

5th September 1928

THE  
**Legislative Assembly Debates**  
(Official Report)

Volume III

*(4th September to 15th September 1928)*

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THIRD SESSION

of the

**THIRD LEGISLATIVE ASSEMBLY**

**1928**



SIMLA  
GOVERNMENT OF INDIA PRESS  
1929

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# LEGISLATIVE ASSEMBLY.

Wednesday, 5th September, 1928.

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

## MEMBERS SWORN :

Mr. Edward Henry Mitchell Bower, M.L.A. (Madras : Nominated  
Official) ; and

Mr. John Alexander Stewart, M.L.A. (Burma : Nominated  
Official).

## QUESTIONS AND ANSWERS.

### ISSUE OF INSTRUCTIONS TO THE INCOME-TAX OFFICERS OF CALCUTTA, REGARDING APPLICATIONS UNDER SECTION 27 OF THE INDIAN INCOME-TAX ACT, 1922.

66. \*Mr. A. H. Ghuznavi : (a) Is it a fact that the present Assistant Commissioners of Calcutta have issued general instructions to the Income-tax Officers within their respective jurisdiction, not to entertain applications under section 27 of the Income-tax Act at all ?

(b) Do Government propose to enquire into the matter and lay before the House the result of such enquiry ?

The Honourable Sir Bhupendra Nath Mitra : (a) No such instructions have been issued by the Assistant Commissioners referred to.

(b) Does not arise.

### ISSUE BY THE INCOME-TAX DEPARTMENT OF NOTICES TO WEALTHY ASSESSEES UNDER SECTION 34 OF THE INDIAN INCOME-TAX ACT, 1922.

67. \*Mr. A. H. Ghuznavi : (a) Is it a fact that the practice of the Income-tax Department in Calcutta is to issue indiscriminately notices under section 34 in cases of wealthy assesseees specially Indians, immediately or soon after their assessment has been made by the Income-tax Officer ? If so, do Government propose to enquire into the matter and inform the House of the result of such enquiry ?

(b) Will the Government be pleased to lay on the table a statement showing the number of such notices under section 34, issued to assesseees in Calcutta during March 1925 to October 1926 and November 1926 to March 1928 and also state the respective dates on which the original assessment in each case had been made ? And will the Government be further pleased to state the number of such notices issued during the next previous six months with the respective dates of original assessment in each case ?



(c) Will the Government be pleased to state whether there is a special Income-tax Officer in Calcutta charged with the duty of issuing notices under section 34 of the Act ? If so, who is he ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The practice is not as stated. Notices under section 34 are not issued indiscriminately.

(b) A statement is laid on the table giving the information required.

(c) There is no such officer. An officer was appointed to deal with certain assessments under section 34 in the year 1926 but the Central Board of Revenue considered the arrangement unsatisfactory and ordered its discontinuance in April 1927. The remainder of the question therefore does not arise.

*Statement showing number of Notices issued under Section 34 during March 1925 to October 1926, in Calcutta.*

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
<p>554.</p> <p>(Including 207 new cases in which the section 34 assessments were the 1st assessments).</p>	<p>24th Nov. 1924, 24th Nov. 1924, 25th Nov. 1924, 10th Aug. 1925, 29th Aug. 1924, 20th June 1925, 25th June 1925, 22nd Oct. 1925, 24th Feb. 1926, 8th May 1925, 11th Sep. 1925, 6th Feb. 1925, 9th Sep. 1924, 18th Aug. 1925, 19th Oct. 1925, 4th Jan. 1926, 4th Jan. 1926, 26th Nov. 1924, 19th Aug. 1925, 20th July 1925, 21st Dec. 1923, 13th May 1925, 24th June 1925, 25th May 1925, 2nd Oct. 1924, 22nd Feb. 1923, 23rd July 1925, 24th Sep. 1924, 23rd Jan. 1926, 17th Nov. 1925, 18th June 1925, 31st Dec. 1925, 11th March 1925, 5th Dec. 1925, 1st Aug. 1924, 16th Sep. 1924, 19th Dec. 1924, 27th Aug. 1925, 18th March 1925, 19th Aug. 1925, 22nd Aug. 1925, 22nd Oct. 1925, 15th June 1925, 13th Nov. 1925, 20th July 1925, 19th Oct. 1925, 4th Jan. 1926, 4th Jan. 1926, 28th Nov. 1924, 15th Dec. 1924, 22nd Oct. 1925, 30th Oct. 1924, 10th June 1926, 5th Dec. 1925, 15th Sept. 1924, 25th May 1925, 23rd Jan. 1923, 25th Nov. 1924, 24th Sep. 1924, 25th Aug. 1925, 23rd Jan. 1926, 13th Aug. 1925, 16th March 1926, 28th May 1925, 4th Feb. 1926, 27th Jan. 1925, 22nd Oct. 1925, 28th Aug. 1924, 27th July 1925, 28th Aug. 1924, 31st Jan. 1926, 10th Feb. 1926, 26th July 1925, 29th Aug. 1925, 11th Sep. 1925, 28th Aug. 1925, 17th Sep. 1926, 17th Nov. 1925, 23rd Sep. 1926, 28th Feb. 1925, 31st March 1925, 19th Aug. 1924, 28th March 1925, 15th Oct. 1925, 12th March 1925, 26th March 1925, 24th Jan. 1925, 23rd Feb. 1925, 28th Aug. 1925, 25th March 1925, 20th Sep. 1924, 16th March 1925, 27th March 1925, 29th May 1925, 10th Aug. 1926, Jan. 1924, July 1924, March 1925, May 1925, June 1925, July 1925, Aug. 1925, Sep. 1925, Oct. 1925, Nov. 1925, Dec. 1925, Feb. 1925, June 1926, Feb. 1924, Feb. 1925, June 1925, July 1925, Aug. 1925, Sep. 1925, Nov. 1925, Jan. 1926, Feb. 1926, 23rd Oct. 1924, 22nd Jan. 1926, 30th March 1926, 10th Sep. 1924, 19th Dec. 1925, 24th June 1926, 29th Oct. 1925, 9th July 1926, 8th June 1926, 21st June 1926, 26th Sep. 1925, 17th July 1926, 7th July 1925, 17th July 1926, 19th June 1925,</p>

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
	<p>17th July 1926, 18th June 1925, 17th July 1926, 7th July 1925, 17th July 1926, 19th June 1925, 17th July 1926, 28th May 1925, 16th July 1926, 9th July 1925, 17th July 1926, 27th June 1925, 17th July 1926, 19th June 1925, 17th July 1926, 15th Feb. 1926, 5th Feb. 1926, 16th Feb. 1926, 17th July 1925, 24th July 1925, 6th Feb. 1926, 4th Sep. 1926, 20th Oct. 1925, 4th Sep. 1926, 15th July 1926, 12th Feb. 1926, 23rd July 1925, 5th Sep. 1925, 23rd July 1926, 15th Sep. 1925, 28th Jan. 1925, 6th Feb. 1926, 14th July 1925, 15th July 1925, 27th July 1926, 18th June 1924, 7th June 1926, 3rd July 1925, 23rd May 1925, 25th Nov. 1925, 22nd July 1924, 29th Aug. 1924, 5th June 1925, 25th Feb. 1925, 9th March 1926, 24th Oct. 1925, 15th March 1926, 18th Sep. 1925, 19th Feb. 1925, 20th March 1926, 31st Aug. 1925, 15th Nov. 1924, 23rd Oct. 1925, 30th April 1925, 24th Sep. 1924, 18th Aug. 1924, 21st Aug. 1924, 10th Dec. 1924, 8th Dec. 1924, 17th Sep. 1924, 22nd Sep. 1924, 30th Aug. 1924, 15th Oct. 1924, 13th Dec. 1924, 3rd Sep. 1924, 25th Sep. 1924, 13th Nov. 1924, 26th Feb. 1926, 1st Oct. 1924, 19th Sep. 1924, 20th June 1925, 24th July 1925, 17th Aug. 1925, 21st Jan. 1926, 3rd Aug. 1925, 6th Aug. 1925, 7th March 1925, 17th June 1925, 25th June 1925, 31st Aug. 1926, 20th July 1925, 30th Sep. 1926, 27th July 1926, 6th June 1925, 31st Aug. 1926, 27th Aug. 1925, 13th Aug. 1926, 26th Aug. 1926, 11th Sep. 1925, 10th Sep. 1925, 30th July 1926, 26th June 1925, 25th Aug. 1926, 11th July 1925, 29th June 1925, 16th June 1925, 22nd July 1926, 17th Jan. 1925, 14th Oct. 1925, 30th March 1925, 27th Aug. 1925, 23rd July 1925, 23rd Nov. 1925, 23rd Dec. 1925, 25th July 1925, 30th July 1925, 20th June 1925, 8th Jan. 1926, 30th Jan. 1926, 31st Oct. 1925, 8th Aug. 1925, 27th June 1925, 23rd Dec. 1925, 17th Dec. 1924, 29th Oct. 1926, 17th Nov. 1925, 15th March 1926, 27th July 1925, 9th Sep. 1925, 15th Sep. 1925, 8th March 1924, 23rd Aug. 1924, 30th Nov. 1925, 5th May 1925, 13th Nov. 1925, 13th Nov. 1925, 28th Jan. 1925, 6th Sep. 1924, 7th Nov. 1925, 22nd Oct. 1925, 20th Sep. 1924, 29th Oct. 1924, 27th Aug. 1925, 18th Aug. 1925, 22nd Oct. 1925, 27th Jan. 1926, 21st Oct. 1925, 19th Aug. 1926, 1st Sep. 1925, 23rd March 1926, 20th Nov. 1923, 11th March 1925, 18th Aug. 1923, 15th Nov. 1924, 28th July 1924, 9th July 1925, 18th Dec. 1924, 23rd July 1925, 9th Jan. 1925, 23rd Oct. 1924, 20th Sep. 1924, 25th Feb. 1925, 17th Aug. 1925, 12th June 1925, 7th June 1924, 18th Nov. 1925, 22nd Oct. 1924, 29th July 1924, 29th Aug. 1924, 29th Aug. 1924, 22nd Dec. 1924, 17th Jan. 1925, 14th Feb. 1925, 11th Sep. 1924, 21st Sep. 1924, 18th May 1925, 19th July 1925, 26th March 1926, 29th June 1925, 18th Aug. 1925, 26th Jan. 1926, 11th June 1925, 8th July 1925, 8th Oct. 1925, 26th Oct. 1924, 18th July 1925, 21st Aug. 1923, 12th March 1925, 12th March 1925, 27th March 1925, 27th March 1925, 30th March 1925, 13th July 1925, 13th July 1925, 28th Dec. 1925, 5th Jan. 1926, 2nd Feb. 1926, 11th May 1926, 1st June 1926, 15th June 1926,</p>

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
	<p>23rd June 1926, 21st Sep. 1926, 30th Sep. 1926, 28th May 1925, 13th May 1925, 21st Aug. 1926, 18th Aug. 1925, 25th June 1925, 26th Nov. 1925, 9th Aug. 1925, 21st Dec. 1926, 10th Aug. 1925, 25th Aug. 1925, 28th Sep. 1926, 21st Sep. 1926, 8th July 1925, 7th July 1924, 29th Aug. 1924, 23rd April 1925, 3rd Jan. 1925, 28th Jan. 1926, 22nd Oct. 1924, 30th May 1925, 29th Oct. 1924.</p>

*Statement showing number of notices issued under section 34 during November, 1926, to March, 1928, in Calcutta.*

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
<p>1214. (Including 621 new cases in which the Section 34 assessments were the 1st assessments).</p>	<p>22nd June 1925, 25th Nov. 1925, 7th Sep. 1926, 25th Aug. 1925, 5th Mar. 1927, 5th Mar. 1927, 3rd June 1927, 21st Aug. 1925, 24th Feb. 1927, 23rd Oct. 1925, 24th Feb. 1927, 23rd Oct. 1925, 6th Nov. 1926, 20th May 1926, 3rd Sep. 1926, 25th Sep. 1926, 12th June 1926, 10th Aug. 1927, 25th Mar. 1928, 27th April 1927, 10th May 1927, 24th Aug. 1925, 26th Aug. 1926, 19th May 1928, 18th June 1927, 15th Dec. 1926, 9th Sep. 1926, 1st June 1927, 10th Mar. 1926, 22nd Dec. 1926, 17th Mar. 1927, 5th July 1926, 27th June 1927, 28th Sep. 1926, 3rd Aug. 1926, 28th Jan. 1927, 25th July 1927, 10th Nov. 1926, 25th June 1927, 18th Jan. 1928, 25th Aug. 1926, 8th July 1926, 8th July 1926, 8th July 1926, 10th June 1926, 22nd Jan. 1927, 14th Mar. 1927, 6th June 1927, 27th June 1926, 29th May 1925, 24th June 1926, 22nd Aug. 1926, 22nd Sep. 1926, 22nd Oct. 1926, 6th Aug. 1925, 9th Dec. 1926, 26th Oct. 1925, 19th June 1927, 24th Jan. 1927, 24th Nov. 1926, 29th Jan. 1926, 8th Sep. 1926, 12th Mar. 1927, 11th Mar. 1927, 16th Mar. 1927, 27th Aug. 1926, 12th Mar. 1927, 29th Mar. 1927, 7th Mar. 1925, 9th June 1925, 3rd Dec. 1926, 8th Sep. 1926, 31st Jan. 1926, 9th Dec. 1925, 27th Sep. 1926, 16th July 1925, 11th Sep. 1925, 14th Jan. 1927, 8th April 1927, 25th Jan. 1927, 29th June 1926, 15th Nov. 1927, 26th July 1926, 27th Sep. 1926, 22nd Sep. 1926, 27th Oct. 1927, 2nd Sep. 1926, 31st June 1927, 3rd Jan. 1928, 4th Jan. 1928, 5th Nov. 1927, 21st Mar. 1928, 5th Nov. 1927, 21st Mar. 1928, 28th Sep. 1926, 28th Sep. 1926, 20th Dec. 1926, 16th Feb. 1928, 22nd Feb. 1928, 24th Feb. 1928, 24th Feb. 1928, 25th Feb. 1928, 29th Feb. 1928, 8th July 1926, 10th Mar. 1928, 6th June 1926, 22nd Mar. 1928, 9th Nov. 1928, 29th Oct. 1926, 26th Mar. 1928, 28th Feb. 1927, 7th Jan. 1927, 26th May 1927, 26th May 1927, 22nd Nov. 1926, 9th Sep. 1925, 26th June 1927, 16th July 1927, 16th Mar. 1927, 2nd Sep. 1926, 1st Dec. 1926, 18th Nov. 1926, 27th July 1926, 17th Jan. 1927, 15th July 1927, 22nd Aug. 1926, 26th May 1927, 9th Feb. 1928, 13th Feb. 1928, 23rd Feb. 1928, 21st Sep. 1926, 11th Mar. 1927, 15th Feb. 1927, 26th Sep. 1927, 29th May</p>

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
	<p>1925, 27th Nov. 1925, 11th Aug. 1926, 20th March 1927, 7th Nov. 1927, 29th Jan. 1927, 24th Mar. 1927, 15th Mar. 1927, 30th Dec. 1925, 9th June 1927, 18th Sep. 1926, 23rd Feb. 1927, 22nd Feb. 1927, 19th Jan. 1928, 31st Aug. 1926, 1st Feb. 1928, 20th Jan. 1926, 5th Sep. 1925, 14th Nov. 1925, 27th Nov. 1926, 26th Nov. 1926, 15th Sep. 1926, 26th Aug. 1925, 26th Nov. 1926, 12th April 1927, 28th July 1927, 4th June 1927, 12th Jan. 1928, 17th Aug. 1927, 27th June 1927, 23rd June 1926, 23rd June 1926, 31st May 1927, 26th Aug. 1927, 22nd Sep. 1926, 12th Jan. 1928, 26th July 1926, 11th Aug. 1926, 10th Aug. 1926, 17th Dec. 1927, 28th Jan. 1927, 27th July 1926, 10th July 1926, 28th May 1927, 3rd Aug. 1926, 23rd June 1926, 23rd June 1926, 22nd June 1927, 10th Aug. 1926, 9th July 1926, June 1925, July 1925, Oct. 1925, Dec. 1925, Feb. 1926, Mar. 1926, May 1926, June 1926, Aug. 1926, Jan. 1927, Feb. 1927, June 1927, Feb. 1925, Jan. 1926, Feb. 1926, Aug. 1926, Sep. 1926, Nov. 1926, Dec. 1926, Jan. 1927, Mar. 1927, July 1927, Aug. 1927, Sep. 1927, March 1928, 18th Aug. 1926, 27th Sep. 1926, 30th Oct. 1927, 6th Dec. 1926, 12th Nov. 1926, 27th Sep. 1926, 6th Sep. 1926, 8th Mar. 1927, 28th Aug. 1926, 27th June 1926, 28th Oct. 1926, 12th Mar. 1927, 4th Oct. 1926, 28th Jan. 1927, 7th Dec. 1926, 23rd Dec. 1926, 21st Sep. 1926, 1st Sep. 1926, 29th Oct. 1926, 8th Sep. 1926, 23rd July 1926, 11th Aug. 1925, 24th June 1926, 14th Sep. 1926, 18th Jan. 1927, 8th Nov. 1926, 28th Sep. 1927, 27th Sep. 1926, 21st July 1927, 3rd Aug. 1926, 26th Aug. 1927, 29th July 1926, 23rd Feb. 1927, 10th July 1926, 13th Jan. 1927, 26th Aug. 1927, 31st Aug. 1925, 21st Sep. 1926, 8th Dec. 1926, 25th Nov. 1926, 30th July 1925, 30th Nov. 1926, 30th June 1926, 3rd Aug. 1925, 17th July 1925, 30th Jan. 1926, 24th July 1925, 29th Nov. 1926, 22nd June 1927, 14th July 1927, 31st July 1926, 20th Aug. 1927, 1th Jan. 1927, 21st Sep. 1926, 31st July 1926, 23rd Aug. 1926, 7th July 1926, 7th July 1926, 20th Aug. 1926, 16th Feb. 1927, 20th Aug. 1926, 8th Oct. 1926, 13th Oct. 1927, 22nd Dec. 1926, 29th Nov. 1926, 8th Sep. 1926, 15th Oct. 1927, 29th Nov. 1926, 26th Oct. 1926, 29th Sep. 1927, 20th Nov. 1926, 23rd May 1927, 8th Oct. 1926, 27th July 1926, 31st Oct. 1927, 9th Feb. 1927, 14th Mar. 1927, 7th Sep. 1926, 8th Feb. 1927, 30th Oct. 1926, 3rd Jan. 1927, 24th Aug. 1926, 21st Sep. 1926, 25th Nov. 1926, 16th March 1926, 15th July 1926, 31st Oct. 1925, 31st Aug. 1925, 28th Nov. 1925, 28th June 1926, 29th July 1926, 12th Sep. 1925, 19th Nov. 1926, 5th Jan. 1926, 18th Sep. 1925, 27th Nov. 1926, 31st Aug. 1925, 10th Aug. 1925, 10th Sep. 1926, 22nd Nov. 1926, 6th Aug. 1926, 3rd Aug. 1926, 24th Aug. 1925, 21st June 1926, 18th Nov. 1926, 12th Aug. 1925, 15th July 1926, 10th June 1925, 18th Aug. 1926, 31st Aug. 1926, 27th Aug. 1926, 26th July 1926, 16th July 1926, 27th July 1926, 4th Aug. 1926, 26th Sep. 1927, 26th Aug. 1926, 27th Aug. 1927, 30th July 1927, 21st Jan. 1927, 30th Aug. 1927, 5th Oct. 1926, 28th June 1926, 20th Sep. 1926, 9th Nov. 1927, 18th Jan. 1927, 23rd Dec. 1925, 28th</p>

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
	<p> Sep. 1926, 22nd Nov. 1926, 13th Aug. 1926, 13th July 1927,  18th Aug. 1926, 11th Sep. 1927, 4th Aug. 1927, 27th July  1926, 28th Aug. 1926, 29th Oct. 1926, 28th July 1926,  17th Nov. 1925, 18th Feb. 1926, 29th Aug. 1925, 28th  Nov. 1925, 17th July 1926, 22nd July 1927, 11th Jan. 1926,  18th Nov. 1926, 5th Aug. 1926, 29th June 1927, 31st Aug.  1926, 28th Feb. 1927, 22nd Dec. 1925, 6th Dec. 1926, 10th  Oct. 1925, 21st Aug. 1926, 30th July 1925, 5th Jan. 1925,  30th July 1927, 9th Oct. 1925, 27th Oct. 1926, 30th Sept.  1926, 31st Jan. 1927, 2nd Aug. 1927, 9th Dec. 1926, 22nd  Jan. 1927, 22nd March 1927, 12th Nov. 1925, 20th July  1927, 24th Sep. 1926, 30th Sept. 1926, 28th July 1926, 21st  Dec. 1926, 30th Jan. 1926, 27th Sep. 1926, 5th Dec. 1925,  7th Sept. 1926, 25th Feb. 1927, 28th Dec. 1926, 11th March  1927, 14th March 1927, 24th Feb. 1927, 18th Nov. 1926, 18th  Dec. 1926, 4th Jan. 1927, 15th March 1927, 4th Aug. 1925, 6th  Aug. 1926, 6th Aug. 1926, 22nd March 1927, 13th Nov.  1925, 16th July 1925, 12th Sep. 1927, 28th July 1927, 21st  Dec. 1925, 27th Nov. 1926, 21st Dec. 1925, 27th Nov. 1926,  21st Dec. 1925, 27th Nov. 1926, 3rd Aug. 1926, 4th Oct.  1926, 5th Oct. 1927, 6th August 1926, 12th Nov. 1926, 28th  July 1927, 5th Oct. 1926, 6th Jan. 1927, 29th March 1926,  19th Aug. 1926, 14th July 1927, 1st Sep. 1926, 14th July  1927, 19th Aug. 1926, 17th Nov. 1926, 16th March  1926, 19th Nov. 1925, 22nd March 1926, 9th Sep.  1925, 16th Feb. 1926, 10th Sep. 1925, 2nd Oct. 1926,  11th June 1925, 12th July 1926, 25th Aug. 1926, 7th Dec. 1925,  27th Jan. 1926, 12th July 1926, 22nd Feb. 1926, 22nd May  1926, 31st Dec. 1926, 26th Jan. 1926, 31st May 1926, 15th  Sep. 1926, 30th Nov. 1925, 28th Jan. 1926, 6th Feb. 1926,  15th Aug. 1925, 3rd July 1925, 29th June 1925, 20th July  1925, 7th July 1925, 13th Feb. 1926, 7th July 1925, 22nd  March 1926, 24th Nov. 1925, 9th July 1926, 22nd March  1926, 13th Aug. 1925, 14th Oct. 1925, 15th June  1925, 18th July 1925, 25th July 1925, 18th Feb. 1926,  24th March 1926, 27th Jan. 1926, 25th Nov. 1926, 14th Aug.  1925, 22nd Feb. 1927, 12th Aug. 1925, 22nd Dec. 1926, 16th  Nov. 1925, 30th Oct. 1926, 23rd June 1926, 13th June 1927,  14th May 1927, 30th July 1927, 27th Aug. 1927, 8th June 1927,  22nd Mar. 1927, 12th Feb. 1927, 29th Nov. 1926, 14th March  1927, 23rd Aug. 1926, 8th Sep. 1927, 16th Aug. 1927, 9th Nov.  1927, 10th July 1925, 11th Nov. 1925, 12th Oct. 1926, 4th  Feb. 1927, 28th March 1927, 19th May 1927, 21st May 1927,  21st May 1927, 14th May 1927, 23rd July 1927, 25th Aug.  1927, 7th Sep. 1927, 19th Sep. 1927, 22nd Sep. 1927, 26th Sep.  1927, 1st Nov. 1927, 19th Nov. 1927, 1st Dec. 1927, 10th Dec.  1927, 21st Dec. 1927, 11th Jan. 1928, 12th Jan. 1928, 26th Jan.  1928, 15th Feb. 1928, 17th Feb. 1928, 1st March 1928, 7th  March 1928, 7th March 1928, 10th March 1928, 10th March  1928, 10th March 1928, 29th March 1928, 30th March 1928,  30th March 1928, 30th March 1928, 27th June 1927,  4th Sep. 1926, 6th Nov. 1926, 3rd Oct. 1926, 17th Nov. 1926,  10th Aug. 1926, 8th Jan. 1927, 4th June 1926, 16th Aug.  1926, 17th June 1927, 23rd Nov. 1926, 17th June 1926, </p>

No. of notices under Section 34.	Dates of original assessment in cases other than new cases.
	<p>17th Dec. 1926, 20th Aug. 1926, 9th Oct. 1926, 1st Sep. 1927, 4th Aug. 1926, 1st Dec. 1926, 19th Nov. 1926, 4th Oct. 1926, 21st Sep. 1926, 20th Nov. 1926, 24th Nov. 1927, 14th Sep. 1926, 22nd Feb. 1926, 3rd Dec. 1926, 29th Jan. 1927, 22nd Oct. 1927, 19th Nov. 1927, 9th Aug. 1926, 22nd April 1927, 6th July 1926, 23rd Dec. 1926, 4th Jan. 1928, 5th July 1926, 28th Sep. 1926, 11th March 1927, 14th Feb. 1927, 14th Feb. 1927, 11th Jan. 1927, 4th June 1925, 11th Dec. 1925, 20th July 1925, 3rd May 1926, 16th Sep. 1925, 16th Feb. 1927, 10th Aug. 1926, 25th Aug. 1926, 15th March 1927, 29th June 1927, 19th Nov. 1927, 25th Aug. 1926, 23rd Feb. 1927, 22nd Feb. 1927, 20th Dec. 1926, 6th Aug. 1926, 23rd June 1926, 17th Sep. 1926, 9th Aug. 1926, 28th Sep. 1926, 28th Sep. 1926, 8th Aug. 1927, 19th Aug. 1926, 29th July 1926, 19th Nov. 1926, 27th Aug. 1927, 26th Dec. 1926, 18th Jan. 1927, 30th July 1926, 26th June 1925, 29th Nov. 1926, 9th Aug. 1926, 15th Sep. 1926, 5th Oct. 1926.</p>

*Statement showing number of notices under section 34 issued, during September, 1924 to February, 1925, in Calcutta.*

No. of notices issued under Section 34.	Dates of original assessment in cases other than new cases.
<p>67. (Including 28 new cases in which the Section 34 assessments were the 1st assessments.)</p>	<p>25th Sep. 1924, 26th Sep. 1924, 22nd Nov. 1924, 9th Dec. 1924, 25th Oct. 1924, Dec. 1924, 11th Nov. 1924, 20th Nov. 1924, 30th Dec. 1924, 30th Sep. 1924, 29th Feb. 1924, 17th Feb. 1925, 26th Nov. 1924, 26th July 1923, 11th July 1923, 18th Nov. 1924, 13th Jan. 1925, 17th Jan. 1925, 27th Feb. 1925, 29th Sep. 1924, 7th Nov. 1924, 22nd Nov. 1924, 10th Dec. 1924, 11th March 1925, 20th Jan. 1925, March 1924, 10th Sep. 1924, 17th Nov. 1924, 14th Nov. 1924, 5th March 1924, 19th Nov. 1923, 25th Jan. 1924, 8th March 1924, 8th Jan. 1924, 23rd Oct. 1924, 3rd Dec. 1924, 13th Jan. 1925, 23rd Feb. 1925, 27th Feb. 1925.</p>

**GIVING OF REASONS FOR A DECISION OR AN ASSESSMENT MADE BY THE INCOME-TAX OFFICER.**

68. \*Mr. A. H. Ghumanvi : (a) Do Government propose to restart the practice which had prevailed till recently in the Income-tax Department in Calcutta of giving reasons for a decision or for an assessment made by the Income-tax Officers in the copies of such orders or assessments supplied by that Department to the assesseees ?

(b) Are Government aware that copies of assessment orders as are at present given contain certain figures only and not the reasons for arriving at such figures of income ? If not, do Government propose to enquire if it is a fact ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The Honourable Member is presumably referring to assessments made under section 23 (4) of the Indian Income-tax Act, against which no appeal lies on the merits. In such cases the law does not require the Income-tax Officer, as it does in cases falling under section 23 (3), to record a written assessment order, and the Government understand that for the last two years—approximately—such orders have not been recorded in Calcutta. The Government are not prepared to impose on the Income-tax Officers an obligation that the Legislature have not thought it necessary to impose on them. In cases under section 23 (3) detailed assessment orders are recorded.

