining proper terms of reference to the Commission with a view to protect the rights, status and interests of Indians in the said Colonies."

I must confess that I have not got enough materials before me to justify me in determining the question of the admissibility of this motion. I would therefore like to know if Government are prepared to throw any light on the question of admissibility.

The Honourable Sir Basil Blackett (Leader of the House) : Sir, the public importance of the announcement of His Majesty's Government's decision to send a Commission to Africa to consider the possibility of a closer union by federation between Kenya and the other territories cannot be questioned. But I submit, Sir, that this motion ought to be opposed on the ground that the matter is not urgent. The plea for urgency is, I suppose, based on three factors,—the appointment of the Commission, its terms of reference and its personnel. No urgency can attach to one or two, the appointment of the Commission or the terms of reference : they have been publicly announced. As regards the personnel, it has been stated that it was announced by His Majesty's Secretary of State for the Colonies in the House of Commons that the Secretary of State for India would nominate one member. This constitutes a recognition by His Majesty's Government of the importance of including in the Commission a person conversant with Indian conditions. The Government of India are fully alive to the importance of the decision of His Majesty's Government and are determined to do everything in their

power to safeguard India's interests. Representations have in fact been made to His Majesty's Government, and I submit, therefore, Sir, that it cannot be said that there is a special urgency which would justify this motion being taken up to-day, and that if a substantial number of Members of this House desire an opportunity for discussing it the ordinary opportunities are open through the ballot.

Mr. K. C. Roy (Bengal : Nominated Non-Official) : Sir, while I congratulate the Honourable Sir Basil Blackett on his appointment as the Leader of the House (Loud Applause), I fear I cannot congratulate him on the opposition which he has offered to my motion. I am sorry, sincerely sorry, that the first step of the new Leader should be to oppose a motion which has been dictated by the one solitary consideration, and that consideration is, well being of 60,000 to 70,000 Indians who are settled in the East and Central African territories. I am glad, Sir, that he has admitted the public importance of the motion. But he pleads that there is no urgency. I shall prove, Sir, that there is a great deal of urgency, and that we have suffered in the past—since 1908—due to the lethargy and inactivity of the Government of India. Sir, the operative clause of my motion is that we want immediate action on the part of the Government of India. Are we right, or are we wrong? Sir Basil Blackett says.....

Mr. President : What action does the Honourable Member wish the Government of India to take?

Mr. K. C. Roy : Sir, I am coming to that. I want the Government of India to make immediate representation to His Majesty's Government and I want also the Government of India to hear the Non-Official Members of this House. First and foremost, Sir Basil Blackett has said that the announcement of the Commission has been made. What is the announcement? The announcement is that the Secretary of State has been asked to send out a special Commission, but the Commission has not yet been appointed. There is no Royal Warrant or Instrument of Instructions. Then, there are the terms of reference. I look upon them as mere tentative terms of reference. Those terms of reference are entirely inadequate in regard to the citizenship status of Indians as defined by the Imperial Conference of 1921. Then, Sir, I come to the question of Indian representation. Mr. Amery, the other day—the full text of his speech came only by the last mail—said that there will be a representative of the India Office, and what is the representative of the India Office going to do? Are we going to be content with the representative of the India Office? Will he represent the Government of India or will he represent the people of India? And, Sir Basil Blackett seems to be satisfied with one representative. What has been the practice in the past? In 1910 His Majesty's Government appointed a very important Commission to inquire into the Crown Colonies.

Mr. President : The Honourable Member is going into the merits of the case. We are now discussing the point of order.

Mr. K. C. Roy : I am not going into the merits of the case. My Honourable friend the Leader of the House is satisfied with one representative of the India Office. But there was a Commission in the past and His Majesty's Government appointed three members, namely, Sir George Scott Robertson, Sir James Latouche and Sir Selwyn Freeman. Are we going to be satisfied with one member now? I think, Sir, there is

[Mr. K. C. Roy.]

great urgency in regard to this matter ; we should make immediate representation to His Majesty's Government to widen the terms of reference and to afford full representation of Indians on the personnel of the Commission. The personnel of the Commission is impending ; it has not yet been announced. We know only of one name, he is the President, Commander Hilton Young, not a very inspiring name in India. We are very anxious to make immediate representation, and, Mr. President, I hope you will see your way to admit my motion.

Mr. N. M. Joshi (Nominated : Labour Interests) : Sir, may I say one word on this point ? The discussion on this question is very important from the point of view of Indians in East Africa.

Mr. President : It is admitted that the discussion on this question is very important. The question is whether it is urgent.

Mr. N. M. Joshi : It is urgent in this way, Sir, that if the Royal Warrant is once issued, it will be very difficult to change it, and therefore if we want the terms of reference not to contain any matter which is against the declared policy of the British Government as regards Indian emigration and the Indian residents of East Africa, this is the time for us to do so, and the matter is also urgent from the point of view of the personnel. The Indian community in East Africa is several times larger than the British community in East Africa and they promise to give only one seat on the Royal Commission to Indians. It is therefore very urgent.

Mr. President : Is it a fact that the terms of reference have already been announced ?

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadian) : Tentatively, provisionally.

Mr. N. M. Joshi : As regards the personnel, they promise only one seat to Indians. Indians in East Africa are several times larger than the British in East Africa. It is therefore quite urgent that we should make representation to the British Government that the Indian representation on the Commission should be adequate to the number of Indians in East Africa.

Mr. President : If Government have already made a representation to that effect, what is the urgency ?

Sir Hari Singh Gour : May I point out the urgency ? The Honourable the Leader of the House has admitted that the Government of India are in communication with the Secretary of State on the subject of India's representation on this Commission. I presume that itself is a matter of urgency to the Government of India ; and being a matter of urgency it does not lie in the mouth of the Leader of the House to say that, while it is urgent for the Government of India to make representation to the Secretary of State, it is not a matter of urgency, so far as this House is concerned, to strengthen the hands of the Government of India in any communication made by them to the Secretary of State. I am sure, Sir, that the Honourable the Leader of the House will admit that the question of urgency arises on all the three points. First, as regards the terms of reference, I have before me a newspaper cutting of a very recent date from which I gather that the terms of reference are only provisional and if the Government of India.....

Mr. President : Is the Honourable Member reading the terms of reference ?

Sir Hari Singh Gour : The terms of reference. I am reading from a recent issue of the *Pioneer* in which it is stated.....

Mr. President : Is it stated that the terms are provisional ?

Sir Hari Singh Gour : Yes, Sir. They have therefore authorised the Secretary of State to send to Africa a special Commission with the following terms of reference.

The Honourable Sir Basil Blackett : May I shorten the discussion by saying that my information is that the terms of reference are final, and not provisional.

Mr. K. C. Roy : May I ask whether there has been a Royal Warrant or Instrument of Instructions ?

The Honourable Sir Basil Blackett : I submit, Sir, that there is no proof of urgency from the point of view of the terms of reference or the announcement of the Commission. The only point that my Honourable friend Mr. Roy makes is that there is urgency as regards the question of the personnel. He desires that the matter may be discussed in order to press upon the Government the necessity of making representations to His Majesty's Government with reference to the personnel. I have told him that representations have been made for the protection of Indian interests by the Government.

Mr. President : Of adequate representation of Indian interests by Indians ?

The Honourable Sir Basil Blackett : Government have, I submit, done all that they can do in this matter. The notice that has been given by Mr. Roy and this discussion has, I submit, made it clear that the House desires that the Government should make this representation and there is nothing more that can be done as a result of this discussion in the House. I therefore suggest that Mr. Roy should withdraw his motion.

Sir Hari Singh Gour : May I ask, has this House no duty in the matter ?

Mr. President : I should like to know whether the Government have made a representation for the adequate representation of Indians on that Commission.

The Honourable Sir Basil Blackett : Of Indian interests, Sir.

Mr. A. Rangaswami Iyengar (Tanjore cum Trichinopoly : Non-Muhammadian Rural) : May I say, Sir, that the urgency, so far as this House is concerned, arises, even on the Leader's own showing, on the third part of the motion of which notice has been given by my Honourable friend Mr. Roy ? The question is not whether the Indian Government made representations for the protection of Indian interests in any inquiry the Commission may make. The question is not also whether the India Office, as Mr. Amery said in the House of Commons, has been asked to nominate a representative, it may be of somebody who is in the good books of the India Office. The question is whether we, the people in India, have a right to say that an Indian representative and an adequate number of Indian representatives should be appointed to the Commission if the interests of Indians there are to be adequately protected ; and I say, this House has

[Mr. A. Rangaswami Iyengar.]

got the right and the duty of making this representation to the Government, and the Government, I say, Sir, is equally under a duty to forward that representation to His Majesty's Government and to support it. Therefore, Sir, I think the matter is most urgent, because I expect this Commission may be announced any day and it is necessary that the view of this House on the question of the adequacy and the representative character of Indians to be appointed to the Commission should be pressed on His Majesty's Government.

Mr. President : There are three points raised by this motion. One is the principle of the appointment of the Royal Commission. The announcement of the appointment of the Royal Commission has already been made. That question has therefore settled itself and nothing remains to be done. The second is the question of the terms of reference. It has been contended that the terms of reference that have been published are provisional. On the other hand, the Leader of the House assures me that these terms are not provisional but final. The third point raised by the motion is regarding the personnel of the Commission. There is no doubt that the personnel has not been announced. There is something in the White Paper to the effect that the Secretary of State for India will be asked or is being asked to appoint some nominee of his as a member representing the Indian interests. There is, on the other hand, the desire on the part of Mr. Roy and those who think with him that there should be adequate representation of Indians, and that is a point which is, in my opinion, really urgent. The personnel of the Commission might be announced at any moment and, if the opinion of this House must reach the British Government in time, then it is necessary that the Government of India should make a representation immediately, and this is the opportunity when this House should discuss the question. In my opinion, therefore, the only point relevant to this notice of motion is the question relating to the personnel of the Commission. If Mr. K. C. Roy is prepared to restrict his motion only to the question of the personnel of the Commission, then the Chair is prepared to consider his motion.

Mr. K. C. Roy : I shall certainly modify the motion, if you will only give me five minutes.

Mr. President : If the Honourable Member is prepared to give notice now, I am prepared to consider it at once.

Mr. K. C. Roy : I will give notice in five minutes, Sir.

Mr. President : The Honourable Member should restrict his motion only to the question of the personnel of the Commission.

(Mr. K. C. Roy then drafted and handed in to the Secretary the revised motion for adjournment.)

Mr. President : Order, order : The motion of Mr. K. C. Roy now stands thus :

"I beg to give notice of my intention to move the adjournment of the business of the Assembly on the 18th August to discuss a definite matter of urgent public importance, namely, the necessity of the Government of India taking urgent action to secure the appointment of an adequate number of Indian representatives on the Special Commission announced by His Majesty's Government to be sent to Africa to deal with the question of federation and future policy with regard to the Colonies in Eastern and Central Africa in view of the vital interests of the Indian community in these Colonies involved therein."

The notice seems to me now in order and I will ask the Assembly whether the Honourable Member (Mr. K. C. Roy) has the leave of the Assembly to move this motion.

As no Honourable Member objects to leave being granted, I announce that the leave is granted, and that the motion will be taken up at 4 P.M. or, if the business of the day is finished earlier, it might be taken up earlier with the consent of the Leader of the House.

DEATH OF MR. AMBIKA PRASAD SINHA, M.L.A.

Mr. Gaya Prasad Singh : (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Sir, it is my melancholy duty to bring to the notice of this House the sad and untimely death of one of our colleagues, Mr. Ambika Prasad Sinha, who came from my own Province of Bihar and Orissa. The deceased gentleman was keeping bad health during the last Delhi Session, and on his return to Patna his illness developed into dropsy, to which he ultimately succumbed. Mr. Ambika Prasad Sinha had been a Member of this House almost since the inception of the reformed constitution, and during his tenure of office as a Member he was remarkable for his regular attendance—a fact which cannot be said to the credit of many Honourable Members. He was a man of amiable nature and of lovable qualities and a popular figure in the lobby and in social circles ; but he was stern and unbending in the discharge of his duties as an elected Member of this House ; and his votes were always cast on the popular side. Speaking personally, in the death of Mr. Ambika Prasad Sinha I feel as if I have lost a younger brother. I would request you, Sir, to be so pleased as to communicate to the members of the bereaved family an expression of our hearty sympathy and condolence.

The Honourable Sir Basil Blackett (Leader of the House) : Sir, Mr. Ambika Prasad Sinha belonged to that dwindling number of Members who have been in all the three Assemblies since 1921. He was in all the three Assemblies a universally popular Member, and deservedly so. His personality was such that it helped, if I may say so, to bridge the gap that is caused by the differences between Members in faith, in politics and in race. We shall all miss him and on behalf of the Government and I am sure on behalf of all those of his friends who sit on this side of the House I desire to associate myself with the expression of regret for his untimely death and sympathy with his relatives.

Mr. President : I am sure I shall be carrying out the unanimous wish of this House when I convey to the family of our late colleague the deep sense of regret that we all feel at his death.

RELIEF FOR SUFFERERS FROM FLOODS IN GUJRAT AND PARTS OF ORISSA AND SIND.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Sir, with your permission and the permission of the Member of the Department concerned, I beg to move .

“ This Assembly resolves to place on record its deep sympathy with the people of the whole of the province of Gujrat and parts of Orissa in their distress in consequence of the unprecedented floods that have caused widespread famines in the areas affected and requests the President to convey the sympathy of this House to the sufferers.

[Mr. A. Rangaswami Iyengar.]

This Assembly trusts that the Government as well as the Princes and the people of India will do all that lies in their power to help in alleviating the distress of the sufferers."

Sir, I do not propose to take up the time of the House by relating here all the great suffering and the havoc that was wrought by the floods and rains last month in consequence of which one of the most fertile and beautiful parts of India has been sorely devastated and a land which has been repeatedly subject to famine and distress, the province of Orissa, has been made even more miserable than it has been. Sir, it is unnecessary to give any harrowing accounts of this flood havoc that was caused, because I take it Honourable Members have followed the accounts that have appeared in the papers. If Honourable Members were not the actual sufferers on the spot, they have been the sufferers in some way or the other, at least by having their train journeys stopped and by having to put up a lot of inconvenience before they could reach Simla to attend to the duties of their office. That distant effect will give them an idea of the very great injury, suffering and distress that have been caused to our fellow-countrymen in these parts and particularly in the province of Gujrat where the distress and the suffering have been wholesale. I am here, Sir, to bespeak your kind offices to convey to these sufferers the sympathy of this House. I have not the slightest doubt that that sympathy will be given in the most ungrudging measure and by every means open to us.

It is unnecessary for me, Sir, to add to the moving appeal which you, as soon as you arrived in this country, issued to the people of this country to respond and help in relieving the distress in your own province.

Your own province, Sir, according to the conventions of this House, remains unrepresented by reason of the fact that you have become the mouthpiece of the whole House, and it therefore rests doubly upon us here on this side of the House to take up the cause which you would otherwise have taken up with great application and devotion. It has pleased us not a little to find that amidst your arduous duties you have announced your decision to dedicate your services to the relief of this suffering in Gujrat under the auspices of the Congress Committee. We here are proud to own a President who has taken upon himself this great and humanitarian work. But I appeal to the House that apart from responding to the appeal of the President to the utmost extent in our power, it is also our duty to go about and find support—financial and otherwise—for this great ameliorative work that is being carried on both in Gujrat and in Orissa. Sir, it is not possible for us to estimate the extent of the damage and the distress that is involved. Accounts of extensive devastation of crops, of lands, of houses, of life and live-stock have appeared in the papers from time to time. But to give an idea of the huge work of relief that is before us, I would just make a reference to a conference which was held at Nadiad under the auspices of the Finance Member of the Government of Bombay at which a number of other representatives engaged in this relief work under the guidance of your brother, Mr. Vallabhai Patel, met and discussed plans for the relief of suffering and also tried to form an estimate of the monies that would be required to do this on any adequate scale. I do not wish to tire the House by reading these things, but I find there was a proposal to build 20,000 houses

for the depressed classes at a cost of Rs. 50 each ; that alone would involve Rs. 10 lakhs. I find, Sir, that even more urgent has been the building of about 70,000 buildings for people who are actually ryots and cultivators, who occupy a better status than the depressed classes and whose houses would cost at least Rs. 150 each, and the cost of that has been estimated at about a crore of rupees. Then, Sir, there are houses of the lower middle classes and the upper middle classes and even of rich men which have been completely destroyed and have all to be restored. The cost of that has not been put down here, but the woes of the middle classes have been very great indeed. Then, there are other matters, matters relating to the free distribution of seed paddy for fresh sowings ; there are cases in which we have got to make advances under the Agriculturists Loans Act or under the *takavi* system with a view to help them in starting agricultural operations this season. There are also cases in which pure eleemosynary aid has to be given by the distribution of food grains on a very large scale to prevent actual starvation and acute famine in many parts of Gujrat and Orissa. I am sure in Orissa—I have been told by my friend Mr. Das who will inform the House of the exact position—there are thousands upon thousands of families which have been left absolutely without any means. Sir, in this state of things it is the duty of the Central Legislature to take account of the situation and come to the rescue of these distressed Provinces. I say, Sir, it is the duty of the Central Government, notwithstanding the fact that this particular Department may have been provincialised, to come forward and offer to help the provincial authorities by grants and by every other means by which they can help them. I was sorry to understand—I am sure that if my information is wrong, the Honourable the Leader of the House will correct me—that applications which have been made from Bombay for grants out of the Famine Insurance Fund or out of the Indian Peoples' Famine Trust Fund have so far not been promptly responded to ; and so far as the Bombay Government are concerned, my friend, Mr. Vallabhai Patel, long ago appealed to the Bombay Government to set apart one crore of rupees out of the sum at the credit of the Bombay Government in the Famine Insurance Fund to be made available for the purposes of relief in Gujrat. I am not sure that so far anything has been done in that matter, and I am sure that, so far as that fund is concerned, it is actually in the hands of the Government of India held at the credit of the Bombay Government, and this Government have a great deal to do with the matter. But I do not want to raise any controversy on this motion. I am sure the Honourable the Finance Member, who is also the Leader of the House to-day, will view this matter with the utmost generosity and I am sure he will respond to this appeal.

My appeal is also to those outside this House, to the various Princes and aristocrats and others who are better off than our unfortunate brethren in Gujrat, to come and help in this great and humanitarian cause. It is a cause which cannot fail to appeal to the lowest as well as to the highest of our countrymen, and I therefore desire through you, Sir, to make an appeal to every one of them to respond in unmeasured ways to this call of duty to our fellow-countrymen. I do not want to add anything more. I move my motion.

Mr. President : Will the Honourable Member pass the text of the motion on to the Chair ?

The Honourable Sir Basil Blackett : (Leader of the House) : Sir, I desire to associate myself on behalf of the Government most sincerely and sympathetically with this motion which must, I think, appeal to the feelings of all Members of the House. When a catastrophe of the sort that has happened in Gujrat occurs, we can only bow our heads in sorrow and sympathy and set to work in the most practical way to do our best to relieve those who suffer. In this matter I think there is one very bright spot. I am sure we must have all looked on with great admiration at the way in which the citizens and people of the Province of Bombay, admirably led by their Governor in example and precept, have arisen to the occasion and set to work to do all in their power to relieve the distress of the sufferers. It is not possible in this matter, under the constitution as it stands to-day, for the Government of India directly to ask the tax-payer of the Central Government to make contributions to this deserving cause, but I am very glad of the opportunity that has been given me by the Mover to make it clear that the Government of India are doing all in their power to assist in this matter. I heard only yesterday rumours to the effect that there were some complaints that requests from the Government of Bombay for leave to use monies out of the Famine Insurance Fund were being delayed by the Government of India. I am very glad to be able to assure the House and the people of Bombay that there is no foundation for such an allegation. So far as I can make out, the Government of India have received no request from the Government of Bombay in regard to the Famine Insurance Fund, and that for the simple reason that it is within the power of the Government of Bombay to draw on that Fund for such purposes as these, which are within the ambit of the fund. I believe that it is necessary that notice should be given to the Government of India of the intention of a Provincial Government to make a large draft on their balances which may possibly come up at an inconvenient moment to the Central Government ; but I have made inquiries and I find that no such request has been made and I can assure the House that if such a request is made it will be promptly acceded to by the Government of India. There is one direction in which the Government of India hope that they may be able to help. An application has been received from the Bombay Government for assistance from the Peoples' Famine Trust Fund. That application was received about a week ago and arrangements have been made for calling a meeting of the Committee of that Fund at the earliest possible date. I cannot of course anticipate what will be the decision of the Committee of that Fund, though as I happen to be a member of the Committee I may say that I hope that it will feel itself able to make as generous a donation as the real sufferings in this case worthily demand. Sir, I gladly associate myself with this motion which I am sure must give particular satisfaction to you, coming as it does as a recognition and perhaps as a consequence of your own generous-minded action in the matter.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural) : Sir, I associate myself with what Mr. Rangaswami Iyengar and the Honourable the Leader of the House have said on this painful subject. We are all in deep sympathy with our fellowmen of Gujrat and of Orissa in the calamity that has befallen

*Speech not corrected by the Honourable Member.

them. I should like to make a proposal, with the leave of the Leader of the House, to insert Sind also in this Resolution.

Mr. A. Rangaswami Iyengar : I have no objection.

Pandit Madan Mohan Malaviya : The people of Sind also have suffered. In fact the Session of the Bombay Legislative Council was cut short to enable Members representing Sind to go back to their homes, because this devastation had overtaken parts of Sind also. The sufferings that the people have undergone and are still undergoing cannot be described. I hear that there are still parts of Gujrat where people are cut off from outside, and it therefore behoves us all to offer our profound sympathy to those of our fellowmen who have fallen victims of this calamity. We are grateful that Members in this Assembly have already expressed their sympathy and taken steps to organize a fund. We are also grateful to learn that the Government of India are prepared to do all that lies in their power to assist the people in this matter. I should, however, like to assure the Government on behalf of the non-official Members, with reference to the observation made by the Honourable the Finance Member that under the constitution of this House the Government of India are not able to allot any funds for help on such an occasion, that should Government find it necessary to bring forward any proposal before this House for the support of the Members to enable them to make a contribution to the fund for the relief of sufferers from floods in Gujrat, Sind or Orissa, I venture to say that every Member of this House will gladly support that proposal.