#### APPOINTMENT OF PERSONS WITH JUDICIAL EXPERIENCE AS ASSISTANT COMMISSIONERS OF INCOME-TAX.

69. **\*Mr. A. H. Ghuznavi :** Do Government propose to appoint persons with sufficient judicial experience to the posts of Assistant Commissioners of Income-tax, as these officers are required to decide questions judicially ?

**The Honourable Sir Bhupendra Nath Mitra :** The attention of the Honourable Member is invited to the speech made by the Honourable Mr. A. C. McWatters on this subject in the Council of State on March 10th, 1926, which represents the views of the Government. He will there see that as a matter of fact at that time about 3¼ths of the Assistant Commissioners were officers with judicial experience.

#### PAY OF THE POSTMASTER, SILCHAR.

70. **\*Mr. Anwar-ul-Azim :** (1) Will the Government be pleased to lay on the table the following information regarding the (1) Silchar Telegraph Office, (2) Silchar Record Office, and (3) Silchar Post Office, separately :

- (a) the pay of the Telegraph Master, Head Record Clerk and Postmaster at Silchar on the 1st April, 1928 ;
- (b) the total number of employees who are subordinate to the Telegraph Master, the Head Record Clerk and the Head Postmaster on the 1st April, 1928 ;
- (c) the monthly average cash handled at the Telegraph Office, Head Record Office and the Head Post Office during 1927-28 ;
- (d) the monthly average receipt and expenditure of the cash account for which the (1) Telegraph Master, (2) Head Record Clerk, and (3) Postmaster are responsible ; and
- (e) the total value of insured articles and V. P. articles dealt with by the Head Record Office and Post Office at Silchar separately during 1927-28 ?

(2) Is it a fact that the duties of the Postmaster at Silchar are more responsible than those of the Telegraph Master and Head Record Clerk at Silchar ?

(3) If so, will Government be pleased to state the reasons why the pay of the Postmaster, Silchar, is less than that of the Telegraph Master or the Head Record Clerk at Silchar ?

**Mr. P. G. Rogers :** (1) A statement giving the information asked for will be furnished to the Honourable Member.

(2) No.

(3) Does not arise.

#### GRADING OF POSTAL ACCOUNTANTS.

71. **\*Mr. Anwar-ul-Azim :** Are the Government aware of the fact that the Accountants attached to the Divisional offices of the Public Works Department in Assam are graded with those of the office of the Comptroller of Assam and that their posts are exchangeable ? If so, will Government be pleased to state whether they intend to introduce a similar procedure with regard to the Accountants of the Post Offices ?

**Mr. P. G. Rogers :** The facts are as stated by the Honourable Member. Government do not propose to introduce a similar procedure in the Post Office.

#### APPOINTMENT OF A MUSSALMAN AS ASSISTANT POSTMASTER GENERAL IN THE BENGAL AND ASSAM CIRCLE.

72. **\*Mr. Anwar-ul-Azim :** Is it a fact that the post of a Superintendent of Post Offices has fallen vacant by the premature death of Moulvi Abdur Rohim, Assistant Postmaster General in the Bengal and Assam Circle ? If so, do Government propose to issue instructions to fill up the vacancy by a member of the Mussalman community ?

**The Honourable Mr. A. C. McWatters :** Sir, as questions numbers 72, 73, 75, 78 and 201, all turn on the same point, I propose with your permission to deal with them together. Each question contains the suggestion that in connection with promotions within the Posts and Telegraphs Department a certain reservation should be made in favour of members of the Muslim community. As has already been stated on behalf of Government on more than one occasion, in making promotions from a lower to a higher grade of the department the guiding principle is efficiency. The representation of minority communities is secured by the reservation of vacancies for direct recruitment and Government are not prepared to give weight to communal considerations when it is a question of making promotions. In these circumstances it does not appear that any useful purpose would be served by the collection of all the particulars asked for by the Honourable Member in connection with some of these questions.



### RECRUITMENT OF MUSSALMAN GRADUATES IN THE CLERICAL CADRE OF THE POST OFFICE.

† 73. **\*Mr. Anwar-ul-Azim :** (i) With reference to my starred question No. 291 put on the 24th February, 1928, will the Government be pleased to state whether it is a fact that the officials who had passed the Inspector and Head Clerks' examination are exempted from the Selection Grade examination ?

(ii) If so, do Government propose to furnish a statement showing the number of graduates and non-graduates separately under (a) Hindus, (b) Mussalmans, and (c) others separately Circle by Circle who will be eligible for appointment in the newly created Selection Grade and also the number of graduates and I. A.'s in each community ?

(iii) Do Government propose to take any special action to have a greater number of Mussalman candidates for the Selection Grade appointments ?

(iv) If so, will Government please state the nature of the action proposed to be taken ? Will the Government be pleased to state the number of graduates and non-graduates of departmental officials separately who have passed the examination for the appointment of Superintendent of Post Offices [(a) Hindus, (b) Mussalmans, and (c) others should be shown separately] ?

(v) Will Government be pleased to lay on the table a statement showing the number of graduate clerks, (a) Hindus, (b) Mussalmans, and (c) others Circle by Circle in the Department on the 1st June, 1928 ?

(vi) If the number of Mussalman graduates is found less than that of the other communities, do Government propose to take any special action for the recruitment of Mussalman graduates in the clerical cadre ? If so, what ?

### NUMBER OF APPOINTMENTS FILLED UP BY MUSSALMANS IN THE POSTS AND TELEGRAPH DEPARTMENTS IN 1927-28.

74. **\*Mr. Anwar-ul-Azim :** With reference to my starred question No. 292 asked on the 24th February, 1928, will Government be pleased to furnish a statement showing the number of fresh appointments made during 1927-28 by each of the officers who are empowered to fill up appointments and the number of appointments filled up by Mussalmans in the Posts and Telegraph Departments separately (the number of graduates and non-graduates, Mussalmans and Hindus, should be shown separately) ?

**The Honourable Mr. A. C. McWatters :** The information asked for by the Honourable Member is being collected and will be supplied to him.

### APPOINTMENT OF MUSSALMANS AS PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

† 75. **\*Mr. Anwar-ul-Azim :** With reference to my starred questions Nos. 358 and 359 asked on the 7th March, 1928, do Government propose to take any special action to bring the number of Mussalmans to the

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† For answer to this question, see answer to question No. 72.

required number on the waiting list ? If so, what ? Will the Government be pleased to state why the required number of Mussalmans were not selected to appear at the examination ? Is there any order as to what portion of Superintendents posts should go to Mussalmans ? If not, do Government propose to fix it now in order to prevent the preponderance of any one community or class in these appointments ? Do Government propose to issue orders to hold future examinations exclusively for Mussalmans or to reserve the future vacancies of Probationary Superintendents for Mussalmans in order to give the community their proper share in these services ? If not, why ?

**ORDERS ISSUED BY THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS REGARDING MINORITY COMMUNITIES.**

76. \***Mr. Anwar-ul-Azim** : With reference to unstarred question No. 281 asked by Khan Bahadur Sarfaraz Hussain Khan on the 7th March, 1928, will Government be pleased to state why other services such as telegraphists, overseers, postmen and menials, etc., of the Posts and Telegraph Departments were not mentioned in the orders of the Director General of Posts and Telegraphs, G. I. No. A. M.-516/12/27, dated the 22nd November 1927, referred to in the reply ? Do the Government consider it necessary to instruct the Director General to issue immediate similar orders in respect of other services under him ? If not, why ?

**The Honourable Mr. A. C. McWatters** : Other grades are being dealt with by the issue of separate orders. The orders of the Director-General referred to by the Honourable Member, dealt with the clerical staff only.

**Mr. K. Ahmed** : Sir, I wanted to put my supplementary question to the previous reply, and I suppose under the standing Rules and Orders I am entitled to do so.

**Mr. President** : The Honourable Member is entitled to put a supplementary question to the last reply.

**Mr. K. Ahmed** : I stood up before that.

**Mr. President** : The Honourable Member was a little too late. Maulvi Muhammad Yakub.

**Mr. K. Ahmed** : I rise on a point of order, Sir. I submit that the Chair must allow me the privilege of a Member of this House of putting a question when I am entitled to do so.

**Mr. President** : Does the Honourable Member desire to ask any supplementary question on the last reply ?

**Mr. K. Ahmed** : The previous questions were answered at one stretch without being put by the questioner. Does that mean that supplementaries are to be shut out.

**Mr. President** : Maulvi Muhammad Yakub.

†77.

# GRANT TO THE MUSLIMS OF THEIR PROPER SHARE OF POSTS OF GAZETTED POST-MASTERS.

‡78. \***Mr. Anwar-ul-Azim** : (a) Will Government be pleased to state the number of (1) Muslim, (2) Hindu, and (3) others gazetted Postmasters, Circle by Circle ?

(b) Is it a fact that the posts of gazetted Postmasters are filled up by selection ? If so, why was the proper share not given to the Muslim community ?

(c) Is it a fact that 17 posts are going to be raised to the rank of gazetted Postmasters ? If so, do the Government propose to reserve at least half of these posts for the members of the Muslim community ? If not, why ?

†79.

†80.

## PROMOTION OF GUARDS IN THE MORADABAD CIRCLE.

81. \***Maulvi Muhammad Yakub** : (a) Is it a fact that certain Muslim and Anglo-Indian railway guards, in C. and D. grades, will shortly be retiring from Moradabad Circle ?

(b) Is it also a fact that certain outsiders have been imported by the Moradabad D. S. and they have been temporarily appointed in order to deprive the local guards of their promotion when the vacancies actually occur ?

(c) Do Government propose to make an immediate enquiry into the matter and see that local guards are not deprived of their well earned promotion ?

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

(b) 11 temporary guards have been appointed by the Divisional Superintendent, Moradabad, since 8th December 1927. These men have not been appointed to deprive any guard of promotion.

(c) No.

## EMPLOYMENT OF RAILWAY MENIAL STAFF BY THE ASSISTANT SUPERINTENDENT, POWER HOUSE, MORADABAD, ON HIS PRIVATE WORK.

82. \***Maulvi Muhammad Yakub** : Are Government aware that there is a general complaint against the Assistant Superintendent, Power House, Moradabad, of taking private service from the railway menial staff of the Locomotive Shed, Moradabad ? What action, if any, was taken against the officer concerned ?

†For this question and its answer, see the end of questions.

‡For answer to this question, see answer to question No. 72.

**ALLEGED MISUSE OF GOVERNMENT STORES BY THE CHARGEMEN, ELECTRIC POWER HOUSE, CHANDAUSI, AND THE RUNNING SHED FOREMAN, SHAH-JAHANPORE.**

**83. \*Maulvi Muhammad Yakub :** (a) Are Government aware that cases of the misuse of Government stores were reported against the Chargeman, Electric Power House, Chandausi, and the Running Shed Foreman, Shahjahanpore ?

(b) Will Government be pleased to state what action, if any, was taken against the officers concerned ?

**Mr. A. A. L. Parsons :** With your permission, Sir, I propose to answer questions Nos. 82 and 83 together. The Railway Board understand that certain representations on these matters have been made to the Agent, East Indian Railway, and as he is quite competent to deal with them, the Railway Board do not propose to take any action.

**Maulvi Muhammad Yakub :** If the Agents do not take any action in these matters, what is the remedy of the persons who suffer ?

**Mr. A. A. L. Parsons :** The Agent is the final authority in these matters.

**Maulvi Muhammad Yakub :** What is the Railway Board then constituted for ?

**Mr. A. A. L. Parsons :** To be the final authority in those matters which are not delegated to Agents.

**Lieutenant-Colonel H. A. J. Gidney :** Is it or is it not a fact that when such matters come to the notice of the Railway Board from the Agents that it is the duty of the Railway Board to make enquiries and adjudicate ?

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

**Lieutenant-Colonel H. A. J. Gidney :** I ask again what is the use of the Railway Board, Sir.

**Maulvi Muhammad Yakub :** Have not the Railway Board reserved any authority for themselves ?

**Mr. A. A. L. Parsons :** The position is that in certain matters appeal or review lies to or with the authority next above either the appointing authority or the authority who took a particular action. If that authority is, say, the Divisional Superintendent at Moradabad, the appeal would ordinarily lie only to the Agent and not to the Railway Board, and as a matter of administration the Railway Board do not ordinarily interfere with the decision of Agents in matters of this kind.

**Maulvi Muhammad Yakub :** Then are we to understand that the Agents are not subordinate to the Railway Board ?

**Mr. A. A. L. Parsons :** No, Sir. You are not to understand that.

**Mr. N. M. Joshi :** May I ask whether it is permitted by the Railway Board that railway servants can utilise menials for their private purposes ?

**Mr. A. A. L. Parsons :** No, Sir ; it is not the opinion of the Railway Board that subordinate or other officers should be permitted to utilise menials paid from Railway revenues for their private service, but it is a matter which the Agent of the Railway is perfectly competent to deal with and to stop.

**The Revd. J. C. Chatterjee :** It is one of the matters of principle that subordinates and officers should not utilise menials for their private work. Is it not more a matter of principle than a small matter of procedure ?

**Mr. President :** It is a question of opinion.

**Mr. K. Ahmed :** Is the Honourable Member aware that he is representing the Railway Department here and that he has to answer any question put by a Member, and be responsible.

**Mr. A. A. L. Parsons :** I appear to have been answering a good many questions.

**Lieutenant-Colonel H. A. J. Gidney :** Does the Railway Board consider Railway Agents to be infallible ?

**Mr. A. A. L. Parsons :** No, Sir. The Railway Board consider no one, not even themselves, infallible.

#### ABOLITION OF THE POST OF SECOND GUARD ON THE EAST INDIAN RAILWAY.

84. **\*Maulvi Muhammad Yakub :** (a) Are Government aware that the East Indian Railway has abolished the post of second guards on all trains as a result of which the safety of the travelling public is in danger and several cases of accidents to passengers have occurred ?

(b) Do Government propose to direct the revival of the post of second guards as they are employed on other Railways ?

**Mr. A. A. L. Parsons :** Government are aware that the posts of second guards have been abolished on the East Indian Railway ; they do not agree that the abolition has had the effect suggested by the Honourable Member. I may inform him that one of the duties imposed upon the Crew staff is to see that passengers are comfortably accommodated and the Agent reports that as a result the position is quite satisfactory. Government do not therefore propose to direct the revival of the posts of second guards.

#### NUMBER OF HINDUS AND MUSSALMANS IN THE DIVISIONAL SUPERINTENDENT'S OFFICE, MORADABAD, EAST INDIAN RAILWAY.

85. **\*Maulvi Muhammad Yakub :** Will the Government be pleased to state how many Brahmins, how many other Hindus and how many Mussalmans there are in the Divisional Superintendent's Office, East Indian Railway, Moradabad, and how many Brahmins, how many Hindus and how many Mussalmans got promotions and allowances and of what amount during the last two years ?

**Mr. A. A. L. Parsons :** Government regret that, as has previously been explained in this House, they are not prepared to supplement the figures with regard to communal representation given in Appendix F in Volume I and Appendix C in Volume II of the Report on Indian Railways for 1926-27 by details for individual offices or appointments. Their objection applies equally to the supply of information as to promotions and allowances by communities in individual offices.

**Kumar Ganganand Sinha :** May I know, Sir, whether Brahmins are or are not classed under Hindus ?

**Mr. A. A. L. Parsons :** I presume so, Sir.

**Mr. President :** I have been informed by Mr. Kelkar that he has authorised Mr. Belvi to put his questions. Has the Honourable Member authority to put those questions ?

**Mr. D. V. Belvi :** Yes, Sir.

**Mr. President :** Mr. Belvi.

**RAILWAYS PURCHASED AT A PRICE DETERMINED OTHERWISE THAN AS A MULTIPLE OF THEIR AVERAGE NET EARNINGS.**

86. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state which of the following 19 Railways were purchased at a price determined otherwise than as a multiple of their average net earnings :

- (1) Bengal Central.
- (2) Bombay, Baroda and Central India.
- (3) Brahmaputra Sultanpur.
- (4) Delhi Umballa Kalka.
- (5) Deoghur.
- (6) Eastern Bengal.
- (7) Great Indian Peninsula.
- (8) East Indian.
- (9) Kalka Simla.
- (10) Mymensingh Jamalpur Jagannathganj.
- (11) Madras.
- (12) Nilgiri.
- (13) Noakhali (Bengal).
- (14) Oudh and Rohilkhand.
- (15) Ranaghat Krisnagar.
- (16) Scinde, Punjab and Delhi.
- (17) Segowly Raxaul.
- (18) South Indian.
- (19) Tarkessur.

**Mr. A. A. L. Parsons :** I am having the information, which involves a research into papers of the seventies, exhumed and will send it to the Honourable Member when it is ready.

## BRANCH LINES.

87. \*Mr. D. V. Belvi (on behalf of Mr. N. C. Kelkar) : Will Government kindly lay on the table a statement for the year 1926-27 showing the branch lines built under Government of India, Railway Department Resolution No. 2131-F. of February 19, 1925, with their gross earnings, working expenses, net earnings or deficits, and the amounts received against the deficits from Local Governments or local authorities ?

Mr. A. A. L. Parsons : I lay on the table a statement giving the information required.

## STATEMENT.

The only line for which a guarantee from a Local Government was due for the full period of year 1926-27 is the Moulmein-Ye Railway in Burma. The figures required by the Honourable Member are given below :

	Rs.
(1) Gross earnings (including extra traffic on the Main Line) ..	5,00,722
(2) Working expenses (including hire for rolling stock) ..	3,31,478
(3) Net earnings .. .. .	1,69,244
(4) Interest on Capital .. .. .	5,67,177
(5) Guarantee payable by the Government of Burma ..	3,97,933

**TOTAL AMOUNT OF REDUCTION IN STORES BALANCE FOR THE QUINQUENNium  
ENDING MARCH 31, 1927.**

88. \*Mr. D. V. Belvi (on behalf of Mr. N. C. Kelkar) : Will Government kindly lay on the table a statement showing for the quinquennium ending March 31, 1927, the total amount of reduction in Stores balance ; amount due to scrapping, or sale as scrap, of stores, machinery, etc. ; amount due to sale of old stores, machinery, etc., as secondhand ; and amount due to mere adjustment in Stores accounts ?

Mr. A. A. L. Parsons : I am sending the Honourable Member a statement giving whatever information it has been possible to collect. It has not been possible to obtain figures for five years from all railways.

**ADOPTION ON INDIAN RAILWAYS OF THE LAYCOCK TYPE OF AUTOMATIC  
COUPLER IN USE OF SOUTH AFRICAN RAILWAYS.**

89. \*Mr. D. V. Belvi (on behalf of Mr. N. C. Kelkar) : Have Government considered the question of adoption on Indian Railways of the Laycock type of automatic coupler (central) in use on the South African Railways ; and if so, in what respects has it been found unsuitable for adoption in India ?

Mr. A. A. L. Parsons : The answer to the first part of the question is in the negative. In fact Government are not aware of the existence of an automatic coupler of this name, and will be very glad if the Honourable Member can put them in the way of obtaining designs of it.

**OMISSION FROM VOLUME II OF THE RAILWAY ADMINISTRATION REPORT OF  
THE TRANSACTIONS OF THE FINE FUNDS.**

90. \*Mr. D. V. Belvi (on behalf of Mr. N. C. Kelkar) : Are Government aware that a statement showing the transactions of the Fine Funds

used to be incorporated in Volume II of the Railway Administration Report up to 1921-22 and that it has been omitted from subsequent reports; if so, will Government kindly state the reasons which led to its omission?

**Mr. A. A. L. Parsons :** The statement showing the transaction of the Fine Funds was omitted on the recommendation of the Committee for the revision of statistics on Indian Railways. The reasons which they gave for proposing the omission were that these statistics have no direct bearing upon the working of railways.

**Mr. N. M. Joshi :** May I ask whether the Fines Fund is administered by the railway authorities, and if anyone wants to know how the fund is being administered, where is he to get that information from?

**Mr. A. A. L. Parsons :** If I am right, Sir, the Honourable Member will succeed in extracting that information from me in reply to a question which he has on the paper later on.

#### STATEMENT SHOWING RAILWAYS WHICH WERE UNDER CONSTRUCTION AT THE BEGINNING OF 1922-23 FROM STATE FUNDS.

91. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly lay on the table a statement showing railways which were under construction at the beginning of 1922-23 from State funds and the outlay incurred on them during the period 1922-23 to 1926-27?

**Mr. A. A. L. Parsons :** The information asked for is being obtained and will be furnished to the Honourable Member on receipt.

#### EXTENSION OF THE LEE CONCESSIONS TO THE EMPLOYEES OF THE COMPANY-MANAGED RAILWAYS.

92. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly lay on the table a copy of the correspondence which has passed between the Government of India and the Secretary of State for India on the subject of the extension of the Lee concessions to the employees of the Company-worked Railways?

**Mr. A. A. L. Parsons :** Government regret that they are not prepared to lay this correspondence on the table.

#### MAKING OF SPECIAL YEARLY PAYMENTS INTO THE DEPRECIATION FUND.

93. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Have Government considered the question of making special yearly payments into the Depreciation Fund against past arrears of depreciation, in addition to the payments that are at present being made into it against current depreciation; if so, what are the difficulties which make such special payments undesirable or impracticable?

**Mr. A. A. L. Parsons :** It has not been necessary to consider the question since, in spite of heavy payments from the Depreciation Fund in the last four years, a balance of about nine crores has been built up in the Fund.



**RAILWAYS CONSTRUCTED OR SANCTIONED FOR CONSTRUCTION DURING THE YEARS 1922-23 TO 1926-27 FOR THE OPENING OF NEW COALFIELDS, ETC.**

94. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly lay on the table a statement showing railways constructed or sanctioned for construction during the years 1922-23 to 1926-27 for the opening up of new coalfields and the outlay incurred on them during that period ?

**Mr. A. A. L. Parsons** : A statement giving the information required is laid on the table.

*Statement showing railways constructed or sanctioned for construction during the years 1922-23 to 1926-27 for the opening of new coalfields and the outlay incurred on them during that period.*

<i>Name of railway.</i>				<i>Outlay incurred up to 31st March 1927.</i>
				<i>Rs.</i>
1. Talchar Coalfield	..	..	..	93,90,579
2. Kedla Branch	..	..	..	30,460
3. Angada Branch	..	..	..	3,63,518
4. Barkakhana Chandil	..	..	..	1,67,27,826
5. Bermo Duneys Section of Bokaro Ramgarh Extension	..	..	..	48,06,775
6. South Karanpura Coalfields	..	..	..	40,01,247
7. Kasta Coalfields	..	..	..	25,98,335
8. Anuppur-Karimati section (C. I. C. Ry.)	..	..	..	36,18,664
9. Daltongunj-Barkakhana Section (Central Indian Coalfields Railway) including Bhurkunda Siding	..	..	..	70,23,112
10. Chitmiri and Jhagrakhand Sidings (Central Indian Coalfields Railway)	..	..	..	23,048

**CREDITING TO THE RAILWAY REVENUE RECEIPTS OF THE INTEREST ON THE RESERVE FUND OF INDIAN RAILWAYS.**

95. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state why interest on the Reserve Fund of Indian Railways is credited to the Railway revenue receipts instead of to the Reserve Fund itself as is done in the Belgian State Railways—*vide* paragraph 5 at page 18 of Annexure 1 to the Proceedings of the Standing Finance Committee for Railways, Volume II, No. 1 ?

**Mr. A. A. L. Parsons** : The course at present adopted is in accordance with the terms of the convention under which the Assembly agreed to the separation of railway from general finances, and it is for this reason that it has been adopted.

**NUMBER AND COST OF LOCOMOTIVES DEBITED TO THE DEPRECIATION FUND, ETC.**

96. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the answer given on 28th March 1927 to starred question No. 1276, will Government kindly state the number and cost of locomotives debited to the Depreciation Fund and the amount of the sale proceeds credited to Revenue and quote reference to the specific Rules in Annexure B, Volume I, No. 1, of the Proceedings of the Standing Finance Committee for Railways ?

**Mr. A. A. L. Parsons :** The number debited to the Depreciation Fund was 101, and the cost sixty lakhs thirty-one thousand rupees, and the sale proceeds credited to Revenue thirty-four lakhs seventy-nine thousand rupees. The relevant rules are 3 (ii) and 6.

**AMOUNT OF THE DEPRECIATION FUND THAT SHOULD HAVE BEEN BUILT UP FROM THE REVENUES OF PAST YEARS, ETC.**

97. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the answer given on 28th March 1927 to starred question No. 1269, do Government propose to ascertain the amount of the Depreciation Reserve that should have been built up from the revenues of past years but is not at present accumulating in the Depreciation Fund ; and if not, why not ?

**Mr. A. A. L. Parsons :** The answer to the first part of the question is in the negative, and to the second, that Government do not consider that any practical benefit would be obtained from the lengthy and laborious investigation suggested.

**RELIEF TO THE CAPITAL ACCOUNT OF THE SUM SPENT ON ABANDONED RAILWAY PROJECTS.**

98. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the answer given on 28th March 1927, to starred question No. 1272, will Government kindly state when they propose to relieve the capital account of the amount of Rs. 32,86,316 spent on abandoned projects ?

**Mr. A. A. L. Parsons :** There is no immediate proposal to this effect.

**NUMBER OF VEHICLES CONDEMNED BUT NOT YET REPLACED ON THE NORTH WESTERN RAILWAY.**

99. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the remarks " Excludes vehicles condemned but not yet replaced " occurring at the foot of page 82 of the Railway Administration Report for 1925-26, Volume II, will Government kindly state what is the number of such wagons on the North Western Railway and whether their cost is still standing at the debit of the capital account, and if so, why ?

**Mr. A. A. L. Parsons :** The number at the close of the financial year 1925-26 was 1,147. 1,004 have since been replaced, and it is proposed to replace the balance of 143 in 1929-30. The cost on account of these 143 vehicles still remaining at debit to capital is, in round figures, Rs. 3,90,000. It will be written back when they are replaced.

**DUTIES AND QUALIFICATIONS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.**

100. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state :

- (a) the duties and qualifications required of the Financial Commissioner of Railways,
- (b) his position *vis a vis* the Finance Department on the one hand and the Railway Department on the other,
- (c) whether an attempt was made to secure the services of a non-service Indian for the post when it last fell vacant ?

**The Honourable Sir George Rainy :** (a) and (b). The Financial Commissioner of Railways is an officer of the Railway Department of the Government of India and is one of the four officials who constitute the Railway Board. Subject to the control of the Finance Member of His Excellency the Governor General's Council, to whom he has the right of access, he exercises the full powers of the Government of India with regard to railway expenditure. It is part of his duties to see that railway matters likely to affect the general finances of India are brought to the attention of the Finance Department.

(c) No.

#### MAINTENANCE OF SEPARATE CAPITAL AND REVENUE ACCOUNTS FOR BRANCH LINES.

101. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state whether separate Capital and Revenue Accounts are maintained for branch lines built as remunerative propositions, and if not, why not ?

**Mr. A. A. L. Parsons :** When branch lines are built as integral parts of the main line, no separate Capital and Revenue Accounts are maintained for them. But instructions have been issued that a statement comparing the actual earnings derived from a new branch line yearly till the fifth financial year after opening, with the estimate in the Traffic Report, should be submitted to the Railway Board.

#### ANTICIPATED RETURNS ON NEW RAILWAY LINES.

102. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the statement made by Mr. A. A. L. Parsons at page 1280 of the Legislative Assembly Debates, Volume IX, will Government kindly state whether they have since considered the question of devising a system by which to ascertain how far the anticipated return on new lines at the end of the assumed period has been realized at the end of that period ?

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

#### CRITERION LAID DOWN BY THE SECRETARY OF STATE FOR A PRODUCTIVE RAILWAY, ETC.

103. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the criterion laid down by the Secretary of State for India for a productive railway that the project should be one which is estimated to yield a return within a maximum period of five years of 4 per cent. per annum on the capital invested including therein among others all arrears of simple interest incurred up to that date, will Government kindly state categorically :

- (a) what is the maximum period adopted at present;
- (b) what is the percentage aimed at; and
- (c) whether arrears of simple interest incurred up to the date of the end of the maximum period is taken into account in arriving at the stipulated return ?

**Mr. A. A. L. Parsons :** (a) In determining whether any new extension should be taken up, we now generally consider the return likely to be obtained immediately after opening and in the sixth year after opening.

(b) The percentage at which it appears likely that the Government of India can borrow during the period in which the money will be spent.

(c) No. We usually add interest during the construction period to the estimated capital expenditure for the purpose of determining the financial prospects of the new construction, but not interest for the further period up to the time when traffic on the extension is expected to have been fully developed.

**AMOUNT OF THE CAPITAL AT CHARGE ON STATE RAILWAYS AT THE END OF 1926-27, ETC.**

104. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state :

(a) the amount of the capital at charge on State Railways at the end of 1926-27;

(b) the amount included in (a) but not bearing interest; and

(c) the sources from which the amount in (b) was obtained ?

**Mr. A. A. L. Parsons :** I would refer the Honourable Member to Account No. 25 of the Finance and Revenue Accounts for 1926-27 which gives full information on the subject.

**REDUCTION OF THE CAPITAL COSTS OF THE MOHPANI COLLIERY.**

105. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state the reasons for the reduction of the capital costs of Mohpani Colliery from 10,29,370 at the end of 1919-20 to 8,13,981 at the end of 1925-26 ?

**Mr. A. A. L. Parsons :** The Honourable Member is referred to the remarks against Mohpani Colliery in Column 17 of Appendix B of the Report by the Railway Board for 1926-27.

**MANUFACTURE IN INDIA OF ARTICLES IN COMMON USE ON RAILWAYS.**

106. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the question of the manufacture in India of articles in common use on Railways which was referred to the Tariff Board as far back as March 1925, have Government ascertained what is delaying the submission of the Board's Report, and if so, what are the reasons ?

**The Honourable Sir George Rainy :** The report has been received. It is included in Volume VIII of the Statutory Enquiry into the steel industry, of which the Honourable Member has been supplied with a copy.

**NUMBER OF WAGONS AND COACHES ON THE BENGAL NAGPUR RAILWAY AWAITING RENEWAL ON THE 31ST MARCH 1927.**

107. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government be pleased to lay on the table a statement showing, by types or classes,

the number of wagons and coaches on the Bengal Nagpur Railway awaiting renewal on 31st March 1927 ?

**Mr. A. A. L. Parsons :** I am sending the Honourable Member a statement giving him the information which he requires.

#### ALLOWANCE FOR THE USE MADE BY THE NEW BRANCH LINES OF THE ROLLING STOCK OF THE MAIN LINES.

108. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the statement made by Mr. A. A. L. Parsons at page 1261 of the Legislative Assembly Debates, Volume IX, in which it is stated that an allowance of 5 per cent. of gross earnings is made for the use made by the new branch lines of the rolling stock of the main lines, will Government be pleased to state whether it is a fact that the percentage was fixed at a time when the ratio of working expenses to gross earnings was very much lower than at present ; and if so, have Government made any enquiries into the sufficiency of the allowance under the altered conditions ?

**Mr. A. A. L. Parsons :** The percentage is of very old standing. Government have not made any recent enquiry into the sufficiency of the allowance, but have no reason to believe that as an all-round rate it is inadequate.

#### DESCRIPTION BY SIR CHARLES INNES OF TRAVEL ON THE INDIAN RAILWAYS AS THE CHEAPEST TRAVEL IN THE WORLD.

109. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the following extract from the Railway Member's speech at page 1427 of the Legislative Assembly Debates, Volume IX :

" But the fact remains and cannot be refuted, that travel on the Indian Railways is the cheapest travel in the world. I have the figures here and as I think they will prove of interest to the House, I shall read them out.

Average rate per passenger per mile in :

				Pies.
Norway	..	..	..	16.38
U. S. A.	..	..	..	15.58
Sweden	..	..	..	12.6
England	..	..	..	9.22
France	..	..	..	7.14
Japan	..	..	..	5.21
India	..	..	..	3.73 "

are Government aware that the *lowest* fare is not necessarily the *cheapest* fare ? If so, will they kindly lay on the table any information which may be in their possession to show that the average rate of 3.73 pies in India is not only the lowest but also the cheapest in the world ?

**Mr. A. A. L. Parsons :** I regret that I am unable to argue with the Honourable Member whether the adjective " cheap " has the particular comparative meaning which he appears to suggest, nor am I in a position

to make the suggested comparison. I notice, however, that Dr. Webster gives as one of the definitions of "cheap"—"at a price as low or lower than the usual price of the article or commodity, or at a price less than the real value". It is no doubt in both of these senses that Sir Charles Innes described travel on the Indian Railways as the cheapest travel in the world.

**TOTAL AMOUNT DEBITED TO THE CAPITAL ACCOUNT ON ACCOUNT OF EXPENDITURE ON SURVEYS OF NEW LINES FORMING PART OF A STATE-WORKED RAILWAY.**

110. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state approximately the total amount debited to the Capital Account to the end of 1926-27 without financial adjustment on account of expenditure on surveys of new lines forming part of a State-worked Railway ?

**Mr. A. A. L. Parsons** : About 7 1/3rd lakhs.

**POLICY OF THE SOUTH AFRICAN GOVERNMENT REGARDING THE PURCHASE OF RAILWAY MATERIALS.**

111. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Are Government aware that the policy of the South African Railways administration is to purchase as much material as possible in South Africa, and a preference of 5 per cent. is given in favour of the South African manufactured articles ? If so, have Government considered the question of adopting a similar policy on Indian Railways ?

**Mr. A. A. L. Parsons** : The answer to the first part of the question is in the affirmative, except that Government understand that the preference is 10 per cent. where the raw materials are entirely or mainly produced within the Union. The question whether a similar policy should be adopted for India was recently considered in connection with the revision of the Stores Purchase Rules.

**FREE LUGGAGE ALLOWANCE GRANTED TO ADULT THIRD CLASS PASSENGERS ON THE SOUTH AFRICAN RAILWAYS.**

112. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Are Government aware that on the South African Railways each adult third class passenger is allowed to have 50 lbs. luggage free of charge ? If so, have Government considered the question of adopting a similar allowance on the Indian Railways ?

**Mr. A. A. L. Parsons** : Government are not aware what the free allowance is on the South African Railways. They do not propose to raise the present allowance on State-managed Railways which is 15 seers or about 30 lbs. in addition to bedding and other small articles.

**CONTROL OF RAILWAY POLICE ON THE SOUTH AFRICAN RAILWAYS.**

113. \***Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Is it a fact that the control of the Railway Police in South African Railways is vested in the General Manager of the South African Railways ? If so, have Government considered the question of placing the Railway Police in India under the control of the Railway Board ?

**The Honourable Mr. J. Ozerar :** I regret that I cannot undertake to answer as regards the control of Railway Police on South African Railways. The Railway Police in India were originally controlled by the railway authorities, but the system did not prove satisfactory and was abandoned. Government are not considering any change from the existing system of control.

#### SUPPLY TO INDIAN RAILWAYS FREE OF CHARGE OF COAL FROM STATE-OWNED MINES.

114. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to Earl Winterton's statement in reply to a question in the House of Commons last April, that many of the State-owned mines in India supplied coal to Railways which was not charged for, will Government kindly specify the mines and the railways in question and state the circumstances in which no charge is made to railways for coal supply from State-owned mines ?

**Mr. A. A. L. Parsons :** I am not aware that any State-owned mines in India supply coal to Railways which is not charged for.

#### CONCESSIONS GRANTED TO MILITARY OFFICERS BY RAILWAYS.

115. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Will Government kindly state the grounds on which Captains and subalterns of certain British and Indian services are granted the concession of travelling first class on payment of second class fares with a luggage allowance on 1½ maunds as for a first class ticket at the cost of the Railway Department and not at the cost of the Army Department ?

**Mr. G. M. Young :** The cost of these concessions is borne by the Rail-Department, in accordance with the practice under which similar concessions are paid for by the railway companies in Great Britain.

#### ISSUE OF A PAMPHLET CONTAINING RULES AND CONDITIONS GOVERNING RECRUITMENT TO THE HIGHER SERVICES ON RAILWAYS.

116. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : With reference to the reply given on August 31st, 1926, to starred question No. 267, will Government kindly state what decision has been arrived at in regard to the issue of a pamphlet, setting out in full detail the rules and conditions governing recruitment to higher services on railways ?

**Mr. A. A. L. Parsons :** The issue of such a pamphlet is under active consideration, but awaits a decision on one point on which the Railway Board are in consultation with the Public Service Commission.

#### EDITORIAL NOTE "RAILWAYS IN SOUTH AFRICA AND IN INDIA" IN THE *Week* OF MAY 10TH, 1928.

117. **\*Mr. D. V. Belvi** (on behalf of Mr. N. C. Kelkar) : Has the attention of the Government been drawn to the editorial note "Railways in South Africa and in India" in the issue of the *Week* of May 10th, 1928, in which it is pointed out that "in South Africa railways and harbour administration is required to conform to business principles, with due regard to agricultural and industrial development within the Union" ? If so, have Government considered the question of adopting a similar policy in India ?

**Mr. A. A. L. Parsons :** Government have not seen the article mentioned by the Honourable Member.

**ADOPTION OF THE DIVISIONAL SYSTEM ON COMPANY-MANAGED RAILWAYS.**

118. \***Mr. D. V. Belvi** (on behalf of **Mr. N. C. Kelkar**) : Is it a fact that the reorganization of work on State-worked Railways on a divisional basis has proved to be a success from the point of view of both economy and efficiency ? If so, what steps have Government taken to introduce a similar reorganization on Company-worked State Railways ?

**Mr. A. A. L. Parsons** : Government consider that the introduction of the divisional system has been a success on the Great Indian Peninsula, East Indian and North-Western Railways. Its adoption on Company-managed Railways is a matter for the decision of the Boards of Directors of those Railways ; and since a divisional system is less necessary on smaller and more easily managed railway systems, Government are not prepared to put pressure on the Home Boards to adopt it.

**EMPLOYMENT OF MUSSALMANS AS ESTABLISHMENT CLERKS ON THE EAST INDIAN RAILWAY.**

119. \***Maulvi Muhammad Yakub** : (a) Will the Government be pleased to state what steps, if any, were taken by the officers of the East Indian Railway to carry out the orders contained in letters No. I.E.-277/10/E., dated the 17th December, 1921, and No. T.E. 227/161/1-E. of 1st December, 1922, issued by the Chief Superintendent, Calcutta, regarding the appointment of Mussalmans as establishment clerks, since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway ? If not, why not ?

(b) What is the total number of establishment clerks in the 6 Divisions of the East Indian Railway and to which community do they belong ?

**Mr. A. A. L. Parsons** : (a) The orders to which the Honourable Member refers were to the effect that when opportunity occurred Muhammadan clerks should be engaged as assistants in the Establishment Branch of the Delhi and Gaya District Offices with a view to their being trained as establishment officers. They have ceased to be in force since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway, for there is now no District Office at Gaya, and Delhi is no longer under the East Indian Railway Administration. At present the position is that since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway the number of establishment clerks on the East Indian Railway has been reduced and as vacancies which occur have generally been filled first from the clerks who were discharged there has been no recruitment of establishment clerks—Muhammadan or otherwise—from outside.

(b) The total number of the establishment clerks employed in the Divisional Offices of the East Indian Railway is 237. Government regret that for reasons which have been previously explained they are not prepared to supplement the details with regard to communal representation given in Appendix F in Volume I and Appendix C in Volume II of the Report on Indian Railways for 1926-27 by figures for individual offices or appointments.

I may, however, assure the Honourable Member that the Agent, East Indian Railway, is alive to the desirability of recruiting Muslims for appointments in all offices under his control when suitable candidates



come forward for employment. In certain branches of the East Indian Railway service, there is at present a preponderance of Muslims.

**Mr. President :** Has question No. 120 been put ?

**Mr. C. S. Ranga Iyer :** Yes.

**Mr. President :** The Honourable Member is not in his place.

**Mr. C. S. Ranga Iyer :** I am not aware of any arrangement of seats.

**Mr. President :** A block has been allotted to the Congress Party and I thought the Party has assigned seats to its members. If they have not done so yet, I hope they will do so now and let me know of the arrangement.

**Mr. C. S. Ranga Iyer :** I am not aware of any arrangement of seats. I put question No. 120.

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#### SKEEN MEMORANDUM ON THE MILITARY SITUATION IN INDIA.

120. **\*Mr. C. S. Ranga Iyer :** (a) Has the attention of the Government been drawn to statements in a section of the Press to the "Skeen memorandum" on the military situation in India, and the Indian army's military preparedness or unpreparedness for war on modern lines ?

(b) Will the Government be pleased to publish the "Skeen memorandum" on modernizing the Indian Army ?

**Mr. G. M. Young :** With your permission, Sir, I propose to answer questions Nos. 120, 121, 122 and 176, also Mr. Gaya Prasad Singh's question No. 158, and Colonel Crawford's question No. 178 together, and to take this opportunity of making a statement on the matters raised in these questions. I am afraid the statement will be rather a long one ; but I hope that the House will allow me to trespass a little on its patience, as it would be difficult to return a complete answer to these questions in a few words.

The document referred to in the questions was a lecture given by a General Staff Officer, at the four Command Headquarters, on army finance and economy within the army. The main object of the lecture, and of its subsequent circulation, was to stimulate a special campaign of economy which has been initiated throughout the various formations of the army. In order to assist in this object, mention was made of existing deficiencies in equipment, and of the estimated sums required to overtake those deficiencies during the next few years. The essence of this economy campaign within the army is to encourage the military authorities all through the army to look for and suggest methods of economizing on their own initiative, and so to assist the Government in providing the funds required to meet the army's growing needs, without increasing military expenditure beyond its present limits. The agreement referred to in Mr. Gaya Prasad Singh's question is an informal arrangement, under which savings effected by the military authorities as a result of this special economy campaign, may be appropriated towards the equipment programme.

The lecture is a confidential document designed for official use only, and Government are not prepared to publish the whole document *in extenso* merely because a copy has been purloined by somebody, and parts have already appeared in the Press. I will, however, endeavour to give Honourable Members full information on the various points.

The programme or scheme of His Excellency the Commander-in-Chief, mentioned in the questions, is merely a part of the continuous policy of Government, during the incumbency of the present and the late Commanders-in-Chief, in regard to modernising the equipment of the army in India and making good certain shortages which resulted from acceptance of the recommendations of the Indian Retrenchment Committee. There is no separate scheme for modernization in the army. Modernization is proceeding continuously from day to day. His Excellency the Commander-in-Chief made this clear in his budget speech last March when he was informing the House about the progress of mechanization—a word which is practically synonymous with modernization in this context. The army of the United Kingdom has for the last few years been making continuous experiments with different patterns of mechanical transport machines. The army in India carefully follows the experiments made in England, testing the results, and modifying them, where modification is necessary, to suit Indian requirements. The task of keeping pace in the modernization of equipment with the progress made at home has been made more difficult in the past few years owing to the acceptance by Government of the recommendations of the Indian Retrenchment Committee. When Government accepted those recommendations, it was recognized, and stated, by Lord Rawlinson that the economies then made in equipment would have to be counterbalanced sooner or later by further expenditure in order to keep pace with the requirements of defence. In fact, in giving their support to the proposals of the Inchcape Committee, the Government of India took a definite risk, in recognition of the then paramount need for retrenchment, by decelerating to some extent, the rates of provision and renewal of part of the army's equipment. It was realized from the beginning, however, that this state of affairs could not continue beyond a certain point. The matter was kept under constant observation, and by 1926 we had reached the point when we could no longer go slow, but, on the contrary, had to begin catching up again. By the end of 1927, we could see our way clear. Much progress had been made in redeeming what I may call the Inchcape shortages, and we could predict with some confidence that those shortages would be soon obliterated altogether without our having to add appreciably to our military estimates. But meanwhile we were confronted with new problems arising out of the rapid developments in modernization, and, in particular, the mechanization of foreign armies and of the army of Great Britain. It was to keep pace with these further developments also, if possible, without increasing our present scale of military expenditure, that the economy campaign to which I have referred was devised in the cold weather of 1927-28. At the same time there was no hope of reducing that expenditure below its present level. That is why His Excellency the Commander-in-Chief and the late Finance Member have informed Honourable Members on more than one occasion, that they saw no prospect in the immediate future of a further reduction in the army estimates, but that, on the other hand, there was a possibility that those estimates might be increased. This was

the position, Sir, when my Honourable friend, Colonel Crawford, asked me last March, whether the equipment of the army was in a satisfactory position, particularly in respect of mobility and defence against an attack from the air accompanied by the use of gas. These questions were put towards the close of the debate on the Army Department grant, when there was, of course, no opportunity for preparing a detailed statement. In replying, while I informed the House that Government were doing all they could towards ensuring that, when the time came, our army would go into the field fully equipped, I declined to make any admission of insufficiency in particular items of equipment. To that reply I adhere, and if a similar question were again put to me in the course of a debate, I should give a similar answer. But in the meanwhile there has been the public controversy on the subject, to which Honourable Members have drawn attention, and many incorrect statements about the condition of army equipment have appeared in the Press. In view of this circumstance, and as our equipment programme is now still further advanced than it was in March, I have had prepared a memorandum which explains as fully as possible, from the technical point of view, what we have been doing in the last few years, where we stand now, and what we propose to do in the near future. I lay this memorandum on the table of the House. It goes considerably into details, and I think it will supply Honourable Members with all the information that they require. But if, after reading it, they find that there are other technical points on which they would like to be informed, I shall be very glad to give them what information I can.

#### MEMORANDUM.

The policy followed by the Army in matters of organization and equipment is concisely stated in a resolution of the Legislative Assembly in 1921 in connection with the Esher Committee's recommendations, which runs as follows :

" That the purpose of the army in India must be the defence of India against external aggression and the maintenance of internal peace and tranquillity. To the extent that it is necessary for India to maintain an army for these purposes, its organization, equipment and administration should be thoroughly up to date and, with due regard to Indian conditions in accordance with the present day standards of efficiency in the British Army, so that when the Army in India has to co-operate with the British Army on any occasion there may be no dissimilarities of organization which would render such co-operation difficult "

This policy means the replacement of the older classes of artillery equipment, aircraft, transport, etc., by more modern types. The main feature of it is the substitution of mechanical for animal transport wherever possible.

ARMY TRANSPORT in war consists of :

- (a) FIRST LINE TRANSPORT, which carries with the troops what they require in actual battle. Animal transport is used for this because the fighting line cannot have any transport which is unable to cross any country where men and horses can go ; but, where M. T. can be used (as in the case of certain technical units) there M. T. will be substituted for animal transport.
- (b) Next, THE TRAINS which carry daily replenishment. These are at present mainly A. T. carts, but there are some horsed wagons. Both can only move a short distance at a comparatively slow rate. The results are that the length of columns in the line of march is inordinately long whilst the ability to operate away from the Line of Communication road or rail transport behind is restricted to a small distance. The sole advantage provided by A. T. over M. T. has been a superior power of

operating off a good road. Fortunately we have now in sight mechanical transport on the 6-wheeler principle, which in most cases has been proved to be as good across-country as the A. T. cart. As this M. T. is more powerful, economical and speedy (all combining to improve mobility) the A. T. cart is now to be displaced from the role which it has so honourably filled for years and will to a considerable extent disappear—except in cases where the use of an M. T. vehicle would be uneconomical. The gradual replacement of these carts is high in the Army programme, but pack transport has still to be retained for use in country where neither M. T. nor A. T. carts can be employed. Thus the amount of animal transport retained will be cut down to a minimum, the principle followed being rather to organise for a more serious campaign and to improvise for a minor one, than *vice versa*.

- (c) Lastly, Army Transport includes transport required for MAINTENANCE, *i.e.*, to connect rail head with the trains which have been mentioned previously, and here in all large operations the employment of M. T. beyond railhead is obligatory.

A few remarks on the general policy of replacing animals by M. T. may be of interest.

It is financially impossible to maintain in peace all the M. T. required in war. Vehicles which cannot be used economically in peace tend to get out of date, with consequent complications in the supply of spare parts, and eventually have to be scrapped long before their useful mileage has been completed. The principle therefore adopted in all armies is to utilise the form of Transport obtainable from civilian sources on some form of subsidy basis, the advantages of which system need no explanation. It is the displacement of the horse by M. T. in civil life which, quite as much as the advantages to be gained in war, has been the driving force behind the increasing mechanization of the Army at Home.

In India repeated efforts have in the past been made to obtain M. T. by this means, but have proved abortive because the development of M. T. in India for civil needs was not sufficiently advanced. The last few years has, however, seen a remarkable expansion in M. T. of all descriptions all over the country, which encourages us to hope that the time is now ripe for a renewed effort to obtain a part of our requirements on a subsidy basis.

In particular we hope to get the country to use 6-wheelers and are offering encouragement by a system of subsidy which has recently been published throughout India. The more this subsidy scheme takes on and the larger the reserve in useful civil life, the more can we depend on this reserve for war and therefore the less the number of vehicles we have to hold uneconomically in Army reserve. A large number of enquiries in connection with such subsidies has already been received.

The replacement of animal transport by M. T. will cause the former to diminish. There is little prospect of this change causing any large immediate saving in peace. In war, however, the resultant economy and efficiency are beyond computation. The three results are, therefore, (1) greatly increased mobility in war, (2) slight economy in peace, (3) great economy in war. The pace at which His Excellency the Commander-in-Chief introduces these measures will only be conditioned by the funds available and the success of the subsidy scheme. So far it is merely a matter of simple substitution (as funds permit) of M. T. for the animal transport on which we have relied in the past.

4. Before proceeding to describe the other directions in which mechanization is proceeding, it is desirable to make a digression. Frequent criticism may be read of India's failure to follow Home models in these matters. Great as are the disadvantages of not doing so, yet, in this matter for the present and until experiments at Home crystallize, we have to keep the following factors in front of us always:—

Firstly, India is not a highly industrialized country. She has not the power of producing war machines nor the reserves of men required both to man and keep them in the field. For the present, therefore, a commercial vehicle (if such will meet the needs we foresee) must be used.

Next, India's war problem by reason of geographical and climatic conditions has special aspects and requires special treatment. So far these factors do not necessarily favour the employment of the special machines which are being evolved to meet the problems facing the Home authorities. Eventually as communications

improve and develop our own needs will tend more and more to call for the same equipment as the other Imperial Armies find essential, but for the moment mobility is our main requirement, and mobility in semi-developed country. Mobility is the main principle underlying all our projected reforms and we have to keep it in view always.

Now, if funds were unlimited, there would be less need for care. They are, however, rigidly restricted and therefore caution in any steps we take is obligatory. And this applies more particularly to the introduction of new equipment, until we are quite certain that it can be usefully employed in our particular conditions.

To illustrate this—Tanks have been tried. Two tanks now lie at AHMED-NAGAR, requiring such heavy repair to put them on the road and promising such little result when repaired that their re-conditioning is indefinitely postponed. We believe however that a type will eventually be developed which will suit us, and when that day comes it would be folly not to take advantage of it.

5. Mechanization of Artillery. This principle has always been accepted as regards medium artillery. Tractors were hauling guns at the manoeuvres and review at DELHI as far back as 1925. Before and since then we have been searching for an efficient gun-haulage vehicle. The "Dragon", a track vehicle, in fact the chassis of a Tank, is employed at Home; but these very powerful tractors are for our purposes unnecessarily powerful (and thus expensive) and the tank trials referred to have not been successful enough to warrant large expenditure on this type.

The KEGESSE a machine on the half-track principle, has been given full trial from 1924, but under our conditions definite draw-backs have appeared. In 1926 the six-wheeler came on the market and specimens were at once ordered and tried out; as a result, in 1927, exhaustive trials in carrying loads and gun haulage showed we had reached a stage when a start with "mechanization" could be safely made.

As regards Field Artillery, the fact that a start has been made in mechanization has appeared in most newspapers.

The Army see definite and material savings in upkeep and in the Remount Services; also, in war, the advantages, in cases where guns thus drawn can be used, more than justify the innovation, even were it to cost money.

6. The advantages of partial mechanization as applied to Transport and Artillery have been dealt with, but this by no means exhausts the subject.

Members will have read of the doings of the mechanized or "Armoured Force" at Home, as representing the last word in the conception of what is required in a war of the future. Remarkable as these doings were, it must be remembered that the force is still in an experimental stage, and that finality has not yet been reached either in regard to types of machines or in regard to their tactical employment. While we in India agree with the general idea underlying this force, the differing conditions here may demand developments along somewhat different lines.

7. There are other matters which are engaging the attention of H. E. the Commander-in-Chief; experiments in the use and reliability of smoke for screening purposes under our conditions are proceeding; anti-aircraft defence and anti-gas measures are matters requiring careful thought and both are receiving it whilst we are carefully watching experiments at Home in the provision of means of defence against armoured fighting vehicles. Obviously, however, it is not in the public interest to be as precise in these as in the other matters. The situation as regards rifles and other small arms may now be considered satisfactory. Steps are being taken to keep the R. A. F. in India up to date for which sums provision is being made from Army savings with no net addition to the Budget.

8. It has been suggested by ill-informed persons that the Army in India is conservative, if not reactionary, and that it fails to keep pace with or to profit by developments at Home. The fact is that the conditions are entirely different. The Army at Home, with unlimited technical, scientific and industrial resources behind it is in the best possible position to carry out experiments of all kinds, the results of which are freely placed at our disposal. We are not similarly placed and consequently whilst we watch the results of experiments at Home, and ourselves try out any new equipment resulting therefrom which may appear suitable to our needs, we have to be quite sure of our ground before we apply on a large scale the results of experiments which at Home have only been tried out or adopted on a comparatively small one.

Those who criticise any apparent slowness to move on our part, would be the first to condemn, and rightly condemn, the waste of money which would result from any change of policy, hastily thought out and put into effect, which might prove unsuitable to our particular conditions. As to its suitability or otherwise H. E. the Commander-in-Chief, who is in possession of all the factors in the problem, must be the arbiter. The existing arrangement by which the Army in India secures most valuable information from Home, without being forced to lower its own standard of preparedness to obtain it, is financially the most economical, and the most suitable to conditions at present existing. It is carried out in the closest consultation and in complete agreement between the responsible authorities here and at Home.

**Pandit Hirday Nath Kunzru :** In view of the statement of the Army Secretary that efforts are being made to make up for the Inchcape Committee's shortages, is the House to understand that Government are trying to revert to the position which existed before the Inchcape Committee reported ?

**Mr. G. M. Young :** My statement refers solely to shortages in equipment. These shortages were caused, as I have said, by decelerating to some extent the rates of provision and renewal of part of the army's equipment. I think I have explained sufficiently in my statement what the situation is. We have now very nearly caught up again.

**Mr. Gaya Prasad Singh :** Will Government kindly state definitely whether the policy of progressive reduction in military expenditure has been abandoned as referred to in part (ii) of my question No. 158 (starred) to which the Honourable Member has made a reference ?

**Mr. G. M. Young :** I think I have already said that in the immediate present there is no prospect of a further reduction.

**Pandit Hirday Nath Kunzru :** May I ask whether Government have allowed the Army Department to appropriate towards army expenditure the economies resulting from reductions in the salaries of British officers and British soldiers ?

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

**Pandit Hirday Nath Kunzru :** As the Honourable Member has said that all economies made would be allowed to be used towards making up the deficiencies now observed in regard to equipment, is the House to understand that the economies that are not due to the efforts of the Army Department will also be allowed to be utilised by the Army Department ?

**Mr. G. M. Young :** I am not quite sure that I have understood the question. There is, as I have already explained, an informal arrangement by which economies, effected in this special economy campaign amongst the various formations of the army, may be re-appropriated towards the equipment programme. The reduction of salaries which my Honourable friend refers to does not form part of the special economy campaign, which is mainly economies in equipment and transportation.

**Pandit Hirday Nath Kunzru :** Am I to understand that the Finance Department has allowed only the economies resulting from the efforts of the Army Department itself to be re-appropriated for army expenditure ?

**Mr. G. M. Young :** It is the business of the Army Department to effect all the economies it can in the various branches of the army administration and those economies no doubt will be applied to meet army needs.

ARTICLE IN THE *Pioneer* OF JULY 1ST ENTITLED "THE ARMY SCANDAL",  
"SIR W. BIRDWOOD'S SCHEME".

†121. \*Mr. C. S. Ranga Iyer : (a) Has the attention of the Government been drawn to an article in the *Pioneer* of July 1st, on page 1 from its special correspondent, entitled "The Army Scandal", "Sir W. Birdwood's Scheme" ?

(b) Will the Government be pleased to publish the scheme of His Excellency the Commander-in-Chief ?

MODERNIZATION OF THE ARMY IN INDIA.

†122. \*Mr. C. S. Ranga Iyer : (a) Has the attention of the Government been drawn to the following observations of the *Pioneer's* Simla correspondent ?