It has been said, Sir, that the people of Bombay have taken a lead in this matter and have shown a very commendable spirit in fighting this calamity, but I am glad that the Honourable the Leader of the House recognises that the Government of India also, as the Central Government, which draws support from every part of India, have a duty to perform in this matter. Gujrat and its prosperity contribute to the Government of India's Budget ; so do Sind and Orissa. And when these large tracts of country have unfortunately been smitten by this calamity, it is only right that even if they do not stand in need of pecuniary assistance, we should assure them that the Government of India are ready and prepared to offer whatever pecuniary assistance they may be in need of and which it may be in the power of the Government of India to offer. I hope, Sir, that such an assurance will be conveyed further, if it is necessary, in addition to what has already been conveyed, and that through the Governors of the two provinces our fellowmen who are suffering from this calamity will be informed and assured that every Member of this House feels keen sympathy with them in their sorrow and is ready to do whatever lies in its power to help them to get out of that suffering and be restored to their normal conditions of life. I have much pleasure, Sir, in supporting this Resolution.

Mr. President : Sir Basil Blackett and Comrades, I do not think this is a motion which calls for a large number of speeches. I, therefore, with the forbearance of this House, propose to close after making a few observations. Let me, in the first place, thank you all most sincerely for the motion which I am sure you are going to adopt very soon unanimously. In expressing your sympathy with the people of Gujrat you are also expressing your sympathy with your President. As you are aware, I am

[Mr. President.]

the representative from Gujrat. Gujrat is my constituency and any calamity on the people of Gujrat is a calamity on me personally. I cannot say how much I feel on the matter and the motion of my friend Mr. Rangaswami Iyengar speaks for itself. Had it not been for the fact that you have called me to this Chair, I should have been to-day with my people assisting the President of Gujrat Provincial Congress Committee in the great and noble work of relief operations which he has inaugurated. On behalf of these sufferers and on my own, I desire to express our deep sense of gratitude to His Excellency the Viceroy for the very encouraging letter which he has written to me in connection with this motion with a contribution of Rs. 500 towards the fund which I have started as a mark of his genuine sympathy for the cause. Here is the letter which I will read to you—I am sure he wants me to read it to the Assembly :

“ *Viceroyal Lodge, 17th August, 1927.* ”

Dear Mr. Patel,

I see that the Assembly is being invited by a Resolution to-morrow to record its sympathy with the sufferers in the recent unhappy floods. I should like, if I may, as head of the Indian Legislature to associate myself with such an expression of sympathy and I trust that the efforts that you are personally making to augment the relief funds will meet in all quarters with a ready and generous response. I am sending separately a small subscription of Rs. 500 for this purpose and only wish it was in my power to offer a very much larger contribution.

Yours Sincerely,
(Sd.) IRWIN.”

I now put the question.

The question is :

“ That this Assembly resolves to place on record its deep sympathy with the people of the whole of the province of Gujrat and parts of Orissa and Sind in their distress in consequence of the unprecedented floods that have caused widespread famine in the areas affected and requests the President to convey the sympathy of this House to the sufferers. This Assembly trusts that the Government as well as the Princes and the people of India will do all that lies in their power to help in alleviating the distress of the sufferers.”

The motion was adopted.

Mr. President : I now declare this motion unanimously carried and direct that the terms thereof be forthwith communicated by wire to the Governors of the two Provinces concerned and also to the respective Presidents of the Provincial Congress Committees.

ASSENT OF H. E. THE GOVERNOR GENERAL TO BILLS.

Mr. President : I have the honour to intimate that the following Bills, which were passed by both Chambers of the Indian Legislature, have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act :

The Indian Limitation (Amendment) Act, 1927,

The Indian Registration (Amendment) Act, 1927,

The Steel Industry (Protection) Act, 1927,

The Currency Act, 1927,

The Indian Finance Act, 1927,
The Indian Limitation (Second Amendment) Act, 1927,
The Sea Customs (Amendment) Act, 1927,
The Provident Funds (Amendment) Act, 1927,
The Madras Salt (Amendment) Act, 1927, and
The Repealing and Amending Act, 1927.

STATEMENTS LAID ON THE TABLE.

TENDERS FOR STORES NOT ACCEPTED BY THE HIGH COMMISSIONER FOR INDIA
DURING THE LAST YEAR ENDING 31ST DECEMBER 1926.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour) : Sir, I lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending 31st December, 1926.

[Sir Bhupendra Nath Mitra.]

HIGH COMMISSION
INDIA STOREAbstract of cases in which Tenders, other than the lowest complying with
of superior quality, superior trustworthiness of the firm tender-

HALF-YEAR ENDING

PART A.—Cases in which lower foreign tenders, including British tenders for
British

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Cloth Tracing ..	F.1297/1506/13-7-26	Winterbottom Book Cloth Co., Ltd.	£ s. d. 455 7 0
Coach Screws ..	F.1950/2125/14-8-26	Guest, Keen & Nettlefold, Ltd.	52 18 7
Steel Tyres ..	F.1747/1874/4-8-26	Surahammers Bruks Aktiebolag for 747 tyres.	4,119 0 0 (Swedish)
	F.1748/1874/4-8-26	The United Steel Companies, Ltd. for 742 tyres.	4,459 10 0 (British).
	F.1749/1874/4-8-26	Blaenavon Co. for 650 tyres.	2,795 0 0 (British).
		Total ..	11,373 10 0
Locomotives ..	F.2450/1494/9-9-26	North British Locomotive Co., Ltd.	26,775 0 0 (Dely : 22/26 Wks.).

RR FOR INDIA.

DEPARTMENT.

the technical description of the goods demanded, were accepted on the grounds of greater facility of inspection, quicker delivery, etc.

31ST DECEMBER, 1926.

foreign made goods, have been set aside wholly or partially in favour of tenders.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d. 443 5 0 (German).</p>	<p>The accepted tender was considered to be the best offer, having regard to the extra cost of inspection that would have been incurred if the order had been placed with the lowest tenderer.</p>
<p>36 12 8 (Belgian).</p>	<p>The lowest tenderer required 16 weeks for delivery but, as the indent stated that half of the screws were required in India by October 1926, the offer of Messrs. Guest, Keen and Nettlefold—the next lowest tenderer—was accepted. This firm undertook to deliver in 2 weeks.</p>
<p>11,219 16 1 f. o. b. Gothenburg. (Sweden).</p>	<p>2,139 tyres for railway engine, carriage and wagon wheels of various descriptions were demanded for the State Railways, some being required very urgently.</p> <p>The three firms named were given the items for which they were lowest, with the exception of the following urgent items which were ordered from the United Steel Companies, who offered speedy delivery :</p> <p>405 tyres, for which the Surahammers Bruks Aktiebolag were lowest. From experience it was anticipated that there would be delay in delivery if these were ordered from the Swedish firm ; in addition, considerable time would have been taken up in sending test pieces from the firm's works to the National Physical Laboratory ; further, sailings from Gothenburg are infrequent and the vessels are delayed at Antwerp en route to India.</p> <p>150 tyres, for which the Blaenavon Company was lowest. This firm could not offer delivery until after the resumption of work after the termination of the coal strike.</p>
<p>25,704 0 0 (Dely : 30/38 Wks.) (Swiss).</p>	<p>These locomotives were the first of a new type, and it was considered very desirable that the new standard details should be worked out by a firm of repute under the close supervision of the Consulting Engineers. Further, 12 locomotives of the same type had been ordered before from the North British Locomotive Company.</p> <p>The lowest suitable tender was from a Continental firm which although generally suitable for this class of work under adequate supervision, was not regarded by the Consulting Engineers as being equal in the matter of workmanship to the North British Locomotive Company. Moreover, the delivery offered—30 to 38 weeks—was extremely long.</p>

[Sir Bhupendra Nath Mitra.]

PART

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Copper Rods ..	F.2524/3437/14-9-26	Broughton Copper Co., Ltd.	7,136 10 8
Carriage, bogies, etc.	F.3779/3215/4-12-26	Metropolitan Carriage, Wagon & Finance Co., Ltd.	2,179 10 0

A—*contd.*

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;">£ s. d.</p> <p>7,093 13 0 (German).</p> <p>2,117 0 0 (German).</p>	<p>The next tender was unsuitable on account of the remote situation of the works. The next two tenders were very little lower than the North British Locomotive Company in price, and the difference would have been more than offset by the extra cost of inspection.</p> <p>In view of the facilities for co-ordination of the details of design, the standard of workmanship, economy of inspection and time for delivery, it was considered that the North British Locomotive Company's tender was the most advantageous.</p> <p>The accepted tender was considered to be the best offer, having regard to the extra cost of inspection that would have been incurred if the order had been placed with the lowest tenderer.</p> <p>The lowest tender was from a Continental firm, and the extra cost of inspection would have been more than the difference between their tender and that of the Metropolitan Carriage, Wagon and Finance Company.</p>

[Sir Bhupendra Nath Mitra.]

PART B—Cases in which the discrimination

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.		
			£	s.	d.
Machines, Railway Ticket Printing.	F.1292/1708/12-7-26	Waterlow & Sons, Ltd.	1,070	11	0
Paint, white lead	F.1542/1617/24-7-26	Associated Lead Manufacturers Export Co., Ltd.	385	0	0
Road Rollers ..	F.1576/2054/26-7-26	Aveling & Porter, Ltd.	1,243	15	0
Linoleum ..	F.1600/2103/27-7-26	Fife Linoleum Co., Ld.	723	10	10
Cambric, Cotton, Puggri, Khaki.	F.1752/2686/4-8-26 ..	Louis Behrens & Sons ..	10,625	0	0
	F.1753/2686/4-8-26 ..	E. Sp nner & Co. ..	7,583	6	8
		Total ..	18,208	6	8
Venturi Meters ..	F.2184/1275/27-8-26	George Kent, Ltd. ..	701	0	0
Lint .. .	F.2152/850/26-8-26 ..	Southall Bros. & Barclay, Ltd.	1,831	18	6
Paint, Enamel ..	F.2160/2455/26-8-26	London Varnish and Enamel Co., Ltd.	562	10	0

is between British firms only.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d. 903 0 0</p>	<p>The indenting officer demanded Waterlow's railway ticket printing machines. Competitive tenders were invited and the lowest tenderer—Messrs. Pratchett Brothers—quoted £903 for machines of the type which had been supplied to other Indian railways for the same work as now required. Messrs. Waterlow, the next lowest tenderer, quoted £1,070-11-0. The two quotations were telegraphed to the indenting officer, who replied that Waterlow's machines should be supplied. The order was placed accordingly.</p>
<p>370 0 0</p>	<p>The indenting officer specially asked for the same brand of white lead as previously supplied to him. As the extra cost was only £15 above the lowest quotation, this request was complied with.</p>
<p>1,200 8 0</p>	<p>The indenting officer demanded Aveling and Porter's type road rollers. Competitive tenders were invited and the lowest tenderer, Messrs. Marshall Sons and Company, quoted £1,200-8-0. The next lowest tenderer Messrs. Aveling and Porter, quoted £1,243-15-0. The two quotations were telegraphed to the indenting officer, who replied that Aveling and Porter's tender should be accepted. The order was placed accordingly.</p>
<p>690 0 0</p>	<p>Accepted on the grounds of the superior quality of the goods offered which represented more than the small difference in cost.</p>
<p>17,708 6 8</p>	<p>The indenter cabled for a very early supply in view of shortage in the Factories in India. As the lowest tenderer had not submitted a sample with his tender as required by the specification and in view of the urgency, a portion of the order was placed with E. Spinner & Co., with the quality of whose goods the Department was familiar and who undertook much earlier completion of delivery, and the balance was given to the lowest tenderer.</p>
<p>613 0 0</p>	<p>The meters offered by George Kent, Limited, and by the lowest tenderer were of different types and the tenders were referred to the indenting officer, who selected those offered by George Kent, Limited.</p>
<p>1,767 1 11</p>	<p>The lint offered by Southall Brothers and Barclay, Limited, had an area approximately 2 feet per lb. larger than that of the lint offered by the lower tenderer, and was considered better value.</p>
<p>540 0 0</p>	<p>Accepted on the grounds of superior quality of the stores offered which represented more than the difference in price between the two quotations.</p>

[Sir Bhupendra Nath Mitra.]

PART B

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Cables, 22,000 Volt.	F.1320/S.14250/14-7-26.	Callender's Cable and Construction Co., Ltd.	<p style="text-align: right;">£ s. d.</p> <p style="text-align: right;">19,530 12 2</p>
Rolled Steel Joists	F.2401/3671/7-9-26 ..	Lanarkshire Steel Co., Ltd.	<p style="text-align: right;">765 0 0</p> <p style="text-align: right;">(Delivery 3/4 weeks after resumption of work).</p>
Gloves, Worsted ..	F.2546/S.3370/15-9-26	Allen & Bastick ..	<p style="text-align: right;">496 2 7</p>
Anchors ..	F.2895/1120/13-10-26	N. Hingley & Sons, Ltd.	<p style="text-align: right;">315 0 0</p>
Turntable ..	F.2997/2819/19-10-26	Patent Shaft & Axletree Co., Ltd.	<p style="text-align: right;">1,888 0 0</p>
Boilers ..	F.2972/4741/18-10-26	Marshall & Sons ..	<p style="text-align: right;">1,274 0 0</p>
	F.2973/4741/18-10-26	Cradley Boiler Co. ..	<p style="text-align: right;">295 0 0</p>
			<p style="text-align: right;">1,569 0 0</p>
Theodolites ..	F.3065/3543/25-10-26	Cooke, Troughton & Simms, Ltd.	<p style="text-align: right;">3,246 2 0</p>
X.-Ray Apparatus	F.3110/4689/26-10-26	Watson & Sons ..	<p style="text-align: right;">263 4 2</p>

—contd.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d. 17,392 15 4</p> <p>759 0 6 (8/10 weeks after resumption of work).</p>	<p>It was decided that it would be more economical to accept Messrs. Callender's Company's tenders, who offered cables which were technically superior to those proposed by the lowest tenderer. Accepted on the ground of quicker delivery. The stores were required to reach India in December, 1926.</p>
<p>464 2 5 (Delivery 16 Weeks).</p> <p>480 2 6 (Delivery 10 Weeks).</p> <p>480 2 6 (Delivery 13 Weeks).</p>	<p>The gloves were originally ordered from Messrs. J. Bradshaw & Co., who after 4 months' delay, proved unable to supply in accordance with this Department's sealed patterns. It was therefore decided to call for fresh tenders and to cancel Messrs. Bradshaw's contract and buy against them.</p> <p>The three lowest tenderers could not undertake to commence delivery before 29th November and, as the gloves were urgently wanted in India, the order was placed with the fourth lowest tenderer, Messrs. Allen & Bastick, who had just completed satisfactorily a similar supply and who offered to commence delivery by 15th October and to complete by 15th November.</p>
<p>302 10 0</p>	<p>The anchors were most urgently required and a telegram was received from India requesting that the order should be placed with the firm who could undertake the earliest delivery. The lowest tender offered delivery in 5 weeks, but Messrs. Hindley & Sons, whose price was £12-10-0 higher, offered delivery in three weeks, and their tender was accordingly accepted.</p>
<p>1,868 0 0</p>	<p>The turntable was urgently required in India. The lowest suitable tenderer offered delivery in 14 weeks, where as the Patent Shaft & Axletree Co., Limited—the next lowest tenderer—offered delivery in 8/10 weeks. As their price was only £20 higher their tender was accepted.</p>
<p>1,380 0 0</p> <p>1,514 0 0*</p> <p>1,524 0 0</p> <p>* Accepted for part offered from stock only.</p>	<p>These boilers were demanded in a telegram which asked that they should be shipped immediately. The lower tenders passed over offered delivery in 12/17 weeks after the receipt of material at works.</p> <p>As these offers were both long and indefinite the order was divided between Marshall & Sons, and the Cradley Boiler Co. who offered early delivery from stock.</p>
<p>3,205 19 0</p>	<p>After consultation with the indenting officer, the order was placed with Cooke, Troughton & Simms, Limited, whose workmanship was considered superior to that of the lower tenderer.</p>
<p>234 18 6</p>	<p>The indenting officer had specially recommended that the apparatus should be obtained from Watson & Sons as this firm's quotation was only £28-5-6 higher than the lowest offer, their tender was accepted.</p>

[Sir Bhupendra Nath Mitra.]

PART B

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Apparatus ..	F.3206/5031/1-11-26	Watson & Sons ..	£ s. d. 80 17 7
X-Ray Unit ..	F.3208/4645/1-11-26	A. E. Dean	216 0 0
Buckled Plates, M. S.	F.3221/4865/1-11-26	Joseph Westwood & Co., Ltd.	2,023 9 6 (Delivery 9/11 Weeks).
Sinks, Laboratory	F.3426/5003/12-11-26	Baird & Tatlock ..	27 15 3
Tubing, M. S., etc.	F.3444/5053/13-11-26	John Russell & Co. ..	38 2 8
Trough Plates, M. S.	F.3362/5437/9-11-26	Joseph Westwood & Co.	292 10 0
Traverse Wheel Grinders, etc.	F.3387/5044/10-11-26	Dronsfield Bros., Ltd. ..	124 8 6 (Plus F. O. B. charges.)

—contd.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d. 79 12 0</p>	<p>The indenting officer specially asked for the supply from Watson & Sons. As their price was only £1-5-7 higher than the lowest tender, their offer was accepted.</p>
<p>177 10 0</p>	<p>Technically equivalent offers at prices lower than those quoted by A. E. Dean were received, but as X-Ray Apparatus of Dean's pattern and make had been demanded, this firm's tender was accepted.</p>
<p>1,773 8 2 (Delivery about 12 Weeks).</p>	<p>These plates were required for the repair of a bridge which was reported to be in a dangerous condition. The lowest tender was for delivery in about 12 weeks. In view of the extreme urgency of the demand the order was placed with Messrs. J. Westwood & Co., who offered an earlier and definite date for delivery.</p>
<p>20 12 6</p>	<p>The sinks were stated to be required in India by about the middle of November and the lower tenderer could not guarantee delivery before the beginning of February, 1927. As Messrs. Baird & Tatlock tendered for delivery at the beginning of December their offer was accepted.</p>
<p>31 19 11</p>	<p>The tubing was required in India by December, 1926.</p>
<p>36 12 2</p>	<p>The two lower tenderers could not undertake delivery until 2—4 weeks after the termination of the coal strike. The order was accordingly placed with the next lowest tenderer who offered definite delivery in 7—14 days.</p>
<p>266 12 6</p>	<p>The trough plates were demanded in a telegram which stated that they were required immediately.</p>
<p>267 0 0</p>	<p>The lowest tenderer offered a very indefinite delivery (6 weeks from the date of the resumption of work after the coal strike) The second lowest tenderer offered delivery in 9 weeks.</p> <p>Although the section of the material quoted for by these firms was not considered unsuitable, yet it was not exactly in accordance with the demand.</p> <p>Messrs. J. B. Westwood & Co., the lowest tenderer, offered material exactly as demanded and promised delivery in 6 weeks. Their tender was accordingly accepted.</p>
<p>119 9 8</p>	<p>The order was placed with Messrs. Dronsfield Bros., Limited, as their machinery was specified by the indenting department and their tender was only about £5 higher than the lower tender.</p>

[Sir Bhupendra Nath Mitra.]

PART B

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.						
Syringes ..	F.3468/4707/16-11-26	Down Bros., Ltd. ..	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">£</td> <td style="text-align: right;">s.</td> <td style="text-align: right;">d.</td> </tr> <tr> <td style="text-align: right;">35</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> </table>	£	s.	d.	35	0	0
£	s.	d.							
35	0	0							
Socks ..	F.3534/5488/18-11-26 (83,500 pairs). F.3535/5488/18-11-26 (66,500 pairs).	Henry Bates & Co., Ltd. Thos. Morley & Sons ..	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">4,178</td> <td style="text-align: right;">4</td> <td style="text-align: right;">3</td> </tr> <tr> <td style="text-align: right;">3,463</td> <td style="text-align: right;">10</td> <td style="text-align: right;">10</td> </tr> </table>	4,178	4	3	3,463	10	10
4,178	4	3							
3,463	10	10							
			7,641 15 1						
Forks, Table ..	F.3554/4916/19-11-26 F.3556/4916/19-11-26	Geo. Butler & Co., Ltd. Walker & Hall, Ltd. ..	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">303</td> <td style="text-align: right;">12</td> <td style="text-align: right;">11</td> </tr> <tr> <td style="text-align: right;">300</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> </table>	303	12	11	300	0	0
303	12	11							
300	0	0							
			603 12 11						
Mild Steel Strip ..	F.3565/5525/19-11-26	J. Walsh & Co. (Birmingham), Ltd.	77 17 6						
Levels ..	F.3557/5393/19-11-26	Cooke, Troughton & Simms, Ltd.	257 0 0						
Punkah Motor & Gear.	F.3804/5200/7-12-26	Garrard Gears, Ltd. ..	83 16 6						
Spring Steel ..	F.3537/5187/18-11-26	J. H. Andrew & Co., Ltd.	69 8 4						

—contd.

Lowest Tender not accepted.	Reason for acceptance.
£ s. d. 27 10 0	The indenting officer asked for supply from Down Bros. As their price was only £7-10-0 higher than the lower tenderer, their offer was accepted.
7,539 11 8	<p>These 150,000 pairs of socks were urgently required in India. The lowest tenderer, Messrs. Bates & Co., required 4 weeks to commence and 16 weeks to complete delivery.</p> <p>The Department however had no recent experience of this firm's work as no order had been placed with them for many years. Therefore, in order not to be entirely dependent on them, and with a view to obtaining earlier completion of delivery, it was considered advisable to order 83,500 pairs from this firm, and to obtain the remaining 66,500 from the next lowest tenderer.</p> <p>The extra cost was £102-3-5.</p> <p>The forks were required in India not later than 31st December 1926, and the lowest tenderer Messrs. Geo. Butler & Co., Ltd., required 4 weeks to commence and 27 weeks to complete delivery.</p>
598 1 9	Messrs. Walker & Hall, Ltd., the next lowest, offered to commence supply in 3 to 4 weeks and to complete in 14 weeks. In view of the urgency and of the small difference in cost it was decided to divide the order between the lowest two tenderers.
71 15 0	The lowest tenderer offered delivery in 4 weeks after resumption of work on the termination of the coal strike. As the steel strip was urgently required in India the order was placed with the next lowest tenderer who offered delivery in 2 weeks irrespective of the strike.
240 5 0	<p>The indenting officer demanded levels manufactured by Messrs. Cooke, Troughton & Simms.</p> <p>Competitive tenders were invited, and an offer was received from another firm for technically equivalent instruments at £240-5-0. Messrs. Cooke, Troughton & Simms quoted £257-0-0.</p> <p>The quotations were telegraphed to the indenting officer who expressed his unwillingness to accept the cheaper alternative.</p>
76 15 0	Messrs. Garrard Gears, Ltd., offered a more efficient motor, and better value for money than the lowest tenderer, and their offer was consequently accepted.
68 0 1	<p>The spring steel was required as soon as possible.</p> <p>As the lowest tenderer could only offer delivery 4-5 weeks after resumption of work, following the termination of the mining dispute, the order was placed with the next lowest tenderer who offered definite delivery in 3-4 weeks.</p>

[Sir Bhupendra Nath Mitra.]