"No attempt is made to minimize the truth of the assertion that India is not as ready for war as it should be and the Skeen memorandum and the programme planned out by the Commander-in-Chief are held in military circles to be definite proof of their ability to grasp the situation".

(b) Is any scheme of modernization going to be put into effect ?

(c) If so, will the Government be pleased to make a statement on the same ?

(d) Do Government propose to take the Assembly into confidence in regard to the scheme ?

(e) Is it a fact that the scheme will cause more military expenditure for India than she has been burdened with ?

(f) Is His Majesty's Government going to bear part of that expenditure ?

†Nos. \*123 to \*137.

REVISION OF THE PAY AND DUTY ALLOWANCE OF DIVISIONAL ACCOUNTANTS  
OF THE PUBLIC WORKS DEPARTMENT.

138. \*Mr. Lalchand Navalrai : (a) Are Government aware of the anomalous character of the last revision made in the salaries of the Public Works Department Divisional Accountants by which a Divisional Accountant gets a start of Rs. 100 only whereas his 1st clerk in the Bombay Presidency starts with Rs. 105 and the Head Clerk of the Executive Engineer junior in grade to him starts on Rs. 130 ?

(b) Is it a fact that the maximum pay of a Public Works Department Divisional Accountant was Rs. 240 per mensem in 1864 and has now been raised only by Rs. 60, i.e., 25 per cent., whereas the maximum pay of the Head Clerk of the Executive Engineer's office has been raised from Rs. 80 to Rs. 180, i.e., 125 per cent. ?

(c) Do Government propose to direct a more equitable and suitable revision of the pay and duty allowance of the Divisional Accountants compatible with their status and responsibility ?

†For answer to this question, see answer to question No. 120.

†For answers to these questions, see at the end of questions for the day.

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The facts as regards the minimum and maximum rates of pay of divisional accountants are as stated by the Honourable Member. A Divisional accountant placed in charge of the accounts of a Public Works Division gets a special pay of Rs. 20 in the earlier stages of his career, which is reduced to Rs. 10 on his reaching the Rs. 140 stage and is extinguished on his attaining Rs. 150. Government have no information regarding the pay of 1st clerks and Head Clerks of Executive Engineers' Offices in the Bombay Presidency.

(c) The pay of divisional accountants was revised only in 1925 and Government do not consider a further revision to be necessary.

**Mr. Lalchand Navalrai :** Will the Government kindly make enquiries to find out the effect of the course referred to in the answer to clause (b) ?

**The Honourable Sir Bhupendra Nath Mitra :** Government have no intention to make such an enquiry.

#### ISSUE OF INSTRUCTIONS TO INCOME-TAX OFFICERS REGARDING FIRMS WHICH HAVE BEEN REGISTERED.

139. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if it is a fact that the Central Board of Revenue has issued instructions to Income-tax Officers to the effect that they should, in the case of firms which have been "registered" in any year, ascertain from such firms whether they desire a renewal of registration in the succeeding year if they find no application for re-registration in such cases ?

(b) If the reply be in the affirmative will Government be pleased to state if they are prepared to direct the Commissioners of Income-tax to inquire into such cases in which the Income-tax Officers have failed to carry out these instructions ?

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

(b) The Government are not aware of any necessity for the issue of general instructions on the subject which should in any case be issued if at all by the Central Board of Revenue. If any person considers himself aggrieved by failure to observe the instructions in question he should address the Commissioner of Income-tax, and if dissatisfied with the result should approach the Central Board of Revenue.

#### PUBLICATION OF THE TOUR PROGRAMMES OF INCOME-TAX OFFICERS IN SIND.

140. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if it is a fact that after the transfer of income-tax assessment work from the Revenue Department to the Income-tax Department, instructions have been issued to officers of the Income-tax Department in mofussil areas to publish their tour programme and not drag assessee to long distances from their places of business to attend the Income-tax Officer's camp ?

(b) If the reply be in the affirmative are Government aware that no tour programmes are published by touring officers of the Income-tax Department in Sindh and that parties are called upon to attend an Income-tax Officer's camp or headquarters stations from every long distances especially in the Karachi and Tharparkar districts and further that in several cases people are dragged from camp to camp ?



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

(b) The Commissioner of Income-tax reports that four programmes of officers of the Income-tax Department are posted at the Income-tax Offices and sent to the Muktyarkars of all Talukas to be posted on their Office Notice Boards. As far as possible cases are dealt with near the residences of the assesseees concerned. The Income-tax Officer, Thar and Parkar, camped at 29 different places in his charge last year.

**Mr. Lalchand Navalrai :** Will the Government be pleased to direct that the programmes be published in the newspapers ?

**The Honourable Sir Bhupendra Nath Mitra :** Unless the need for that is established, Government have no intention of doing so.

#### **PAYMENT OF BHATTA AND TRAVELLING ALLOWANCES TO WITNESSES SUMMONED BEFORE INCOME-TAX OFFICERS.**

141. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if any instructions have been issued to Income-tax officers for payment of *bhatta* and travelling expenses out of their contingent grants in cases in which witnesses are called to appear and give evidence before the Income-tax Officers at their own instance and not the instance of assesseees ?

(b) If the reply be in the affirmative do Government propose to enquire in how many cases summonses have been issued to witnesses who are called by the Income-tax officers *suo motu* and in how many cases they have not been paid *bhatta* and travelling expenses ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The Honourable Member is referred to the last sub-paragraph of paragraph 67 of the Income-tax Manual. The expenditure in question would properly be charged to contingencies.

(b) The Central Board of Revenue are ascertaining what the practice is in the different provinces, and will issue such instructions as are found to be necessary.

#### **PRODUCTION BY ASSESSEES OF BOOKS, DOCUMENTS AND EVIDENCE BEFORE INCOME-TAX OFFICERS.**

142. **\*Mr. Lalchand Navalrai :** (a) Are Government aware that in Sind people are called upon by Income-tax Officers under sub-section (4) of section 22, Indian Income-tax Act, to appear before them with books, documents and evidence regarding their income without issuing in the first instance notices under sub-section (2) of that section and serving them on such persons as required by law ?

(b) If the reply be in the affirmative, do Government propose to undertake an enquiry regarding the extent to which this practice has obtained in various provinces in general and in Sind in particular and to direct Commissioners of Income-tax to take suitable notice of such cases ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No, except possibly in rare instances by oversight.

(b) Does not arise.

**ISSUE OF ORDERS BY INCOME-TAX OFFICERS TO PARTIES TO GIVE THEM INTERVIEW IN THEIR OFFICES.**

143. \*Mr. Lalchand Navalrai : (a) Are Government aware that several notices are annually issued by Income-tax Officers to parties to give them interviews in their offices ?

(b) If the reply be in the affirmative, will Government be pleased to state under what provision of the law this practice is allowed ?

(c) If the reply be in the negative, do Government propose to undertake an enquiry regarding the extent to which this practice obtains and to issue orders for putting an end to it ?

**The Honourable Sir Bhupendra Nath Mitra :** (a), (b) and (c).

The Income-tax Officer has power to require any person on whom a notice has been sent under section 22 (2) to appear either in person or by representative, or to produce evidence, or cause it to be produced, under section 23 (2) ; or to produce evidence or cause it to be produced under section 22 (4), and has all the powers of a Civil Court in regard to the summoning of persons and documents under section 37. No doubt many notices and summons are issued under these sections. In many cases, Income-tax Officers may informally invite assesses to attend their offices in person or by representative to discuss matters. If any person considers that an illegal requisition (as distinguished from a request) for his appearance has been issued, he should address the Commissioner of Income-tax, and if dissatisfied with the result should approach the Central Board of Revenue, but, of course, if he disregarded such a requisition or a mere request he would not be liable to any penalty. I will only add that it is most desirable, I might say essential, that wherever a return is not accepted, the Income-tax Officer should discuss the proposed assessment with the assessee or his accredited representative. Income-tax Officers have been instructed, as far as possible, to adopt this course, which saves trouble to all concerned and obviates unnecessary appeals. The Government are not aware of any circumstances necessitating an enquiry into this subject.

**DURATION OF TIME ALLOWED BY INCOME-TAX OFFICERS BETWEEN THE SERVICE OF NOTICE TO PARTIES AND THE DUTY FIXED FOR THEIR ATTENDANCE.**

144. \*Mr. Lalchand Navalrai : (a) Will Government be pleased to state if any instructions have been issued to Income-tax Officers regarding the period of time that must be allowed between the service of notices under sub-section (4) of section 22 or sub-section (2) of section 23 of Indian Income-tax Act, 1922, and therewith ?

(b) If the reply be in the affirmative, will Government be pleased to lay on the table a copy of these instructions ?

(c) Are Government aware that so far as Sind is concerned and especially in Karachi the duration of time between the service of such notices and the date fixed for attendance varies in a large majority of cases from less than a single day to two, three or four days ?

(d) If the reply be in the affirmative do Government propose to issue instructions to allow reasonable time ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No.

(b) Does not arise.

(c) The Government are informed that such short periods are seldom fixed.

(d) Does not arise.

**PERIOD ALLOWED FOR THE SUBMISSION OF RETURNS IN THE CASE OF NOTICES ISSUED UNDER SECTION 22(2) OF THE INDIAN INCOME-TAX ACT, 1922.**

145. \*Mr. Lalchand Navalrai : (a) Are Government aware that in a large majority of cases notices issued by Income-tax Officers under sub-section (2) of section 22 of the Indian Income-tax Act, 1922, a period of 30 days for submission of returns has not been allowed in Sind and in the Punjab ?

(b) If so, do Government propose to take necessary action in the matter ?

The Honourable Sir Bhupendra Nath Mitra : (a) The Government have no information on the subject.

(b) The Central Board of Revenue are making enquiries and will issue such instructions as may be necessary.

**CURTAILMENT OF THE ORDINARY PERIOD OF 30 DAYS BETWEEN THE DATE OF SERVICE OF A NOTICE UNDER SECTION 29 OF THE INDIAN INCOME-TAX ACT, 1922, AND THE PAYMENT OF THE TAX.**

146. \*Mr. Lalchand Navalrai : (a) Will Government be pleased to state if any instructions have been issued to Income-tax Officers regarding the cases in which they should curtail the ordinary period of thirty days between the date of service of a notice under section 29 of the Indian Income-tax Act, 1922, and the payment of tax, under section 45 of the Act ?

(b) If the reply be in the affirmative, will Government be pleased to place on the Assembly table a copy of these instructions ?

The Honourable Sir Bhupendra Nath Mitra : (a) No such instructions have been issued by the Central Board of Revenue. The Income-tax Officer has full discretion under sections 29 and 45 of the Indian Income-tax Act (XI-22) to fix the period in question.

(b) Does not arise.

**SCALE OF PENALTIES TO BE INFLICTED IN THE CASE OF ASSESSEES FOR DEFAULT IN MAKING PAYMENT UNDER SECTION 46(1) OF THE INDIAN INCOME-TAX ACT, 1922.**

147. \*Mr. Lalchand Navalrai : (a) Will Government be pleased to state if it is a fact that a scale of penalties to be inflicted by Income-tax Officers has been prescribed by the Central Board of Revenue for assesseees in default in making payment under section 46 (1) of the Indian Income-tax Act, 1922 ?

(b) If the reply be in the affirmative will Government be pleased to lay on the Assembly table a copy of the orders issued ?

The Honourable Sir Bhupendra Nath Mitra : (a) No such instructions have been issued by the Central Board of Revenue. The Income-tax Officer has full discretion under section 46 (1) of the Indian Income-tax Act (XI-22) to fix the penalties in question subject to the statutory maximum.

(b) Does not arise.

**MANNER AND PLACE OF ANNOUNCEMENT OF THE ORDERS PASSED BY ASSISTANT COMMISSIONERS OF INCOME-TAX UNDER SECTION 31(3) OF THE INDIAN INCOME-TAX ACT, 1922.**

148. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if any instructions have been issued to the Assistant Commissioners of Income-tax regarding the manner and place of announcement of the orders passed by them under section 31 (3) of the Indian Income-tax Act, 1922 ?

(b) If the reply be in the affirmative will Government be pleased to lay on the Assembly table a copy of these instructions ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No such instructions have been issued by the Central Board of Revenue.

(b) Does not arise.

**Mr. Lalchand Navalrai :** Will the Government issue instructions to that effect ?

**The Honourable Sir Bhupendra Nath Mitra :** The issue of instructions is not considered necessary at present by Government.

**Mr. Lalchand Navalrai :** What are the reasons why they do not consider the issue of instructions necessary ?

**The Honourable Sir Bhupendra Nath Mitra :** Well, Sir, I have said already that Government see no reason to issue any instructions in the matter and I am not prepared at the present moment to discuss the matter with the Honourable Member.

**ORDERS UNDER SECTION 31 OF THE INDIAN INCOME-TAX ACT, 1922.**

149. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if it is a fact that in Sind orders under section 31 of the Indian Income-tax Act, 1922, are often passed long after the hearing of the appeals, and that they are forwarded to appellants through Income-tax Officers ?

(b) Are Government aware that in a large majority of cases they reach the appellants after the period of one month referred to in section 66 (2) of the Act and that it has not been possible for assesseees to seek references to the High Court in proper time ?

(c) Will Government be pleased to state the number of cases of such late service in which the Commissioner of Income-tax, Bombay Presidency, has refused to refer to the High Court cases under section 66 (2) of the Income-tax Act, 1922 ?

(d) Is it a fact that the bar of limitation was reckoned from the date of the orders of the Assistant Commissioner of Income-tax under section 31 of the Act ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Orders under section 31 are not often passed long after the hearing. The Commissioner noticed in May last that delays were caused by communicating them through Income-tax Officers and ordered that they should be communicated immediately to the parties direct.

(b) The orders are communicated within 30 days after the date on which they are passed in the vast majority of cases.

(c) In 1927-28 one application was rejected as time-barred. The assessee had 17 days in which to make his application after the appeal decision was served on him. None has been rejected as time-barred in 1928-29.

(d) Yes.

#### ISSUE OF NOTICE TO INCOME-TAX ASSESSEES TO RECEIVE REFUND ORDERS.

150. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if instructions have been issued to Income-tax Officers that they should issue notices to the assesseees to receive refund orders of the tax due to them in consequence of orders passed under section 31 or section 27 of the Indian Income-tax Act, 1922 ?

(b) If the reply be in the affirmative will Government be pleased to place on the Assembly table a copy of the instructions issued to them ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No such orders have been issued by the Central Board of Revenue.

(b) Does not arise.

**Mr. Lalchand Navalrai :** Will orders be issued ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member puts his question in a certain form. If he wanted to know whether orders would be issued by Government in any particular matter he should have framed his question in a different manner which might have given Government an opportunity of considering the point.

#### ISSUE OF NOTICE TO INCOME-TAX ASSESSEES TO RECEIVE REFUND ORDERS IN CASES IN WHICH THE TAX IS REDUCED OR CANCELLED.

151. **\*Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if it is a fact that in a large majority of cases no notice is issued to assesseees to receive refund orders in cases in which the tax is reduced or cancelled on appeals under section 31 of the Act or the assessment is reopened under section 27 of the Act ?

(b) If the reply be in the affirmative do Government propose to issue instructions in this behalf ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The Government have no information. The Central Board of Revenue have called for information on the point and will issue such instructions as may be necessary.

#### DELAY IN THE PAYMENT OF REFUNDS DUE TO INCOME-TAX ASSESSEES.

152. **\*Mr. Lalchand Navalrai :** (a) Are Government aware that considerable delay occurs in the payment of refunds due to income-tax assesseees whose taxes have been reduced or cancelled in consequence of orders under sections 31 and 27 of the Indian Income-tax Act, 1922 ?

(b) Will Government be pleased to state showing for each district in Sind, the number of cases in which such delay exceeded thirty days ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) As a general case, no.

(b) The figures for each circle are as follows :

<i>Name of Circle.</i>	<i>No. of cases of delay over 30 days.</i>	
Karachi City, A—Division .. ..	..	.. nil.
Karachi City, B—Division .. ..	..	.. nil.
Hyderabad Circle .. ..	..	.. nil.
Karachi and Thar and Parkar Districts Circle ..	..	.. 20
Sukkur and Nawabshah Circle .. ..	..	.. nil.
Larkana Circle .. ..	..	.. 1
Shikarpur Circle .. ..	..	.. nil.

**PENALTY INFLICTED ON INCOME-TAX ASSESSEES IN SIND, FOR DEFAULT IN MAKING PAYMENTS OF THE TAX.**

153. \***Mr. Lalchand Navalrai** : Will Government be pleased to place on the Assembly table a list showing for each of the years 1922-23 to 1927-28 the number of cases in each Income-tax Officer's charge in Sind, in which penalty has been inflicted in consequence of default in making payments of tax for which less than thirty days for payment were allowed in exercise of the discretion vested in them by section 45 of the Indian Income-tax Act, 1922 ?

**The Honourable Sir Bhupendra Nath Mitra** : A statement is laid on the table. In no case, however, was the penalty imposed before the expiry of thirty days from the date of the notice demanding payment.

*Statement showing for each of the years 1922-23 to 1927-28 the number of cases in each Income-tax Officer's charge in Sind in which penalty has been inflicted in consequence of default in making payments of tax for which less than 30 days for payment were allowed.*

Name of the Income-tax Officer's charge.	1922-23.	No. of cases	1923-24	No. of cases.	1924-25	No. of cases.	1925-26.	No. of cases.	1926-27.	No. of cases.	1927-28.	No. of cases.
Karachi City ..	"	Nā	"	Nā	"	4	"	37	"	Nā	"	1
Karachi and Thar and Parkar Districts.	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā	"	4
Hyderabad ..	"	2	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā
Sukkur ..	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā
Shikarpur ..	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā
Larkana ..	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā	"	Nā

**SPEECH DELIVERED BY LORD BURNHAM, REGARDING INDIAN MARKETS FOR BRITISH GOODS.**

154. \***Mr. Gaya Prasad Singh** : Has the attention of the Government been drawn to the following remarks recently made by Lord Burnham, as President of the Incorporated States Managers' Association of the United Kingdom :

- (i) " The incurable modesty of the Government of India is so great as to reach the point of absurdity. It blushes to have good records said about it, and I confess good records are very few and far between. When I stood on

the Sutlej Barrage—the work of British Engineers—and saw the water pouring out into Bikaner State, I felt proud of belonging to the country, which has conferred immeasurable benefits on the people of India ” ?

(ii) “ British manufacturers should do more to expand their trade with the Indian Empire. There was bound to be an increasing demand for luxuries as well as commodities ” ?

(iii) “ India offered one of the greatest opportunities for Imperial trade ” ?

**The Honourable Mr. J. Crerar :** My attention was not drawn to the speech until I saw the Honourable Member's question.

**Mr. N. M. Joshi :** A supplementary question, Sir. Government's attention has now been drawn to the statement that the Sutlej Barrage is the work of British engineers, and I want to know whether that statement is correct.

**The Honourable Mr. J. Crerar :** I do not accept any responsibility. I neither deny nor affirm the statement made in the speech.

**Mr. N. M. Joshi :** That was not my question. My question is whether that statement is correct or not, that the Sutlej Barrage is the work of British engineers. Is it the work of British engineers ?

**The Honourable Mr. J. Crerar :** I think that it will be the result of a very admirable piece of collaboration between British and Indian engineers.

**Mr. N. M. Joshi :** May I ask if this statement is not correct, will Government be pleased to write to the gentleman in question that the statement made by him is not correct ?

**The Honourable Mr. J. Crerar :** No, Sir. Government do not consider it incumbent upon them to take any action.

**Mr. N. M. Joshi :** May I ask whether this is the result of the vacant minds which the members of this Commission were expected to bring to India ?

**Mr. Gaya Prasad Singh :** Do Government propose to represent to His Majesty's Government the desirability of withdrawing this gentleman from the Simon Commission having regard to the prejudiced views which he has expressed ?

**The Honourable Mr. J. Crerar :** No, Sir.

**Mr. K. Ahmed :** In view of the fact that notice of this question was given a long time ago, why did not the Honourable the Home Member try his level best to get a copy of the speech in order to answer the question properly and fairly to the people of India ?

**The Honourable Mr. J. Crerar :** I presumed that the Honourable Member, Mr. Gaya Prasad Singh, had incorporated in his question all that was pertinent to his enquiry.

**Maulvi Muhammad Yakub :** Do Government propose to communicate to the Secretary of State for India the feelings of this House about the particular gentleman ?

**The Honourable Mr. J. Crerar :** I have already stated that Government do not consider it incumbent upon them to take any action.

**Mr. C. S. Ranga Iyer :** Will the Government convey to His Majesty's Government the very objectionable nature of the practice of members of the Simon Commission doing propaganda for British trade ?

**Mr. K. Ahmed :** In view of the fact that Lord Burnham came to this country for the purpose of supporting British trade and British luxuries and to see that Indian people are induced to purchase these luxuries from England and that English people are to supply their goods to this country, do Government propose to take steps to stop Lord Burnham going about beating his drum for this purpose ?

**The Honourable Mr. J. Crerar :** I am unable to accede to the Honourable Member's hypothesis.

**Mr. K. Ahmed :** Does the Honourable Member realise with regard to clause (ii) of this question what Lord Burnham said that British manufacturers should do more to expand their trade with the Indian Empire and that there was bound to be an increasing demand for luxuries as well as other commodities ? Will the Honourable Member put a stop to this as it is detrimental to the interest of India ?

**Lala Lajpat Rai :** Considering that the Government identifies itself practically with the Simon Commission and arranges for their reception, does not the Government consider it a duty to remove all misapprehensions about the statements which the members of the Commission make in England and in India ?

**The Honourable Mr. J. Crerar :** No, Sir ; the members of the Commission are quite capable of speaking for themselves.

**Lala Lajpat Rai :** Will the Government cease to arrange for their receptions ?

**Mr. M. S. Aney :** May I ask if the Government is interested in allowing these false statements to remain unchallenged ?

**AMENDMENT OF THE GOVERNMENT OF INDIA ACT, SO AS TO ALLOW PERSONS WHO ARE NOT LAWYERS TO BECOME CHIEF JUSTICES OF INDIAN HIGH COURTS.**

155. **\*Mr. Gaya Prasad Singh :** (a) Are Government aware that a Bill has been introduced in the House of Lords, amending the Government of India Act, the object of which is to throw open the office of Chief Justice of Indian High Courts to persons who are not lawyers ? If so, are they aware of the reason for introducing this innovation ?

(b) Do Government propose to invite Indian public opinion on the subject, before the measure is passed ?

**The Honourable Mr. J. Crerar :** (a) The effect of the Bill is to make it clear that persons legally eligible to be puisne judges shall be similarly eligible for the office of Chief Justice.

(b) As the Honourable Member is aware, the text of the Bill was published in this country on June 14th, and since then Government have received information of resolutions by various Bar Associations. They have also received a copy of a resolution passed by a public meeting in Bombay and, as the Honourable Member is aware, notice of a Resolution relating to the Bill has been received for this Session.

No further proceedings on the Bill can in any event be taken till Parliament next meets and there will therefore be full opportunity for opinions with regard to it to be expressed.



**Mr. Gaya Prasad Singh :** Is it a fact, Sir, that the Government of India during the Viceroyalty of Lord Minto sent a despatch to the Secretary of State, objecting to the appointment of the members of the Indian Civil Service as Chief Justices of Indian High Courts ?

**The Honourable Mr. J. Crerar :** I am not aware of any such despatch. If the Honourable Member will give me notice, I shall consider whether I can give him a reply.

**Mr. K. Ahmed :** In view of the fact that there is a great commotion in the country with regard to the appointment of the members of the Indian Civil Service to be Chief Justices, do Government propose—of course I have great respect for the members of the Indian Civil Service—for the benefit of the country, and to satisfy the people that the administration is carried on fairly well, to correspond and consult with the associations and representatives of the people of this country in this House, and ask them whether they approve of the appointment of members of the Civil Service to be Chief Justice of any High Court ?

**The Honourable Mr. J. Crerar :** I shall transmit to the proper quarter any expression of opinion on the subject, which I may receive.

**Lala Lajpat Rai :** Is it or is it not a fact that the first suggestion that the office of Chief Justice should be open to members of the Civil Service came from the Secretary of State for India and the Government of India readily accepted it ?

**The Honourable Mr. J. Crerar :** I think the Honourable Member is aware that I am precluded from referring to matters which are the subject of correspondence with the Secretary of State unless and until the documents are duly published with his consent.

**Lala Lajpat Rai :** Does the Honourable Member recognise, considering the great importance of the question and the great interest taken in it by the people, that the Indian people have a right to know what is the attitude of the Government of India towards this question ?

**The Honourable Mr. J. Crerar :** I have already stated that there is still ample opportunity. If any one desires to express an opinion on this matter, I shall be pleased to communicate it to the Secretary of State.

**Mr. C. S. Ranga Iyer :** Will the Government be pleased to publish the documents relating to the correspondence on the subject between the Government of India and the Secretary of State ?

**The Honourable Mr. J. Crerar :** No, Sir. I can give no undertaking on that point.

**Mr. C. S. Ranga Iyer :** Is the Government aware that there is a great deal of public opinion on this matter and that it is but fair that the country should know exactly what has passed between the Government of India and the Secretary of State ?

**The Honourable Mr. J. Crerar :** I take note of the Honourable Member's statement that there is a great deal of public opinion in the matter. But I did recently see in a nationalist newspaper of wide circulation an emphatic comment on the lack of public interest in the matter.

**DEPUTATION OF THE INDIAN POLICE ASSOCIATION TO HIS EXCELLENCY THE VICEBOY.**

156. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that a deputation of the Imperial Police Association recently submitted a representation to the Government at Simla, regarding the pay, prospects, and other alleged "grievances" of the European Police? Will the Government be pleased to lay on the table a copy of this representation, and the reply thereto?

(b) Have Government taken any steps, or propose to take any steps on this representation?

**The Honourable Mr. J. Orerar :** (a) The facts are as stated by the Honourable Member, except that the deputation represented the Indian Police Service as a whole, and not merely its European members. Government do not consider it necessary to lay on the table any papers on the subject.

(b) The different matters discussed with the deputation are being considered.

**LOCATION OF ANOTHER MILITARY FORCE IN NORTH BIHAR ON THE NEPAL FRONTIER.**

157. **\*Mr. Gaya Prasad Singh :** (a) Is it in contemplation to locate another military force in North Bihar, on the Nepal Frontier?

(b) If so, is it a fact that a large tract of land is being acquired near about Ruxaul, District Champaran, for the purpose?

(c) Will the Government be pleased to state the reasons for locating the force in this area?

**Mr. G. M. Young :** (a) and (b). No.

(c) Does not arise.

**SKEEN MEMORANDUM REGARDING MODERNISATION OF THE ARMY IN INDIA.**

†158. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that a memorandum No. 25316|1|S.D.-2 marked "confidential", has been issued by Lieutenant-General Sir Andrew Skeen or by the Army Department, to certain Headquarters Command, in course of which it is stated :

(i) "Owing to the developments that have taken place in foreign armies, and with which we must keep pace, we have now reached a state when the Army in India needs to spend during the next few years a minimum of 8 crores of rupees on the modernisation of armaments, and equipments, in addition to the sum normally available for the purpose"?

(ii) "The Government of India have recognised that in view of the urgent need for equipping the army on modern lines, the policy of progressive reduction must be temporarily abandoned, and have recently come to an agreement with the Commander-in-Chief on this subject"?

(b) Do Government propose to place a copy of this memorandum, or any other similar memorandum on the table; and indicate the kind of agreement arrived at?

†For answer to this question, see answer to question No. 120.

**SEARCH BY THE CUSTOMS OFFICIALS AT DOVER OF THE BAGGAGE OF MAULANA MUHAMMAD ALI.**

159. **\*Mr. Gaya Prasad Singh :** (a) Are Government aware that as soon as Maulana Mohammad Ali landed at Dover, certain persons announcing themselves as custom officials took hold of his belongings, and subjected them to a vigorous search, including even his papers and letters ?

(b) Do Government propose to enquire into this complaint, and find out whether all Europeans and Indians visiting England are subjected to this sort of search ?

**The Honourable Mr. J. Crerar :** (a) No.

(b) The Government of India have not received any complaint and do not propose to make any enquiry. The search of luggage of all passengers arriving at English ports is regularly carried out and does not call for comment.

**WEEKLY MAIL AIR SERVICE FROM LONDON TO INDIA.**

160. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that it is proposed to enter into an agreement with the Imperial Airways, Ltd., to organise a weekly mail service from London to India, and to grant a subsidy for the purpose ?

(b) What is the annual amount of subsidy agreed upon, and when is the weekly service likely to come into existence ?

**The Honourable Mr. A. C. McWatters :** (a) No. The Government of India are considering the question of establishing an air mail route in India itself, but they have not been conducting negotiations for this purpose with any company, and do not intend to make any agreement of this kind without calling for tenders.

(b) Does not arise.

**DUTCH AIR SERVICE TO BATAVIA, *via* INDIA.**

161. **\*Mr. Gaya Prasad Singh :** Are Government aware of any official proposals of the Netherland's authorities for a Dutch Air Service to Batavia, *via* India ? And have the Government agreed to this proposal ?

**The Honourable Mr. A. C. McWatters :** The Government of India have received no official proposals for a regular service and in consequence no question of agreeing to such a service has arisen. They have been informed that a Dutch Company proposes to organise trial flights, *via* India between Holland and the Dutch East Indies in 1929.

**SEPARATION OF THE ASSEMBLY OFFICE FROM THE LEGISLATIVE DEPARTMENT.**

162. **\*Mr. Gaya Prasad Singh :** (a) Do Government propose to lay on the table a copy of the scheme put up by Honourable the President of this House, regarding the separation of the Assembly Office from the Legislative Department of the Government ?

(b) When is the proposal likely to come into effect ; and what is the additional annual expenditure, if any, involved ?

**Mr. President :** With regard to this question, I may inform the Honourable Member that I propose to make a full statement on the separation scheme to-day after questions, and the Honourable Member had better wait till I make the statement.

**NOTICE ISSUED BY THE PASSPORT OFFICER, SINGAPORE, REGARDING PASSPORTS FOR INDIANS WISHING TO TRAVEL TO NON-BRITISH TERRITORY AFTER THEIR ARRIVAL IN MALAYA.**

**163. \*Mr. Gaya Prasad Singh :** (a) Is it a fact that the following notice has been issued by the Passport Officer, Singapore :

“ As from the 1st September, 1928, no emergency certificate of nationality will be issued to British subjects or non-British subjects for travel to any non-British territory, all British subjects, more specially Indians, who intend to travel to other places, after their arrival in Malaya, should obtain passports in their country of origin, as the Malayan Passport Offices will not issue passports to persons, who are not domiciled in Malaya, without previous reference to their country of origin ” ?

(b) Do Government propose to enquire into the matter ?

**Sir Denys Bray :** (a) Yes.

(b) No enquiry is necessary, the position is simply this. As a special concession, Indians travelling between India and Malaya are exempt from passports. In the case of Indians, therefore, prior notice is doubly necessary that those who desire to travel beyond Malaya should forearm themselves with passports in their own country.

**VISIT OF DR. SUDHINDRA BOSE TO INDIA.**

**164. \*Mr. Gaya Prasad Singh :** Is it a fact that Dr. Sudhindra Bose has been given a passport on condition that he should stay in India for not more than six months, and that he would not engage in any political activities ? If so, why this restriction ?

**The Honourable Mr. J. Crerar :** The visa on Dr. Bose's passport was for a visit of six months only. The Government of India are not aware that any other condition was imposed. The restriction was imposed because Dr. Bose's past record was considered doubtful.

**Mr. C. S. Ranga Iyer :** Will the Government be pleased to lay on the table of the House for the information of Honourable Members here the past record of Dr. Bose, to which the Honourable Member just referred ?

**The Honourable Mr. J. Crerar :** I am not in personal possession of any very close record of Dr. Bose's past ; but I would inform the Honourable gentleman that Dr. Bose renounced British Indian nationality a few weeks after the outbreak of the war.

**Mr. Gaya Prasad Singh :** May I know why the Honourable Member has made a statement which he is not prepared to substantiate on the floor of the House ?

**The Honourable Mr. J. Crerar :** I do not admit that I am not prepared to substantiate it.

**Mr. Gaya Prasad Singh :** The Honourable Member has just said that he does not personally know the record of Dr. Bose.

**The Honourable Mr. J. Crerar :** I pointed out that the reason for the restriction on the visa was because Dr. Bose's past record was considered doubtful and I have given a relevant fact which is a reason for leading to that conclusion.

**Pundit Motilal Nehru :** Is that the whole record ?

**The Honourable Mr. J. Crerar :** No, Sir. But the point, I think, is sufficient to establish what I have stated in my reply.

**Mr. C. S. Ranga Iyer :** Is it not a fact that when Dr. Bose renounced his British Indian nationality, it was about the time when there was quite an agitation in America about Indians settled in America that they could not belong to British Indian nationality as well as to American nationality at one and the same time, and therefore he had to make a choice and not because of anything to do with the war ?

**The Honourable Mr. J. Crerar :** I am not aware what Dr. Bose's motives were ; I am merely reciting the facts.

**Mr. C. S. Ranga Iyer :** I am not concerned with the motives at all ; I am mentioning a fact and I want Government to investigate that fact, that Dr. Bose could not be at one and the same time an American citizen and a British Indian citizen and he had no choice ; but is it not open to Dr. Bose to resume his British Indian nationality and to come and settle in this country if he so chooses ?

**Mr. K. Ahmed :** As Dr. Bose had been given a passport to stay in India for not more than six months on condition that he would not engage himself in any political activities, will Government be pleased to say if he will be allowed to stay in this country for a longer period if some respectable people come forward and give an undertaking that he will behave himself properly ?

**The Honourable Mr. J. Crerar :** If Dr. Bose proposes to return to India the conditions under which he may return will be considered in due course.

**Mr. K. Ahmed :** If Dr. Bose or any of his friends write a letter to the Government of India asking that his case may be dealt with fairly and properly, so that he may return to his own country and stay here permanently, will Government be pleased to consider the matter favourably ?

**The Honourable Mr. J. Crerar :** Yes, Sir. I can assure the Honourable Member that his case will be dealt with properly and fairly.

**Mr. C. S. Ranga Iyer :** Is it a fact that Dr. Bose has asked for an unrestricted visa to enable him to visit India whenever he desired and permission, if he chooses, to settle down here permanently ?

**The Honourable Mr. J. Crerar :** I think that the reply I have already made substantially meets the Honourable Member's inquiry, which is, that if Dr. Bose desires to return to India the whole case will be very carefully considered.

**Mr. C. S. Ranga Iyer :** Has any reply been given to that effect to Dr. Bose ?

**The Honourable Mr. J. Crerar :** I must ask for notice of that question.

QUESTIONS NOT PUT, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWERS TO THE SAME.

**APPOINTMENT OF MUSLIMS AS PROBATIONARY SUPERINTENDENTS OF POST OFFICES.**

77. **\*Mr. Anwar-ul-Azim :** With reference to starred question No. 6 asked by Mr. Abdul Haye on the 18th August, 1927, will Government be pleased to state why the Government orders regarding the reservation of the one-third vacancies for Mussalmans were not observed in filling up the 6 posts of the Probationary Superintendents of Post Offices ? Will the Government be pleased to state how many appointments of Probationary Superintendents of Post Offices were made from 1st April, 1927 to 1st May, 1928, and how many of them were Mussalmans ? Was the loss suffered by the Mussalman community in filling up the 6 posts from August 1925 to April 1927 borne in mind while filling up the subsequent vacancies ?

**The Honourable Mr. A. C. McWatters :** There are no Government orders reserving one-third of the vacancies for Mussalmans.

Five appointments of Probationary Superintendents were made between the 1st April, 1927, and the 1st May, 1928. Two of these went to members of the Muslim community.

The orders of Government relating to the adjustment of communal inequalities are always kept in mind when vacancies are filled by direct recruitment.

**GAZETTING OF THE POSTS OF ALL POSTMASTERS IN DISTRICT TOWNS AND SUB-DIVISIONAL HEADQUARTERS.**

79. **\*Mr. Anwar-ul-Azim :** Do Government propose to raise the posts of all Postmasters in District towns and Sub-Divisional Headquarters to gazetted Postmasters in order to improve their social and official position ?

**The Honourable Mr. A. C. McWatters :** The reply is in the negative.

**PAY WHILE ON LEAVE OF NON-GAZETTED OFFICERS AND CLERKS OF THE POSTAL DEPARTMENT.**

80. **\*Mr. Anwar-ul-Azim :** With reference to the Government reply to the question of Pandit Thakurdas Bhargava regarding pay while on leave of non-gazetted officers and clerks of the Postal Department are Government aware that the non-gazetted officers and clerks whose pay was less than Rs. 300 and who held a permanent post on the 8th October 1924 suffered loss by the alterations in the rule ? If so, do Government propose to cancel the first alteration in order to redress the grievances of those officials who had a permanent post on the 8th October 1924 ? If not, why ?

**The Honourable Mr. A. C. McWatters :** The Government realise the effect of the alterations. Fundamental Rule No. 87 was intended only to safeguard to the officers concerned a special concession previously allowed to them by article 340 (c) of the Civil Service Regulations. By an error in drafting, however, the Fundamental Rule originally went further than this and introduced a new undesigned additional concession. The alterations now in question were necessary to correct this error. In

the circumstances the postal staff, to whom the rule applies in common with the staff of other departments, have no reasonable grievance, and Government do not propose to take any further action.

#### RECRUITMENT OF MUHAMMADANS IN THE BIHAR AND ORISSA POSTAL CIRCLE.

123. \***Raja Raghunandan Prasad Singh** : (a) Has the attention of the Government been drawn to an article headed "Communalism in the Bhagalpur Division Post Office", published in the *Searchlight*, (Patna) of the 10th June 1928 ?

(b) Is it a fact that :

- (i) from 1914 to 1927 there was an unbroken succession of Muhammadan Superintendents of Post Offices posted to the Bhagalpur Division of the Bihar and Orissa Postal Circle ;
- (ii) from 1st August 1921 to 13th February 1923 all the eleven appointments made in the rank of clerks went to Muhammadans ;
- (iii) from 13th January 1924 to 1st May 1927 the number of Hindu clerks taken in was 13 and that of Muhammadan clerks was 11 ?

(c) What is the proportion of Muhammadan clerks to Hindu clerks recruited during the period from 1st August 1921 to 1st May 1927 ?

(d) What is the principle or principles guiding the recruitment of clerks ? Are such recruitments made on the population basis ? If so, is it ascertained that the said basis is adhered to ?

(e) What is the proportion of the Muhammadan to the Hindu population in the Bhagalpur Division of the Bihar and Orissa Postal Circle ?

**The Honourable Mr. A. C. McWatters** : (a) Yes.

(b) (i) No.

(b) (ii) There were seven and not eleven appointments made during this period. All these went to Muhammadans.

(b) (iii) No. The correct numbers are 12 and 9.

(c) The proportion is 19 Muhammadans to 15 Hindus.

(d) The recruitment of clerks is made on an educational and not on a population basis subject to certain reservations for the purpose of adjusting communal inequalities.

(e) 1 to 3.

#### PROMOTION OF MUHAMMADAN POSTMEN AS OVERSEERS IN THE BIHAR AND ORISSA POSTAL CIRCLE.

124. \***Raja Raghunandan Prasad Singh** : (a) Is it a fact that Shaikh Sobrati and Abdul Hossain, Overseers of Post Offices, Bhagalpur Division (Bihar and Orissa Postal Circle) were promoted as such from the rank of postmen in supersession of a large number of senior and deserving Hindu postmen ? If so, do the Government propose to enquire into the matter ? Was the rule that a postman must put in at least 10 years' service before appointment as overseer observed in the above two cases ? If not, why not ?

(b) Is it a fact that, amongst the postmen and menials in the Bhagalpur Division Post Offices the number of Muhammadans is much larger than that of the Hindus ? If so, what do they propose to do to remedy this state of things ?

(c) Is it a fact that one M. Syed Eba Bilgrami, a clerk of the Gaya Postal Division, was promoted to the selection grade in supersession of his seniors in the gradation list ? If so, what action was taken to undo the wrong done ? If not, do the Government propose to take such remedial action ? Is it a fact that out of the officials superseded as stated above some have been promoted subsequently ?

**Mr. P. G. Rogers :** (a) Shaikh Shobrati and Abdul Hossain were appointed overseers in 1922. As such appointments are made by selection, the question of supersession does not arise.

There is no rule that a postman must put in at least 10 years' service before appointment as an overseer.

(b) No.

(c) Yes. As the appointment was filled by selection, there was no irregularity in passing over men senior to M. Syed Eba Bilgrami but considered unfit for the appointment. It is a fact that some of these men have subsequently shown their fitness for the selection grade and have received promotion.

**NUMBER OF HINDU AND MUHAMMADAN NON-MATRICULATES EMPLOYED AS RESERVE CLERKS OR AS CANDIDATES FOR RESERVE CLERKSHIPS IN THE BIHAR AND ORISSA POSTAL CIRCLE.**

125. **\*Raja Raghunandan Prasad Singh :** Will the Government be pleased to state the number of non-matriculates, Hindu and Muhammadan, separately, taken in as reserve clerks or candidates for reserve clerkships in the Post Offices during the last three years in each division of the Bihar and Orissa Postal Circle ? What is the rule for recruitment of non-matriculates ? Is the proportion of the Hindu to the Muhammadan population taken into consideration in making such recruitment ?

**The Honourable Mr. A. C. McWatters :** A statement showing the number of non-matriculates, Hindu and Muhammadan, separately employed as reserve clerks or as candidates for reserve clerkships in the Post Office during the last three years in each division of the Bihar and Orissa Postal Circle will be supplied to the Honourable Member. Non-matriculates are occasionally recruited with the approval of the Postmaster-General in special cases. The general orders of Government for the regulation of recruitment to adjust communal inequalities are taken into consideration in making such recruitment.

**NUMBER OF APPOINTMENTS OF RESERVE CLERKS IN THE MONGHYR DIVISION OF THE BIHAR AND ORISSA POSTAL CIRCLE, ETC.**

126. **\*Raja Raghunandan Prasad Singh :** (a) Will the Government be pleased to state the number of appointments of reserve clerks and of candidates reserved for the same in the Post Offices in the Monghyr Division of the Bihar and Orissa Circle from August 1927 to June 1928 ? How many of these appointments and enrolments went to Hindus and how many to Muhammadans ?



(b) Is it a fact that candidate clerk Yahia Zaman in the Bhagalpur Division was removed and subsequently recruited in the Monghyr Division ? Is it a fact immediately after his recruitment as a candidate in the Monghyr Division M. Yahia Zaman was deputed for training in telegraphy in supersession of the claims of other candidates senior to him ? Is it a fact that M. Yahia Zaman alone was examined instead of all the candidates being examined when the test papers of likely candidates were called for by the Postmaster General of the Bihar and Orissa Postal Circle ?

**Mr. P. G. Rogers :** (a) 5 and 4. 6 went to Hindus and 2 to Muhammadans.

(b) (i) Yes.

(ii) There was no supersession, Mr. Yahia Zaman was the second candidate on the list and was selected because the first was not willing to learn telegraphy.

(iii) As Mr. Yahia was the candidate selected by the Divisional Superintendent for telegraph training the Postmaster-General called for his dictation papers for scrutiny. As he was the senior candidate willing to undertake telegraph training, the question of calling for the papers of other candidates did not arise.

#### RECRUITMENT OF NON-MATRICULATES AS CLERKS IN THE PATNA DIVISION OF THE BIHAR AND ORISSA POSTAL CIRCLE.

127. **\*Raja Raghunandan Prasad Singh :** Is it a fact that non-matriculates are recruited as candidates for clerkships in the Patna Division of the Bihar and Orissa Postal Circle ? If so, why ? How many such candidates have been taken in since 1926 up to 30th June 1928 ? Is it a fact that the Patna Division is comparatively backward in education ?

**The Honourable Mr. A. C. McWatters :** Non-matriculates are not ordinarily recruited as candidates in the Patna Division. A few exceptions to the rule were made with the previous sanction of the Postmaster-General. From June 1926 up to June 30th, 1928, five such candidates were taken, out of a total of 27 appointments made. As regards the educational condition of the Patna Division the Government of India are not in a position to make comparisons and I suggest that the question might more suitably be asked in the Provincial Council.

#### INADEQUACY OF THE PAY AND PROSPECTS OF SUPERINTENDENTS OF POST OFFICES.

128. **\*Raja Raghunandan Prasad Singh :** Are Government aware that there is much discontent amongst the Superintendents of Post Offices, regarding the inadequacy of their pay and prospects ? If so, what remedial measures are proposed to be taken in the matter ?

#### REVISION OF THE PAY OF SUPERINTENDENTS OF POST OFFICES.

129. **\*Raja Raghunandan Prasad Singh :** Are Government aware that the revision of pay of Superintendents of Post Offices sanctioned in their letter No. 11-P.T.E., dated the 15th March 1926, from the Secretary to the Government of India, Department of Industries and Labour, to the Director General of Posts and Telegraphs, India, did not satisfy the demands made by them from time to time since 1921 and that the Postal Officers' Association expressed dissatisfaction and declared the revision disappointing

by a telegram, dated the 20th March, 1926, to the Honourable Member in charge of the Department of Industries and Labour ? If so, what action have Government taken in the matter ?

**REVISION OF THE PAY OF SUPERINTENDENTS OF POST OFFICES.**

130. \*Raja Raghunandan Prasad Singh : Are Government aware that the revision of pay of Superintendents of Post Offices sanctioned in 1926 has benefited a very small number of such officers and that the majority of them stand where they were before ? What do they propose to do for benefiting the latter ?

**EFFECT OF THE REVISION OF THE PAY OF SUPERINTENDENTS OF POST OFFICES.**

131. \*Raja Raghunandan Prasad Singh : Will the Government be pleased to place on the table a statement in the following form ? :

Total number of Superintendents of Post Offices on the 1st April 1926.	Effect of revision of 1926.		
	No. of officers receiving Rs. 50 by the revision.	No. of officers receiving Rs. 20 by the revision.	No. of officers receiving Rs. 5 by the revision.

**ANNUAL INCREMENTS OF SUPERINTENDENTS OF POST OFFICES.**

132. \*Raja Raghunandan Prasad Singh : Are Government aware that in the case of the first class Postmasters the rate of annual increment is Rs. 30 whereas in the case of Superintendents of Post Offices it is Rs. 20 up to a certain stage and then Rs. 25 ? If so, why this differential treatment specially when the latter have to tour about in one or more districts which the former have not to do ? Do the Government propose to remove this anomaly ?

**FREE QUARTERS, FREE CONVEYANCE, ETC., FOR SUPERINTENDENTS OF POST OFFICES.**

133. \*Raja Raghunandan Prasad Singh : Are Government aware that first class Postmasters have certain amenities of life, namely, free quarters, free conveyance, etc., and that these amenities are not given to Superintendents of Post Offices ? Is it a fact that the former have a higher start (Rs. 350) than the latter (Rs. 300) ? If so, do they propose to remove this anomaly ?

### DAILY ALLOWANCES OF SUPERINTENDENTS OF POST OFFICES.

134. **\*Raja Raghunandan Prasad Singh :** Are Government aware that Superintendents of Post Offices in spite of being classed as first class officers get Rs. 4 per diem allowance instead of Rs. 5 allowed to first class officers of other Departments ? If so, do they propose to revise the amount to make it commensurate with their position ?

### COUNTING TOWARDS INCREMENTS OF OFFICIATING SERVICES OF SUPERINTENDENTS OF POST OFFICES.

135. **\*Raja Raghunandan Prasad Singh :** Is it a fact that the officiating services of certain Superintendents of Post Offices before their confirmation as such were not counted towards increment of pay and that such officers memorialised the Honourable Member for Industries in October 1926 ? If so, how does their case stand at present ? Why are the final orders delayed in the matter ?

**The Honourable Mr. A. C. McWatters :** With your permission, Sir, I will deal together with questions Nos. 128 to 135 inclusive, as these are identical with unstarred questions numbers 428 to 434 and 436 already asked by Kumar Ganganand Sinha on the 21st March, 1928. I would refer the Honourable Member to the Honourable Sir Bhupendra Nath Mitra's replies given on that date to those questions. A copy of the statement already furnished to the previous questioner in reply to his question No. 431 will now be forwarded to the Honourable Member for his information.

### NAMES AND NATIONALITIES OF PROBATIONARY SUPERINTENDENTS OF POST OFFICES IN THE BIHAR AND ORISSA POSTAL CIRCLE.

136. **\*Raja Raghunandan Prasad Singh :** (a) Will the Government be pleased to give the names and nationalities of the Superintendents of Post Offices appointed in the Bihar and Orissa Postal Circle since its creation in 1924 ?

(b) Is it a fact that of the ten appointments in the rank of Superintendents in the said Postal Circle as many as seven went to non-Biharees and that in making several of these appointments the Postmaster General was not consulted at all though the rules require nomination by the Postmaster General before a candidate is appointed ?

**Mr. P. G. Rogers :** (a) Presumably the Honourable Member refers to the appointments of Probationary Superintendents. A statement showing the names and nationalities of ten Probationary Superintendents who were attached to the Bihar and Orissa Circle for the purpose of training, will be furnished to the Honourable Member.

(b) Of the ten Probationary Superintendents, 3 belong to the Province of Bihar and Orissa. The rules do not require nomination by the Postmaster-General.

### EXCESSIVE NUMBER OF MUHAMMADAN SUPERINTENDENTS OF POST OFFICES IN BIHAR AND ORISSA.

137. **\*Raja Raghunandan Prasad Singh :** (a) Is it a fact that out of the total strength of twelve posts of Superintendents in the Bihar and

Orissa Postal Circle, there are five Muhammadans against seven Hindus and that out of these seven Hindus only two are Biharees ?

(b) What is the proportion of the Hindus to the Muhammadans in Bihar and Orissa ?

(c) If the proportion of Hindus in Bihar and Orissa be much higher than the proportion of their representation in the ranks of Superintendents of Post Offices, how do the Government justify the latter ? Do they propose to stop the appointment of Muhammadans to Superintendentships for sometime till the disparity is made up ?

(d) Is it a fact that ever since the establishment of the Postal Administration in India only two Biharee Hindus have been appointed Superintendents of Post Offices ?

**The Honourable Mr. A. C. McWatters :** (a) Of the 12 Superintendents of Post Offices attached to the Bihar and Orissa Circle, 4 are Muhammadans, 1 is an Anglo-Indian and 7 are Hindus, of whom 2 are Bihari Hindus.

(b) Approximately 8 to 1.

(c) Superintendents of Post Offices belong to an All-India cadre for which recruitment is made in accordance with the general orders of the Government of India regarding representation of different communities. Their posting is not made on communal considerations. Government do not propose to take the action suggested by the Honourable Member.

(d) The information is not available.

#### SEPARATE OFFICE FOR THE LEGISLATIVE ASSEMBLY.

**Mr. President :** With the permission of the House, I desire to make a statement on the question of setting up a separate and independent department for the Assembly.

12 Noon.

As an elected President, I am responsible to the Assembly and to no other authority. No President can afford to ignore or withstand the wishes of the House, either expressed or implied. It is no doubt true that he wields large controlling powers, and his rulings on points of order and procedure must be accepted as final, at least for the time being ; but it is to be remembered that, after all, the will he imposes upon the House is not his personal will, but it is the law of the House itself ; and in all that the President does he is naturally restrained by a desire to have his action fully endorsed by the House as a whole. In fact, the ruling motive in his mind always is to act fairly between all Parties and to give satisfaction all round. Since I assumed charge of this office, I have found the Assembly and its President labouring under a serious handicap in two essential particulars, and this makes smooth and satisfactory working of the legislative machinery very difficult. The President is an impartial interpreter and administrator of the rules of the House, but these rules are not made by it, nor has it the power to amend them to suit its requirements. They are amended from time to time by the Governor General in Council with the sanction of the Secretary of State, and neither the Assembly nor its President has any

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right even to be consulted. In the interpretation of the rules, the President has to rely on the advice of the Secretary of the Assembly, and in the administration thereof by the office he has to rely on the efficiency, independence and reliability of the staff and the Secretary. Every Member of the House has in the discharge of his duties to deal both with the Secretary and his staff, and if he fails to get satisfaction, the fault is naturally laid at the door of the President, who is supposed to be the controlling authority. It goes without saying that if the business of the House is to be carried on to its satisfaction, the Secretary and the staff must in some form be responsible to the House and its President, and not be subordinate to any outside authority. The President must feel that he is getting independent and impartial advice from the Secretary ; the Secretary and the staff must also feel that they are there solely to serve and further the best interests of the Assembly.

As matters stand at present, the Secretary of the Assembly owes no allegiance to it or to the President ; he is for all practical purposes responsible to the Governor General in Council. In every question at issue between the Government and the representatives of the people, he is bound to identify himself with Government. He is invariably nominated a Member of the House and, as such, he joins a Party, votes with them, works for them, and is one of them. Neither the Assembly nor its President has any authority over him and can, therefore, in any way control his conduct in any matter connected with the Assembly. The President cannot in the nature of things, therefore, regard the advice of the Secretary in connection with the business of the Assembly as coming from a wholly impartial, unbiassed and independent source, and it is natural for the same reason that the Assembly should desire radical reform in the present state of things. I am glad to be able to say in this connection that His Excellency the Viceroy has, at my request, discontinued the practice of nominating the Secretary as a Member of the Assembly from this Session. But this, as the House will understand, is merely a palliative and the root cause of the trouble remains unaffected.

As regards the staff, I will only make one observation. My experience is that they feel difficulty in approaching the President freely, or in seeking his advice in the discharge of their duties lest, by doing so they should run the risk of offending their official superiors to whom they are subordinate. If, therefore, the Honourable Members have not received the facilities, convenience, guidance and assistance they are entitled to for the proper discharge of their duties, I want them to believe me when I say that it is not due to any want of will on the part of the President, but to the limitations and handicaps in his way. I know that the President could be more helpful to the House if the House had the power to amend its own rules of business, but this is out of the question under the present constitution. But even under existing circumstances, he could give more facilities and convenience to Honourable Members and otherwise be of greater help to them if the Secretary of the Assembly was, in fact, such Secretary, and the office of the Assembly was independent and unconnected with the Government of India. Apart from these considerations, the very idea that the Secretary of the Assembly should be occupying a position of subordination not to the House but to an outside authority is in itself, to say the least, analogous.

It did not take me long to realise all this after I assumed charge of the office in August 1925. The Presidents' Conference, which met in the following January, passed at my instance a resolution advocating the creation of a separate office for the Assembly, quite independent and unconnected with Government. I communicated that resolution to the Government of India for favourable consideration and action. No reply was forthcoming to my communication, and I waited for more than a year in the hope that Government would take some definite action in the matter. I then prepared and forwarded to them in September last a detailed scheme embodying concrete proposals for setting up a separate department or office for the Legislative Assembly. The most essential demands contained in the scheme were three :

- (1) That the Assembly office should be separated from the Legislative Department of the Government of India, and be treated as an independent department and not merely as an office attached to any department of Government.
- (2) That its principal officers and establishment should be under the control of the Assembly through its President.
- (3) That the financial proposals of the new department should be included in the annual budget without any scrutiny by the Finance Department, the Assembly to be the final judge as to whether the proposed expenditure was necessary.

It was known to Government that I was very anxious to put the scheme through as soon as possible and had, therefore, expected that Government would treat my communication as urgent and deal with it accordingly. But I heard nothing from them till about the middle of April following. In his letter, dated 16th April, the Secretary of the Legislative Department informed me that the Government of India had reached certain provisional conclusions on my scheme, and that His Excellency the Viceroy would be glad to know my views on them. When I left Delhi in March last, I had personally explained to His Excellency that I did not know how the Government were going to deal with my scheme, but it was necessary that the President of the Assembly and the Government should be in agreement before any Despatch was sent to the Secretary of State, and for that purpose I should have an opportunity of discussing the matter with him at some stage.

The Government of India found themselves unable to accept the essential demands contained in my scheme. They were of opinion that the Assembly office must be an office attached to one of the existing departments of Government, and not be an independent office or department, their Legal Expert having advised them that the requirements of the constitution demanded that it should be linked with the Imperial Secretariat. I am unable to agree with this view of their Expert ; but, even so, there is nothing to prevent the Government from including the new department in the portfolio of the Governor General, and by convention to allow it to function independently of the Government as has been done to some extent by the Punjab Government in connection with the Council Department of the Punjab Legislature.

With regard to the second demand, the Government of India were of opinion that, in order that the Secretary and the establishment could act efficiently and fearlessly, neither the President nor the Leader of the

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House should have any control over them. I fail to understand how they propose to bring this about. What is to happen to the power of punishment, suspension and dismissal now vested in the Governor General in Council? If these powers are not to be transferred to the Assembly and its President under the new arrangement, they must and will remain with the Governor General in Council. In that case the separation of the office has no meaning, and it is not worth having. As for the third demand in the scheme, I have been unable to understand or appreciate the reason given by Government for its rejection.