PART B

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Wire Steel ..	F.3796/5472/6-12-26	Whitecross Co. ..	765 0 0
Machine, Crank pin Trusing.	F.3840/4340/9-12-26	Beyer Peacock & Co. ..	96 10 0
Paper, Printing ..	F.3842/4463/9-12-26	Alex. Cowan & Sons, Ltd.	593 10 10
Ink, registration ..	F.3853/5104/10-12-26	H. Morrell, Ltd. ..	166 13 4
Ink, blue black & red.	F.3854/5104/10-12-26	H. C. Stephens, Ltd. ..	305 4 2
Serge, Drab mixture	F.3879/6018/11-12-26	James Harper & Sons ..	1,447 18 4
Polystat, etc. ..	F.3923/4385/15-12-26	A. E. Dean	46 10 0
M. S. Plates Galvanised.	F.4027/5565/21-12-26	Wm. Beardmore & Co., Ltd.	105 9 4

—contd.

Lowest Tender not accepted.	Reason for acceptance.
£ s. d. 750 0 0	30 tons of steel wire were demanded, of which 10 tons were urgently required. As the lowest tenderer was unable to state when delivery could be made the order was placed with the next lowest tenderer who offered delivery in 3 to 4 weeks.
53 0 0	The machine offered by Messrs. Beyer Peacock & Co. was considered superior in every way to the cheaper machine the design and construction of which was not considered suitable for indentor's requirements.
485 12 6	Previous supplies of this paper had been made by Messrs. Alex. Cowan & Sons, Ltd. On this occasion, however, a lower tender was received for paper which was considered to be equally suitable. The two quotations were cabled to the indenting officer, who in reply stated that he preferred Cowan's paper.
102 1 8 124 6 1	The indenting officer, specified in the Indent that the registration ink should be supplied by Messrs. H. Morrell, Ltd., and that the blue black and red inks should be supplied by Messrs. H. C. Stephens, Ltd. Competitive tenders were obtained and offers for inks considered to be of equal quality were obtained at lower prices than from the above specified firms. The matter was referred to the indenting officer, who replied that it was essential that the inks be supplied by Messrs. Morrell and Stephens, respectively.
1,401 11 6	The lowest tenderer had not executed any contracts for the London Store Department and it was doubtful whether they could supply satisfactorily. In view of the urgency of the demand, and of complaints from the military authorities in India regarding variations in the shade of this material, it was decided to place the order with Messrs. James Harper & Sons, the next lowest tenderer who had recently made satisfactory supplies under another contract.
33 10 0 34 7 4	The indenting officer demanded a polystat specifying Mr. A. E. Dean as supplier. Competitive tenders were invited, and offers of equivalent apparatus were obtained at prices lower than Dean's. The indenting officer was informed, and he replied that Dean's tender should be accepted, as this make was known to be satisfactory.
96 13 0 99 1 10 102 5 0	Wm. Beardmore & Co., Ltd., offered delivery in from 3-4 weeks after the resumption of rolling early in January. None of the firms who tendered at a lower price could make any definite offer of delivery.

[Sir Bhupendra Nath Mitra.]

PART C.—Cases in which the discrimi-

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Couplings, Screw	F.1736/1882/4-8-26	Wittekindwerke Brausen, Ebeling and Natorp G. m. b. H.	£ s. d. 7,545 0 0 (German).
	F.1/737/1882/4-8-26	Fried Krupp, A. G. ..	8,383 15 0 (German).
			£15,928 15 0
Brass and Copper Plate.	F.2922-3865/15-10-26	C. Heckmann, A. G. ..	219 10 0 (German).
Steel Dogspikes ..	F.3353-S./3421/9-11-26	Ste. Ame. des Boulonneries de Liege et de la Blanchisserie.	Rate per ton. £9 16 0 for 250 tons £10 2 0 for 157 tons Belgian.
No. 1, 200,000 tons 407.			£10 8 0 Belgian.
No. 1, 250,000 —tons 407.	F.3354-S./3421/9-11-26.	Usines and Acieries Allard.	£10 8 0 Belgian.
No. 1, 750,000 —tons 570.	F.3355-S./3421/9-11-26.	A. de Bary ..	£10 8 0 Belgian.
No. 2, 250,000 —tons 733.	F. 3356-S./3421/9-11-26.	Soc. Anon. Usines Gilson	£10 8 1 Belgian.
No. 200,000 —tons 163.	F.3357-S./3421/9-11-26.	Usines Gustave Bobl ..	£10 8 6 Belgian.
			Total cost of the 7,000,000 spikes £23,535 0 0 approx.
Cotters ..	F.3759/H. N./538/3-12-26.	Wittekindwerke Brausen, Ebeling and Natorp.	2,875 0 0 German.
	F.3760/H. N./538/3-12-26.	Becherwerk ..	1,786 0 0 German.
			£4,661 0 0
Tie Bars	F.3761/H. N./538/3-12-26.	Soc. Anon. de la Providence.	27,000 0 0 Belgian.
	F.3762/H. N./538/3-12-26.	Soc. Anon des Forges (Foundries and Laminaires de Nimy.	11,852 0 0
			£38,852 0 0

nation is between foreign firms only.

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;">£ s. d.</p>	<p>The lowest tender was from the Wittekindwerke of Westhofen near Essen. This firm had not previously supplied screw couplings for Indian Railways and it was therefore decided to place only half the requirements with them as a trial order. The remainder was ordered from the next lowest tenderer, Messrs. Krupp.</p>
<p>15,090 0 0 (German). 208 9 2 (French).</p>	<p>Accepted on the grounds of quicker delivery. Half the quantity at each item was required to reach India in November, 1926, and the balance 2 months later. The lowest tenderer, could not undertake to deliver the urgent portion in less than 3 to 3½ months, whereas the next tender (which was accepted) offered to deliver in about 4 weeks.</p>
<p>None of the tenders at the lowest rates offered the full quantity of dog-spikes. If no regard had been paid to delivery the 7,000,000 spikes could have been purchased for £23,425 0 0 approx.</p>	<p>Division between the two firms would not have been worth while. These were simultaneous tenders, and in communicating decision on the tenders, the indenting officer stated that it was essential that the whole of the dog-spikes should be delivered in India by the end of June, 1927, and requested that if possible the order should be divided between two or three firms. The order was divided between the five lowest tenderers, each receiving an order for the quantity he could be relied upon to deliver within the specified time.</p>
<p>£4,550 0 0</p>	<p>Tenders were invited simultaneously in India and in London, and details of the lowest tenders were cabled to the indenter. Presumably on account of the earlier delivery offered, the indenter selected the highest quotation. It was possible, however, to secure equal or better delivery at a lower price by dividing the contract between two tenderers and orders were placed accordingly.</p>
<p>£38,515 0 0</p>	<p style="text-align: center;">Ditto.</p>

[Sir Bhupendra Nath Mitra.]

PART D.—Cases in which lower British tenders have been

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Wheels, Grinding..	F.2383/1862/7-9-26	Alfred Herbert, Ltd. ..	£ s. d. 595 18 5 f. o. b. New York.

set aside wholly or partially in favour of Foreign tenders.

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;">£ s. d.</p> <p>546 5 10</p>	<p>The demand specified that Norton wheels should be supplied as they had been found to be the most satisfactory. As, however, the Carborundum Co. and the Universal Grinding Wheel Co., were known to be manufacturers of wheels of reliable quality, these firms were invited to tender in competition with Alfred Herbert, Ltd., the Agents in this country for Norton wheels. The two first named firms both tendered at about £49-12-0 lower than Alfred Herbert, Ltd. The quotations were therefore telegraphed to the indenting officer who replied that Norton wheels should be supplied.</p>

SUBJECTS DISCUSSED BY THE CENTRAL ADVISORY COUNCIL OF RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I lay on the table a statement showing :

- (1) subjects discussed by the Central Advisory Council for Railways ;
- (2) Conclusions arrived at by the Central Advisory Council ;
- (3) action taken by Government,

for which the Honourable Sir Hari Singh Gour asked in his question No. 815, dated the 9th March 1927.

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
<p>1922.</p> <p>1. Local Advisory Councils . . .</p>	<p>The memorandum regarding "Local Advisory Councils" was discussed and the following outline was provisionally agreed to :—</p> <p>(1) <i>Fields</i>.—The new bodies should be known as "Railway Advisory Committees."</p> <p>(2) <i>Composition</i>.—A separate Main Committee to be constituted for each Administration. Branch Committees should be formed at important places where it was considered desirable that the decision in this respect should be left to Main Committee in each case who would send on their recommendations for branches to the Central Advisory Council for approval.</p> <p>(3) <i>Composition</i>.—The Committee to consist of 12 members as follows :—</p> <p>(a) Agent—<i>ex-officio</i> Chairman.</p> <p>(b) Two Local Government Members to be nominated by the Local Government in whose jurisdiction the headquarters of the Railway was situated.</p> <p>(c) Three representatives of the Legislative Council of the Local Government in whose jurisdiction the headquarters of the Railway in question was situated.</p>	<p>The Government of India accepted all the recommendations excepting (a) the proposal that the formation of branch committees should be referred to the Central Advisory Committee, it being decided that this should be left to the Agent who will consult the Main Committee, if necessary, and</p> <p>(b) a proposal that for the Main Committee on the East Indian Railway both the Government of Bengal and Bihar and Orissa should each nominate one member instead of the Government of Bengal nominating both.</p> <p>The memorandum was revised accordingly and circulated to all the Railways and Local Governments. Railways were requested to take measures in consultation with the local Governments for the constitution of Committees.</p>

[Sir George Rainy.]

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
<p>1922—contd.</p>	<p>(d) One Member from the Local Municipality or Corporation at the Railway Headquarters.</p> <p>(e) Five members representing industries, commerce and trade.</p> <p>It was recommended that members of the Central Advisory Council should not be debarred from membership of the L. A. Cs. and that Agents might invite their Heads of Departments to attend but in the capacity of Technical Advisers only.</p> <p>(4) <i>Remuneration.</i>—Non-official members should be paid Rs. 32 for each meeting attended.</p> <p>(5) <i>Scope of duties.</i>—The following subjects may be discussed:—</p> <p>(a) Alterations in Time Tables and Passenger services.</p> <p>(b) Alterations of rates and fares and changes of goods classification.</p> <p>(c) Proposals in regard to new projects and extensions.</p> <p>(d) Proposals in regard to new rolling stock.</p> <p>(e) Any matter affecting the general public interest or convenience.</p> <p>Questions of personnel, discipline and appointments will not be brought before the Committee.</p>	

2. State versus Company management	Majority was in favour of State Management	The matter was later discussed in the Legislative Assembly and in accordance with its recommendations the East Indian and the Great Indian Peninsula Railways have been taken over by the State.
3. Strategic Railways	The Railway capital budget should show under distinct sub-heads the expenditure proposed for (a) Strategic Railways, (b) other lines. As a necessary preliminary, the list of lines classed as strategic should be reconsidered in the light of lines constructed and worked mainly for military as distinguished from commercial purposes. In respect of Revised budget the existing procedure of showing separate figures of earnings and expenditure of strategic Railways should be maintained.	Recommendations fully given effect to.
4. Branch Line Policy	While agreeing that the Branch Line Terms could not be revised just then the Council was of opinion that if the Government of India were satisfied that any particular feeder line was urgently required in the public interest the question of encouraging the flotation of a Branch Line Company should be considered on its merits. (See also item No. 2 under 1925 below).	The Branch Line Terms have since been abandoned with the approval of the Central Advisory Council.
5. Separation of Budgets	The Central Advisory Council adhered to the decision of the Railway Finance Committee that the separation of budgets was not then a practicable proposition and that the question should be re-examined when conditions became normal and financial equilibrium was established.	See item 2 of 1925 below.
1. Constitution of a Rates Tribunal	<p>1923.</p> <p>After discussion it was agreed—</p> <p>1. That the Rates Tribunal should be constituted and that until sufficient experience was gained to enable the Railways Act to be amended the Tribunal should be an investigating body only to deal with the following subjects:—</p> <p>(1) Complaints of undue preference—Section 42(2) of the Indian Railways Act.</p>	No action on the part of Government called for then.
		The recommendation was accepted by the Government of India and the matter was referred to the Secretary of State for acceptance.

[Sir George Rainy.]

Action taken by Government.

Conclusions arrived at by Central Advisory Council.

Subjects discussed by Central Advisory Council.

1923—contd.

- (2) Complaints about rates are impracticable to themselves.
- (3) Complaints or disputes in respect of terminals—Section 46 of the Indian Railways Act.
- (4) The reasonableness or otherwise of any conditions as to packing of articles specially liable to damage in transit or liable to cause damage to other merchandise.
- (5) Complaints in respect of conditions as to packing attached to a rate.
- (6) Complaints that Railway Companies do not fulfil their obligations to provide reasonable facilities under Section 42(3) of the Indian Railways Act.

2. Amendment of Railway Act to make travelling without tickets a cognisable offence.

3. Depreciation Fund

4. Provision for New Construction

The suggestion was accepted and the Railway Administrations were asked to furnish the Railway Board with particulars of the steps which had been taken by them to improve methods of ticket checking and collection.

A Railway Depreciation Fund has been formed.

The recommendation of the Central Advisory Council was acted upon as far as possible. It was found that the full amount of the Capital programme was not likely to be expended within the quinquennium on open line facilities and the investigation of the prospects of projected railways promising an adequate return was undertaken and expenditure on the more important cases was provided for.

After discussion it was decided that it was not advisable to amend the Indian Railways Act until all other possibilities for checking the evil had been tried.

A memorandum on the proposed establishment of a Depreciation Fund for Railways was placed before the C. A. C.

In the event of there being any savings on the Capital programme of the 1926-27 proposed for the rehabilitation and improvement of Railways in India during the five years ending 1930-31 after the work of rehabilitation and improvement had been provided for, such savings be utilised for remunerative projects, which should be taken up as and when they could be financed.

Mr. Cole's Report

An Officer should be placed on special duty to make definite recommendations for the training of each class of employees and that preliminary negotiations should then be entered into with:—

- (a) Government of Bombay in respect to the Sydenham College of Commerce and Economics,
- (b) Government of Bengal with respect to the Bengal Engineering College.

1924.

1. Separation of Railway Finance from General Finances.

Steps taken as recommended which eventually led to the separation of Railway Finance from General Finances.

2. North-Western Railway Contract for Sleepers.—This was discussed under four issues:—

Issue No. 1.—In calling for a five-year contract for whole or part supply in October 1922, did Railway Administration exercise ordinary business prudence.

The Agent, North Western Railway, was informed that the Government of India recognise that there is room for a fair difference of opinion and are not prepared to subscribe to the view that in concluding a five-year contract, the Railway Administration did not exercise ordinary business prudence.

Issue No. 2.—Should the whole contract have been given to Messrs. Speeding and Company.

The Railway Administration should not have given a monopoly to a single firm.

The Agent, North Western Railway, was informed that the Government of India consider that tenders for part supply should have been considered on their merits.

(Sir George Rainy.)

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
<p>1924—contd. Issue No. 2.—contd.</p>	<p>Sir Purnhotamdas Thakurdas asked—</p> <p>(1) whether Spedding and Company had fulfilled their contracts in full and up to time, and</p> <p>(2) whether prices had been revised in their favour during the currency of any of the contracts.</p>	<p>Sir Purnhotamdas Thakurdas's questions were answered in full, the following is a brief summary:—</p> <p>(1) The firm had never let the North Western Railway down even when circumstances were known to be against them and when the rates agreed upon with them became unfavourable. The firm were seldom and then too to a very slight extent behind hand in delivering the contractual number of sleepers in a year.</p> <p>(2) Prices had been revised only once in their favour. The price was raised from Rs. 4-8-0 to Rs. 5 for one year in a five-year contract when the market rate per sleeper during that year ranged from Rs. 9-8-0 to Rs. 12-8-0.</p>
<p>Issue No. 3.—Should the terms have been varied after the acceptance of the contract.</p>	<p>The terms should not have been varied after the acceptance of the contract and the Railway Administration should not have called for tenders in a form which was entirely out of date.</p>	<p>The Agent, North Western Railway, was informed that the Government of India agree with the Central Advisory Council that the terms should not have been varied after the acceptance of the contract. Agent asked to take in hand the revision of the tenders form.</p>
<p>Issue No. 4.—Are there any specific points which form a consideration of this case, the Central Advisory Council might suggest for investigation by the Officers who are enquiring into the best method of obtaining sleepers in future.</p>	<p>1. Proper arrangements should be made for co-ordination between the Railway Department of the Government of India and the Forest Departments of Local Governments in the different provinces in the matter of sleeper supplies.</p>	<p>The Chief Commissioner explained that this matter had already been taken up and that the joint report of the Chief Engineer and a Forest Officer on the subject was under the consideration of the Board.</p>

The present position is that a Timber Advisory Officer who is a selected Officer of the Forest Department has been lent to the Railway Board to work on behalf of the Railway Department as their adviser in the matter of sleeper purchase and to act as an intermediary between Forest Owners of Departments on the one hand and the heads of the various branches of the sleeper pool on the other.

Sir Charles Innes promised that this question would be examined and brought up before the next meeting of the Central Advisory Council.

The North Western Railway was addressed on the subject.

2. The whole question of the powers of the Agents in the matter of the placing of sleeper contracts should be brought under review.

No proposals in respect of Technical training were made at this meeting. But Rai Bahadur Lala Ramsaran Das complained of the paucity of Indians in the subordinates Traffic Service of the North Western Railway. Sir Charles Innes promised to investigate the matter.

See item No. 4 in 1923 (Provision for New Construction).

The Chairman pointed out that as a result of a more detailed examination of the position it was now expected that the total estimated amount required to write down stores to the then market value would be Rs. 120 lakhs instead of 3 crores, as originally estimated. He invited the opinion of the Central Advisory Council on Government's proposal to approach the Assembly for a grant to clear off the balance outstanding for that year. After discussing the relative merits of writing down the value of serviceable stores in one instalment or over a period of years, the Central Advisory Council finally approved of Government's proposal.

The Central Advisory Council discussed the question of the purchase of flexoid leather cloth and it was decided that a letter should be written to all Railways requesting that flexoid leather cloth be given a trial.

This was done.

3. Technical training

4. New Lines

5. Stores Balances

6. Purchase of Stores

[Sir George Rainy.]

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
1924— <i>contd.</i>	Two further inquiries were made: (1) whether the Chief Controller of Stores after bringing to the notice of the Indian Railway, for future guidance, any instance in which stores indentured for use in India, held up for the next indent, and (2) whether it would be practicable for the Railway Board to get periodical statements of indents, say once in six months from the Indian Stores Department, of articles indentured from England which could be obtained locally.	Sir Charles Innes said he would inquire of Mr. Pitkeathly on both points and asked that the matter be brought before the Central Advisory Council again. This was done on the 25th March 1925; see English Stores Indents for the continuation of this discussion.
7 Recruitment of Assistant Traffic Superintendents.	Mr. Neogy suggested that until the permanent scheme for recruitment of Assistant Traffic Superintendents was brought into operation, future recruitment should be made by a committee consisting of the Railway Board and representatives of the Central Advisory Council. It was pointed out that it was unlikely that any further recruitment would be made before the permanent scheme was introduced; but Mr. Neogy's suggestion would be considered.	Since the proposal made by Mr. Neogy at the Council meeting of September, 1924 no selections for appointment of Assistant Traffic Superintendents have been made.
1. Railway School of Transportation, Chandausi.	The only proposals were that no racial distinctions should be made at the School as regards messing arrangements and (2) that a Press notice should issue to let the Public know what was proposed to be done at Chandausi.	Both proposals have been given effect to.
2. Financing of Branch Lines	The proposed revised policy of financing branch lines company was approved.	The revised policy has been adopted.

3. Locomotive Building in India

The Chairman pointed out that owing to the transfer between the Railways of surplus locomotives on one Railway to another on which there was a shortage, it was anticipated that very few engines would be required during the next year or so and that these would be of numerous different types. It has been decided that the Director of Mechanical Engineering with the Railway Board, who was shortly proceeding to England on leave, should study the question of locomotive manufacture in England and verify the conclusion arrived at by the Tariff Board of the number of locomotives which it would be necessary to construct in this country in any one year to make the industry a success.

At a subsequent meeting held on the 22nd August, 1925, the Council was informed that Mr. Chase, Director of Mechanical Engineering, would go into the subject while on leave in England and would submit a Report.

The Tariff Board in its report on locomotives proceeded on the assumption that "the economical production of locomotives requires that the unit of production must be about 200 locomotives per annum."

"After considering the report made by Mr. Chase the Railway Board came to the conclusion that the assumption made by the Tariff Board was correct."

4. Sleeper Question...

This arose out of a previous discussion regarding the North Western Railway Contract for sleepers (see Issue No. 2 in 1924, North Western Railway Contract for Sleepers) when the Council put forward two specific recommendations in regard to the future arrangements for the purchase of sleepers by Railways, viz. :—

Action as regards (1) was taken by the appointment of a Timber Advisory Officer (see Issue No. 2 in 1924 North Western Railway Contract for Sleepers).

As regards (2) H. M. promised that the suggestion put forward by Sir Purshotamdas Thakurdas would be considered. This was done.

(1) that proper arrangements for coordination between the Railway Department and the Forest Department should be made, and

The Board were not able to accept the suggestion in its entirety, but Railways were asked to submit the following returns :—

(2) that the whole question of the powers of Agents in placing the sleeper contracts should be brought under review.

1. Name of supplier.

2. Number of sleepers and kind (eal, deodar, cast iron, etc.)

Sir Purshotamdas Thakurdas also wished to know why the Railway Board did not accept tenders themselves.

[Sir George Rainy.]

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
<p data-bbox="256 1345 277 1462">1925—contd.</p> <p data-bbox="853 1225 936 1598">6. (1) Recruitment and (2) Railway Board's Report on the recruitment and training of Railway Officers in India.</p>	<p data-bbox="857 611 946 1197">This was discussed at two meetings—one on the 25th March at which no proposals were made but at which it was agreed that in framing the scheme certain points which arose at the discussion should be considered.</p>	<p data-bbox="267 360 288 569">3. Period of contract.</p> <p data-bbox="308 485 329 569">4. Price.</p> <p data-bbox="350 154 418 569">5. Name and owner's name of the forest from which the sleepers are to be supplied.</p> <p data-bbox="459 154 522 569">6. Whether the supplier is owner or lessee of the forest or a dealer buying from owners or lessees.</p> <p data-bbox="542 154 677 569">7. Whether the accepted tenders were the lowest received. If not the reasons for non-acceptance of the lowest tenders similar statements if and when further contracts for additional contract suppliers are executed.</p> <p data-bbox="698 154 843 602">As regards long term contracts the Railways Board were informed that while the Railway Board fully recognise that these may often be advisable and are sometimes necessary they desire that their prior approval be obtained before a contract is actually placed for a period exceeding a year.</p> <p data-bbox="864 458 884 602">This was done.</p>

At the 2nd meeting the proposals of the Councils were :—

- (1) that in Annexure B of the scheme [Transportation (Traffic) and Commercial Departments] no particular degree should be specified but that the Science subjects required for study and examination be stated.
- (2) that nominations by Provincial Committees should be on the lines of the Indian Civil Service and that 10 candidates per vacancy should be nominated.
- (3) that the question that local Services should be entirely abolished should be considered further and be brought up again for final disposal at the next meeting.
- (4) that for the Mechanical Engineering and Transportation (Power) Departments the Intermediate Examination in Science and Arts should be accepted.

6. Functions of the Rates Tribunal . . .

The Secretary of State intimated that Company Railways took objection to the proposal that the Rates Tribunal should be empowered to investigate the question whether rates were unreasonable *per se*. After discussion the Central Advisory Council recommended that in view of the doubt whether the Rates Tribunal would really be useful if this item were excluded from its functions further consideration of the subject should be postponed pending a further reference to the Secretary of State.

7. Further tenders for the supply of wagons under bounty.

The action taken by the Railway Board as explained in their memorandum was approved.

This was done.

Both these proposals have been carried out.

This question remains unsettled.

This has been given effect to.

The recommendation of the Central Advisory Council was accepted and the matter was referred to the Secretary of State who agreed to the original proposal which was given effect to from 1st April 1926.

The memorandum dealt with the placing of wagons during the year 1925-26 under the bounty permitted by the Steel Industry (Protection) Act, 1924 and the reasons which actuated the Board in apportioning the wagons among the firms as they had done.

[Sir George Rainy.]

Subjects discussed by Central Advisory Council.	Conclusions arrived at by Central Advisory Council.	Action taken by Government.
<p>1925—<i>contd.</i></p> <p>8. English Stores Indents</p>	<p>The arrangement made by the Railway Board with the Chief Controller of Stores was noted.</p>	<p>This arrangement referred to the submission by the Chief Controller of Stores on half-yearly statements showing the cases in which the Indian Stores Department has taken up with the Railway Indenting Officers, the inclusion in their English Indents of articles obtainable in India under the revised Stores Purchase Rules. The present arrangement is as follows :—</p> <p>State Railway indents are scrutinised by the Chief Controller of Stores, Indian Stores Department. If, as a result of the scrutiny, the Chief Controller is of opinion that any item included in the indent could, under the Stores Rules, be purchased in India he communicates his remarks and recommendations to the indenting officer, who is required to report the action he is taking in this matter within fourteen days. The Chief Controller's remarks on State Railways' indents and the replies of the Indenting Officers are discussed by the Chief Controller with the Railway Board at a meeting held once every month, and if it is found that any further action is necessary the Railway Board takes the matter up with the Railway Administration concerned.</p>

1926.

1. Revision of State Railway Provident Fund Rule relating to the forfeiture of bonus.

2. Proposal to amend the Indian Railways Act to make travelling without tickets or with improper tickets a cognisable offence.

The proposed revision of the rule was approved.

In the meeting held in March, 1926, the Central Advisory Council recommended the following points being brought to the notice of Railway Administrations :—

- (i) Marking down certain localities and paying special attention thereto.
- (ii) Employing better ticket checking staff.
- (iii) Ensuring that booking facilities were adequate so that travelling without tickets was not due to difficulties in the purchase of tickets.

In the meeting held in August, 1926, it was decided to defer consideration of legislation till the next session when the results achieved by the adoption of the Crew system of ticket checking introduced on the East Indian Railway would be known.

Association of assessors with District Magistrates in accident enquiries.

3. Formation of a Railway Staff College at Dehra Dun.

The Central Advisory Council agreed :—

- (1) unanimously that a Railway Staff College was necessary.
- (2) by a majority that the site at Dehra Dun was suitable.

In the meeting held in August, 1926, it was decided by a majority of votes that Dewan Bahadur Rangachari's proposal should be dropped.

4. Association of assessors with District Magistrates in accident enquiries.

The revised rule has been given effect to.

The Central Advisory Council's suggestions (i), (ii) and (iii) were communicated to Railwayways for consideration and action.

The Central Advisory Council's recommendation to defer legislation was agreed to.

The Board are progressing with the establishment of the College at Dehra Dun.

The Central Advisory Council's recommendation was accepted.

PURCHASE BY THE GOVERNMENT OF INDIA OF AMERICAN WAGONS DESTINED FOR RUSSIA.

Mr. A. A. L. Parsons (Financial Commissioner, Railways) : Sir, I have to lay on the table the information promised by me in reply to a question asked by **Diwan Chaman Lall**, on the 15th February 1927, regarding the purchase by the Government of India of American Wagons destined for Russia.

(c) and (d).—(1) The estimated cost of erecting and altering 900 covered wagons was Rs. 660-4-0 per wagon ; and the actual cost was Rs. 688-14-0 per wagon which is 4½ per cent. over the estimate.

(2) The estimated cost of erecting and altering 4,100 high sided steel trucks was Rs. 1,460 per truck ; the actual cost was Rs. 2,414-13-0 per truck. The difference between the original estimated amount and the amount paid to the firm was 65 per cent. over the original estimate.

(e) No.

Diwan Chaman Lall's supplementary questions.—No inquiry was made by the Audit Department or any other Department as the usual Audit and other checks that were applied indicated no irregularities.

ORDERS FOR WAGONS.

Mr. A. A. L. Parsons (Financial Commissioner, Railways) : Sir, I have also to lay on the table the information promised by me in reply to questions asked by **Mr. B. Das**, on the 1st March 1927, regarding wagon orders.

Question No. 670—

- (a) and (c). All the wagons referred to have since been delivered.
(b) 6,842 were on order in India and the balance outside India.

Question No. 671—

- (a) Yes.
(b) The numbers of wagons, in terms of 4-wheelers, placed on the line, by State-owned Railways, each year, on account of additions and renewals, from 1919-20, are as follows :

1919-20	..	..	..	4,691
1920-21	..	..	..	7,674
1921-22	..	..	..	7,549
1922-23	..	..	..	8,138
1923-24	..	..	..	13,474
1924-25	..	..	..	6,082
1925-26	..	..	..	10,215
1926-27	..	..	..	8,024

Question No. 672—

- (a) Yes, on the 26th January 1924.
(b) The Government of India are unable to make any estimate. The introduction of improved facilities for carrying traffic, on which the Railway Board and Railway Administrations have been engaged in recent years, will enable a similar volume of traffic to be carried by a smaller number of wagons, and the volume of purchases will therefore depend on a development of traffic, the extent of which the Government of India are unable to forecast.
(c) The Honourable Member must refer to the evidence given by Sir Clement Windley as a whole. He pointed out that it was very difficult for him to give any reliable estimate of the probable requirements during the next

five years, or in fact of any year except the year immediately ahead; that some Railways were getting very remarkable results in the better use of wagons, automatically reducing to some extent the additions necessary year by year; and that consequently it would probably be inadvisable for him to give any figures which might hereafter be used as part of a definite policy of the Railway Board of adding so many wagons a year. He also pointed out that at the time he gave evidence the Railway Board had only admitted the necessity of purchasing 3,000 wagons, both as additions and renewals; that the State Railways (as opposed to Company Railways) were at the time rather over-stocked; and that the 3,000 wagons, a figure which might be increased to 4,500, were practically all required for Company-managed Railways. He further explained that the figure of 7,500 wagons mentioned by him was merely an indication or idea of what annual additions plus renewals might be after five years' time, based on the information available at the time he gave evidence. Much has of course happened to modify the position since the end of 1923.

Question No. 675—

- (a) The Honourable Member is referred to the reply to his previous question.
- (b) The numbers of wagons for which orders were placed by State-owned Railways on account of both renewals and additions (in terms of 4-wheelers) are as follows:

1923-24	..	..	..	8,397
1924-25	..	..	..	9,895
1925-26	..	..	..	6,423
1926-27	..	..	..	6,075

TOTAL .. 30,790

- (c) 23,046 out of these were ordered from sources outside India.

ELECTION OF A MEMBER TO THE COMMITTEE ON PUBLIC ACCOUNTS VICE MAULANA A. H. NATIQUE.

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

“ That the non-official Members of the Assembly do proceed to elect a member to the Committee on Public Accounts in place of Maulana A. H. Natiqie who has ceased to be a Member of the Legislative Assembly.”

The motion was adopted.

ELECTION OF A PANEL FOR THE STANDING COMMITTEE OF THE DEPARTMENT OF INDUSTRIES AND LABOUR.

Mr. President : The House will now resume further consideration of the following motion moved by the Honourable Sir Bhupendra Nath Mitra on the 21st February, 1927 :

“ 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.”

Mr. E. K. Shanmukham Chetty (Salem and Coimbatore-cum-North Arcot : Non-Muhammadan Rural) : Sir, I beg to move : " That for the original motion " the following be substituted :

" That this Assembly do proceed to elect, in such manner as may be prescribed by the Honourable the President, a Committee consisting of 7 members to advise on subjects in the Department of Industries and Labour."

The Honourable Sir Basil Blackett (Finance Member) : On a point of order, Sir. I should like to ask your ruling whether this amendment is within the scope of the motion and in order. I submit that it ought to be moved, if at all, as a recommendation to the Governor General in Council to change the rules under which this motion is made, and I would draw your attention.....

Mr. President : Which is the rule ?

The Honourable Sir Basil Blackett : The motion is :

" That this Assembly do proceed to elect in the manner described in the rules published in the Home Department Notification No."

It is in the manner so described in those rules, of which I have a copy here, that a panel is required, and until those rules are changed, I submit that a motion to elect a panel is not a motion that can be amended in the manner proposed. I would draw your attention to the fact that in 1925 a motion similar in character was sought to be moved by the Honourable Member from Nagpur, Sir Hari Singh Gour, and your predecessor ruled that it was out of order.

Mr. A. Rangaswami Iyengar (Tanjore-cum-Trichinopoly : Non-Muhammadan Rural) : I submit that once this motion is before the House it is perfectly open to the House to amend the motion, because the motion before the House is :

" That this Assembly do proceed to elect in the manner described in the rules published in the Home Department Notification No."

That being so, I submit that it is perfectly within the province of this House to say that this House will now proceed to elect in some other manner, namely, not by a panel but directly, the people that ought to advise on the subjects relating to the Department of Industries. What we say, Sir, is this, that so far as the question is embodied in a motion before the House and we are asked to pass a motion on the basis of which only the House can proceed to the election of any members to serve on the Standing Committee, it is perfectly open to this House to state in what manner it will constitute the Committee which it is asked to set up. Therefore, I submit the mere fact that the Notification prescribes a particular method by which we are asked to elect does not preclude this House from saying that we want to elect it by a different method, and this amendment is perfectly in order.

Mr. President : The Government ask the Assembly to give them a panel and the amendment says : " No, we shall not give you a panel ". Is that not so ?

Mr. A. Rangaswami Iyengar : We want to give a Standing Committee and that is the main object of this motion.

Mr. President : You say we will give you members of the Committee direct.

***Mr. R. K. Shanmukham Chetty :** The proposal before the House is that the House be called upon to elect a certain number of members to serve on a definite Committee.....

Mr. President : No, the proposal is that the Assembly should elect a panel from which the Governor General shall select certain members.

***Mr. R. K. Shanmukham Chetty :** But the substantive portion of the motion is that the House be called upon to elect certain members who will serve on this Committee—that is the substantive portion—and the election is sought to be held in the manner prescribed in the Home Department Notification. It is perfectly open to this House to say that it will elect the Committee not in the manner prescribed in that particular rule but in some other particular way.

Mr. President : It is not within the competence of the House to say, "We will elect it in a different way." It is open to the House to say, "We will not elect in the manner proposed by the Government." You can oppose that motion and negative it altogether, but it is not within the competence of this House to say : "We shall elect in a different manner from that proposed by the Government". Either accept the manner proposed by the Government or negative it altogether.

***Mr. R. K. Shanmukham Chetty :** It comes to this, that the Government have brought forward a proposal to elect a Committee in a particular manner, and is it not open to this House to say that the Committee shall be elected not in that particular way but in a different manner ?

Mr. President : Are Government bound to accept the decision of the House in the event of this amendment being carried ?

***Mr. R. K. Shanmukham Chetty :** But the Government have made a motion and it is for this House.....

Mr. President : If the amendment is carried, it can merely be a recommendation to the Governor General in Council. They are not bound to accept the motion embodied in the amendment. That being so, it can only come by way of a Resolution recommending to the Governor General in Council to amend that particular rule which lays down the manner in which these advisory committees are to be elected. It cannot come by way of an amendment to this motion.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions :
1 P.M. Non-Muhammudan Rural) : I understand that three members are to be nominated out of the panel of nine which we are asked to elect. Instead of that will it be open to this House to elect only three members who are to be appointed and leave the matter there ? We know that three members are to be nominated by the Governor General for this Standing Committee. We desire that we should exercise that right by electing the men whom we want to sit on the Committee and, therefore, without amending the rules is it in the power of this House to elect only three or are we compelled to elect a panel ? We cannot be compelled to.....

Mr. President : There is no question of any compulsion. The Assembly is not bound to elect a panel. They might throw out the proposal made by the Government of India. That is the only remedy open to the Assembly. They can say : "We do not accept your proposal." We

[Mr. President.]

do not want to elect a panel from which the Governor General will select certain members. We want to elect the members ourselves". For that purpose the legitimate course for the Assembly is to move the Governor General in Council by way of a Resolution recommending to them that they should alter the rules which prescribe the manner of election.

***Pandit Madan Mohan Malaviya** : I suggest then that the House should refuse to elect the panel and leave the matter there.

Mr. President : Honourable Members are perfectly within their right in opposing the motion.

Mr. K. C. Neegy (Dacca Division : Non-Muhammadan Rural) : There is another matter to which attention has not been drawn. As matters stand these Committees are Joint Committees of both the Houses. Just as we elect panels, the other House elects panels also, and a number of members are taken from each of these panels for the purpose of constituting the departmental Committee. Do I understand my Honourable friend, who has given notice of this amendment, to hold the view that in future there should be no Joint Committees, but that only this House should have the exclusive privilege of electing departmental Committees? That is a point on which I have not heard my Honourable friend making any submission and that, I submit, would arise also in connection with the point of order.

Mr. A. Rangaswami Iyengar : I think the amendment is clear.

The Honourable Sir Basil Blackett : I bow to your ruling. As you have ruled this amendment out of order, I have nothing more to say.

Mr. President : Mr. Neegy has raised some point on which he wants a reply.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour) : As you have decided that the amendment is out of order, no reply is required from Government.

Mr. President : Here is a non-official Member who desires some information in connection with this motion—I think the Government ought to give it.

The Honourable Sir Bhupendra Nath Mitra : So far as the Resolution goes a panel is elected by this House and a panel is elected by the other House. As a matter of fact the other House has already elected a panel and we are awaiting the election of a panel before we can form a Committee.

***Mr. R. K. Shanmukham Chetty** : So far as my amendment goes, it is equally all right. I submit that what we propose is to send seven members of this Committee and the other House is perfectly at liberty to send seven members.

Mr. President : I have already ruled that the amendment of Mr. Shanmukham Chetty is out of order. He is perfectly entitled to oppose the motion. Does he wish to speak in opposition to the motion?

¹ Speech not corrected by the Honourable Member.

Mr. Varahagiri Venkata Jogiah (Ganjam-cum-Vizagapatam : Non-Muhammadan Rural) : I rise to oppose the motion, for the simple reason that it is always desirable for this House to elect members to serve on Committees rather than to allow the Government to nominate members. I therefore oppose this motion.

Mr. K. C. Neogy : Sir, before I make my submission on this Resolution, I would ask for a ruling from you as to whether we would be in order in discussing the general principles regarding the constitution of all these various Committees which are proposed to be elected, namely, Committees in connection with the Industries and Labour, Commerce, Education, Health and Lands and Publicity Departments, or whether we are to confine ourselves to the merits of the particular Committee attached to the Department of Industries and Labour.

Mr. President : The Honourable Member should confine himself to the motion before the House now.

Mr. K. C. Neogy : Then, Sir, I should prefer to make my submission on a subsequent motion.

***Pandit Madan Mohan Malaviya** : Sir, I wish to draw the attention of the House to the reason which I take it underlies the opposition to this motion, and the desire which underlies also the proposal that we should elect not a panel out of which a certain number will be nominated but the members themselves. What is this Committee, Sir? The Committee is a Standing Committee to advise on subjects in the Department of Industries and Labour. It is a Committee merely to advise. It is not a Committee which is given any final power of decision. It is not a Committee which is invested with the power of voting funds or making grants for particular industries or for labour organisations or for the benefit of labour. Cannot the Government show the courtesy to this House of asking them to elect three men whom we consider the best to advise Government on these subjects? Must the Government ask this House to nominate three times the number from whom the Governor General in Council will elect three men whom he also considers to be competent to advise on these subjects? I submit, Sir, that this much courtesy ought to be shown to this House that it should be asked to elect the men who it thinks are fit to advise on these subjects. If the Government cannot show us that courtesy, without meaning any disrespect, without showing any want of co-operation with them, we should decline the invitation to hamper them by nominating 9 and so putting the Governor General in Council to the trouble of considering which of the 9 are best fitted to be honoured with an appointment on the Standing Committee to advise the Department.

Mr. N. M. Joshi (Labour Interests : Nominated) : Sir, if the amendment of my Honourable friend Mr. Chetty had been moved I would have supported it, because I feel that an elected Committee would have been much better than a Committee appointed out of a panel. Still I am not one of those who will oppose the motion for the appointment of a panel. We have been electing members for the panel now for several years, and I do not know why we should refuse to elect members for the panel now. It

* Speech not corrected by the Honourable Member.

[Mr. N. M. Joshi.]

would have been quite within our rights and it would have been quite proper for us to have insisted upon the members being elected, but if we cannot do that I think we should do the next best thing and elect the members for the panel. I have been a member of the Standing Committee for the Department of Industries and Labour, and I can say that that Committee has met several times and from the point of view of labour it has also done some good work.

Mr. K. C. Neogy : Sir, I find that general observations have already been made by the Honourable Members....

Mr. President : I thought the Honourable Member was not going to speak on this motion.

Mr. K. C. Neogy : Well, Sir, in view of the fact that we are having a general discussion might I have your leave to make my submissions generally ?

Mr. President : Mr. Neogy.

Mr. K. C. Neogy : Sir, I am afraid I am responsible for much of the unhappiness that these Standing Committees have been causing, both to the Government and to this House. For, it may not be in the recollection of this House that it was I who in the winter of 1922 moved a Resolution for the appointment of such Committees, as a result of which these Committees came into being.

Sir, when the reforms were first under discussion, proposals were put forward from the non-official side, as also by the authors of the reforms proposals themselves, that there should be Standing Committees attached to the different Departments of Government in order principally to allow non-official Members to have an insight into the inner working of the Government machinery. At one time the Government of India were very much opposed to this idea, but later they seem to have relented, and when the Joint Parliamentary Committee made a recommendation for the appointment of such Committees, I may say that they had the concurrence of the Government of India for taking that step. Sir, I shall try to refresh the memory of my Honourable friend, Mr. Crerar, particularly by referring to the evidence which Lord Meston (then Sir James Meston) gave before the Joint Parliamentary Committee on the Government of India Bill, and he will find that when he appeared before that Committee for the third occasion, on the 13th October, 1919, he said :—

“ that in regard to the Standing Committees with the Government of India, the Government of India would ask that if those institutions are accepted by the Joint Committee, an exception should be made in the case of two Departments, the Army Department and the Foreign and Political Department.”

It was thereafter that I made inquiries in this House in 1921 as to what the intentions of Government were in regard to this recommendation of the Joint Parliamentary Committee. Strangely enough, the Government of India replied that they had no intention of having any such Committees at all, and thereafter I moved the following Resolution on the 19th January 1922 :—

“ This Assembly recommends to the Governor General in Council that Standing Committees elected by Members of the Legislature be associated with the different Departments of the Government of India, other than the Army and the Foreign and Political Departments.”

In framing that Resolution I proceeded very closely upon the position which the Government of India had taken up in giving evidence through Lord Meston before the Joint Parliamentary Committee. Sir, my Resolution was however very stoutly opposed by the then Home Member, Sir William Vincent, but the House carried my motion in spite of such opposition, after a division. Sir, on that occasion I gave all the relevant extracts from the Government despatches and the Report of the Joint Parliamentary Committee on this question. I have no intention of recapitulating all that I stated on that occasion, but I will just refer to one or two points which have a direct bearing on the present matter. Sir, so far as the question of the constitution of the Committees was concerned, the Joint Parliamentary Committee contemplated a partially elected and a partially nominated Committee. This is what they stated :—

“ Our idea is that the non-official Members of the Assembly and the Council of State might elect by ballot in proportion to their respective strengths two-thirds of the Members of each Committee, while the Government nominates the remaining one-third.”

The Honourable Sir Bhupendra Nath Mitra : Is the Honourable Member quoting from the Report of the Joint Parliamentary Committee ? I am afraid he is in error.

Mr. K. C. Neogy : I am sorry ; I am referring to the Montagu-Chelmsford proposals. As a matter of fact the Joint Parliamentary Committee did not make any detailed recommendations with regard to this matter.

The Honourable Sir Bhupendra Nath Mitra : They did.

Mr. K. C. Neogy : Not detailed recommendations. What the Joint Parliamentary Committee said in effect was :

“ We want to leave it to the Government of India.”

They left it to the discretion of the Government of India to determine the Committees' composition and the duties that should be assigned to them.

The Honourable Sir Bhupendra Nath Mitra : Is it the Government of India or the Governor General ? I am sorry the Honourable Member is so unkind. If he will read a previous passage of his speech, he will find out what the Joint Parliamentary Committee had said.