In reply to the Secretary's letter informing me of these provisional conclusions of the Government on my scheme, I wrote back to say that I would go to Simla and discuss the whole question with His Excellency, pointing out at the same time that it was difficult for me to understand how the President was to run the show if he was to have no control whatever over the officers and the establishment of the new department. I accordingly did so, and had two interviews with His Excellency. At the second interview, when the question was gone into somewhat more thoroughly, the Secretary was also present. I regret to say, however, that after conversation and correspondence no agreement was found possible.

Let me now, for the information of the House, outline the main points on which Government should, in my opinion, agree if the Assembly department is to be given a substantial measure of independence of the Government of India. They are :

- (1) If the Government of India maintain that they have no power to create a department to function independently, let the new department be included in the portfolio of the Governor General with a view to meet the technical legal objections raised by the Legal Expert of the Government of India.
- (2) That the principal officers of the department should be appointed by the Governor General on the recommendation of the President.
- (3) That these officers can be dismissed, or otherwise punished, on an address by the Assembly to the Governor General to that effect.
- (4) That the members of the establishment should be appointed by the President on the recommendation of the Secretary.
- (5) That they can be dismissed or otherwise punished by the President in consultation with the Secretary.
- (6) That the financial proposals of the department prepared by the Secretary and countersigned by the President should be included in the annual financial statement as a matter of course, and it should be left to the Assembly to make such modifications in them as they think proper.

I have no doubt whatever that without any amendment of the Government of India Act it is permissible to establish a separate department of the Assembly on the lines indicated above, either by convention or by necessary delegation in that behalf, if the Government choose to do so. I

do not feel sorry, however, that negotiations have fallen through because the Assembly thereby get an opportunity to express its considered opinion on the points in dispute between me and the Government. May I, therefore, hope that the House would before this Session terminates discuss the whole question in all its aspects and record their own conclusions. I do not know if Government would be prepared to treat this business as official, or, at any rate, give a Government date for its discussion. If they are not so prepared, I would request His Excellency, indeed, I have already requested him, to allow non-official time for the purpose.

Before I close, I should refer to two or three matters arising out of the correspondence I had with Government in connection with the scheme :

- (1) *Government seem to contend that the Clerk of the House of Commons and his establishment are immune from the control of the House as well as the Speaker. This is, in my opinion, a mistaken view. The Clerk and other principal officers of the House are liable to dismissal on an address by the House to the Crown and the numbers of the staff, the right of regulating salaries, pensions, retiring allowances and fixing the age of retirement, &c., are regulated and determined by a Commission with the Speaker as Chairman. The Speaker has also the right to require the dismissal of any member of the establishment. These are some of the methods by which the House and the Speaker exercise control over the department, and the measure of independence that they enjoy is secured to them by the House itself and can be taken away by the House at any time. Conditions in India are different, and the Legislatures are endeavouring to evolve a system of separate and independent offices in their own way.*
- (2) *In spite of the fact that no agreement has been reached between the President and the Government on the principles underlying my scheme, a Despatch has already been sent to the Secretary of State. I should have thought that the Government of India would have referred the points in dispute between them and the President to this House and, in fact, I had pointed out to them that if they sent a Despatch without affording an opportunity to the House to express its views, the House was bound to resent such action very strongly.*
- (3) *I will add one word more before I close. I regret I am not in a position to inform the House how far the provisional conclusions of the Government of India communicated to me by the Secretary in April last have been subsequently modified. I asked for a copy of the Despatch to enable me to know what exactly the final attitude of Government was in this matter, but the Government of India found themselves unable to comply with my request.*

I apologise for the length of this statement. The importance of the subject is my only excuse.



**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : Is this not an occasion, Sir, for the President to resign and take his vacant place on the Opposition front benches ?

**Mr. K. Ahmed** (Rajshahi Division : Muhammadan Rural) : Sir, in view of the difficulty created by Government....

**Mr. President** : Order, order. The Standing Orders and Rules are quite clear that no questions can be addressed to the President.

**Mr. K. Ahmed** : I am not putting any question to the President. I ask whether the Government of India Act, 1919, should not have been satisfied before the report was introduced.

**The Honourable Mr. J. Crerar** (Home Member) : Mr. President, I have listened with close attention to the communication which you have just made to the House, and after consideration I shall, with your permission, take the earliest possible opportunity—I hope to-morrow—to make myself a statement explaining the position of the Government.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhammadan Urban) : May I ask if the Honourable Member will be prepared to lay the Despatch which the Government have addressed to the Secretary of State also on the table of the House ?

**The Honourable Mr. J. Crerar** : No, Sir. I regret that for the reasons—on the part of the Government of India referred to in Mr. President's statement—I shall be unable to lay the Despatch on the table.

(Some Honourable Members rose to address the House.)

**Mr. President** : The Honourable Member has promised to make a considered statement to-morrow and the Honourable Members had better wait till he makes the statement.

#### PETITIONS RELATING TO THE INDIAN LAW REPORTS BILL.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, under Standing Order 78 I beg to present 208 petitions signed by 15,249 members of the Bar as per statement also on the table relating to the Bill to regulate and improve Law Reports which was introduced in the Legislative Assembly on the 1st February, 1927.

#### RESOLUTION RE THE CABLE AND WIRELESS BEAM MERGER.

**Mr. K. C. Roy** : (Bengal : Nominated Non-Official) : Sir, I beg to move the following Resolution :

“ That this Assembly recommends to the Governor General in Council that he may be pleased to lay on the table all correspondence between the Secretary of State and the Government of India relating to the cable and the wireless beam merger scheme, certain conclusions of which were recently announced both in London and in India ”.

**Mr. K. Ahmed** : (Rajshahi Division : Muhammadan Rural) : In Simla, you mean ?

**Mr. K. C. Roy** : I am extremely sorry that my Honourable friend Haji Chaudhuri Mohammad Ismail Khan is not in his place. Otherwise, he would have moved the Resolution of his own, relating to greater facilities for the education of girls in the centrally administered areas, and the Resolution would have appealed to the chivalry and good-sense of the House. My

Resolution is of a purely technical character, but is of the most national importance to India. India occupies a unique place in the British Empire. It is the central link of all Imperial enterprises ; it is the central link in Imperial airways ; it is the central link in Imperial wireless communications. I, therefore, make no apology, Sir, for bringing this matter to the notice of the House. Honourable Members of this House are fully aware that for the last 25 years His Majesty's Government have been busy in developing wireless communications and the culmination of their efforts was reached in 1923 when His Majesty's Government undertook to construct the Rugby beam station. The House is no doubt aware that it is one of the most powerful stations in the world,—I believe it is second to none. The station was recently visited by His Royal Highness the Prince of Wales. The station was also visited by many distinguished Indians who had been to England in recent years. When this big station was thrown open to traffic, the competition became very keen between the beam and the cable companies. So keen was the competition that the magnates of the cable companies saw their way at once to reduce the cable rates between England and India and other parts of the Empire. But, Sir, the matter did not end there. The war of rates and speed continued and the British Government was approached by the cable companies and the cable magnates with a view to arriving at a *modus vivendi*. Early this year His Majesty's Government convened a Conference under the presidency of Sir John Gilmour to find out the best way of meeting the wishes of the cable magnates. The purpose of the Conference, Sir, was :

“ to examine the situation which has arisen as a result of the competition of the Beam Wireless with the Cable Services, to report thereon, and to make recommendations with a view to a common policy being adopted by the various Governments concerned ”.

To this Conference all the Dominions were invited, and so was India. The Conference has now reported, and I have got a copy of its report in my hand. It is one of the most intricate documents that I have ever seen. I could hardly make anything out of it. In this document, Sir, India is mentioned in four places. The first is on the title page where it is stated that Sir Atul Chatterjee represented India ; secondly, Sir, it is stated that there is such a thing as the Indian Radio Telegraph Company ; in the third place, the Government of India have an institution called the Indo-European Telegraph Department, and in the fourth place—and this is the most important of all—India is the biggest consumer of wireless beam service. I shall make a few comments on these four points.

More than once, Sir, this House has raised the question about the representation of India at these Imperial Conferences. On this particular one, the delegation on behalf of India consisted of Sir Atul Chatterjee and two telegraph experts. Sir Atul Chatterjee is known to every Member of this House. I yield to none in my respect for him. But at the same time I feel that in a Conference of this sort which combined politics and business, he was not a proper representative. In my own opinion, the Government of India should have sent a delegation composed on the same basis as those of other Dominions and the British Government. They ought to have sent a representative of the people based upon elective qualifications and not a brown sun-dried bureaucrat.

[Mr. K. C. Roy.]

The second point I come to is the Indian Radio Telegraph Company. Members are aware that this Company is a Bombay Company. Much was made, Sir, when this Company was first started. Sir Narasimha Sarma was then a Member of Government. I was told that it was going to be a rupee company with an Indian directorate. I was myself opposed to the scheme. I was for its being State-owned and State-worked. I made representation to Sir Narasimha Sarma. But, Sir, what is the position to-day ? If the London *Times* is correct—I have always believed that the news of the London *Times* is invariably correct—the control of this Company has passed into the hands of the British Marconi Company. I should like to have an answer from Mr. McWatters on this point. We do not also know the extent of the liability which this Conference has imposed upon this country. Possibly, Mr. McWatters will be able to enlighten us on this point.

The third point is the Eastern Telegraph Company. This is a very old story. This was subjected to the utmost scrutiny by the Incheape Committee to whose report my Honourable friend Sir Purshotamdas Thakurdas contributed a notable minute. All I should like to say on this is this, that although this question has been pending for the last 7 to 8 years, no conclusion seems to have been reached by this Conference.

My last point, Sir, is the most important one, and that is, India is the biggest consumer of wireless service. I shall give the figures as given by this Conference. The House will be surprised to note India's position in this matter. From March to May Canada took 6 million words, the Australian service 9 millions, the South African service 9 millions, the Indian service 10½ millions. Those who sneer at us, those who are not willing to meet us half-way in politics, will realise the vast political importance of India and the part which India plays in this Imperial game.

I come now to certain recommendations made by this Merger Committee. Before I do so I wish to make one remark, and it is this. As far as I can understand—I am a novice in finance—the British Government is out to make money. The Australian Government is out to make money. But what is the position of India ? India has been paying subsidies to cable companies. It was nearly Rs. 2,90,000 when Lord Incheape reported. Since then it has been reduced. But we must get something out of this new transaction and not continue to pay subsidies to these cable companies. Now, Sir, I come to some of the principal recommendations of this Conference. The first and foremost recommendation is the formation of a Merger Company. All the cable companies and the Marconi Wireless are merged in a single company. Part of this was done when the Conference was in session and practically this forced the hands of the Conference to come to an agreement with the cable companies. I do not know what our delegate Sir Atul Chatterjee said about it, or how he liked it. I do not know the views which he expressed on this merger. But we want to find out whether we in India have any interest in this Merger Company. And then, Sir, it is not the habit of the British Government to have only one company. They are firm believers in company promotion, because there are no less than 80 members representing the British Federation of Industries in the House of Commons. So they promoted a company called the Communication Company. They were interested in this Communication Company. But what is our interest in it ? The third one is the most important one from our point of view, and that is the formation of an Advisory Board. This is an

Advisory Board which is supposed to protect the interests of the consumers because it will be the ultimate authority in fixing the rates. Is India going to be represented on it, and, if so, how many seats are you going to have on it? There are only two countries which approximate to India in the consumption of wireless beam services, and they are Australia and Canada. India is the biggest consumer and we ought to have our representation on this Advisory Board in proportion to our interests as the biggest consumer. I will only deal with one small point and that is the position to be taken up by the Dominions and His Majesty's Government when there is trouble or a crisis. Provision has been made in the contract that the Army will assume the responsibility of these wireless posts in times of trouble. Well, what is our position? Will the Government of India receive orders from His Majesty's Government as to how to take possession of these wireless posts and use them for Imperial and military purposes, or is India going to have the same status in respect of these wireless institutions as the Dominions of His Majesty's Empire? Unless Dominion status is conceded to us in this respect now and here, I think the Government of India should not be a signatory to this new arrangement.

One word more. Sir John Gilmour, the Secretary of State for Scotland, who presided over this transaction, a shrewd Scotchman who managed one of the biggest deals that the British Government has done in recent years, announced in the House of Commons that no decision would be taken on any of the recommendations of this Conference, unless the Dominions and India had been consulted. I therefore ask my Honourable friend to lay the papers on the table of the House in order that he may take the sense of the House and then give the consent of the Government to the new conditions to be imposed upon the British Empire by these Merger Companies. After reading the report carefully, I may say that I am not at all satisfied that the Indian interests have been protected. I should like to ask the House to take the lead of South Africa. South Africa has made reservations, has made definite reservations. Both the delegates of South Africa and the Government of South Africa have made reservations as far as I can understand from this book, and I think the House will do well to make reservations till they are satisfied with the national and financial aspects of the problem.

Sir, I commend my Resolution to the acceptance of the House.

**Mr. K. C. Neogy** (Dacca Division : Non-Muhammadan Rural). When I was travelling up this morning from Kalka I came across an interesting advertisement in a journal under the heading that business has no politics. It proclaimed the superior merits of a particular British brand of confectionery which is alleged to have a world-wide market. But, Sir, if anybody knows how to combine business with politics, certainly the Britishers do, and the present is an instance in point. The real fact, as has been stated by Mr. Roy, is that when the beam service entered into competition with the cable services the profits of the cable services began to dwindle down. This is expressly stated in the report to which he has made reference. I will just quote a few sentences from the report on this point.

“Before the opening of the Beam services, the cables were working with a large margin of annual surplus, and there is evidence that the introduction of cheaper rates has already led to an appreciable increase in the total volume of telegraph traffic. But in spite of this it has been represented to us that the cable undertakings affected by the wireless rate reductions and the Indo-European land-line

[Mr. K. C. Neogy.]

service have been brought to a serious position by the two-fold reduction in their receipts resulting from the operation of the lower rates introduced as a means of countering Beam competition and also from the loss of a considerable volume of traffic to the Beam services”.

When the position came to the knowledge of the British people, they began to contrive some measure to counter the effect. It may be that very influential people are financially interested in the cable services. It may be—I do not know—Ministers of Government, Secretaries of State, *ex-Viceroy*s even, may have something to do with the cable companies. It is no wonder, therefore, that that blessed word “ Empire ” was brought into requisition and an Imperial assembly was called and our good old friend, Sir Atul Chatterjee was there to represent India.....

**Mr. B. Das :** (Orissa Division : Non-Muhammadian) : To represent the Government of India and not India.

**Mr. K. C. Neogy :** Now, Sir, I have the highest regard for our present High Commissioner, and I will not say anything that might in any way mean any reflection on him. But, Sir, we know his limitations, and before we can hold him responsible for anything done in this matter, we ought to have the terms of the instructions which the Government had sent him in connection with this Conference. It may be that he was absolutely helpless in the matter. If the Government do not really desire to conform to the views of the people as formulated in this House, well, it hardly matters whether India is represented by a Chatterjee or by a Lord Cushendum.—I would really be obliged to any Honourable Member who would give me the correct spelling of the name of that noble Lord who represented, very appropriately represented, India at a recent International Conference, (*An Honourable Member* : “ Lord Cushendum.”)—because that noble Lord put his signature to the Kellogg pact plighting his word that I and my descendants will never engage in any future war. Now, Sir, as I said, it matters very little whether a Cushendum or a Chatterjee represents India at these farcical Imperial or International Conferences where India’s name is unnecessarily dragged in. I want the Government to be a little more honest. What do they mean by trotting out the name of India on these occasions unless they send somebody who can be acknowledged in this House to truly voice the feelings and sentiments of Indians? I should like to know exactly what the instructions of the Government of India were, and what the reasons were that led the so-called representative of India to affix his signature to a most fantastic report which frankly seeks to establish “predominant British control”—I am quoting the words from the report itself—predominant British control on what is called the merger scheme. I do hope that the Government will be a little more decent in their dealings on such occasions in future. In these words, I strongly support the Resolution moved by my Honourable friend, Mr. Roy.

**Mr. N. M. Joshi :** (Nominated Labour Interests): I wish only to add a few words to what has been said by my Honourable friends Mr. Roy and Mr. Neogy. It is necessary that the Government of India should tell us what attitude they have taken in this matter. We also want to know whether the Government of India have done their best to protect Indian interests. Unfortunately, the Government of India in the past have several times failed to protect Indian interests. They failed to do so

the British Government made a contract with the Imperial Airways Company. That contract was made without the knowledge of the Government of India and without the Government of India having an opportunity to safeguard Indian interests. I do not know what is the real object of this merger. My Honourable friend Mr. Neogy said that the present scheme was intended to safeguard the British domination. Well, Sir, I know one thing and that is that they do want to safeguard the British domination at least in competition with another nation, namely, the United States of America. There is at present keen competition between the United States and the British Government for getting control over the communications of the world, and by this merger the British Government want to keep the control in their hands. I do not care whether the British people control the communications of the world or the people of the United States do. What I care about is that the interests of India should be safeguarded. In India we do not believe in transferring our communications to private agencies. We must therefore see that all the machinery that we have for maintaining communications shall not be in private hands and shall not be transferred to any merger or private companies. We are anxious that the communications with India and in India shall always remain under public control and shall not be in private control. There is no doubt, as my friend Mr. Neogy has said, that the object of this merger is to profit certain capitalists in Great Britain. This was shown very clearly by the fact that the shares of these companies went up tremendously as soon as it was announced in Great Britain that the Government had approved of this merger. It was quite clear that these companies were not making as much profit as they wanted to, and, as soon as it was found out that the scheme for merger would be sanctioned, the prices of the shares went up. These are some of the points on which we want information from Government. We are anxious, in the first place, that communications with India should not pass into the hands of private companies. We are also anxious that we should not sacrifice Indian interests in order that Great Britain should succeed in its competition with the United States in controlling the communications of the world and that her capitalists should make huge profits.

**Maulvi Abdul Matin Chaudhury** (Assam : Muhammadan) : Sir, I want to offer a few remarks on this question of merger from the point of view of the Indian consumer. As Mr. Roy has pointed out, India is one of the largest consumers of the beam service. We have some sort of a feeling that in this Imperial Wireless and Cable Conference the interests of the Indian consumers have been sacrificed in order to give a new lease of life to the Cable Company and swell the dividend of the Communication Company that will arise out of the merger scheme. I shall explain how. At present the cable rate to India is 1s. 5d. per word ; by the beam service it is 1s. 1d. Before the introduction of this beam service the cable rate was 1s. 8d. When we remember that about 9½ million words are transmitted every year from England to India, we can form an idea of the advantage of the beam service to the Indian consumer. Mr. Pilcher calculated that for 8 months from September 1927, the figure amounted to one hundred thousand pounds. If the Cable Company was going down in competition with the beam service, and if for strategic and other reasons it was necessary to have them, efforts should have been directed towards a solution that would not deprive the consumer of the cheap rate that the beam service

[Maulvi Abdul Matin Chaudhury.]

afforded. In this connection I should like to read to you an extract from the *Economist* of the 4th August. It observes :

“ Indeed should there not be some means of assuring the public that, while there is a legitimate case for protecting the cables, that protection should not go so far as to stand in the way of further achievements of science being brought to the benefit of the public. The recommendation of the Cable Conference does not commend itself to us as being in the interest of the consumer ”.

It seems to us that greater attention has been paid to the stabilising of the dividend of the Communication Company than to the interests of the public. The Communication Company has been assured of a net annual revenue of about the one million eight hundred and sixty-five thousand pounds and of any profit they make outside that, 50 per cent. goes to the company and 50 per cent. goes to the reduction of rates or such other purpose as the Advisory Board may consider necessary. It seems to me therefore any further prospect of reduction of rates is a very remote possibility. We do not know what instructions were given to Sir Atul Chatterjee and what share he had in formulating the recommendations. One thing is very clear. So far as the safeguarding of the interests of the consumers is concerned, his efforts do not seem to have met with any conspicuous success. The best way of safeguarding the interests of the consumers would have been to insist upon State ownership and State management of the Wireless. As was pointed out in the House of Commons in 1911, the Imperial Conference passed a Resolution in favour of State ownership and State management of the wireless services. In 1913, a committee under the presidency of Lord Parker, made a similar recommendation. In 1920, the Imperial Telegraph Committee under the Chairmanship of Sir Henry Norman, also recommended in favour of State ownership of the wireless service. In 1921, the Imperial Communication Committee made a similar recommendation. It is obvious that State management and State ownership are the best means of ensuring cheap rates, for it obviates the necessity of providing an inflated dividend to the Merger Company. The only other point I want to mention is that in the Advisory Committee that will be set up, there should be a representative of India, and that representative should be a non-official and not an official of the type that we had in the Imperial Cable Conferences, having regard to the fact that India is one of the biggest consumers of the beam service.

**Sir James Simpson :** (Associated Chambers of Commerce : Nominated Non-Official) : Mr. President, I rise to support this Resolution. (Swarajist applause.) Let my Honourable friends opposite make no mistake. I have no desire to embarrass the Government and I support this Resolution entirely from a business point of view, and I am not going to mix up business with politics like my Honourable friend Mr. Neogy.

Sir, the trading interests in India are intensely interested in this merger scheme, and naturally we would like to have details. In fact I consider we are entitled to have the full details. We believe that any such merger scheme, will make for greater efficiency and economy, and that until wireless is more perfect in all weather conditions, we realize the Cable Companies must be depended upon. My Honourable friend behind here was encouraging this Resolution on the ground that there ought to be a State monopoly of wireless and cables. I would object to it on that ground. I do not want it to be that. We have no objections to the merger in the

respect that Cable Companies should be helped by the wireless companies. But, Sir, we hold that new inventions should cheapen cable costs, and we trust that principle has not been lost sight of in this merger scheme. All we ask is for details, and I have much pleasure in supporting the Resolution.

**The Honourable Mr. A. C. McWatters** (Member for Industries and Labour) : Sir, the Honourable Mover of this Resolution need have made no apology for bringing this matter before the House. Indeed I welcome his Resolution because it gives the House an opportunity of taking cognisance of a matter which is unquestionably of the first economic and political importance, and I agree with everything which the Honourable Mr Roy said about its importance in relation to India. The exact terms of his Resolution leave me in a slight difficulty. We published, as the House knows, the full summary of the report of the Conference as soon as it was given out in England, and we have placed on the table of the House some weeks ago the full report of the Conference. Apart from that, we have received week by week from the Secretary of State the detailed proceedings of the Conference which were naturally sent to us to keep us *au fait* with the position from week to week. Those proceedings, as the House will of course realize, contain a great deal of confidential matter—figures and information given by the various companies which were given under strict seal of confidence—and it would therefore be impossible so far as those records are concerned to publish in India what has not been published in other parts of the Empire. In fact we have already published everything which has been published either in the United Kingdom or in any other parts of the Empire. However, I think I shall not be misinterpreting the Honourable Mover's object in moving this Resolution if I take it that he is asking Government to give him and the House such information as they can on this very technical and intricate subject without disclosing matter which must remain confidential. In particular there are two aspects of the question which have been emphasised in the speeches made to-day on which I think the Honourable Mover and the House would like to have assurances. The first is that the public, and the commercial public in particular, should have some assurance that they are not going to be charged excessive telegraphic rates because of this merger, and further that they will be able to get the due advantage which they are entitled to expect from future developments and improvements in wireless. And secondly, the House is perfectly entitled to ask what is the position of the Government of India in the matter and whether our financial interests have been properly secured. It is particularly to those two aspects of the question that I will direct myself in the observations which I wish to make.

The House has been told quite correctly, I think, by Mr. Roy the cause of this Conference, that is to say, it is the competition which has arisen within the last two years between beam wireless and cables, but I can assure him without any breach of confidence that it was not the application of the cable companies or of commercial magnates which caused this Conference to be called. This competition has reduced Cable and Wireless rates very considerably in the course of the last year or two, but that is not the end of the matter. The difficulty arises in the first place from this, that some of the private companies which own a very important part of the cable communications are to-day in a position, if they wish to do so, to liquidate and to pay off their shareholders at present market rates, and they would still have their cable assets to dispose of elsewhere. I think it is likely that



[Mr. A. C. McWatters.]

these companies, if no action at all had been taken, would have been very reluctant to face the prospect of several years of competition in which they would inevitably in the long run have failed, and therefore they would be tempted at once to liquidate their position. In that case, what would happen ? I need not enlarge upon the strategic aspect of cables, although that is important, but I will approach it from the commercial point of view. The position at the moment is that the wireless beam system is not capable of giving a complete commercial service. It is subject to fading, it is subject to interruptions. It does not communicate with all the parts of the world which are connected by cable communications. For these three reasons alone, it is obvious that at present, and as far as we can see in the future, a complete commercial service in the interests of the public could not be provided by wireless alone ; and therefore I would ask those who would view with complacency the disappearance of the cables in the hope that they would get a cheaper wireless service to consider that if one element of the competition is removed, you are left with a monopolist who will probably not give you so cheap a service as you think. Now, this is the problem that was before the Conference and I think it is unanswerable that some immediate action had to be taken. The general sketch of what the Conference proposed is this. I can explain it in a very few words. First of all, the merger of the interests of the two big private companies which control the greater part of the cable system and have the largest interests in the beam wireless, namely, the Eastern Cable Company and the Marconi Company. That was a necessary preliminary to setting up a separate company, called the Communications Company. The Communications Company will buy, if the scheme goes through, from the Marconi Company and from the Eastern Cable Company their communication assets in return for payment in shares. They will buy from the various Governments concerned, the British Government, the Canadian, Australian and New Zealand Governments, their actual cable assets in return for cash, and they will lease from the British Government the beam wireless which is at present worked by the British Post Office.

That is the broad outline of the scheme, and I will now attempt to deal with the first question which I put in the foreground of my remarks. Have we security against being charged excessive rates ? Now, the first point to which I wish to draw attention is the formation of this Communications Company. The object of that was that you would separate off the interests which are concerned with communications only, the cables and the wireless from the other numerous interests in which the Marconi Company and also the Eastern Cable Company are engaged ; that is to say, we do not want the rates which are to be charged to the users of telegraphic communication to be in any way influenced by the profits of the Marconi Company from the sale of their wireless machinery or by their profits from patent rights and so on or, shall we say, by the results of their management of the Peruvian Post Office ? That is one of their minor lines. The first part of the problem was to ascertain the value of the capital assets of the Communications Company, because the House will realise that the question of rates must depend on the proper capitalisation of the company. And for this purpose the Conference called in the assistance of two financial experts, Sir Otto Niconeyer and Sir William Machintosh, the latter being one of the best known chartered accountants in England, in order that all material should be

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placed before them by the companies confidentially—every detail of their business. They had to ascertain what in their opinion was a fair capital value of the assets, and they fixed the figure of 30 millions. The total capital of the Merger Company, I may mention, is 53 millions, so that the capital of the Communications Company is a good deal less. In the second place, these two experts fixed what they called the standard net revenue at one million, eight hundred and seventy-five thousand pounds. The object of that was this. The standard net revenue was intended to represent what at the present time is the actual net earning capacity of the Communications Company. That is the net earning capacity of the Communications assets at the present time, irrespective of any economies which may be made in future by combination of control or by any fresh developments in wireless. There is, therefore, a reasonable prospect that something more should be earned beyond the standard net revenue. That standard amounts roughly to 6 per cent. on the capital of the Company.

Then the next point is that any earnings beyond the standard net revenue are to be divided 50 per cent. to the company and 50 per cent. to be disposed of under the control of an Imperial Advisory Committee. I think it is reasonable that some portion of the excess earnings should be left to the company, otherwise the company will not have the same incentive to enforce economies in working their concern. But the remaining 50 per cent. will be left entirely at the disposal of this Imperial Advisory Committee, and I can assure the House that India, if she becomes a party to this scheme, will be represented on the Imperial Advisory Committee; in fact it is distinctly stated in the report that that Committee will represent all Governments who were parties to the Conference. This Imperial Advisory Committee has these functions. First of all, it has power to veto absolutely any increase over existing rates. That is a very important point. No increase in present rates can be made without the permission of this Committee. In the second place, they have the absolute disposal of the 50 per cent. of anything earned in excess of the standard revenue. They can devote this to the reduction of rates or for any other purpose, such as research, in order to earn a greater revenue in future. In the third place, this Advisory Committee has to be consulted on all matters of policy. In the fourth place, they are to be given power to obtain any information they require from the company, and to order an investigation into the company's accounts, if they so desire. Beyond this, other checks have been provided for. It has been provided that two Directors, both of the Communications Company and the Merger Company shall be approved by Government, and one is to be the Chairman of the Communications Company. Then there are other minor matters which will be provided for in any detailed agreement that will have to be framed, such as guarantees that excessive prices will not be charged by the Marconi Company to the Communications Company for the use of patents. Guarantees will be provided that neither the Marconi Company nor the Cable Company shall dispose of their interests in the Merger Company so as to alter the status of the Merger Company, and that British control shall be retained.