Mr. K. C. Neogy : The Honourable Member is drawing a distinction which to our mind is without any difference. Whether it is the Governor General or the Governor General in Council, so far as we are concerned, we find that there is very little distinction. However, Sir, I am not concerned with these small matters of detail. What we want is that these Committees should be allowed to function in the proper way, and the only way in which they can be useful both to the Government and to the people. Sir, when I moved my Resolution, I was not at all satisfied with the procedure that was laid down either in the Joint Parliamentary Report or in the Montagu-Chelmsford Report about the constitution of these Committees. That is the reason why I asked for entirely elected Committees, but the Governor General in Council thought otherwise and in giving effect to that Resolution of mine, they came to a compromise. They allowed both the Houses to have their election of nominees and they made their own selection of the members from those panels thereafter. Sir, it was certainly a departure from the recommendations of the Montagu-Chelmsford proposals. And my Honourable friend Mr. Shanmukham Chetty has every

[Mr. K. C. Neogy.]

reason for being aggrieved at the manner in which the Government of India are departing from those recommendations. We have got experience of these Committees during these few years, and it is perfectly legitimate on our part now to demand that Government should seriously consider the desirability of revising the rules in regard to the constitution of these Committees. So far with regard to the composition of the Committees, but there is another point to which I want to refer and on which I base my ground for opposition to the motion. Sir, the Government of India, I must say, did not at any time make any secret of their opposition to the idea of these Standing Committees; but one would have expected that after they had accepted the Resolution, even though partially, they should try to give effect to the intention of Mr. Montagu and Lord Chelmsford and also of the Joint Parliamentary Committee in regard to the work to be placed before the Standing Committees. But what do we find? Well, before I charge my Honourable friend Mr. Crerar with having dropped the Home Department Committee altogether, I want to say that in justice to the Department with which we are dealing just now, it must be said that that is perhaps the only useful Committee we have got at the present moment. But, Sir, the other Departments, notably the Home Department, have not done anything to justify the constitution of these Committees, and I find that it is not proposed at the present moment to have any Committee attached to the Home Department at all. May I in this connection remind my Honourable friend Mr. Crerar of what Sir William Vincent said while opposing my Resolution on that occasion? He said:—

“I myself think and thought for some time that in the Home Department a Committee to examine proposals for legislation generally would be of very great value.”

I draw my Honourable friend's attention to that expression of opinion with the hope that he will revise his decision and see whether a Committee could not be appointed in connection with the Home Department to discharge this as also various other functions contemplated by the Joint Parliamentary Committee and the Montagu-Chelmsford Report. Sir, if Government are not willing to place work of sufficient importance before the Committees, if that be the attitude of Government, I would have no hesitation in voting against these Resolutions as a matter of principle.

***Mr. Muhammad Yamin Khan** (United Provinces : Nominated Non-Official) : On this question we have heard speeches and criticisms of different types which to my mind are not at all relevant when this motion is moved. As laid down by yourself, Sir, either this motion can be adopted or it can be rejected altogether.

The speeches which have been made here to-day ought to have been made when the question of amendment was being considered. These rules and notifications have been in existence since August, 1922, and the different Assemblies have been working accordingly. It was quite open to Honourable Members during this time to bring in a motion of amendment if they were not satisfied with the present system; but they did not choose to do so. Now at a time when the question is whether this should be considered or whether there should be an election of a panel or not, this question of amendment has been introduced. I do not think that even the total rejection of this proposal is sound, because here in the Assembly we represent

*Speech not corrected by the Honourable Member.

different parties, different ideas and different thoughts. If we do not have a panel, we will be treading on very dangerous ground. We have the Swaraj Party, the Nationalist Party and the Independent Party, and there are other Members who do not belong to any party at all. If we were only to elect a Committee from the Assembly, probably some of the Members who do not belong to the strongest party, although they may be quite efficient and quite capable of working on the Committee, may be ignored altogether.

Sir Hari Singh Gour : How will they get on the panel ?

***Mr. Muhammad Yamin Khan** : These Members have not got the slightest chance in a Committee of 9 members if we decide as Pundit Madan Mohan Malaviya says, to elect three members and no more. I say it is absolutely impossible because there will be 9 nominations altogether. If the motion is to elect 9 members and if there are only 9 nominations from the Assembly, then they will be considered to be elected. Each party may be able to send three Members only, but the Swarajist Members may not be satisfied with the nominations made by the Nationalist Party. Probably the Independents will send three more. It is, in my opinion, absolutely impossible and impracticable to carry out the suggestion that has been made. It is always safe to elect more Members than are required to serve on a particular Committee. Out of these, the Government may select people of different thoughts, different ideas and different interests who might give sound advice, as is expected from this Committee. This is only an Advisory Committee, and as such it must consist of members representing different political shades of thought and political interests. I think the present system is very sound and all questions relating to its amendment are absolutely irrelevant. Therefore, Sir, I support the motion.

The Honourable Sir Bhupendra Nath Mitra : Sir, I am extremely grateful to my friend, Mr. Muhammad Yamin Khan, whom by the way, I should like to congratulate on his maiden speech in this Assembly, for having attempted to divert the debate on to the proper channel. You, Sir, having ruled out of order the amendment proposed by my friend Mr. Shanmukham Chetty, it is hardly necessary for me at this stage to discuss the propriety of the arrangements which were introduced by the Governor General in 1922, and I shall only make one general remark in connection with these arrangements. I am sorry my friend Mr. Neogy did not bring out the full position when he was attacking the present system a few minutes ago. The present system, as a matter of fact, follows the recommendation of the Joint Select Committee. I have not got the Report of the Joint Select Committee and I shall therefore quote from Mr. Neogy's own speech in this House which he delivered on the 19th January 1922. There he gives this as the quotation from the Report of the Joint Select Committee :—

“ It may even greatly assist the political education of India if Standing Committees of legislative bodies are attached to certain Departments of Government ; but we only express this opinion on the understanding that the appointment of such Committees, their position and the regulations which govern their procedure, shall be matters wholly and exclusively within the discretion of the Governor General.”

That was the recommendation of the Joint Select Committee, who apparently came to this conclusion in spite of a different recommendation in the Montagu-Chelmsford Report and after consideration of the constitutional aspect of the case.

[Sir Bhupendra Nath Mitra.]

(Having said so much I shall now confine myself to my Resolution. Sir, in accordance with the usual practice—a practice which has been in force for five years—I asked for this panel in February last so that I might be in a position to form my Advisory Committee. As I mentioned in this House a little while ago, the other House had been kind enough to give me a panel.....

Sir Hari Singh Gour : They are always very kind to you.

The Honourable Sir Bhupendra Nath Mitra : The only objection, if I may say so, which this House might have had in giving me that panel was if it had any doubts about the utility of that Committee. Mr. Joshi has already said something about the utility of that Committee. My friend, Mr. Neogy, has been kind enough to admit that probably that Committee has some utility. I do not want to waste the time of the House by reading out the various important items involving questions of policy which were referred to that Committee in the last two years. The members who formed that Committee are fully aware of these subjects. They cover in fact various branches of work with which my Department has got to deal.

Now, I would ask the House to consider whether, because they do not like the present constitution of these Committees or because they do not like the panel system on grounds of high policy, if I may use that expression, it is fair to me that they should deprive me of the services of this Committee and compel me to go without the assistance of my Honourable friends like Mr. Joshi or Mr. Chaman Lall.

Mr. Gaya Prasad Singh : (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Why don't you nominate direct ?

The Honourable Sir Bhupendra Nath Mitra : That is not a matter for discussion at present. The President having ruled the amendment out of order, it is hardly necessary for me to pursue further the propriety of the present arrangements. But as my friend Mr. Gaya Prasad Singh has raised the question, I shall just say a few words on the subject. As it is, in 1925 it fell to my lot for the first time to advise His Excellency the Governor General about the formation of the Committee to be attached to my Department. Now the Assembly elected a panel and the three gentlemen who headed the list were Mr. Chaman Lall, Mr. Joshi and Sir Walter Willson. I took those three gentlemen as members of my Standing Advisory Committee. In 1926, the members who headed the poll were Sir Walter Willson, Sir Darcy Lindsay, Mr. Chaman Lall and Mr. Joshi. If I were to follow what my friend Pandit Madan Mohan Malaviya was advocating a little while ago, I should have taken as members of that Committee Sir Walter Willson, Sir Darcy Lindsay and Mr. Chaman Lall, leaving out Mr. Joshi. Well, that shows that this panel system is very elastic. It enables me to put into that Committee people of various opinions from whom I can get the best assistance. That year I took, as a matter of fact, Sir Walter Willson, Mr. Chaman Lall and Mr. Joshi, leaving out Sir Darcy Lindsay, so that in both years I had on my Standing Advisory Committee a European member representing capital, my friend Mr. Joshi who represents labour, and my friend Mr. Chaman Lall who, though he has I believe large capitalistic connections, takes a good deal of interest in the welfare of labour. Now, it may be argued that my

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Committee was defective because the representative of capital was a European. I settled that when taking members from the other place. I got a panel from the other place and from that panel a representative of Indian capital was selected, and I also selected a politician with general experience which gave my Committee, if I may say so, a comprehensive outlook. I would ask the House again to consider the whole position before they become so unkind as to vote down my Resolution, because if that is done, I shall be left without any Committee at all, and I can assure the House that there are certain important matters on which I want to consult my Standing Committee as soon as it has been formed. The House will come to know about them from various questions which I will have to answer later on.

I think, Sir, I have dealt with the various points which have been raised by my Honourable friends who have already taken part in this debate, though I did not really want to deal at all with the reasons which actuated my friend Mr. Chetty to move his amendment, as that amendment was ruled by you, Sir, to be out of order. But having explained the position as fully as I have done, I would now request the House to withdraw their opposition to my proposal and to allow me to go on on the lines that I have gone on for two years. If they want to change the present rules, as the Chair indicated, it is open to them to bring in a Resolution and have the rules changed, though, as I have already pointed out, the change in the rules may not operate to the best interests either of the Executive Government or of this House.

***Pandit Madan Mohan Malaviya** : May I ask, Sir, if the Honourable Member will give us the assurance that he will have this matter considered by the Governor General in Council and revise the rules so as to bring them into line with the recommendation contained in the Montagu-Chelmsford Report. That Report says.....

Mr. President : I cannot allow the Honourable Member to make a speech.

The Honourable Sir Bhupendra Nath Mitra : Well, Sir, the question of altering the rules can only be taken up if the House passes a separate Resolution on that subject.

Mr. President : The question is :

“ 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 Assembly divided :

AYES—47.

Abdul Qaiyum, Nawab Sir Sahibzada.	Ayyangar, Mr. V. K. Aravamudha.
Abdullah Haji Kasim, Khan Bahadur Haji.	Ayyangar, Rao Bahadur Narasimha Gopalaswami.
Ahmad, Khan Bahadur Nasir-ud-din.	Bajpai, Mr. G. S.
Alexander, Mr. William.	Blackett, The Honourable Sir Basil.
Anwar-ul-Azim, Mr.	Bray, Sir Denys.
Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.	Coatman, Mr. J.
	Cocke, Mr. H. G.

* Remarks not corrected by the Honourable Member.

Cosgrave, Mr. W. A.
 Courtenay, Mr. B. H.
 Crerar, The Honourable Mr. J.
 Crofton, Mr. R. M.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Dalal, Mr. A. B.
 Dalal, Sardar Sir Bomanji.
 Donovan, Mr. J. T.
 Dunnett, Mr. J. M.
 Ghazanfar Ali Khan, Raja.
 Haigh, Mr. P. B.
 Irving, Mr. Miles.
 Ismail Khan, Mr.
 Joshi, Mr. N. M.
 Kabul Singh Bahadur, Captain.
 Kenne, Mr. M.
 Kirk, Mr. R. T. F.

Mitra, The Honourable Sir Bhupendra Nath.
 Mohammad Ismail Khan, Haji Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Roy, Mr. K. C.
 Sams, Mr. H. A.
 Shah Nawaz, Mian Mohammad.
 Singh, Rai Bahadur S. N.
 Suhrawardy, Dr. A.
 Tonkinson, Mr. H.
 Wright, Mr. W. T. M.
 Yakub, Maulvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

NOES—36.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Bhargava, Pandit Thakur Das.
 Chapman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Farookhi, Mr. Abdul Latif Saheb.
 Gour, Sir Hari Singh.
 Haji, Mr. Sarabhai Nemchand.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jogiah, Mr. Varahagiri Venkata.
 Kelkar, Mr. N. C.

Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra Kanta.
 Lamb, Mr. W. S.
 Malaviya, Pandit Madan Mohan.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Naidu, Mr. B. P.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Sarda, Rai Sahib Harbilas.
 Shafee, Maulvi Mohammad.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Siddheswar.

The motion was adopted.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

ELECTION OF A PANEL FOR THE ADVISORY PUBLICITY COMMITTEE.

The Honourable Mr. J. Crerar (Home Member) : I move :

" 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."

Before speaking briefly on this motion, I may perhaps be permitted to say one word of a personal character. This is the first occasion on which I have had the honour of addressing this Assembly. I am aware that it is the custom of the House to extend to its newest Members a great measure of patience and indulgence, and, as it falls to me to have the very heavy responsibility of speaking for the first time from this Bench, I trust and hope that I shall have a very large measure of the forbearance of the House. I do not think it is necessary for me to say much on the motion which stands in my name. The question of the expedient of a panel for Advisory Committees has been discussed at considerable length. The particular Advisory Committee which is the subject of my motion is in material respects different from the Standing Advisory Committees attached to Departments which have been the previous subject of discussion, and I should like to observe that the practical considerations of convenience, which were so lucidly explained by my Honourable colleague Sir Bhupendra Nath Mitra, apply probably in much larger measure to the Publicity Advisory Committee. The questions which come before this Committee are of a very general nature, and it is particularly desirable that the representation of different kinds of opinion and different kinds of interest should be as comprehensive as possible. The discretion allowed to Government by the panel system does give them a certain facility for securing the representative character of the Committee, and, as in matters of publicity it is extremely important that different points of view should be carefully and duly considered, the particular expedient which is adopted in this motion, as in the motion which has preceded it, is one which from a practical point of view is so convenient that I trust it will commend itself to the House. I hope the House will pass the motion which stands in my name.

The motion was adopted.

ELECTION OF A PANEL FOR THE STANDING COMMITTEE OF THE COMMERCE DEPARTMENT.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I rise to move :

" 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."

I do not propose, Mr. President, to say more than a word or two about this Resolution. The Honourable Mr. Crerar has mentioned that it is customary for new Members to trust a great deal to the indulgence and the kindness of the House. I certainly have the utmost confidence

[Sir George Rainy.]

that the House will bear with my youth and inexperience and will not deny me the protection for which I ask. All I wish to add is that there are certain subjects, particularly those connected with merchant shipping, on which I think it is very important and very necessary that those who have to administer the Commerce Department should have the assistance of an Advisory Committee. I move the motion that stands in my name.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : May I know, Sir, how often the Committee attached to the Commerce Department has been summoned in the past, and what are the subjects that were placed before it for discussion ?

The Honourable Sir George Rainy : I am afraid, Sir, I am not in a position to give the Honourable Member the information for which he asks, but I would again plead for indulgence on the ground that I at any rate was not personally responsible for the number of times they met.

Mr. N. C. Kelkar (Bombay Central Division : Non-Muhammadan Rural) : I stand to oppose this motion. I wanted to speak on the very first motion just now made, but it was generally thought to be a somewhat useful Committee. At the same time of course we did vote against the motion in order to put down on record our emphatic protest against the manner in which the members of these Advisory Committees are selected. My objection to this procedure of appointing these Committees is that it is almost a double dose of distrust—double distillation of distrust, in this sense that, in the first place, they are only Advisory Committees ; and I say distrust is shown because you do not give them any definite executive authority, no authority at all. You only want these people to act as an Advisory Committee. Secondly, you do not want to give the Legislature the power to elect their own representatives even on an Advisory Committee. This particular Committee is nothing more than an Advisory Committee, and, as has been pointed out by my friend over here just now, the Committee also is very seldom convened. An Advisory Committee is like the King's advisers. The King summons them only when His Royal Majesty finds that he wants advice, and we find that His Royal Majesty is never in need of advice because he always wishes to exercise his own will. And it is the same case with the Advisory Committees here. They have no definite powers ; no rules of business are prescribed for the Committees. The Committee has no initiative because it can attend only when called. But we have accepted even this position. I want this to be marked and noted. Our objection is not mainly at this moment to the advisory nature of these Committees and their powers, but that apart from that, they are appointed from a panel and not by direct election. And that is why I call it, again, a double dose of distrust. Now you place the Legislatures in an awkward position. I really cannot see the logic of it. You appoint Select Committees by direct election from both the Legislatures, and the fate of Bills, very important Bills, sometimes hangs on these very Select Committees. They shape, they give proper form to, the Bills and in many cases, I should say mostly, Bills are passed in the Legislature as they are shaped and formed in the first instance by the Select Committee. Now you can trust the Legislature to directly elect people to sit on Select Committees for shaping the destiny of Bills, but

I wonder how you cannot trust the Legislature to elect their representatives on an Advisory Committee, which meets very rarely and can only give advice. Even supposing wrong representatives have been chosen : after all, how far does it go ? It does not go very far. They are only to give advice. Theirs is not to enforce or put into practice any executive powers of authority. Well, if they are wrongly chosen, who is responsible, who takes the consequences ? It is the Legislature. We have been told that Heads of Departments are so gracious and so wise that they are always prepared to condone the defects and the mistakes of the Legislature ; and in one instance we were told that though the Legislative Assembly elected wrongly, our friend over there very wisely made a certain selection, meaning that the result of the election was very bad, but he used his discretion and his wisdom in order that particularly good and useful people only might be taken. But I would reply to him on that point. He does not remember perhaps that the result of that particular election which he mentioned must have been in that particular fashion simply because of the panel system of election. It shows on the face of it that the Assembly, as a whole, did not take any keen interest in that particular election. If the Assembly had taken any interest in that election, I say certainly that the result would not be as he mentioned it to this House. Then again there is this point. You have got to consider it from the point of view of the Legislature. We elect here a panel of 8 or 9 people, and who ultimately decides who will be taken out of that panel ? The Governor General. Now why should there be this slur, a double slur, a slur in the first instance upon the choice we make and a slur in the second instance upon those people who have been left out ; and these people can be slurred over, they can be left out, without the Governor General giving any good or any reasons at all. You put up a list of 8 or 9 people as having been elected by the Assembly as fit for the business. The Governor General says, " I will not have this man ", and he uses his pen to strike out the name of that man. What is the guarantee that the Governor General will properly exercise his discretion ? It has been pointed out by Sir Bhupendra Nath Mitra that this discretion has been given to the Governor General by the Joint Parliamentary Committee. But after the discretion was given, we can say that that discretion has not been properly used, and therefore we claim this ultimate right and this definite right for the Assembly itself for making definite and direct elections to these Advisory Committees. Either the Government wants advice or does not want advice. After all, this is a mere recommendation and Government have voluntarily taken it upon themselves to seek advice. Well, if they had not chosen to seek advice, the matter would have ended, as we cannot force the hands of Government. But if they really want to seek advice, let them do it sincerely, let them trust us to give the proper advice through properly accredited representatives. So the result is this, that we elect certain people as a panel and certain selections are ultimately made by the Governor General ; and not only those who are left out are humiliated but in a way the panel itself is humiliated by the omission.

Now, it has been said that this method has worked well. It has
 3 P.M. even been stated that this is a better method than
 the other method of direct election. Now, if the Honour-
 able Member sincerely and honestly believes in that statement, why

[Mr. N. C. Kelkar.]

should he not go further and propose that even for Select Committees for Bills to be elected by the Legislature this method should be followed and that there should everywhere be panels? If nomination out of an elected panel is the better method, why not apply it to each and every case? Why do you apply it to only those cases of Advisory Committees? In my opinion, absolutely no case has been made out for selecting this method of having a panel out of an elected body. It has been said that sometimes representative men are necessary for advisory bodies. The assumption seems to be that if you give the Assembly the power to make direct elections to advisory bodies, then representative men will not come in. Here again I fail to see the reason. Why should not the Assembly be trusted to choose properly elected representatives, if it can be trusted to choose similar representatives on Select Committees for Bills? I really fail to understand this distinction between the formation of Select Committees for Bills and the formation of Advisory Committees for giving advice. There may be some other criterion for having these Committees only as advisory bodies and for having Select Committees as bodies with some definite authority and power. That is not my point. I have already stated that I have accepted one position, though I do not agree that it is the best position. I go further and say that even these Committees which are to co-operate with the Departments and give them advice should also have certain rules of business, some powers of initiative, and at least limited executive powers in the initial stage. But that is not my position now. I am quite content at this moment to have the Committees as Advisory Committees, but my argument is that once having accepted that position, why do you force upon us the other distrust also? Why don't you trust our Advisory Committees elected directly by ourselves? This is an argument which applies, I suppose, to all similar motions that are now before the House, and so if I have spoken on this one, I have spoken for all.

Mr. M. S. Aney (Berar Representative) : Sir, the ground on which I want to oppose this motion is a very simple one. The principles on which this Committee is formed have been sufficiently discussed and my Honourable friend Mr. Kelkar has also shown how absurd it is to appreciate the principle of panels in the case of these Standing Committees when it is rejected as useless in the case of Select Committees and other Statutory Committees elected by this House. I do not want to touch that point. I want to emphasise the fact that, if the Government of India really want Advisory Committees, then they must be given sufficient opportunities and scope to discharge their functions during the period for which they are in existence. Last time I put a few questions with a view to elicit information regarding the functions and work performed by the various Committees appointed under these Notifications. At that time the answer given on the floor of the House was that the information was not available and it would be collected and supplied to the Member. Subsequently it was supplied to me; unfortunately I have not got the typed copies of the reply given with me at present. But I have gone through them and I find that the one Committee that has functioned and has done some important work was the Committee for which a motion was tabled by my Honourable friend Sir Bhupendra Nath Mitra and which was carried by the House shortly before. As regards other Committees, some of them never met at all. It is certainly an insult to this House to call upon it to proceed to elect a Committee and never to make use

of that Committee. That being the position, there is a legitimate feeling of resentment. I think Members would be well advised in rejecting the proposal altogether as a mark of protest and indignation. Sir, I oppose the motion.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : Sir, I do not oppose my friend the Honourable Mr. Kelkar when he says that the system of the election of these Committees is full of defects, but, I submit, that by rejecting the motion which is before the House we will not amend the system of election. What would be the result if we reject this motion ? The result would be that there will be no Committee at all. Now, Sir, is not the constitution of our Assembly full of defects and anomalies ? What sanctions have our Resolutions got ? They are not binding on the Government. There are certain other things in the constitution of this Assembly which are full of anomalies and defects, but we cannot remove those anomalies and defects by rejecting motions. The proper system of amending the rules is by moving Resolutions. If my Honourable friend Mr. Aney or any other Members consider that the present system of election of these Committees is not sound, they can move a Resolution to the effect that the rules of election should be amended, but it is not proper and desirable to reject motions like this.

As regards the working of the Advisory Committees, if any Department does not hold meetings of their Committees they are to be censured in the House. Motions ought to be moved in the House that such and such members should be censured for not calling the Committees of their Departments. There, too, Sir, by rejecting the motions for the election of the Committees, we will not be removing the defects. For these reasons I support the motion before the House, and I respectfully submit that the Honourable Members who are opposing this motion will consider the question in this light. They should move Resolutions, they should censure the members, but they should not deprive some Members of the Assembly, at any rate, from a small power of advice which they exercise by being elected to these Committees.

***Diwan Chaman Lall** (West Punjab : Non-Muhammadan) : Sir, I would not have risen to talk upon this subject had it not been for the speech of my Honourable friend Maulvi Muhammad Yakub. I think he was rather confused about the subject. He started off by stating that the only remedy we possess is to move Resolutions, but ended up by saying that we cannot compel the Government to listen to us because the Government is under no obligation to respect any Resolution that we might pass. The contradiction is there. But I want to assure the Honourable Member in charge of this Department that we do not wish him to carry away the idea that we are not anxious to have Standing Committees for the Departments. In fact, the legitimate development of the committee system seems to me to be this that we must have a complete right to elect our own men and not leave the choice to the Member in charge of the Government of India. What is the object of these Committees ? The object is merely to associate the Legislature with the Executive in order that both the Executive and the Legislature might benefit. What we are pressing for is a development of this system which was laid down by the Joint Committee. I have here the statement made in the Montagu-Chelmsford Report. They also say the same

*Speech not corrected by the Honourable Member.

[Diwan Chaman Lall.]

thing, namely, that their intention is to familiarise the elected Members of the Legislative Councils with the processes of administration. What we want is the right to nominate our own men. The Assembly should have the right and no invidious distinction should be drawn, as has been pointed out by my Honourable friend Mr. Kelkar, as to the Members who ought to be put upon these Committees at the sweet will of the Member in charge.

Now, we may have a very good Member in charge, like my Honourable friend Sir Bhupendra Nath Mitra, who might adjust all sorts of differences, but we cannot depend upon the vagaries of the Government where you are a Minister to-day and to-morrow you are gone. What we want is the right to say that these are the men whom we trust to carry out the wishes of the Assembly in regard to the various processes of administration which will be considered by the Standing Committees. It is with that object that we desire to censure the Government for not having brought in this proposal themselves. It was up to them—it is not up to us—to have brought forward such a Resolution. Our Resolutions are mere scraps of paper. It is up to the Government to amend the rules and introduce a different system for the selection of these Standing Committees, and I hope that the Honourable Member, as a result of this discussion, will move the Government of India and bring in a decent system for the selection of these Standing Committees.

Mr. H. G. Cocks (Bombay : European) : Sir, I only want to say two words. I am glad that the last speaker has spoken for this Resolution because it is certainly very essential that the Commerce Department should not go without a Committee. The Honourable Member distinctly said that he was all in favour of Committees, and therefore I do not see how he could do anything else than support this motion.

Sir, the Commerce Department, I think of all departments, is one which requires an Advisory Committee, and it would be most undesirable that that Department should be left without one. I am not quite clear whether the motion intends three members only to be nominated to the Standing Committee. I understand however from the discussion to-day that it is not necessary that the same three shall be on the Committee indefinitely. The Commerce Department deals with diverse matters, such as cotton yarn, lighthouses and insurance ; and it is obvious that we do not want the same three men dealing with these three subjects ; one man may be an expert on cotton yarn, but may not be an expert on lighthouses ; and therefore I should like to be enlightened on that point. But in any case I do trust this House will follow the good example set before lunch and vote for this Committee.

The Honourable Sir George Rainy : I hope, Sir, that the members who have spoken on the other side of the House will pardon me if I reply only briefly to what they have said. After all there was a considerable amount of discussion this forenoon on the motion for the appointment of a Committee for the Department of Industries and Labour ; and in substance most of the arguments used—though not perhaps all of them—were brought forward in the course of that debate and were, I think, convincingly replied to by my Honourable friend, Sir Bhupendra Nath Mitra.

Mr. Kelkar's first complaint was that these Advisory Committees had no executive authority. This point can, I think, be very briefly disposed of, for he admitted himself that he was not seriously asking that the Committee should be given executive authority at the present time. We are now at the advisory stage, when the scheme is that non-official Members of the Legislature should be associated with the Departments to put them in touch with the business going on in each Department. And indeed if it came to the stage, Mr. President, at which Committees with executive authority were elected by this House, I am inclined to think that we should have passed on to a new stage of constitutional development where the question of the exact powers of the Committees would not be of such importance as Honourable Members think at present.

Now, as regards the question whether this House should itself elect the members of the Advisory Committee or whether we should adhere to the panel system by which the Governor General selects from a larger number, a smaller number to sit on the Committee, Mr. Kelkar referred to the analogy of the Select Committees of this House which, as everybody knows, are entirely elected by this House. Another instance that might be quoted is the Standing Finance Committee. These Committees, the Select Committees and the Standing Finance Committee, are definitely committees to advise this House about the discharge of its own functions, whereas the Advisory Committees with which we are dealing are to be constituted through the action of this House to advise the Executive Government. Now, I think that at once makes a distinction between the two cases. They are not completely analogous; and since there are two parties concerned, namely, the party who advises and the party who receives the advice. I think it can be argued very fairly that the party who receives the advice is also entitled to have a say in the selection of the advisers.

Mr. Satyendra Chandra Mitra (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : Why not nominate them all ?

The Honourable Sir George Rainy : " Why not nominate them ? " For the very simple reason that there are two parties to bargain and I see no reason at all why the Assembly should not participate in the selection.

Now, Sir, the only other point to which I wish to allude is the complaint that the Advisory Committee was very seldom convened. I think possibly, if that be the case, that it may have been due to the nature of the business which was principally occupying the attention of the Commerce Department at that time. I cannot speak from knowledge, because I do not know the circumstances. But I would like to repeat what I said in my opening speech that, as far as I can see, there are a good many subjects likely to come before the Commerce Department in the next year or two, particularly on the mercantile side, on which I have no doubt at all that it will be extremely useful to the Commerce Department, and I hope not altogether unprofitable to Members of the Assembly, to have an Advisory Committee.

Mr. President : The question is :

" 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,

[Mr. President.]

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 motion was adopted.

ELECTION OF A PANEL FOR THE STANDING COMMITTEE FOR THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. A. R. Dalal (Secretary, Education, Health and Lands) : Sir, I move the following :

"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 Indians Overseas and Emigration, dealt with in the Department of Education, Health and Lands, will be nominated."

Sir, after what has fallen from the more senior Honourable Members on this side of the House, I do not wish to say anything further, except to mention that we have found the advice and help of our Standing Emigration Committee, which we frequently consult, of the greatest help to us. I trust, therefore, that the House will not deny us similar advice and assistance from this Committee. Sir, I move the motion that stands in my name.

The motion was adopted.

Mr. President : I may inform the Assembly that for the purpose of election of members to the Public Accounts Committee, the Standing Advisory Committee for the Department of Education, Health and Lands, and the Advisory Publicity Committee, the Assembly office will be open to receive nominations up to 3 p.m. on Friday, the 19th August, and the election, if necessary, will take place in this Chamber on Monday, the 22nd August. The nominations for the Standing Advisory Committees for the Department of Industries and Labour and the Department of Commerce will be received by the Assembly Office up to 12 noon on Monday, the 22nd August, and the election, if necessary, will take place in this Chamber on Wednesday, the 24th August. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE NEGOTIABLE INSTRUMENTS (AMENDMENT) BILL.

APPOINTMENT OF MR. K. C. NEOGY TO THE SELECT COMMITTEE *vice* THE REV. DR. E. M. MACPHAIL, RESIGNED.

The Honourable Sir Basil Blackett (Finance Member) : Sir, I move that in place of the Rev. Dr. E. M. Macphail, Mr. K. C. Neogy be appointed to the Select Committee on the Bill further to amend the Negotiable Instruments Act, 1881, for a certain purpose.

We are unfortunate, and I am sure many in this House will agree with me, in that Dr. Macphail is no longer a Member of this House. It

should like to take this opportunity of expressing my own gratitude for the services which he has rendered to India, both in this House and outside. Being without Dr. Macphail on this Committee, we are without a Chairman, and it is in these circumstances that I move that in place of Dr. Macphail Mr. K. C. Neogy be appointed.

The motion was adopted.

THE GOLD STANDARD AND RESERVE BANK OF INDIA BILL.

PRESENTATION OF THE REPORT OF THE JOINT COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member) : Sir, I present the Report of the Joint Committee on the Bill to establish a gold standard currency for British India and constitute a Reserve Bank of India.

THE IMPERIAL BANK OF INDIA (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE JOINT COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member) : Sir, I present the Report of the Joint Committee on the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes.

THE REPEALING BILL.

Mr. W. T. M. Wright (Secretary, Legislative Department) : Sir, I beg to move for leave to introduce a Bill to repeal certain enactments. The object of this Bill, Sir, is to remove a good deal of obsolete matter from the Statute-book in order to facilitate the publication of a new edition of the General Acts. There is nothing in the Bill which calls for any particular remark at this stage, and I therefore move my motion.

The motion was adopted.

Mr. W. T. M. Wright : Sir, I introduce the Bill.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I rise to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1894.

The object of this Bill can be explained in a very few words. The Tariff Board which was appointed to inquire into the depression in the cotton textile industry put forward certain proposals for the exemption from duty of articles of machinery and mill stores. These proposals were considered by the Government of India, and in a Resolution, dated the 7th of June last, they announced their intention of asking the Legislature to remove the 2½ per cent. duty on machinery and also the duties on some, but not all, of the mill stores recommended for exemption by the Board. This Bill is intended to give effect to the decision of Government. But, in addition to the articles enumerated in the Resolution of the 7th June last, it is proposed to remove altogether first, the 2½ per cent. duty on printing machinery and materials, on the ground that its retention would lead to administrative inconvenience, and second, the duties on certain additional articles of machinery and mill stores,

[Sir George Rainy.]

namely, bobbins and pirns, roller skins and roller cloth, clearer cloth and sizing flannel, the inclusion of which was strongly advocated by the Mill-owners Associations. Finally, the Bill also makes provision for another proposal which was announced during the course of the last two or three days, namely, the reduction of the duty on artificial silk yarn from 15 to 7½ per cent.

Sir, I move.

The motion was adopted.

The Honourable Sir George Rainy : Sir, I introduce the Bill.

THE INDIAN TARIFF (COTTON YARN AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I move for leave to introduce a Bill further to amend the Indian Tariff Act, 1894, in order to safeguard the manufacture of cotton yarn in British India.

The Textile Tariff Board, Mr. President, found that owing to the night work of women, which in British India is prohibited by law, the Japanese cotton mills were able to produce cotton yarn at a lower cost than the Indian mills. The difference amounted to 10 pies per pound for a mill spinning an average of 20s. and 16½ pies per pound for a mill spinning an average of 32s. The bulk of the cotton yarn imported into India which competes with Indian yarn is of the intermediate counts from 31s. to 40s., and the quantity of yarn imported into India of counts lower than 30s is quite small. At present all imported cotton yarn is subject to an *ad valorem* duty of 5 per cent. What is proposed in the Bill is that up to the 31st March, 1930, the duty should be fixed at 5 per cent. *ad valorem*, or one and-a-half annas a pound, whichever is the higher, and that this duty should be applicable to yarn imported from all countries. The effect will be that yarn, the value of which does not exceed Rs. 1-14-0 a pound, will pay duty at one and-a-half annas a pound, but if the value exceeds that limit, i.e. Rs. 1-14-0 a pound, it will be collected at 5 per cent. *ad valorem* as at present. Approximately, the one and-a-half annas duty will be about 10 per cent. *ad valorem* at the present price of yarn of the counts of 31s to 40s.

There is one other point which perhaps I had better explain. It is expected that the new law making the night work of women illegal in Japanese cotton mills will come into force from the 1st of July, 1929. By the end of that year all yarn produced during the period that women were allowed to work at night should be off the market. For this reason it is proposed that the one and-a-half annas duty should remain in force only up to the 31st of March, 1930.

I do not propose to-day, Sir, to say anything further. There will be other opportunities, and I believe it to be in accordance with the practice of this House, that at the stage of introduction, a brief statement, sufficient to indicate exactly what is proposed, is all that is expected from the Mover.

The motion was adopted.

The Honourable Sir George Rainy : Sir, I introduce the Bill.

THE BAMBOO PAPER INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I move for leave to introduce a Bill to amend the law relating to the fostering and development of the bamboo paper industry in British India.

This Bill, Mr. President, proposes to do three things. In the first place, it is necessary to remedy a serious defect in the present law. The Bamboo Paper Industry (Protection) Act, 1925, imposed a protective duty of one anna a pound on printing paper but exempted newsprint which was defined as paper containing not less than 65 per cent. of mechanical wood pulp. The intention was that all paper which contained less than 65 per cent. of mechanical wood pulp, or contained no mechanical pulp at all, should pay the protective duty. It has been held, however, that as the Act is worded, paper containing no mechanical pulp was not subject to the protective duty but only to the 15 per cent. revenue duty. It is proposed in this Bill to amend the Act so as to carry out the original intention, and also to make certain provision for the retrospective collection of the protective duty on printing paper which has been imported on payment only of the lower duty at any time since the Bamboo Paper Industry (Protection) Act came into force. This amendment of the law is absolutely necessary because, unless it is made, the protection for paper breaks down altogether and becomes of no effect.

In the second place, a doubt has arisen whether the proportion of 65 per cent. mentioned in the Act should be applied to the whole weight of the paper including the loading or only to the fibre content. This question was referred to the Tariff Board who have recommended that it should apply to the fibre content only. It is proposed in this Bill to give effect to that recommendation.

In the third place, it has been found in the case of certain classes of writing paper that the protective duty is frequently less than the 15 per cent. revenue duty would be. There is no reason why the revenue that might have been collected at the revenue rate should be lost to Government, and it is therefore proposed that for the future writing paper should pay a duty of one anna a pound or 15 per cent. *ad valorem*, whichever is higher.

The motion was adopted.

The Honourable Sir George Rainy : I introduce the Bill.

The Honourable Mr. J. Orerar (Home Member) : Sir, I have been given to understand that it would be more conducive to the convenience of Honourable Members opposite if the motion* which stands in my name as item No. 12 were put down for a later date, and I, therefore, do not propose at this stage to move it.

*“That the 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, be referred to a Select Committee consisting of Maulvi Muhammad Yakub, Mr. J. M. Dunnett, Mr. M. Keane, Mr. A. Rangaswami Iyengar, Mr. M. R. Jayakar, Dr. A. Subhwardy, Pandit Hirday Nath Kunzru, Mr. Abdul Haye and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

THE INDIAN BAR COUNCILS (AMENDMENT) BILL.

The Honourable Mr. J. Orerar (Home Member) : I move that the Bill to amend the Indian Bar Councils Act, 1926, for certain purposes, be taken into consideration.

It will be within the recollection of the House that when the Bill, which is the Indian Bar Councils Act, was first introduced into this House it contained provisions to regulate the seniority and rights of pre-audience of members of the Bar. The discussion on those provisions revealed a considerable amount of difference of opinion. It was therefore decided that they should be excluded from the Bill, which was passed without them, that they should be circulated for opinion and that, in the light of the opinions received, a measure, amended if necessary, should be introduced to give effect to that part of the Bill. The provisions which were in the original Bill, on circulation did evoke a very considerable amount of dissent in various quarters and it appeared that on the whole there was a preponderance of opinion in favour of adopting in substance the proposals on this point of the Indian Bar Committee Report. The purpose of the Bill which I now ask the House to take into consideration is to give effect substantially to the recommendations of the Bar Committee. I do not think that I need go through these provisions in detail as they are adequately explained in the Statement of Objects and Reasons.

Briefly, the effect of clause 2 of the Bill will be to enact that the existing state of affairs with regard to seniority and rights of pre-audience will not be disturbed ; that is to say, the members of the Bar who now have a certain seniority will not, by reason of any provision of this Bill, be deprived of that seniority. In respect of gentlemen who may hereafter be admitted under the terms of the Bar Councils Act to practise at the Bar, their seniority will be determined by the date on which they were so admitted or, if they have been called to the Bar, by the date on which they have been called to the Bar, if that is earlier. There is one slight amendment to the Act which is contained in clause 3 of the Bill which has been inserted in order to give effect to a criticism on a point of drafting which was raised by an Honourable and learned gentleman from Madras. I do not think I would usefully detain the House by dealing at greater length with what is after all a very simple Bill and one which in its present form will, I hope, commend itself to the House. I move that the Bill be taken into consideration.

The motion was adopted.

Clauses 3 and 2 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Mr. J. Orerar : I move that the Bill be passed. In making this motion I want to make only one observation and that is that in the event of this Bill being passed by this House and by the Council of State in due course and receiving assent, it is the intention of Government to bring the Act into operation at as early a date as practicable.

The motion was adopted.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

Mr. A. B. Dalal (Secretary, Education, Health and Lands) : Sir, I beg to move that the Bill further to amend the Indian Merchant Shipping Act, 1923, as reported by the Select Committee be taken into consideration.

The genesis of the measure was explained by Mr. Bhore at the last Session, when he moved that the Bill be referred to a Select Committee. The Report of the Select Committee is happily unanimous. They have not made any very important changes in principle and the few minor changes that they have made they have explained so clearly in the Report that I do not think I need take up much of the time of the House in explaining them. They have considered the question whether, when a steamer company has reported to the Pilgrim Officer the price of a ticket, it should or should not be allowed to reduce the price, and I think they have rightly decided that the companies, if they so wish, may be allowed to reduce the price of the tickets and I do not see any reason why the poor pilgrims should not get the benefit of the reduction in the price of the tickets whenever the companies deem fit to do so. The second change that the Select Committee has made is to add a proviso to section 209 (c) to provide that when certain pilgrims have got compensation for delay at a particular port they should not receive compensation more than once for a consequential delay of the same period at other ports at which the ships touch. They have added a new clause 209 (d) in order to enable the steamship company to substitute a vessel of the same class and of the same carrying capacity instead of any particular vessel which may have been delayed through any cause.

I now come to the question of the exclusion of the port of Calcutta from the proposed measure, which was touched upon by Sir Walter Willson at the last Session. At that time Mr. Bhore informed this House that there would be another opportunity to test the suitability of the port of Calcutta as a pilgrim port, namely, during the present Haj season. I have collected figures of the number of pilgrims and ships that sailed from the port of Calcutta both during the season of 1926 and during the present season. I find that during 1926 only 882 pilgrims embarked from the port of Calcutta as against 8,042 pilgrims belonging to Bengal and Bihar and Orissa who embarked in that year from the port of Bombay. This year 2,117 pilgrims embarked from the port of Calcutta as against 12,000 from Karachi and 21,000 from Bombay. On the return journey no ships touched the port of Calcutta at all because all the Hajis prefer to disembark at Karachi or at Bombay rather than undergo the hardship of the longer journey to Calcutta. The object of the measure is to relieve the hardship on the poor pilgrims who are performing their religious duties which is caused by these delays at the various ports, and I submit, therefore, that it will be merely perpetuating the hardship if we exclude the port of Calcutta from the restrictions imposed by this measure. I therefore trust that the House will agree with the Select Committee that it will be better to run the risk that the port of Calcutta may go out altogether and that the opening of it may become inoperative owing to the unwillingness of the companies to run ships, rather than the certainty that the poor pilgrims will be subjected to hardship owing to delay. With these remarks I commend the Bill for the favourable consideration of the House.

Maulvi Mohammad Shafee (Tirhut Division : Muhammadan) : Sir, my object is not to raise any difficulty in the passage of this Bill to-day, which has at last been pushed to this stage. But there is one point which I want to bring most prominently to the notice of the Honourable Member in charge of the Bill. It is in regard to the length of time before which ship owners shall have to advertise the proposed date of sailing from any port. The Bill as framed does not prescribe any time within which ships will have to sail after being advertised. It leaves this important item to be determined by the rules framed by the Government under the Act. The point therefore remains to be decided later on and to be decided by authorities who have so far shown very little concern for the extreme inconvenience to which pilgrims to the Hedjaz are put for reasons which can very easily be remedied by a little attention on their part. That has been my trouble. With a sympathetic man at the head of affairs this and many other points could be left to take their own course. But in my opinion it is in the interests of both the ship owners and the intending pilgrims that the fact should be widely known to the people in the interior of India that there is a statutory provision for the advertisement of the date of sailing, say a month before the actual date of sailing, and that there is a statutory obligation on the ship owners to keep to that date. I pressed this point before the Select Committee and the predecessor of the Honourable Member in charge of the Bill, whom I must thank for his interests in the subject matter of the Bill which has been pushed so far, gave me a verbal assurance that the decisions of the Government of India in framing the rules would not be swayed by any consideration of the interests of the ship owners only, who being organized will be strongly represented at the time of the decision of the point but will be guided by the just and equitable considerations of the inconvenience of both the ship owners undertaking the job and the intending pilgrims to the Hedjaz. Since then I have been trying to gauge public opinion on that point, and I have been consulting gentlemen concerned and bodies interested in this matter. I have not found anyone who does not agree with me. The general desire is that the minimum length of time should have been disclosed in the Bill itself. But I have been told that the Government have been able to bring forward this Bill after such a long time because of the great difficulties they had to overcome in persuading the shipping companies to assent to the principle involved in the Bill. It is really a step in advance and I do appreciate it. This aspect of the question cannot be ignored. There are no doubt two parties concerned in the affair, and the interests of both ought to be considered. The ship owners of course do not want to be tied down to a statutory provision in this respect : they want it to be left to the rules. I think, therefore, I should wait and see the working of the rules in this respect, and be content at this stage by reminding the Honourable Member in charge of the Bill to see that the rules are framed not in the interests of the ship owners but in the interests of both parties concerned.

Mr. President : The question is :

“ That the Bill further to amend the Indian Merchant Shipping Act, 1923, as reported by the Select Committee, be taken into consideration.”

The motion was adopted.

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

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. A. R. Dalal : Sir, I beg to move that the Bill, as amended, be passed.

The motion was adopted.

STATEMENT OF BUSINESS.