Now I think that the House will agree that if we accept the principle of a merger at all, every check which human ingenuity can devise has been framed in order to obtain adequate security for the public that excessive rates will not be charged. But turning to the principle of the merger

[Mr. A. C. McWatters.]

itself, what the Conference has aimed at has been unity of control and private management. Now through unity of control we get the possibility of introducing all the latest developments of big scale business. We get the opportunity of scientific co-ordination, and we also eliminate wasteful competition, while as far as the question of private management is concerned, on which opinions may of course differ, it may be held—and I certainly myself agree—that in a matter of this kind, which demands peculiar initiative and flexibility in dealing with developments of wireless, private management is probably better than State management ; but whether the House agree on that or not, they would certainly agree with me that private management is better than an attempt at State management by the departments of a group of six Governments. That of course is a perfect impossibility. I think myself, and I hope the House will agree with me, that a public utility company under private management and subject to proper public control is the best method of dealing with the situation which has arisen.

Now turning to the point on which much was made by the Honourable Mover, namely, the question of India's representation on this Conference, I have heard some very hard and unexpected things said about Sir Atul Chatterjee. I have the highest opinion of his personal qualifications, and in this connection I would remind the House that he was both the Secretary and the Member in charge of the Department in India which dealt with Posts and Telegraphs, and therefore from the technical side alone he was singularly well qualified to deal with the subjects which came up for discussion (Hear, hear). In the second place, we had by chance the good fortune to find in England at that time our Director of Wireless, Mr. Edmunds, who was on his way back from the International Radio Conference at Washington. For the first two months of the Conference we had the great advantage of having him also present. Our third representative all through that Conference was Mr. Simpson, who is Director-in-Chief of the Indo-European Telegraph Department at the India Office. I think from the technical point of view and from every point of view our delegation compares very favourably with that of any other Government concerned. During the early part of the summer we received a communication from the Associated Chambers of Commerce asking us for an assurance that the interests of the public, and particularly of the commercial public, would be prominently kept in view at this Conference and we gave them that assurance. We were able to do so because, as I have said, we received from week to week the proceedings of the Conference from which we knew that those interests were being prominently kept in view. For instance, the Conference not only received a memorandum but gave a personal hearing to the representations of the Empire Press Union on which India was specially represented. They also received memoranda from other commercial bodies in England, but more than that, as soon as we received this representation from the Associated Chambers, we sent a telegram to Sir Atul Chatterjee instructing him at once to bring the matter prominently to the notice of the Conference, and we ascertained that he did so. I think therefore that so far as representing the interests of the public are concerned, we did everything that can reasonably be required of us.

I now turn to the second point about the security for the interests of the Government of India itself in the matter. The Government of India

## THE CABLE AND WIRELESS BEAM MERGER.

are concerned in two ways. First of all the Indian Radio Telegraph Company which operates the beam wireless from Poona is an Indian company and holds a licence for ten years from the Government of India. Now it was provided in the flotation of the company that sixty per cent. of the capital should be reserved for Indian subscribers. The majority of the directors are Indians, and the company is a rupee company and in our agreement with the company we have laid down that in any fresh flotation, it shall also be provided that sixty per cent. of the new capital should be reserved for Indians. What the present position of the company is I am obviously not in a position to say, because shares do change from day to day ; but the fact remains that the company, which was only floated rather more than a year ago, was at that time reserving 60 per cent. of its capital for Indian subscribers. But the position now is this. If we adhere to the recommendations of this Conference, I take it that the Communications Company will acquire the holding in the Indian Radio Telegraph Company which the Marconi Company now holds. They will therefore be one of the parties forming the new Indian Radio Telegraph Company, and that company will have to apply to us for a fresh licence to operate and I take it they will apply for a licence for 25 years, because that is the period of time for which the British Government have offered to lease the Beam Wireless to the Communications Company. Therefore the position is this, that if we are approached to grant a new licence for 25 years, we can impose such conditions as we choose. Our present licence for instance lays down requirements as to the employment of Indians in the company and as to the training of apprentices and so on, and all those conditions can equally well be imposed on any new company which takes the place of the present company. So, as far as the Beam Wireless is concerned, I do not see that we can lose anything by adhering to these proposals. But there is a second way in which the Government of India are interested, and even more directly. The Government of India, as the House well knows, are the owners and operators of the Indo-European Telegraph Department. This is a department of Government which owns the cables to the Gulf. It owns land lines through Baluchistan and Persia and it joins on at Teheran with the land system of the Indo-European Company, a private company which operates lines through Russia and Germany to England, thus forming an alternative through connection between Karachi and England, alternative to the Eastern Company's route through the Red Sea. Now the Indo-European Telegraph Department obtains its revenues in two ways. First of all, it obtains direct revenues from the Gulf traffic and from the local traffic with Persia. This is in no way affected by the merger or indeed by wireless competition at all. The second way in which it gets receipts is by the indirect earnings on the through traffic between England and India and connecting with the Far East. The procedure there is that all receipts are paid in by each of the three companies concerned into a joint purse and paid out again in certain proportions which were fixed some years ago on the basis of the then division of the traffic. I may say that the present proportions are quite favourable to ourselves. Now the only way in which we are directly affected by these proposals is that we shall have as one partner in the joint purse the Communications Company instead of the Eastern Cable Company ; but anyone who has read the report will have observed that it is specially stated in paragraph 42 of the report that the joint purse system will not be affected by the present proposals.

[Mr. A. C. McWatters.]

In fact it could not be affected because under the joint purse agreement it is specially laid down that no alteration in the terms of the agreement can be made without the consent of all three parties. That, roughly speaking, is the position of the Government of India in the matter. There are those who believe strongly in State management and who will probably welcome the fact that no portion of our Indo-European Telegraph Department has been taken over. It remains completely outside. At the same time we out here are anxious to clear up one or two points in connection with the Government of India's position on which we do not feel absolutely certain. For instance, the exact terms on which the joint purse arrangements will be settled with the new Communications Company. At the moment, as the House is quite well aware, we are entirely uncommitted in this matter, although we expressed ourselves as generally favourable towards the solution suggested by the Conference and we remain also at this moment so favourably disposed. We have not committed ourselves until we have examined the whole question completely ourselves ; and I may say that any suggestions which have been made or may be made to-day will no doubt help us in any representations which we may have to make.

I think, Sir, that that is practically all that I have to say, except this : that whether we agree to what is proposed by the Conference or not, there is no doubt whatever that the Merger and the Communications Company will come into existence, because it does not rest with us to prevent its coming into existence. If the British Government and the Dominions desire to take part in it, they will so far as they are concerned come in, and they could form it without us. But one thing we should lose undoubtedly and it is this : we should lose our representation on the Imperial Advisory Committee, and I think it will be very unfortunate if we did.

That, Sir, is all I have to say to the House. I hope I have not wearied the House in what is an extraordinarily difficult and technical matter. I should have been very glad indeed to have accepted my Honourable friend's Resolution if I could have done so, but, as I have explained, we really have no correspondence in our possession other than correspondence which has been definitely treated as confidential elsewhere. We have given the House all the information we could, and I myself have tried to give such explanations as, on a difficult matter of this sort, I could give. Sir, I hope that the Honourable Member will not care to press his motion.

The Assembly then adjourned for Lunch till Twenty Five Minutes Past Two of the Clock.

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

**Mr. B. Das :** Sir, I heaved a sigh of relief when my Honourable friend Mr. McWatters, whom I am very glad to see as a Member of this House, and whom I have known for so many years but have not had the pleasure to meet on the floor of this House, said that India is not committed to any pact over this merger system. Sir, that is some relief to me. I am always suspicious of Imperialist policies, Imperialist airways,

Imperialist wireless systems or of anything which is prefixed by the word "Imperialist". Sir, two years ago, when this House, much against the will of this side of the House, assented to the system of Imperial preference, some of us deplored that event, and in this matter under discussion I see another version of Imperial preference and nothing else. It may not be Imperial preference for British commodities, but it is nothing but an Imperial monopoly over wireless. That means a certain British combination gains a monopoly all over the Empire in certain transactions and in which India will have no voice. I am surprised to read—and I would draw the attention of the House to a particular passage in this note—that the cable system is so lightly dealt with. Yet the report of the Wireless Conference drew attention to it :

"It is obvious also that the cable services have a value for strategic purposes. To sum up, therefore, it may be said that wireless offers a cheap service, but not all-sufficing".

My Honourable friend Mr. McWatters also alluded to it, and he did mention that the wireless system might at times fail and the cable system ought to be perpetuated. He also alluded to the Indo-European Cable Company. This House knows well that India has sunk so many millions in the Indo-European Telegraph Company, money over which, when my friend Mr. Rogers speaks later in the course of the debate, he will say that we have no control ; we have no control over the management of the Indo-European Telegraph Company. This company does not pay to the taxpayer of India any dividend. So far it has been running at a loss, and at a loss against the postal revenues, and to-day if India becomes a party to this Merger company, India loses her revenue over the Indo-European Cable Company.

But this one word "strategic" makes me most suspicious. What is the policy behind this Imperial Merger Wireless Company ? Is it not intended for strategic purposes ? Will it not be utilised in case of emergency for Imperial war purposes ? And is it not going to provide another method of communication for war purposes at a future date ? In future, whenever Government bring forward their final proposition in this matter, they ought to make it clear that the Wireless Merger Company is nothing but a pure commercial concern. Even if Government from that side were to give me an assurance that it is nothing but a commercial concern, I would not believe it. I know that most of this organization will be utilised for war purposes, and this will be a second line of safety in transmission of messages.

My friend Mr. Neogy alluded to the small part that our former friend Sir Atul Chatterjee played in this matter. If I understood him aright, I take it that the High Commissioner was a signatory to this Conference report. Yet my friend Mr. Neogy did allude to the fact that the High Commissioner was not made a signatory to the Kellog Pact which decided momentous international problems and international affairs in which India as an original Member of the League of Nations, has no doubt a big stake. It is very surprising how the Government of India, which would give Sir Atul Chatterjee permission to put his signature to a small Imperial Conference report such as the report of this merger conference, could not see their way to send him as the representative of India to sign the Kellog Pact. That further shows what confidence the Government of India have in the High Commissioner and what confidence the Government of

[Mr. B. Das.]

India place in the representatives of the people of India so as not to take them into confidence in matters of high policy, whether it is International or Imperial. Sir, I find the word "monopoly" mentioned in this report very often, and I say this merger is nothing but a monopoly. Of this Marconi combination the world heard so much before the war and there was a great deal of scandal about it, as my friend Mr. Neogy rightly pointed out, in which Ministers, Prime Ministers and Secretaries of State and others were concerned. To-day we find this very Marconi combination again coming out in another disguise as the sole controller of this merger. Well, I say, let Marconi exploit England : I have nothing to say against that. But I will be no party to a Marconi combination to exploit India. Honourable Members may have recently read in the Press that there is another big Imperialist monopolist, who is not a British Imperialist it is true—Hugo Stinnes of Berlin has been recently arrested for trying to organise a monopolist organisation in Germany, and trying to misuse public money. So we must look with a grain of suspicion on every combination whether it is organised by the friends of Cabinet Ministers for *Imperialist or strategic purposes*.

Sir, I did listen to my Honourable friend, Mr. McWatters, and I did feel that he was trying to ascertain what were our views so that if he finds that there is a great amount of suspiciousness in our minds, he would try to represent that view point at least, when he will send another representative to take part in the next stage of discussion for this Merger combine. But personally I am of the opinion—and I believe Honourable Members on this side of the House will be of the same opinion—that India should not be any party to any kind of Imperial monopolist system where there will be no power or position given to India. We hear there will be too many Imperial stunts in it. Not only will there be an Imperial Advisory Committee, but there will be Imperial Directors, and we understand the British Government—I did interject a query when my friend Mr. McWatters was speaking, and he did say the British Government would have two Directors. Why should not each Dominion and India have a Director ? Supposing we agree to this merger system, why cannot India have a Director on that Board of Imperial Directors, and why cannot India also have representatives on that Imperial Advisory Committee ? I make this suggestion provided this House at a future date gives its assent to our joining this Imperial wireless merger system. I hope when the Government Member next speaks he will give us some idea what will be the effect on the Indo-European Cable Company system. I know it too, and the Honourable Mr. McWatters has already alluded to this, when he said that the Indo-European Telegraph Company had some existing arrangement with the Eastern Cable Company and got a share of that company's revenues by the share of a joint purse whether it carried all the messages or not. But the question is whether its total income which is so insufficient that it lands my country in such a loss, will not be reduced by this new Imperial merger system. The House would be glad to know what was the expressed opinion of the representative of the Indo-European Cable Company at that conference. In another Committee where I had the pleasure of being a member—the Public Accounts Committee—we were told that negotiations are going on and that very shortly the Indo-European Telegraph Company may be acquired by the Government of India. I think that has been the expressed opinion of this side of the House, *viz.*,

that it is best that we acquire full control over the Indo-European Cable Company and not allow....

**The Honourable Mr. A. C. McWatters :** May I interrupt for a moment ? I cannot understand the Honourable Member. We already own the Indo-European Telegraph Department. It is a department of Government. We own it already.

**Mr. B. Das :** It is a department of Government, but it is not managed by the Government of India. It is managed by a Board of Directors over whose actions the Government of India have no control.

**The Honourable Mr. A. C. McWatters :** May I again interrupt for a moment ? The headquarters of the Department is at the present time in London. The only point at issue is whether the head of the office should be in India or in London. There is no question of ownership or management. It is managed by Government.

**Mr. B. Das :** With all due respect to my Honourable friend, Mr. McWatters, I think he will have to revise his views. As far as I remember the recommendations of the Inchcape Committee and other Committees, the money invested in the Indo-European Cable Company may be that of the Government of India, but there is not sufficient control over its management and organisation, and this side of the House has very often insisted that the headquarters of this Company should be transferred to India, and that the Company should be controlled directly by the Government of India. I do not mind my Honourable friend Mr. Rogers controlling it from here. We will have every confidence in his control. I would therefore like, when the Government reply again, that they should give us some information as to whether there will be a great fall of revenue if India eventually becomes a party to this merger system. Personally, I am very suspicious that we will always be losers from the strategic point, from the Imperialist point and from the financial point, if we become a party to this scheme.

**Mr. Sarabhai Nemchand Haji** (Bombay Central Division : Non-Muhammadan Rural) : Sir, there are one or two points in connection with this merger of the cable and wireless services on which I would welcome some explanation from the Honourable the Industries Member before we proceed further with the subject. One has reference to the capital of this Merger Company and the dividend to be declared under its auspices. If I remember aright, the Honourable the Industries Member said that the figure of dividend was arrived at after considering the earnings of the company to-day. Now, while going through the Parliamentary debates for last May, when this subject was debated in the English Parliament, I find that one of the Members speaking on the motion under consideration there said that this project seems to aim at their "stabilisation of a dividend return on the capital of the group at the position in 1926-27 before this competition had actually begun." This statement made on the floor of the House of Commons remains uncontradicted so far, and I do not understand how it was possible for the Honourable the Industries Member to say that the figure of earnings taken is the figure of earnings of to-day. This, Sir, is of importance, particularly when we remember that two years ago there was no keen competition as is the case now. The figures of two years ago must have been based upon various items of which one that concerns India the most was the rate of 1s. 8d. per word for cables, and that rate to-day is reduced to



[Mr. Sarabhai Nemchand Haji.]

1s. 1d. If the figure for guaranteeing the dividend is to be taken on the basis of the earnings of to-day, it is certain that the proposed figure of £2,000,000 dividend to be guaranteed would be much reduced if the earnings of to-day were taken.

**The Honourable Mr. A. C. McWatters :** £1,875,000.

**Mr. Sarabhai Nemchand Haji :** Whatever the figure—I may say that my figure was taken from the report....

**The Honourable Mr. A. C. McWatters :** My figure is taken from the report of the Conference.

**Mr. Sarabhai Nemchand Haji :** I accept the figure of the Honourable the Industries Member though I think my point remains. If the earnings of two years ago were taken, if the earnings before this competition began were taken, then the Empire and this country would pay more ; but if you take the figures of to-day you would certainly pay less. That is one point. Another point to which I should like to have a reply is with regard to the proposed capital of this Merger Company. It is going to have a capital of £54,000,000. Now, this large capital was no doubt necessary when you had to put up costly cables and costly installations. But there is no justification for a very big capital when you are going to conduct the beam service with its short wave length which, if I remember aright, requires only £250,000 to work all the four Empire stations, and when each beam station can be put up at a cost of about £60,000 each. If that is the case there is no justification for this very big figure of £54,000,000 for capital, unless it is intended that all those sins of commission and omission which the Marconi Company and the cable companies before that had committed are to be covered up under this new scheme.

**The Honourable Mr. A. C. McWatters :** The figure of £53,000,000 and odd is the capital of the Merger Company and not of the Communications Company.

**Mr. Sarabhai Nemchand Haji :** The point that I was trying to make remains unaffected by the interruption of the Honourable the Industries Member. My point was that this was an attempt to cover up the many faults of the earlier companies by taking advantage of this new scientific invention and also of the enthusiasm of the people for the new scientific service,—to cover up the sins, as I said before, of commission and omission of the wireless companies, because we find that one of the speakers in the House of Commons distinctly referred, without being contradicted, to “ the tragic history of British wireless policy, or perhaps it should be, lack of policy ”. Is it right that the sins of private companies should now be glossed over by the Government helping a scheme which is intended for that purpose and at the cost of the taxpayers, it may be, of India and of other parts of the Empire ? These are just one or two points on which I should like to have a definite pronouncement from the Honourable the Industries Member.

But, in addition to these points of detail, there is one point of principle on which I should like to have his opinion. While referring to the question of the Indian Radio Company he said that 60 per cent. of the capital was to be guaranteed for Indian subscriptions. Is that right ?

**The Honourable Mr. A. C. McWatters :** At the time of flotation 60 per cent. was allotted for flotation in India.

**Mr. Sarabhai Nemchand Haji :** And it was subscribed ?

**The Honourable Mr. A. C. McWatters :** That I cannot tell you. That is the condition of flotation—that it was allotted. I do not know the actual details as to how many people took it up.

**Mr. Sarabhai Nemchand Haji :** May I know if the Government of India approve of the principle of reserving a certain amount of capital for Indian shareholders in cases where public utility companies and other companies which are likely to benefit by the policy of Government are concerned ? Is it the policy of Government that they approve of and adopt the principle of fixing a proportion of Indian capital to non-Indian capital in regard to public companies ? There is one other point and that has reference to the position of the High Commissioner in connection with contracts of a character similar to the one we are discussing. We find that our High Commissioner is utilised by the Government in England for purposes which suit them and that he is left alone when something that can bring glory and distinction to India in regard to International and Imperial affairs comes up for signature. (*An Honourable Member :* “What is the evidence ”?) The evidence has already been referred to by my Honourable friends Mr. Neogy and Mr. Das. It is to my mind a matter of humiliation for India that while it was found possible for representatives of Canada, Australia and South Africa to go to Paris for the Kellog Pact, Sir Atul Chatterjee was prevented from crossing the Channel to put, as an Indian, on behalf of his country his signature to this memorable pact. There is no justification for utilising the post of High Commissioner in England for purposes that suit the British Government and leaving him out in the cold when matters of international import are being considered. Sufficient has been said here to convey to Government the feeling of the House on this matter, and I hope the Government will benefit thereby.

Sir, I support the Resolution moved by my friend Mr. Roy.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Sir, I would like to offer a few remarks on this question. The Resolution has, I think, been moved more with a view to finding out what were the instructions of the Government of India to their representative in London at this Conference. If that be the motive of the Honourable Member who gave notice of this Resolution, I do not think I shall be very wrong if I infer from the Honourable Mr. McWatters' statement that the Government of India gave the High Commissioner for India in London a sort of watching brief on this Committee.

**The Honourable Mr. A. C. McWatters :** Something more than that. He had a general watching brief, but we also sent definite instructions, first, to watch over our financial interests as regards the Indo-European Telegraph Department, and, secondly, to watch over the interests of the public as regards rates.

**Sir Purshotamdas Thakurdas :** Both these points I intended to refer to as I proceeded. The first one is a general one, namely, to see that owing to the merger or any scheme which may be devised the public in India have not to pay more for their telegrams hereafter. The second one is a more particular one, and affects the finances of the Government of India. Now, I feel that if there was curiosity to know further details regarding the instructions of the Government of India to the High Commissioner,

[Sir Purshotamdas Thakurdas.]

according to Mr. McWatters, there is practically nothing else to know, and that brings me to the question of the personnel selected by the Government of India to represent them in this matter.

I do not know if my friend Mr. K. C. Roy exactly meant all that his words indicated when he referred to Sir Atul Chatterjee in his speech. But I venture to say that, if the Industries Department had taken care to consult the Standing Advisory Committee in this connection, the Committee themselves would have suggested the name of Sir Atul Chatterjee. I am not one of those who spare criticism of Government or of their officers whenever I think it is deserved, but I do feel that it is wrong to criticise officers of Government who are not in the House to reply, and especially to criticise a person of the standing of the High Commissioner for India in England, especially after knowing Sir Atul's special qualifications which have been enumerated before this House by Mr. McWatters. I only hope that both Mr. Roy and my friend Mr. Neogy did not mean what their remarks indicated, and I trust Mr. Roy will think fit to explain his remarks to us and, if possible, withdraw them in fairness to Sir Atul Chatterjee. I cannot help feeling that India could not have a worthier person as its High Commissioner than Sir Atul Chatterjee, and for this Conference there could not have been a more appropriate person selected than Sir Atul Chatterjee, irrespective of his position as High Commissioner for India. But I feel in this matter that those Members who referred to Sir Atul Chatterjee may have been carried away by the sin of omission, if I may use the phrase, on the part of the Government of India in not appointing an Indian to represent the Government of India for signature of the Kellogg Pact at Paris. There I am sure this House will be at one with the critics of the Government of India. But that does not mean that Sir Atul Chatterjee's nomination to this Committee is to be criticised. I for one feel that this House, if it could come to an open vote, would unanimously approve of Sir Atul Chatterjee's nomination on this Committee.

The only question, Sir, is whether the Government of India have succeeded in adequately protecting the interests of those who use the cables hereafter. There is no doubt that if it was not necessary to come to some arrangement with the cable companies, the radio companies would be able to lower the rates and thus make available a much cheaper telegraphic service to the public. But until the radio service is more perfect the cable companies have to be maintained, and for strategic purposes also the cable companies at the moment are necessary. It therefore was a difficult problem facing this Committee in London, and although the details regarding the fate of the Indo-European Telegraph Department or the Indian Radio Company here are not available, I cannot help saying generally on the scheme that the Committee have arrived at the most feasible solution of the difficulty which they could possibly devise. I am one of those who would like India to take her proper part in all such questions, but we have to realize that we have not an Indian cable company at all, barring of course the Indo-European Telegraph Department, and even the Radio Company has come into existence only during the last two or three years and is, comparatively speaking, a rising concern. Until therefore details regarding the fate of the Indo-European Telegraph Department and the Indian Radio Company are available, it is impossible to criticise this scheme in detail. But I would

like to draw the Honourable Member's attention to paragraph 42, to which he himself referred, in the latter part of which it is said :

" The Government of India will not be affected by the acceptance of the recommendations detailed below although the precise terms of these arrangements may possibly require revision ".

It is in the revision of the precise terms that I am afraid some injurious effect may happen to the finances of the Government of India. I am sure that the Department concerned will watch this very carefully and, if I may suggest to them, it may be useful after this discussion to consult the Standing Committee attached to the Department before this Department give their concurrence to any suggestions which may come forward from London. I have only one word more, Sir, to say with reference to my Honourable friend Mr. Sarabhai Nemchand Haji's remarks. It is perfectly true that the Indian Radio Company did offer 60 per cent. of its shares to the Indian public here. The whole lot was not taken up. But we still to-day have a substantial holding in the name of Indian shareholders and that is about all that has been possible up to now. I believe that the guarantee given by the Government when they gave the licence has been fully carried out, although in the light of what has developed subsequently, it may be a matter of regret to the Indian public that they did not take up all the 60 per cent. which was made available. But the fault of it can hardly be laid at the doors of the Government.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : I am grateful to you for giving me this opportunity of supporting a Resolution which has been moved by one whom I greatly revere. For the last 34 years of my life I have on rare occasions followed him ; we were so apart from each other. In fact he took me to be a naughty boy and he could hardly control me. But here I think he will forgive all my past when I come to support him as also to tell him that this Resolution also does not please me, for this Resolution is very meek and humble. He asks the Government only to lay on the table all the correspondence between the Secretary of State and the Government of India. Now, Sir, we know the meaning of this phrase " laying on the table." But even in this matter of laying on the table, I am sorry that my friend has been disillusioned by the Honourable Member for Industries who says that certain confidential correspondence cannot be put on the table. This is the position in matters where we want either to interpellate or to move Resolutions recommending certain things to the Governor General in Council, and it were better for our dignity if we had not moved any Resolutions like this. No doubt this is a very technical subject about which I must confess before this House that I can hardly deal as ably as other Members have done. But at the same time I must say that there is another aspect of this Resolution which has been lost sight of and which ought to have been echoed in this House by at least one Member, and therefore I stood up, that is, the political aspect of the question. Now, Sir, I would like to know how this beam service, wireless service, cable service, with countries outside Asia or outside India is at all beneficial to the people of India, to the real people of India—I do not mean those who go to Europe every year in order to have a holiday, but those countrymen of ours, I mean those real countrymen of ours who till the soil and who find everything for us and for whom we come here saying that we are representatives of the people. Now, Sir,.....

**Mr. K. Ahmed :** What about the Bengal Tenancy Bill and the Swaraj Party ?

**Mr. Amar Nath Dutt :** I shall be obliged if the Chair controls such  
3 P.M. effusions.

A side issue has sprung up owing to the speech of my Honourable friend, Mr. Neogy. It is with reference to representation of India in this matter. Now, Sir, I may also say the very same thing which has been said by many others about the highest regard for the personality of Sir Atul Chatterjee. I can also claim some amount of friendship with him as a humble man, and probably we had some connections longer than many here present. Be that as it may, I beg to submit that we know the meaning of Indian representation in such matters. We have had representatives of the type of Lord Sinha and the Maharaja of Burdwan and several others. Does the Honourable Member on the other side, do the Government seriously contend, that they are really representatives of the people and are selected to voice the aspirations of the people ? If they were honest in this matter, they would have selected you, Sir, or our revered leader Pandit Motilal Nehru. Sir, if they really wanted Indian representatives, they would have chosen men like that, and not men from their own service, who are more bureaucratic, if I may be permitted to say so, than English bureaucrats. But be that as it may, I say this only to remind the Honourable Member in charge of the Department that the mere fact of Sir Atul Chatterjee being represented there does not make us believe that really you meant to give India representation, and that you meant to benefit India.

Now, Sir, it has been said that India is the biggest consumer of the wireless service, and if it is so and if India's interest is at all to be considered, I submit that the Member in charge of this Department has no other alternative but to place before the representatives of the people the correspondence which he considers to be confidential and submit to us confidentially that correspondence, if not to all of us, at least the Honourable Mover of this Resolution, whose honesty they cannot doubt.

Then, Sir, the Honourable Mover has said that this cable service is a central link in many ways, but I submit to the House that this is a central link in one thing, and that is in the matter of Imperial domination. It is a central link of British Imperialism, it is a central link of India's slavery.

I support this Resolution because I consider that by all these means of communication England has been able to perpetuate our present condition of slavery, and therefore I support my Honourable friend, the Mover of this Resolution.

My Honourable friend, Mr. Joshi, was pleased to observe about the real object of the merger. The real object of the merger is submerging Indians and India's interests.

Of course there are gentlemen who in supporting the Resolution have been pleased to observe that they would not embarrass the Government. They would look to the business part of it apart from politics, and so forth. These platitudes we are accustomed to hear, and I need hardly reply to them.

With these few words I beg to support the Resolution.