The Honourable Sir Basil Blackett (Leader of the House) : Sir, with your permission, I desire to make a statement regarding the Government business for next week. On Monday, the 22nd of August, after the elections fixed for that date, motions will be made to refer to a Select Committee of the House the Bill further to amend the Indian Tariff Act, 1894, in order to safeguard the manufacture of cotton yarn in British India, the Bill to amend the Indian Tariff Act, 1894, in order to remove or reduce the customs duties on certain machinery and materials of industries, and the Bill to amend the law relating to the fostering and development of the bamboo paper industry in British India. On Wednesday, the 24th, after the conclusion of any business outstanding from Monday, the 22nd, it is proposed to make a motion to take into consideration, and, if that motion is carried, to pass, the Indian Divorce (Amendment) Bill which was introduced in this House in Delhi. Motions will thereafter be made to refer to a Select Committee the Code of Civil Procedure (Second Appeals) Bill and to circulate for the purpose of eliciting public opinion thereon the Bill to amend section 96 of the Code of Civil Procedure. A further motion will, if time permits, be made to take into consideration, and, if that motion is carried, to pass, the Repealing Bill which has been introduced to-day. As Honourable Members are already aware, Tuesday, the 23rd, has been allotted for non-official Bills and Thursday, the 25th, for non-official Resolutions.

MOTION FOR ADJOURNMENT.

REPRESENTATION OF INDIANS ON THE ROYAL COMMISSION TO CONSIDER THE FEDERATION OF KENYA AND OTHER EAST AND CENTRAL AFRICAN COLONIES.

Mr. K. C. Roy (Bengal : Nominated Non-Official) : Sir, I beg to move an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, namely, "the necessity of the Government of India taking urgent action to secure the appointment of an adequate number of Indian representatives on the Special Commission announced by His Majesty's Government to be sent to Africa to deal with the question of federation and future policy with regard to the Colonies in Eastern and Central Africa, in view of the vital interests of the Indian community in these Colonies involved therein."

Sir, I beg to thank the Members of the House for giving me permission to move this very important motion. Although the motion is restricted to a very narrow issue, in order to enable the House to appreciate the full implications of the motion, you will forgive me if I make a brief retrospect of the position of Indians in East Africa.

Mr. President : The Honourable Member must remember that he has got only 15 minutes.

Mr. K. C. Roy : In 1923 a similar motion was discussed in this House and two prominent European Members had their say about the position of Indians in Kenya. I am not going to give my own views. But I shall quote an authoritative verdict from the findings of the Sanderson Commission. The Sanderson Commission in 1910 wrote :

“ Emigration to the coast of the Protectorate from Arabia and India has existed for several hundreds of years. It took place even before the Portuguese occupation at the close of the 15th century.”

The House will now know that we were there in the 15th century ; we were there as settlers and traders. Then, Sir, I shall read another extract from the same report, showing the part which India played in making Kenya and East Africa an integral part of the British Empire.

This is what the Report says :

“ It may be safely affirmed that the presence of a considerable number of Indian inhabitants has been and continues to be of material advantage to the British administration of the Protectorate.”

Sir John Kirk expressed his opinion that but for the Indians we should not be there now. He added that it was entirely through the Indian merchants that they were enabled to build up the influence that eventually resulted in their position. This, Sir, is the most authentic verdict and should dispose of, once for all, the cock and bull story which was related to this House by two European Members, Sir Reginald Spence and Sir Frank Carter. Now, Sir, what was the Indian position in 1910 ? This is what the Sanderson Commission wrote :

“ The total Asiatic population is now estimated at 25,000 against 2,000 of Europeans and Eurasians.”

This does not include Goanese.

What was the position in 1924 when I was a Member of the Committee which was sent to London to examine the position ? The European population had gone up from 2,000 to 12,000 and the Indian population had gone down by a couple of thousands. I have mentioned this point only with a view to obtain an explanation and I look to my friend Mr. Dalai to satisfy me. My own inference is that it is entirely due to the apathy and negligence of the Indian Government to put forward our case, and the hostility of the settlers to our ambition in East Africa. Now, Sir, this was the position before 1910.

Shortly after 1910, what was the position ? There came the Great War and, what was the part that India played in the Great War ? It is a matter of recent history and I need not weary the House with the details. We played a very important part in East Africa in keeping that part of the country free from enemy war operations. We also played a very important part in Tanganyika. And what was the result ? We got the White Paper of 1923 as our reward. You know the fight that took place. You know the humiliation to which my esteemed countryman Mr. Sasri was subjected even at the India Office. The Government of India was very careful ; we had a masterful Viceroy. But what did he do ? Lord Reading told His Majesty's Government that he accepted the underlying principle of the White Paper that the interests of the natives should be paramount and the abandonment of the policy of segregation but reserved further consideration of all other matters. I want to know

what the Government of India have done in respect of the White Paper of 1927. Have they accepted or rejected it ?

Pandit Hirday Nath Kunzru (Agra Division : Non-Muhammadan Rural) : We cannot hear the Honourable Member on this side.

Mr. K. C. Roy : I am sorry ; my voice is very small.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : Address the non-official Benches.

Mr. K. C. Roy : I want to find out what the Government of India have done in respect of the White Paper of 1927 and I expect an answer from the official Benches.

Then, Sir, what happened in 1921 ? The Kenya Government produced a Bill—The Kenya Immigrants Regulation and Employment Ordinance. This was to restrict the immigration generally and of Asiatics in particular. What was the so-called object ? Because, it was in the interests of the native population, and the British Imperial Government was the trustee ! The Committee went over to London. Luckily for us, Mr. Thomas had become the Secretary of State for the Colonies. We placed our case before him and he gave us a very patient hearing, and we have not heard of the Bill ever since. About that time the question of the federation came up. It was brought by the head of the East African Association whose name is familiar to most of the Parliamentarians. He is a brilliant man. His name is Sir Sydney Henn. He moved his motion in the House of Commons in April 1924. But we were there and our first duty was to examine the possibility of that federation. We submitted our report both to the Secretary of State as well as to the Government of India. I hope some day the Government of India will place these reports on the table of this House. Sir Sydney Henn, whatever else he is, is a very clever Parliamentarian. He never thought of pushing the federation scheme so long as the Labour Party was in power, because Mr. Thomas made a definite declaration, while speaking on that motion, that he was in favour of largely introducing the West African system of administration into East Africa and that he was opposed to South Africanise East Africa. I am quoting from memory and I have not got the Hansard before me. All that we were able to achieve in 1924 was not due so much to our own efforts as it was to the personality and political insight of Mr. Thomas, and to whom I, from my place in this House, desire to publicly acknowledge the debt which India owes to him. Then what happened ? The short-lived Labour Ministry went out of office and then came the Baldwin Ministry. The Baldwin Ministry has one characteristic—it is absolutely Imperial ; it has no use for coloured races. Look at their policy in China, in Persia and also in East Africa. What have they done ? At least the first Ministry of Mr. Baldwin decided that the trusteeship for the natives should be entirely in the hands of the Agents of His Majesty's Government. Now, the position is that the trusteeship is to be held by the agents of His Majesty's Government as the immigrant communities include Indians. In the Legislative Council of Kenya there is a majority of Europeans and minority of Indians, quite disproportionate to the population. We have also the threat of an Emigration Restriction Bill. Possibly, as a matter of policy, we may be asked to accept a part of the trusteeship. And how have the prospective trustees behaved ? What have they done all these years ? I will read an extract from the evidence

[Mr. K. C. Roy.]

given by a very distinguished civilian of the Kenya Government, whose name is Mr. W. McGreror Ross :

“ The largest single grant to an individual was about 100,000 acres (155 square miles) to Lord Delamere in 1903. This was a leasehold land paying a rent of $\frac{1}{4}$ d. an acre a year on a 99 years' lease. In 1915 the Crown Land Ordinance grants the right to convert this term to a 999 years' lease. The largest grant to a syndicate was 500 square miles.”

Lord Delamere and others who profess to be the trustees of the native population there had no hesitation in alienating these lands from the poor natives for their own plantations. This is the way they are carrying out their trust and to talk of trusteeship to my mind on the part of the Baldwin Government is mere hypocrisy. Then again, so long as there are these two fundamental laws in East Africa, one under which 75 per cent. of the native population are registered as labourers, and another, the Ordinance governing the conduct of masters and servants with a big leaning towards the master himself for a Government who have countenanced all this sort of legislation for so many years, to go out and talk to the world of trusteeship is a thing which will never go down with the Members of this House. We are there as middlemen ; we have done our duty by the British Government ; we have done our duty by the natives. We were there long before the Englishmen came there and we will remain there as long as the Indian Government back us up. Now, this is the trusteeship. And if I were advising the Government of India I should certainly advise them to refuse this trusteeship with thanks.

Now, Sir, I come to another matter. I come to this federation. What is this federation ? It is a federation of Governments as well as the federation of the white colonists, and a federation of white races means the dominance of Kenya by whites ; and nowhere in East Africa or over the greater part of Central Africa is racial hatred, jealousy and animosity so dominant as in Kenya. It is the Kenya whites who rule the roost. Is the Government of India prepared to accept that position ?

Then again, Sir, the federation includes the mandated territory of Tanganyika. We Indians are signatories to the original covenant of the League of Nations. We have equal rights in Tanganyika, but there is already racial discrimination both in legislation and in administration in Kenya ; the same will be introduced in no time in Tanganyika. Is my Honourable friend, Mr. Dalal, prepared to accept this position ?

These, Sir, are some of the reasons which have induced me to move this motion for adjournment.

I wish, Sir, now to say a few words about the position of Indians in East Africa. We are the largest immigrant community in the whole of East Africa. Of course it is very difficult to get accurate statistics, because the Colonial Office has a very nice way of compiling statistics—“ Asiatics so many, Europeans so many.” But we can rely to some extent upon the statistics for the territory of Tanganyika where the Indians are put down definitely as being 10,000. I know that we are more than 22,000 in East Africa. I need not go into the population figures of Zanzibar where the Indians predominate ; and in Uganda we have a very large Indian population, but no statistics are available. In Nyasaland we have about 600 Indians. In East Africa, to the best of my recollection,

we have a large volume of trade. We could not get any figures, however, though we tried to get some in 1924. In respect of East Africa what do we find? In 1922, 19 per cent. of the total trade imports into Kenya and Uganda came from India. The Colony affords in particular an important market for Indian cotton piece-goods and for Indian bags and sacks. India also took no less than 70 per cent. of the total domestic exports of cotton. This is only a very small fraction of the trade which we carry on in East Africa and in Central Africa. Thus, on historical, on political as well as on commercial grounds, we hold a unique position both in East Africa and in Central Africa.

I think, therefore, Sir, that it is incumbent on the Government of India to make their position clear in respect of the new policy. We want to know exactly what they are going to do—accept it or reject it. As I have told the House, Lord Reading was particularly careful; he accepted the underlying policy of the declaration of 1923; *the result is a federation*. And that underlying policy was that the interest of the East African natives should be paramount. I am, therefore, anxious to find out from the Government Benches as much information as possible on the subject. I am also equally anxious, considering our position and our enormous stake over there, that the Government of India should make a representation to His Majesty's Government that India should be adequately represented by representatives of the people on the forthcoming Commission, and that they must try and get the terms of reference considerably altered. No terms of reference would be acceptable to us unless they conform to the declaration of the citizenship of Indians made by the Imperial Conference.

I now formally move the motion that the House do now adjourn.

Mr. President : Motion moved :

“ That the House do now adjourn.”

Mr. A. R. Dalal (Secretary, Education, Health and Lands) : Sir, in spite of, I have no doubt, the very well meant efforts of my Honourable friend to drag me into the limelight within a few hours of my taking the oath in this Assembly, I refuse to be drawn. There is nothing in the motion as it is now worded to which the Government of India need take exception. The Government of India would agree to convey the substance of this debate to the Secretary of State.....

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Would they back it ?

Mr. A. R. Dalal : As for the various points on which the Honourable the Mover has challenged me, it will be supererogatory on my part to give him any reply or to make a general statement when the Honourable Member, who is in charge of this Department, is on the floor of the House, and I would leave it to him to make a general statement.

Pandit Hirday Nath Kunru : Sir, we have been told on the authority of His Majesty's Government that there are many problems of a similar character in the East and the Central African territories which ought to be considered by a Commission. There are, we are told, questions relating to the development of transport and communications, customs

[Pandit Hirday Nath Kunzru.]

tariff and scientific research which ought to be treated on the same lines and thought out by the same authority. For this purpose they have appointed a Commission with rather wide terms of reference. Now, one might ask, what is there in this fact to disturb India? What is there to indicate in this appointment of a Commission that the rights solemnly promised to Indians by the White Paper of 1923 would in any case be jeopardised? Now, in dealing with this question I shall refrain, as far as possible, from giving my own views and rely on the opinions of British statesmen themselves. Indeed, I would rely on the language used in the White Paper itself and on the opinions expressed by the Colonial Secretary in the debate on the Colonial Estimates. Now, one of the terms of reference to this Commission is to find out how "to associate more closely in the responsibilities and trusteeship of Government the immigrant communities domiciled in the country". It is thus seen that the question is not one simply of the federation of the East and the Central African Colonies, for these Colonies might be federated and yet there might be no question of increasing the share of the European community settled in any of those Colonies in their government. It is this question, namely, whether the immigrant communities should be given a larger share in the administration of the Colonies where they are settled, that is at the root of the feeling that has been aroused throughout India by the appointment of the Commission under discussion. Now it may be said that His Majesty's Government have deliberately included in their terms of reference the question of giving a share in future government not to any one community but to all the immigrant communities and it might be thought therefore that in any arrangement that might be proposed in future, Indians would have their due share. On this point I would appeal not to the opinion or statement of an Indian, for that might be thought to be prejudiced, but to the opinion of Mr. Thomas who was Colonial Secretary when the Labour Government was in power in 1924. After saying that he felt that the settlement arrived at in 1923 "has been deliberately upset by the changed policy which has been introduced," he added :

"I do not hesitate to say that, if ever the question arises as to what part in Government the native or the Indian can play, there will be no more enthusiastic supporters than my friends on these benches. But that is not what the people who are responsible for the agitation mean. No one knows that better than the right hon. Gentleman (that is the Colonial Secretary) because, when I turn for some definition of what all this means and is intended to mean by those responsible for the agitation, I find in the *East African Standard* of the 1st January that the situation is dealt with in this way.

'Only by grappling the mandated territories to the other British territories by political and economic co-ordination and by the provision of adequate transport links between north and south will there be any proper safeguard against the dangers that Tanganyika, despite the declarations of the present Privy Council, may once more be cut out from the group of territories, which by all natural considerations, will eventually form a great East African Dominion or Federation of States. In the formation of that political and economic entity of the future, white settlement in Kenya must play a major part. We have in this country the only developed centre of Western civilisation in the territories, and, if the benefits of European civilisation are to be extended to East Africa as a whole, the centre of the group, the main control of policy, and all the external influences upon European and native policy must radiate from Kenya, where the principles of development of the subject races through contact with Western ideals have long been established and tested.'

And after giving this quotation, he went on to say:

"We can only conclude that it is this kind of speech and this agitation which are responsible for the changes that are made."

Another Member, Sir Robert Hamilton, taking part in the debate showed that the fears entertained by Mr. Thomas were perfectly true. Speaking of the White Paper under discussion and contrasting it with the White Paper of 1923, he said:

"It envisages the association with us of people of our race who are living in East Africa."

And these and the fears given expression to by this belief is further strengthened by the opinions expressed by Mr. Amery himself. Speaking of the question of federation he said that it was desirable that when it was considered, it should be thought out not as an isolated question but in relation to the future development of constitutional government in the African territories. He then dwelt on the characteristics of East Africa and said that while it was not possible that the whole of it should become a white man's land, it was certain in view of the climatic conditions prevailing in certain parts of that territory that Europeans would settle down permanently in those parts. To quote his own language, he said:

"But over considerable tracts of land the white man will stay for a number of years where he can settle and bring up his family, and thus acquire a real patriotism for his country, and in course of time become responsible for the conduct of affairs."

Speaking further in the same strain he said that it was undesirable that Europeans should be prevented from taking a share in the government of the African territories, for there was a fear that if they were not associated with the responsibilities of government and trusteeship, then when the time came for handing over the Government to them, they might be quite unprepared to consider administrative questions from the point of view not of the white community but of the entire population of the African territories. But, he went on to say:

"If, on the other hand, you bring that community, a community of a very fine type of men inspired by British ambitions, earlier into a share of responsibility; if you make them see something of the work of government and the responsibility of government from the inside you will breed a race of men to whom in the fulness of time this House may be able to hand over its trusteeship without any fear that it will be dishonoured."

I could give further quotations to show that the people referred to as those on whom fuller responsibility might hereafter be conferred are no other than men of the British race. We are aware, Sir, that it has been repeatedly said that His Majesty's Government adhere to the policy outlined in the White Paper of 1923 and that the rights then promised to Indians would not be taken away from them. Now, in view of the quotations that I have given, and even more, of the trend of affairs both in this country and outside, it is not possible to take such declarations at their face value. But even if it were possible to believe in the sincerity of these declarations, we must ask not that we should be allowed to remain where we were in 1923 but that if the constitutional position of the East and Central African territories is going to be improved, Indians must be given the same economic and political opportunities as men of a different race who have settled down in those territories. If this is not done, it would be idle to pretend that the position of Indians would

[Pandit Hirday Nath Kunjru.]

remain the same as in 1923. As the night follows the day, if we were left where we are and more power were placed in the hands of Europeans, our position would deteriorate and deteriorate considerably, and in the very near future, we should have to face all those questions which we thought had been settled for an appreciable time in 1923, for instance, questions with regard to the possession of land, of residential and commercial segregation, and even the emigration of Indians to East Africa. It is for these reasons that we ask that Indians should be represented and adequately represented on the Commission that has been appointed by His Majesty's Government. In Kenya itself which is regarded as the dynamic centre, if I may say so, of East Africa, the Indian population is more than twice as much as the European population, and if His Majesty's Government sincerely believe in the policy which they preach to the self-governing Dominions and the policy embodied in the resolution passed by the Imperial Conference of 1921 with their concurrence and support, then they ought to see that the Indian representation is no less than the European representation, for that is the only guarantee that questions affecting Indians would be considered from an Indian point of view. Now, we know that the Secretary of State for India would be represented on the Commission by one member. We do not know what the strength and composition of the Commission will be, but in any case I venture to think that one representative of the Secretary of State or the Government of India is utterly inadequate. In the second place, I am sure that Honourable Members at least on this side of the House will agree with me in thinking that the representatives chosen by Government ought to be Indians, preferably those who take part in public affairs. My meaning is that the Indians who are chosen to represent Indian interests on the Commission should be Indian public men. I have no desire to speak against the service men, for I know very well the services rendered to the Indian community by the Honourable Member who headed the Indian Delegation to South Africa. (Cheers.) But the South African question was a question in which we had the entire sympathies of the Government of India on our side, while here we have a question in which, no matter what words the British Government might use, their innermost sympathies would be against us and on the side of the white settlers. It is necessary therefore that we should be represented on the Commission by men who will not be restrained by any official rules or etiquette from giving full expression to their views and who would be able fearlessly to state the Indian point of view however unpalatable it might be either to the British authorities or to the Indian Government.

Mr. A. Rangaswami Iyengar : If I rise to say a few words on this motion, it is only to draw attention to the fact that by reason of your ruling its scope has been narrowed.....

Mr. President : It does not look like it.

Mr. A. Rangaswami Iyengar : We are not in a position to say all that we feel on this most vital question affecting our fellow-countrymen in Eastern and Central Africa. Sir, the real crux of the whole situation seems to me to be this. In 1923, His Majesty's Government, mainly because of the difficulty of arranging what may be called responsible government, in which the whites only can have a major share, decided not to grant responsible

government and laid down a policy in regard to the native races which they say holds the field even to-day. In 1923, His Majesty's Government said that they were not going to give responsible government to East Africa for the reason that the bulk of the country is in the hands of native races for whom they are holding the position of an exceptional trustee. In all Colonial constitutions, before federations were established, there have always been clauses which reserved expressly to the Imperial Government the right to deal with native affairs. That was a fundamental part of every Colonial constitution, which is self-governing and therefore in respect of a constitution which had been becoming self-governing, the Government took special care to say that, so far as native affairs especially in East Africa are concerned, they cannot delegate the trusteeship which is in their hands into the hands of the white population. That implies a definite proposition and a proposition which has been accepted and acted upon in all Colonies, namely, that the Colonial whites have throughout been considered by the Imperial Government as people who cannot be safely entrusted with the duty of looking after the native whom they have gone out to exploit. So, the Imperial Government have always recognised that moral duty. Now, Sir, the position that has been reached is this. These East African whites as well as the whites in the other Colonies having had to accept the position that, in so far as native races are concerned, the trusteeship solely vests in the Imperial Government until the natives themselves according to the Imperial Government's declared policy become able to take part in the self-Government of those territories, it was not safe for them to leave it to the Colonial whites there to look after native affairs. The trusteeship cannot be shared. That was the proposition which, I take it, was laid down in 1923. Now, Sir, barely four years have elapsed and the Government White Paper has been at extraordinary pains to make out a case for reopening a question which was definitely closed in 1923. They say that among other things that have happened there have been conferences of Colonial Governors, there is research to be done, there are different customs duties, there are various other matters, and therefore, this federation question has to be reopened, because there has again been recently a conference of Colonial Governors, there has been a European Commission and all of them now want to say to the Imperial Government "You shall not have the sole trusteeship. We are equally whites with you, so let us share it." Therefore this dual system, as they call it, must be expanded so as to give power to the whites to share in the trusteeship. What does this mean? It means that the whites in all these Colonies, if they share this trusteeship with the Imperial Government, could squeeze out the very much larger number of equally responsible Indians who, as my friend Mr. Roy pointed out, have been there for centuries. Every declaration made by every Colonial white, by every Colonial Governor and by every Colonial writer has been to the effect that Indians will not be allowed to share in this trusteeship. Now, I want to ask the Government of India whether they have taken care to obtain a definite statement from the Imperial Government that if it is question of sharing in the trusteeship whether Indians will have, according to their status, population and strength and stake in the country, equal rights to share this trusteeship. The trusteeship will then be real. As we all know, it is the Indians who are the friends of the whites and who have enabled the Europeans to trade with the natives. It is the Indian middleman who has enabled the Europeans to exploit and develop that land and to make profits for them. And

[Mr. A. Rangaswami Iyengar.]

what is the policy now pursued? The Indians are nowhere. They have been segregated. And so far as representation is concerned, although they are five times more numerous than the Europeans, they have been given only one-fifth of the representation in the local East Africa Council. Therefore, Sir, I want to put it clearly to the Government of India and to ask them whether they propose to acquiesce in just any kind of representation for India, such as a representative of the India Office on the Commission; or if there is going to be a federation, whether they are going to allow a constitution to be built up in such a way that the Indian position will become absolutely untenable. Because, Sir, as Mr. Roy's figures show, once there is a federation and that federation is given what is euphemistically called a trusteeship, namely, the right to exploit the land in Central Africa and the natives, together with assignments of land such as those which he has referred to—Lord Delamere has been given 100,000 acres at half a penny an acre first for 99 years and then for 999 years, and the East African Development Syndicate has been given 320 acres on the same terms—then I want to ask if that is the way in which the whites are going to be given the trusteeship and if the Indians are going to be given only a few hundred acres, then what is the trusteeship in which we are going to share? That is the point on which I want the Government of India to give the clearest indication of what they propose to do in regard to the representation of Indian interests. Our rights are superior from every point of view. We have colonised long before the Europeans. We have enabled them to develop this Colony and to enrich themselves. As to culture and civilization we can certainly boast of a superior and more ancient civilization. Therefore I say that on this question of the trusteeship, the Government of India must be in no doubt. They must make it clear that this trusteeship does not mean that while the Europeans are going to exploit the land the Indians are going to be segregated, as they have tried to do and have succeeded in doing in South Africa. Here they will be establishing a federation which will be the means of definitely extinguishing the Indian element in Central Africa. We cannot accept that position. If East Africa is going to be developed, I say we have a far greater right to go and settle there. We are far better able to live and to get on with the natives there. But for us the Europeans would not have been able to get on with the natives. Our right to take part in the development of the country is superior to that of any whites that may be there. Therefore the Indian Government has the largest stake in any proposition which seeks to settle the future position of Central Africa. I therefore demand that the Indian Government should press on the Home Government the demand that India should have a predominant representation on this Commission, because the rights of the Indians there are superior to those of any other community in East and Central Africa. I therefore support the motion.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): I should like to read three passages from this White Paper in the hope that the Honourable Members on the Treasury Benches will be able to enlighten the House as to what is the policy of the Government of India and of the Secretary of State in regard to that matter. If

I understand this paper aright, Sir, the position taken up by the British Government in 1923 was to the following effect :

“ We do not want that there should be any measure of self-government in Kenya. It is a Colony which must be managed by the British Government in trust for the native races of Kenya and Kenya alone.”

And so far as the Europeans, Indians or Arabs were concerned, their rights were simply to safeguard it. In case I should have misread this paper, I wish to read only two lines therefrom. It is said :—

“ Obviously the interests of the other communities, European, Indian or Arab, must severally be safeguarded. But in the administration of Kenya His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust.”

The position, therefore, was that the Europeans and the Indians in 1923 had co-equal rights. Now this paper tells us that four years have elapsed and we must now give a measure of self-government to Kenya and other mandated territories of Tanganyika by way of a federation. This is made abundantly clear in the terms of reference itself. It is stated therein, that ‘ one of the objects of the Commission would be (point No. 3) to make recommendations in regard to the possible changes in the powers and composition of the various Legislative Councils of the several territories.’ Now, Sir, in making recommendations for the enlarged powers and composition of the various local Councils of the territories mentioned in the White Paper, what is to be the share of the Indians ? Now the point that concerns me here is this. The Honourable Member, if he turns to page 5, will find, reading it as I do, that the rights of the Europeans are to be advanced, increased, but so far as the Indians are concerned, they are merely to be relegated to the position in which they were along with their European confreres in 1923. In other words, while the Indians and the Arabs were to get no share whatever in the trusteeship or the government of the country, that was to be given to the Europeans and Europeans only. If I am mistaken, I should be most happy, Sir, but is this language susceptible of any other interpretation ? Let me read to you, Sir, what this White Paper says :

“ The growth of Europeans and other settlements in the East African dependencies raises the problem of the part which these communities must play in the political as well as the economic life of the several territories. Their claim ”

—the claim of the Europeans I presume—

“ to share progressively in the responsibility of government can not be ignored.”

We have no objection whatever, Sir, to the claims of the Europeans to participate in the government of the country, but what we do ask the Government of India, as the trustees of India itself and the trustees of the various communities that inhabit this country, is as to how far in this federation which is proposed and the enlarged powers which the Commission will recommend for the newly constituted Councils the Indians will have a voice and a share. If they are to be merely safeguarded their rights of 1923, they stand to lose and lose heavily, because, while the European communities are forging ahead and are to participate in a measure of self-government of the country, the Indians are to be merely safeguarded in the possession of the rights which were given to them in 1923. That is a point, Sir, upon which the Government of India must make a strong representation to the Secretary of State, and so far as this House is concerned, it will not tolerate a position in which the people of this country, who have been the pioneers of Kenya, and the

[Sir Hari Singh Gour.]

other adjacent territories, are to be relegated to a status of subordination to the European communities who are to participate in the trusteeship of these territories. That is a point, Sir, upon which this side of the House feels strongly and it is this point, I submit, which cannot be too strongly emphasised by the Government of India when they make representations to the British Government through the Secretary of State that Indians and Indian interests must be so sufficiently safeguarded; that they must not merely safeguard the rights as they stood in 1923 but must also share in the progressive political development of the country to the extent that the Europeans are going to participate and share; and, due regard being had to their population, their economic value and importance, the same rights must be conferred upon Indians as are to be conferred upon the white settlers. That is a point upon which I would ask the Honourable Member in charge of the Department to enlighten the House.

***Pandit Nilakantha Das** (Orissa Division : Non-Muhammadan) : Sir, I should only make one point. I am afraid there was a time when white people were pressing for having certain rights of trusteeship over the black people and they did not like Indians. Now, I think everything hinges on what is known by the name of the Tanganyika muddle. Tanganyika is to be kept and therefore this measure is going to be precipitated; so it is suspected. There is no demand on the part of the white settlers, there is no compulsion, there is nothing which compels the British Government to give more powers to the white settlers. Now, if we command confidence and we are treated equally with the white people, if the British Government want to take Indians into confidence and give them equal power, equal privileges, with the white people of East Africa, this is the opportunity; and the Indian Government should press this point that Indians ought to be treated equally when a federation is going to be formed, because all those territories are going to be formed into a federated territory of self-governing lands, so that the Tanganyika muddle may be avoided. Here there is no compulsion from the white people of East Africa, and here the British Government may show their love and equal treatment of the Indian people. With these words, I support the motion.

Diwan Chaman Lall (West Punjab : Non-Muhammadan) : Sir, we have often heard of British Imperialism and I do not want it to be said that in the speeches that we have heard this afternoon we have seen the rise of what I may call Indian Imperialism. I do not think Honourable Members who have spoken on this side of the House desire to emphasise the point that they are equally anxious with the British population of East and Central Africa to claim rights which are unequal rights as compared with the rights of the natives of those territories. We would be quite content—and I am certain I have the sense of this side of the House with me when I say this—we would be quite content if the rights that are given to us in East and Central Africa are of a similar nature to the rights that should be given to the native population of those territories. I take it that there are something like 12 million Negroes who inhabit those territories. There is not one Indian in political life in India to-day who would be willing to rob those natives of their rights for the benefit of the Indian

* Speech not corrected by the Honourable Member.

population of those territories. Now, the question that arises in this My friend Pandit Hirday Nath Kunzru extolled the White paper of 1923, but I think he forgot that what the White Paper of 1923 did was to restrict the rights of Indians in Kenya. It robbed the Indians of rights which were their birthright. Indians are in a very large majority as compared with the Europeans in that territory. Let me quote a sentence from an article which appeared recently :

“ We regret to note that His Majesty's Government do not seem to appreciate the gravity of the proposal in all its bearings. Their assurance, regarding Kenya, that they adhere to the underlying principles of the White Paper of 1923 both in regard to the political status and other rights of British Indian residents is more insulting than assuaging. For what the notorious document did was to reduce the Indian community from a position of equality with the whites in every respect to one gallingly inferior in material particulars. The whites, a mere handful compared with the number of Indians, were given eleven seats on the Council as against the five allotted to Indians ; a communal franchise was imposed on them ; vexatious restrictions were sought to be placed on the immigration of Indians ; the best lands in the country were earmarked for the whites ; and in numerous other ways, the White Paper marked out the Indians for a despicable destiny. The Government of India at first made a show of emphatic protest, but on His Majesty's Government assuming a stern countenance, their enthusiasm for the Indian cause cooled ; and, with the timid reservation that they would re-open the question when a suitable opportunity offered, they accepted the White Paper settlement.”

That was the White Paper settlement of 1923. At that time it was definitely declared that, as in the Uganda Protectorate, so in the Kenya Colony “ the principle of trusteeship for the native no less than in the mandated territories is unassailable. This paramount duty of trusteeship will continue as in the past to be carried out not by the white settlers of those territories but carried out *under the Secretary of State for the Colonies by the agents of the Imperial Government and by them alone.*” This was said in 1923. In 1927 what has been said is this :

“ That the claim of the Whites, their claim to share progressively in the responsibilities of government, cannot be ignored. These responsibilities, however, cannot be limited to the representation of their own community interests ; and if ”

--this is the most important sentence--

“ clashes between these interests and those of the vast native populations are to be avoided their share.”

--the share of the white settlers in the trusteeship--

“ in the trusteeship for the progress and welfare of the natives must be developed.”

So within the period of 4 years from 1923 to 1927 we have seen this development, namely, that whereas in 1923 the British Government never contemplated the delegation of their authority to the white settlers in regard to native affairs, in 1927 they are being dragooned into the delegation of that authority to the white settlers of Tanganyika and of Uganda. Why is this being done ? My learned friend Mr. Roy pointed out that there was a period when the Labour Government was in office when such things were not contemplated. I hold in my hand, Sir, a very important document which was prepared at the express instigation of the Secretary of State for the Colonies, Mr. Thomas, and was placed before the Cabinet in regard to this very matter. It was prepared by a gentleman whose name is very well known, the late Mr. E. D. Morel, and he laid down certain principles which he said would guide the British Government and the Labour Cabinet in settling the policy in regard to these territories.

[Diwan Chaman Lall.]

One of the principles was, firstly, a numerous and contented native population, secondly, security, absolute security, of land tenure, thirdly, freedom for native labour, meaning thereby that if there be an external demand for native labour, the natives shall be perfectly free to accede to that demand and, fourthly, the progressive, economic and political development of the native population. All these principles, I take it, were more or less strictly adhered to by the Labour Government; but when the Conservative Government came into power they have gone in for not only the reversal of that policy which was adumbrated during the period of the Labour Government's existence but also a reversal of the 1923 policy. The result is that no protection is now available either to the native population or to the Indian population as it should under the natural system be available to them. We have the example cited already here before us where the British capitalists have gone out to those territories and have been granted tremendous concessions for a song. A half-penny an acre was, I believe, the figure quoted. They have been granted these concessions. Why? In pursuance of this policy of trusteeship. Whose trustees are they? Of those people whose lands they have taken away forcibly? Of those people who have been dispossessed of the territories which belonged to them? Not a bit of it. They are trustees merely of the British exploiters who go out to these countries. They are the trustees of the British capitalists who go out to these lands to exploit the country because there is cheap labour, as there is in this country, and cheap raw material to be found there. Now, Sir, I am told that the principle of trusteeship is going to be affirmed once again. In 1925 at Geneva—my friend Mr. Joshi will bear me out—we raised this matter and we definitely charged the Government of Kenya with forcing native labour to go into the British plantations when that native labour was not willing to go there. This was done by means of the poll-tax which compelled the native worker there, the peasant, to leave his own little bit of land because he was not able to pay to the Government the poll-tax which was demanded by the Government from him; and therefore it was necessary for him to go into the British plantations and work there to earn his living and become a slave of the British exploiter. This is the manner in which the trusteeship of these lands is being carried out by the British exploiters of that territory. But we are not concerned with that aspect of the question to-day. What we are concerned with is this: that this policy that is now being pursued by the British Government, namely, the creation of a Central Government binding all the three Governments into one federal whole, is in pursuance of a desire to rob not only the native population but also to rob the Indian population of their rights. What has happened in Kenya under this system yesterday will be repeated in the territories of Uganda and Tanganyika to-morrow and that is the fear that we have; that is the fear that has prompted my learned friend Mr. Roy to bring forward this motion for adjournment, and I hope that the Government of India will take due note of the feeling in this country. They are generally in matters of this kind mere lotus eaters dreaming away sweet dreams; but I hope that they will take action themselves and that they will need no prompting from us in regard to this matter. Their own reputation and their prestige are as much at stake in regard to this matter as the reputation and prestige of the people of India, and I hope they will fight as one of their Viceroy's in days gone by did fight for Indians settled abroad. They must realise that there is nothing that

nauseates the average Indian so much as this attitude of hypocrisy—to say that one is a trustee of a man's land and then to go and rob that man of his land. Mandates in my opinion, wherever the British Government is concerned, should read "bandits" and not mandates.

My last remark will be not merely an appeal for more representation on this Commission of inquiry that is going out to these countries but an appeal that the Indian Government should place before the British Government a detailed scheme as to what it desires in regard to the welfare of the Indian population in these territories. They must press this matter to the last limit and they must use every influence and every power that they have. Because they may rest assured that the people of India as well as the leaders in political life will back them up every time provided they take up an honest attitude and stand by the rights of Indians in the territories of East and Central Africa.

Mr. Rafi Ahmad Kidwai (Lucknow and Fyzabad Divisions : Muhamadan Rural) : I move, Sir, that the question be now put.

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur (Education, Health and Lands Member) : Sir, I have no intention whatsoever of traversing the long array of arguments which have been put forth by the various Honourable Members who have preceded me. My task at the present moment is merely to satisfy the House as to whether there exist any circumstances which need create any undue pessimism or alarm in their minds and whether in the light of the documentary evidence that we possess it is justifiable for them to hold such views. I wish, before I begin to deal with the White Paper which has been issued by His Majesty's Government recently, to reiterate what the Honourable Mr. Dalal has already said on behalf of the Government of India.

Sir Hari Singh Gour : He said nothing.

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : Further, I may say that I have listened with the greatest interest to the discussion which has taken place in this House, and, agreeing with Mr. Dalal, I can promise that this discussion will be communicated to the proper quarter as expeditiously as possible.

Sir Hari Singh Gour : Backed up with your own recommendation or without ?

Mr. Gaya Prasad Singh : What are the Government of India going to do ? That is what we want to know.

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : I may also assure the Honourable Member who appealed for sympathy of the Government of India that there shall be no lack of that virtue at all. If the past record of the Government of India in regard to their work in South Africa and elsewhere could be taken as a criterion of the interest which they have evinced, are evincing and will continue to evince for the future on behalf of the Indians overseas, I hope Honourable Members will give me credit for claiming that sympathy.

Then, Sir, some Honourable Members who have made reference to the White Paper have not—they will pardon me if I say so—put correct

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interpretations on the passages which they have picked up from that White Paper here and there. My complaint largely is against the Honourable Dr. Gour. He has drawn our attention to a particular paragraph and insists on reading into that paragraph his own meaning. On the other hand, Sir, with the knowledge of English that I possess,—and I admit that I do not possess it to the same degree which the Honourable Doctor does—I am unable to agree with him that the particular paragraph which he has quoted, with probably a great deal of confidence in his own mind as disclosing the weakness of the document, does not represent the position of affairs as depicted by him. I shall read that paragraph to the House. What does it say ?

“ The growth of European and other settlements in the East African dependencies raises the problem of the part which these communities must play in the political as well as the economic life of the several territories.”

Does it, Sir, convey the interpretation that this particular sentence has any special significance to the European community only ? If I understand this paragraph aright, here the words are “ the European and other communities ”, and therefore, I have no hesitation in interpreting those words as conveying the meaning that not merely the European but all other communities who have settled in that country are included. And then, Sir, to make the meaning still further clear, the document proceeds to say “ their claim to share progressively in the responsibilities of Government cannot be ignored ”. Now, whose claim is it, Sir ? The claim of “ the European and other settlements in the Colony ”. Here again it is a direct recognition of the rights of the Indian community as well. There are numberless references in this document which clearly connote the interpretation which I have ventured to attach, for my Honourable friend would have noticed that in this document there are three other places where the words “ immigrant communities ” have been employed. In another place it is queried :

“ whether it is possible to provide for increasing association of the immigrant communities in the responsibilities of Government and at the same time for the creation of more effective machinery for native representation.”

This particular paragraph I have quoted not merely to confirm the view which I expressed that throughout this document the Indians have not been excluded from consideration in that they have obviously been included under the term of “ immigrant communities ”, but also that there need be no misgiving whatsoever as regards the interests of the natives as well.

Sir Hari Singh Gour : Will the Honourable Member explain what is the meaning of the last paragraph at page 7 ?
5 P.M.
Are those not words of imitation, namely, that the rights of Indian natives will be safeguarded as they were safeguarded in 1923. I should like to reconcile that interpretation with the last paragraph which occurs on page 7.

Pandit Hirday Nath Kunzru : Sir, since the Honourable Member is indulgent enough to allow an interruption, may I ask if he has read the debate on East Africa which took place in the House of Commons ?

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : I have read the debate in newspapers, but I am not going to utilise it inasmuch as I have not got the Hansard in my hands and I don't think I can quote from newspapers.

Pandit Hirday Nath Kunru : I can lend the Honourable Member a copy of Hansard.

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : Then Sir Hari Singh Gour has confronted me with a question as to how I am going to reconcile the last paragraph in the White Paper with the quotations which I have previously made. Well, my only contention is that the former has been definitely and specifically put in as an additional guarantee that no rights of the Indians which have already been secured to them by the White Paper of 1923 will be interfered with, but that does not in my opinion mean that any recommendations which the Commission which is about to be set up may make for the further advancement of that community will not be either accepted or even considered. Of course, His Majesty's Government were quite right in adding that rider, for, if this White Paper had appeared without that rider, I am afraid the apprehensions entertained in India in regard to the existing rights of Indians may have been more serious than they are to-day. Then again, what do we find in this document as regards the trusteeship ? His Majesty's Government make it sufficiently clear :

"In any such changes it will be essential to maintain the principle that the administration of the East and Central African territories is based on the exercise by His Majesty's Government of a trust on behalf of the African population and that, while they may now be prepared to associate with themselves in that trust the members of the resident immigrant communities"

—I emphasise those words again—

"they are still under an obligation to ensure that the principles of this trusteeship will be observed."

And then one more quotation from this document and I shall not quote more. In the White Paper again, His Majesty's Government says :

"At the same time it will be a fatal error if any decisive step is taken before we have satisfied ourselves that such a step will be received with goodwill by those whose co-operation will be necessary for its success."

Now, therefore, Sir, with such distinct, clear unequivocal language which has been used in the White Paper to indicate that the interests of the Indians will be duly safeguarded, that the interests of Indians did not escape the attention of His Majesty's Government, I do not think there is any need for any alarm.

And then, after all, it is only the first stage that has now been reached—I mean the decision to appoint a Commission. There are two other stages yet before us, the investigation and the recommendations of that Commission and the final orders on those recommendations by His Majesty's Government. I recognise that a certain degree of watchfulness is necessary on the part of the Government of India when these proceedings are taking place. I also recognise that there is a serious responsibility cast on the shoulders of the Government of India to see to it that the interests of the Indians are not prejudicially affected by any recommendations which the Commission might make, and on that matter, I can assure the House that we will not shrink from our responsibility at all. So far as things have gone at present I cannot allow myself to be swayed by any considerations of pessimism. If my reading of the situation is correct—and I hope it is—then I do not expect that the recommendations of the Commission will in any way be to the detriment

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of the Indian interests in the Colony. Should any occasion arise and it becomes necessary for the Government of India to make proper, timely and adequate representations, I can assure the House that we shall leave no stone unturned. We have already, as the Honourable the Leader of the House told you this morning, registered necessary representations, and if it became imperative for us to make further representations, we would certainly do so. For the present, I shall merely forward these proceedings to the proper quarter so that an idea may be formed as regards the strength of feeling in this House, which I know is indicative of the strength of feeling in the country, and I hope this will satisfy my Honourable friend Mr. K. C. Roy.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : Will the Honourable Member enlighten the House as to who will be the representatives of India on this Commission ? The Honourable Member has said nothing in his speech on this point.

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : I am sorry I can make no such announcement on a matter which His Majesty's Government have not announced as yet.

Maulvi Muhammad Yakub : Will the Honourable Member convey the sense of this House to His Majesty's Government that India should be represented by Indians ? Will he give an assurance on the floor of the House that he will convey this ?

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : The motion itself is to that effect.

Maulvi Muhammad Yakub : What about the action of the Government of India ? Will the Government of India convey the sense of this House to His Majesty's Government ?

The Honourable Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur : I thought I said that already.

Mr. K. C. Roy : Sir, I am grateful to my friends who have supported me and I am grateful to Mr. Dalal for accepting my motion. But, Sir, that by itself does not carry me very far. My disappointment has been very great with the speech of the Honourable Member in charge of the Department of Emigration. For him I have the greatest respect. For his services I have nothing but admiration. But he has not enlightened us much on this subject to-day. He has not told us whether the Government of India, as a subordinate branch of His Majesty's Government, has accepted the White Paper of 1927.

But his able advocacy of that paper convinces me that the Government of India has accepted it. If they have done so, I extend to him my cold sympathy. The doctrine of trusteeship is an invention of that Florentine whose name is well-known all over the world. He is no other than Machiavelli and if we have accepted the Machiavellian doctrine for the administration of East Africa and Central Africa I extend to him my cold sympathy. As regards the assurance of the Government of India that they are going to be very watchful, I will only give him a quotation. They have been watchful ever since 1908, and what has been the result of that watchfulness ? The situation has gone down and down

till we have touched the bottom. I will read the despatch of the Government of India to the Secretary of State, Lord Salisbury.

“ Indian settlers lived and traded in British East Africa long before the days of British rule, and their status in the country and their claims to political recognition are such that they cannot be overlooked. We believe, however, that these claims are not regarded with favour by the white colonists, that the Indians as a whole are disliked by them, and that certain areas are being reserved entirely for white colonization ; and it is within our knowledge that fears have already been expressed lest, when the country is eventually given self-government, the antagonism of the white colonists and the Indian traders and settlers may result in similar problems to those which have had such deplorable results in South Africa.”

We know the condition since 1908, and yet my Honourable friend, Sir Muhammad Habibullah counsels us to be patient. Of course, what else can we do but practise patience, and rely on the “ subordinate branch of His Majesty’s Government ” ? (Applause.)

Mr. President : The question is :

“ That the House do now adjourn ”.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 22nd August, 1927.