**Lala Lajpat Rai** (Jullundur Division : Non-Muhammadan) : Sir, I had no intention of intervening in this debate but for the remarks that fell from my Honourable friend Sir Purshotamdas Thakurdas about the value of India's representation through Sir Atul Chatterjee. I do not think we are discussing the personality of Sir Atul Chatterjee at all. To me it is a question of principle. I want to insist that in all international agreements, in all international conferences, if they are to be binding upon us in the present and in the future, we must be represented along with officials by non-official representatives of India, who can speak for nationalist India. It is not a question of anybody's ability or anybody's *bona fides*, but it is a question of principle. These officials of the Government of India, whether they are Indians or whether they are Europeans, go under certain instructions ; they are bound by those instructions and cannot go behind those instructions. I have seen the best of them making representations or at least speaking in the name of the Government of India under instructions of the Government of India. Therefore, I do not subscribe to the proposition that however able an Indian may be in the service of the Government he can properly represent India and bind it for all times to come in an international agreement. I wish the Government to recognise that in the matter of international agreements, and international conferences, India will refuse to be bound by any agreements or decisions arrived at unless non-official India is properly represented at these conferences. I take this opportunity to state here that non-official India is to be reckoned with, and it must be allowed a proper representation, in all international gatherings and conferences.

Coming to this particular matter under discussion there is a provision in one of these agreements which has been brought to my notice by my Honourable friend Mr. Neogy. In one of these agreements it is said that "it is agreed that British control in all these companies must be paramount." May I ask this House, whether in agreeing to that provision, Sir Atul Chatterjee voiced the sentiments of India, the nationalist India ? Why did he agree to that provision ? If he agreed to that provision, it must have been under instructions from the Government of India. Therefore, I submit, it is a very serious matter that officials of the Government of India, which is admittedly a Foreign Government, whether Indians or Europeans, should bind India in these agreements behind the back of nationalist India. We have seen it in the case of the airship service also. We have seen it in many cases. The world is at the present moment revising all its programme of trade and in all these conferences that are being held in different parts of the world, India is always represented by officials appointed by the Government of India and under instructions of the Government of India or the Secretary of State. Are we going to be bound by those decisions ? I submit not, and that is a question of principle. In considering this Resolution, I want to say nothing about the technical side because I do not know anything about it. But I am perfectly certain that we on this side of the House are voicing the sentiments of the nation that in all these international agreements with which India is supposed to be bound up now, hereafter and for all times to come, we must be represented by a competent representative of non-official India and not by official Indians. We know we have many competent and able Indians in the service of Government. We do not question their *bona fides*, but they are trammelled

[Lala Lajpat Rai.]

by the conditions of their service and we cannot expect them to go against the instructions which they have received from their masters, namely, the Government. I have some personal experience in this matter, and I can say that Indian official can be an exception in this matter. He is bound by his instructions. Therefore, what we are fighting for is a question of principle. We are making no reflections on the honesty or ability of Sir Atul Chatterjee. We want to assert on the floor of this House that in all these international agreements relating to trade or cable services or anything else, India must be represented by non-official Indians. There are men like my Honourable friend Sir Purshotamdas Thakurdas, my Honourable friend Mr. Birla and many others who can represent India quite adequately and honorably in all commercial agreements. Why cannot the Government select any one of them in order to give help to the officials who are deputed for that particular piece of work ?

As the Government ignores practically all non-official India and takes upon itself to settle all these agreements we must continue to protest against this procedure and object to these agreements so that these agreements may not be altogether binding upon us for all time to come. That is the only question of principle which I wanted to enunciate in this debate.

**Mr. K. C. Roy :** Sir, the House has got to deal with two very astute Scotsmen in this matter. One is the author of the Report, Sir John Gilmour, and the other is the spokesman of Government, Mr. McWatters.

**The Honourable Mr. A. C. McWatters :** I am an Irishman:

**Mr. K. C. Roy :** However, an Irishman in Indian matters is as bad as any Scotsman. But he is one of the most brilliant members of the Indian Civil Service, and I am not very anxious to cross swords with him. My task however has been considerably lightened by my supporters. I am particularly indebted to Lala Lajpat Rai who has given us his opinion about Indian delegations in no uncertain terms. It was not several years ago, when I was a Member of the Council of State, that a similar proposition came from Sir Phiroze Sethna. I then expressed the same opinion as Lala Lajpat Rai, and I adhere to every word that Lala Lajpat Rai has said to-day.

Now I come to the remarks of Sir James Simpson whose presence I welcome. He has come with a great reputation to us and will prove a great asset; but I should like to enlighten him on two points. First of all there is the principle whether a company of this sort should be State-owned and State-worked. In 1923, the British Prime Minister laid it down as an emphatic proposition that it is necessary in the interests of national security that there should be a wireless system in that country capable of communicating with the Dominions and owned and operated by the State. This is the principle that has been denounced by the Baldwin Ministry in 1928. Now I ask my Honourable friend Sir James Simpson to find out the reasons.

Then another thing which interests the commercial community is cheaper telegraph rates, to which my Honourable friend Mr. McWatters has referred in a very subdued tone. What is the recommendation of the Gilmour Committee? Not the cheapest nor the minimum rate. Nothing of the kind. They say : " We will guarantee the communities concerned

an efficient service at a reasonable rate." I ask Sir James Simpson to find out what is the difference between a minimum rate and a reasonable rate. I am quite sure, Sir, India will materially suffer as a consumer by this new convention.

Then, Sir, much has been said about the representation of India at this Conference. I am reverting to it again because Mr. McWatters made a special point of it. Perhaps very few know that I have known Sir Atul Chatterjee longer than any other Member of this House, and I have nothing to say against him.

**Mr. President:** Longer than Mr. Amar Nath Dutt?

**Mr. K. C. Roy :** Longer than him, and I have known him longer than any other Member of this House.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhammadan Urban) : I dispute that.

**Mr. K. C. Roy :** You knew him in the United Provinces. I knew him before that when he was in a college in Calcutta. I yield to none in my personal respect for him; but the question of the Indian delegation is a matter of principle with me. Does Mr. McWatters know that England was not represented by the Postmaster General nor by the Secretary of the Post Office? England was represented by the Secretary of State for Scotland, a hard-headed business man whose aid was necessary. And he was assisted not by a permanent official from the Post Office or from the Treasury. He was assisted by the Parliamentary Secretary to the Treasury. Shall I give him one or two more instances? Who represented Canada? Sir Campbell Stewart, a newspaper magnate who only recently owned a large block of shares in the London Times. And who was the High Commissioner who represented his Government at this Conference? The High Commissioner of New Zealand. New Zealand has very little to do with these companies. I hope I have convinced Mr. McWatters that the delegation sent to England to represent India's interests at this Conference was not the right sort of delegation.

Now, Sir, I come to Mr. McWatters' conclusions. I really envy him because he has given us such a lucid exposition of the report without bestowing an additional word on any other subject. I am simply lost in admiration of him. If he had joined the newspaper press, he would have been in a better position than he is as a Member of the Government of India. He has given us nothing—no news whatever, except a few lines about the Indian Radio Telegraph Company being handed over to Marconi's or to the merger, whichever it is; but that news also is so vague that this House should stand on its right to know what has happened in this matter. I know there are difficulties and I know that he is not in a position to disclose to us the internal affairs of private corporations; but we are entitled in this House to know the full instructions which he, as head of the department, issued to the Indian delegates and other official papers and until then, until he has shown them to this House or to the Standing Committee attached to his Department, I am not going to withdraw my motion.

Now, Sir, a word about Sir Purshotamdas Thakurdas. I have already replied to him as regards the character of the delegation about which he stressed so much. There is only one other point. He wanted to know the object of my motion. I think he has known enough of Parliamentary



[Mr. K. C. Roy.]

life to know that it is the usual Parliamentary formula to raise a debate to get the sense of the House on a given matter, and that is my sole and whole object. I leave the decision on my motion to the sense of the House.

**The Honourable Mr. A. C. McWatters :** Sir, I think it is perhaps only natural that on a subject of this kind the debate was apt to wander somewhat far away from the real subject of the discussion. The Resolution asks Government to lay on the table certain papers and even the Honourable Mover of the Resolution has admitted that the bulk of the papers, practically all of the papers, which I mentioned could not be laid.

With regard to our instructions to the High Commissioner, in reply to a definite question from Sir Purshotamdas Thakurdas, I have given the answer that our instructions were simply this, that he was to look after the interests of the Government of India, particularly in respect of the Indo-European Telegraph Department, and specially to consider the interests of the telegraph-using public. Those were our definite instructions. So, as far as that part of the Resolution is concerned, I maintain that I have done everything that this House could expect us to do, and also I have endeavoured to throw such light as I could—I hope I did not mix it up in a maze of words—upon the very difficult technical and financial arrangements which are involved in these proposals ; and in spite of what Mr. Roy has said, I am going to continue in the same spirit to answer one or two questions which have been put to me since I made my first speech to-day. The Honourable Mr. Das specially referred to the fact that these proposals had been forced upon our Indo-European Telegraph Department. I am afraid in some of the things he said he was not quite clear in his own mind about the Indo-European Telegraph Department and the Indo-European Company, which are two very different things. The Department acts with the Company as I explained ; but the Company is a purely private company and it, like our department, remains entirely outside the merger ; so that they are affected in exactly the same way *vis-a-vis* the Communications Company as our Indo-European Telegraph Department will be. I explained that as regards our direct income from the Gulf traffic and from the Persian traffic we were in no way affected by it ; but where we are affected by it is in its reverberation upon our joint purse. I pointed out, as stated in paragraph 42 of the report, that the joint purse system would remain unchanged ; and Sir Purshotamdas Thakurdas quite fairly pointed out the last sentence of the paragraph which said that the precise arrangements might possibly require revision, and it was for that very reason that I said in my first speech that the Government of India proposed to enter into correspondence with the Home Government before they considered the question of giving their final adherence to the proposals ; it was exactly for the reason that we wanted to be absolutely certain of our position *vis-a-vis* the new Communications Company, and how we would be placed, that we have not as yet given our definite adherence to these proposals.

Now, Sir, Mr. Haji asked me two definite questions ; first of all, in connection with the method by which the standard net revenue had been obtained—£1,875,000—and he appeared to quote from some paper dated about May, which referred to the figure having been obtained on figures of earnings of two years back. To begin with if it is a paper dated May, it has nothing whatever to do with the subject of this Conference, because the proposals were all of a later date than that. In the second place, I

would point out that he has forgotten that this figure relates both to cables and wireless services, and two years ago the wireless was practically not in existence. So obviously the rate we are referring to now had nothing to do with the earnings of two years ago. Then again he asked me definitely whether the fact that the Government of India had insisted or arranged for 60 per cent. capital of the Indian Radio Telegraph Company being allotted in India was part of a general policy. I would point out that this company had to receive a licence from the Government. They could not operate without a licence from Government. Therefore, in this case, there was a special reason, apart from any general policy, why Government was perfectly entitled to lay down conditions of that kind.

I do not wish to deal with any questions which seem to me to go outside the subject of this discussion, or to argue again the merits of the representatives whom we chose. I think I answered that as well as I could in my original speech. The majority of the representatives of the various Governments were of course officials. As a matter of fact, this Conference took place at very short notice. I think we had about a week's notice. The matter was considered to be of great emergency. So that in the normal course such official representation as was available was adopted by a majority of the Governments concerned.

I think, Sir, that I have nothing else to say. I think that I have really in substance done what the Honourable Mover of the Resolution wants me to do, but I am sorry I cannot accept the Resolution.

**Mr. President :** The question is :

“ That the following Resolution be adopted :

‘ This Assembly recommends to the Governor General in Council that he may be pleased to lay on the table all correspondence between the Secretary of State and the Government of India relating to the cable and the wireless beam merger scheme, certain conclusions of which were recently announced both in London and in India ’ ”.

The Assembly divided :

AYES—53.

Abdoola Haroon, Haji.  
Abdul Matin Chaudhury, Maulvi.  
Aney, Mr. M. S.  
Ayyangar, Mr. K. V. Rangaswami.  
Badi-uz-Zaman, Maulvi.  
Belvi, Mr. D. V.  
Bhargava, Pandit Thakur Das.  
Birla, Mr. Ghanshyam Das.  
Crawford, Colonel J. D.  
Das, Mr. B.  
Das, Pandit Nilakantha.  
Dutt, Mr. Amar Nath.  
Ghuznavi, Mr. A. H.  
Gulab Singh, Sardar.  
Haji, Mr. Sarabhai Nemchand.  
Iswar Saran, Munshi.  
Joshi, Mr. N. M.  
Kartar Singh, Sardar.  
Kidwai, Mr. Rafi Ahmad.  
Kunzru, Pandit Hirday Nath.  
Lahiri Chaudhury, Mr. Dharendra Kanta  
Lajpat Rai, Lal.  
Lalchand Navalrai, Mr.  
Lamb, Mr. W. S.  
Mehta, Mr. Jumnadas M.  
Misra, Mr. Dwarka Prasad.  
Mitra, Mr. Satyendra Chandra.

Mohammad Ismail Khan, Haji Chaudhury.  
Moonje, Dr. B. S.  
Mukhtar Singh, Mr.  
Murtuza Saheb Bahadur, Maulvi Sayyid.  
Naidu, Mr. B. P.  
Nehru, Pandit Motilal.  
Neogy, Mr. K. C.  
Rafique, Mr. Muhammad.  
Ranga Iyer, Mr. C. S.  
Rao, Mr. G. Sarvotham.  
Roy, Mr. Bhabendra Chandra.  
Roy, Mr. K. C.  
Sarda, Rai Sahib Harbilas.  
Sassoon, Sir Victor.  
Shafee, Maulvi Mohammad.  
Shah Nawaz, Mian Mohammad.  
Simpson, Sir James.  
Singh, Kumar Rananjaya.  
Singh, Mr. Gaya Prasad.  
Singh, Mr. Narayan Prasad.  
Singh, Mr. Ram Narayan.  
Sinha, Kumar Gangnanand.  
Sinha, Mr. Rajivaraajan Prasad.  
Sinha, Mr. Siddeswar.  
Yusuf Imam, Mr.  
Zulfikar Ali Khan, Nawab Sir.

## NOES—36.

Abdul Aziz, Khan Bahadur Mian.  
 Abdul Qaiyum, Nawab Sir Sahibzada.  
 Ahmad, Khan Bahadur Nasir-ud-din.  
 Alexander, Mr. William.  
 Anwar-ul-Asim, Mr.  
 Ashrafuddin Ahmed, Khan Bahadur  
 Nawabzada Sayid.  
 Bajpai, Mr. G. S.  
 Bharucha, Mr. S. M.  
 Bower, Mr. E. H. M.  
 Coatman, Mr. J.  
 Crerar, The Honourable Mr. J.  
 Dakhan, Mr. W. M. P. Ghulam Kadi  
 Khan.  
 Dalal, Sardar Sir Bomanji.  
 Ghazanfar Ali Khan, Mr.  
 Graham, Mr. L.  
 Hezlett, Mr. J.  
 Hira Singh, Brar, Sardar Bahadur  
 Honorary Captain.  
 Jowahir Singh, Sardar Bahadur Sardar.

King, Mr. C. M.  
 McWatters, The Honourable Mr. A. C.  
 Mukherjee, Mr. S. C.  
 Parsons, Mr. A. A. L.  
 Raghavayya Pantulu Garu, Diwan  
 Bahadur T.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rau, Mr. H. Shankar.  
 Rogers, Mr. P. G.  
 Roy, Mr. S. N.  
 Shamaldhari Lall, Mr.  
 Shillidy, Mr. J. A.  
 Singh, Rai Bahadur S. N.  
 Stewart, Mr. J. A.  
 Sykes, Mr. E. F.  
 Webb, Mr. M.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was adopted.

### RESOLUTION *RE* THE HAJ PILGRIM TRAFFIC.

**Haji Abdoola Haroon** (Sind : Muhammadan Rural) : Sir, I rise to move the Resolution that stands in my name. It runs as follows :

“ This Assembly recommends to His Excellency the Governor General in Council that a mixed Committee of officials and non-official Muslims, with a clear non-official majority, be appointed to hold an open enquiry and take evidence, with a view to investigate the entire question of the facilities for pilgrims proceeding to the Hedjaz from Calcutta, Bombay and Karachi ports, the duties and powers of the Protectors of Pilgrims and the Haj Committees and all matters pertaining to the pilgrim traffic, and to make the necessary recommendations for providing better arrangements for the pilgrims and mitigating their hardships and inconveniences ”.

Sir, before I say anything on this Resolution, I think it my duty to point out that the Haj is a subject in which both the Government and the people should take the liveliest interest. It is a fact that about 30 to 40 thousand Mussalmans reach Jeddah every year by ships from Karachi, Madras, Calcutta and Bombay. Pilgrims from many foreign Islamic countries come to India and they embark for the Holy Lands from the Indian ports. If we provide them also with facilities in this connection they will carry a good impression with them as those of our Indian pilgrims who have seen the arrangement and management of the Egyptian and Java Governments for the facilities of the pilgrims carry a good impression with them.

The Government are aware of the fact that more Mussalmans live under the British Government, and therefore the British Government's duty towards Mussalmans is greater than even any other Moslem State. With these prefatory remarks, I shall pass on to the Resolution.

Sir, no year passes by in which the Moslem newspapers in India do not publish the complaints of the Mussalmans regarding various hardships of the pilgrims. It is an old sore, and in the interest of the Government it is necessary that this question should be thoroughly investigated once for all.

Now Sir, I submit some of the hardships of the Haj pilgrims :

1. *The Passage Money.*—The passage money is too high. Before 1914 the passage rate of all the companies was about Rs. 40 (single) for deck. In 1914 when there was no competition of the shipping companies it rose from Rs. 40 to 100. The passage fare Rs. 120 (return) was the maximum of the war time. After the war the Government fixed Rs. 195 as the maximum and the shipping companies (Messrs. Turner, Morrison and Company and the Nimazi Company) settled among themselves and generally charged Rs. 195 during the pilgrim season. When the Shustri Company fixed their rate of steamers for Jeddah the above two companies reduced their rates. But last year this company also joined them and all the three having settled among themselves generally charged Rs. 195.

2. *Hardships in the Ships.*—As regards *space*, I beg to submit that the pilgrims sit on board of such vessels in greater number than the accommodation is set apart for them. A good many Hajis do not find seats even to sit on. It also happens that sharp and well-versed people go and monopolize a lot of space and the other poor and ignorant people go about begging for a little space and no one listens to them.

Under the present arrangement, the luggage of the pilgrims is so mixed up that several Hajis do not find their luggage and consequently have to beg their daily bread in the ship.

There is a general complaint that no attention is paid to the *cleanliness, proper ventilation, lights, etc.*, in the holds where most of the Hajis are packed up. According to rules some space in the ship is allowed for the pilgrims for rest and fresh air, but it generally happens that that space is also occupied by the pilgrims. When a complaint from the members of the Haj Committee is made to the captain of the ship, he replies that he is powerless and he cannot fight with the Hajis.

*There is no Muhammadan Hindustani shop or contractor* in the ship to sell bread, butter, mutton, tea, etc., at a reasonable price. The first few days most of the Hajis get sea-sick and are not fit to prepare anything for themselves and thus go without food for a number of days. The ships convey no stock of ice, and aerated waters in sufficient quantity.

The *fuel wood* supplied to the Hajis is sometimes damp and thick. The trouble of breaking it and getting it dried is very great.

In the ship, the *sweet water* is not so freely distributed and there is great scarcity of it. Besides about 1,200 pilgrims or so get sweet water at one place and at a limited time which causes great trouble to the pilgrims.

*Latrines and bath rooms* are not in sufficient numbers and generally there is no light in them. Females are not provided with separate latrines.

There has been a complaint regarding the manner in which the *dead pilgrims* (both males and females) are, under the present arrangement, thrown into the sea.

3. *Disinfection and Medical Inspection.*—The separation of female pilgrims from their relations or husbands at the time of disinfection and medical inspection is one of the troubles met with by the pilgrims before embarkation. This separation begins from the time the disinfection and medical inspection commences and lasts even in the ship when several women are seen crying and requesting other pilgrims to go in search of their husbands or relations.

[Haji Abdoola Haroon.]

4. *Treatment at disinfection embarkation and disembarkation.*—It is admitted on all hands that the majority of the pilgrims being illiterate people do not know all the rules and regulations of disinfection, embarkation and disembarkation, and thus when they give any cause to the authorities concerned they are very harshly treated.

5. *Hardships at Kamaran.*—Before the war all pilgrims had to be medically examined at the port of embarkation. Thereafter, owing to both Kamaran and Jeddah being then under the Turkish Government, pilgrims had to be examined at one of those ports. If they were examined at Kamaran, they had not to be examined at Jeddah and *vice versa*. In any case the pilgrims were charged pilgrim dues once only either at Kamaran or at Jeddah. Now since the war, the pilgrims have to be examined at both places, Kamaran as well as Jeddah, and have to pay pilgrim dues at both ports. There does not seem to be any need for examination at Kamaran as it is now a British port. By the time the pilgrims reach Kamaran, they have already been on board the ship for over 10 days, the period of segregation. In any case pilgrims are examined at Jeddah by the Hedjaz Government, so that an examination at Kamaran by the British Government would appear to be purposeless. I may here mention that the Javanese pilgrims have not to go to Kamaran.

6. *Thefts at Kamaran.*—At Kamaran a pilgrim has to undergo a quarantine of 24 hours and he has to suffer the troubles of transhipment and to carry a small portion of his luggage with him, leaving his belongings in the ship. The ship authorities are not responsible for the theft of the things left on board, for such are the conditions printed on the tickets, and consequently actual thefts are committed without any redress.

7. *Pilgrim Camps.*—The question of the pilgrim camps at the various pilgrim centres is very important. I have sufficient experience of the pilgrims' camp at Karachi and I can say that there is much to be done there for the facilities of the pilgrims with regard to accommodation, sanitation, medical arrangements, issuing of passports, inoculation, water arrangements, etc.

8. *Haj Committees.*—At present it is not known what the duties, powers, and responsibilities of the members of the Haj Committees are, and in the absence of this the Haj Committee members can do no practical good to the pilgrims. Unless the question of the Haj Committees is thoroughly reconsidered no good will come out of their appointment. It is therefore necessary that the question of the formation of the Haj Committees should be reconsidered and the duties of such Haj Committees be properly defined by some rules and regulations.

9. *Procedure for getting Single Tickets very difficult.*—The procedure for obtaining single tickets for those who are *bona fide* not returning to India is a difficult one. It is with great difficulty that these tickets are obtained at present.

10. *System of Return Tickets.*—The present system of getting a refund of the difference between the single and return fares in case of those who do not return to India should be considered and the system made easier.

11. *System of deposits and unclaimed deposits.*—It is also necessary that the present system of receiving deposits from the Haj pilgrims and

the disposal of the deposits be enquired into. In what manner thousands of rupees lapse to the Deposit Fund at the various pilgrim centres is also a question that should be thoroughly investigated. Thousands of rupees are realized from interest on deposits. In what manner that interest is utilized is also a question that should be investigated.

**12. Jeddah Arrangements.**—Other Governments have their special arrangements for their pilgrims at Jeddah regarding protection, medicines and other necessities of the pilgrims. Similarly, there should be a special department on behalf of the Indian Government at Jeddah to look after the convenience of the pilgrims.

**Conclusion.**—Before concluding I beg to submit that I am quite sure that, constituted as I suggest the Committee should be, the vexed question of the hardships of the Haj pilgrims will be solved in a manner which is likely to result in the best interests of India.

With these words I commend this Resolution to the unanimous acceptance of this House.

**The Honourable Sir Muhammad Habibullah** (Member for Education, Health and Lands) : Sir, I feel that it will be regarded as superfluous if I should try to give an assurance to the House in general, and to my Muslim brethren in particular, of my deep interest on behalf of the Hajis. Indeed I should deem it my duty, nay, a privilege, if I could do something to alleviate their sufferings, so far as they are reasonable, legitimate and genuine. When this Resolution was put into my hands my mind worked in a particular direction for the purpose of solving the object which the Honourable Mover has in mind. It seemed to me, and I may say that it still seems to me, that the better way of tackling the problem would be in a manner that I shall venture to explain. Honourable Members must be aware that at the present moment, although the Haj pilgrimage is a central subject, the responsibilities of the Government of India in that matter are discharged through the agency of the Provincial Governments, and may I add that most of the Provincial Governments are aided in their turn by what are termed as Haj Committees, with of course a preponderating Muslim element thereon. I have so far not received very definite complaints in regard to what the Honourable Mover has depicted in his very interesting speech. It seemed to me therefore not only fair but very necessary that to elucidate the real position I should agree on the floor of the House to communicate to the Provincial Governments this Resolution, together with any debate that may ensue thereon, and ask them to express their own views after consulting their Haj Committees ; and, on receipt of those reports from the various Provincial Governments, it was again my intention that I should lay the whole correspondence on the table of the House.

**Mr. K. Ahmed** (Rajshahi Division : Muhammadan Rural) : What about the conference you have already had and the questions asked in this House during the last two years ? Was not the Honourable Member in a position to deal with the Provincial Governments and the Haj Committees previously with regard to all the grievances ?

**The Honourable Sir Muhammad Habibullah** : Yes, they were referred to the Haj Committee ; and after laying them on the table of the House invite for consultation with me the Muslim Members of the Legislature and discuss with them the issues which emerge as a result of those

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reports. If as a result of such discussion it was found necessary to appoint a Committee, there would be ample material for the investigation of the Committee. I may remind the House that on two previous occasions it was my privilege to be helped greatly by my Muslim brethren in the Legislature. When, in 1925, I attempted to amend the Indian Merchant Shipping Act with a view to the introduction of the system of return tickets, and then again in 1927 when I made another attempt for the purpose of amending the same Act so that the pilgrims who were detained at the port of embarkation for a period beyond that which was regarded as reasonable should be entitled to compensation from the shipping companies, I adopted the procedure of seeking the help of the Muslim Members of the Legislature for the purpose of fortifying myself, with real Muslim public opinion, I may also inform the House that in connection with the consideration of this Resolution I came to the conclusion that the time had come when not only the Provincial Governments should be aided by Haj Committees with a preponderating Muslim element thereon, but that the Government of India should also call to its aid a Committee more or less of the type of what is known as a Departmental Advisory Committee. Indeed we have already the Standing Emigration Committee whose work and whose utility are beyond description. They render such useful help that I am tempted to think that if a similar Committee was installed for the purpose of helping the Department in charge of pilgrimage great benefit would be derived and such of the complaints which do not now reach the ears of the Government of India through responsible sources may come to us through the medium of that Advisory Committee, and we shall then be in a position to act according to their advice. This, Sir, was the brief outline of the plan which I had envisaged in my own mind when this Resolution was tabled and I claim, if I may say so, that there is some merit in the suggestion that I have put forward. At any rate it deserves some consideration.

**Mr. K. Ahmed :** Tabled by all the Muslim Members of the Assembly?

**The Honourable Sir Muhammad Habibullah :** But if the Honourable Muslim Members of this House feel strongly that a committee of enquiry should be appointed, I shall certainly not oppose it. (Cheers.)

I have not paid one of my rare visits to this House, for the purpose of opposing the Resolution, or for exhibiting anything like an uncompromising attitude. (Cheers.) If the Muslim Members of this House feel that they will be satisfied with nothing short of an appointment of a Committee, I repeat that, on behalf of the Government of India I shall accept their verdict (Cheers). But at the same time let me inform the House that I am prepared to accept the Resolution subject, of course, to the usual conditions. The first condition, as Honourable Members will realise, is one which will lie in their own hands—I mean the appointment of a Committee should be approved by the Standing Finance Committee, and the funds therefor voted by this House. The second is more or less the usual condition, namely, that the Government of India will reserve to itself discretion in regard to the choice of the personnel and the terms of reference to that Committee. And one last condition which Honourable Members will recognise is one of importance, and it is this, that the activi-

ties of this Committee will be confined only to arrangements made in India. (*An Honourable Member* : "What about quarantine conditions?") This condition is necessary, I was going to explain, in order to avoid the Committee, if appointed, claiming to investigate such matters as the quarantine arrangements made at Kamaran, which is in the Persian Gulf, or in the Hedjaz which, as Honourable Members know, is a foreign territory. (*An Honourable Member* : "Is it?") That is how I understand it. Well, it will obviously be impossible.... (*Mr. K. Ahmed* : "Protected by the British.") Everybody is protected by the British. It will, therefore, be obviously impossible to bring the affairs of Kamaran and the Hedjaz within the ambit of a Committee set up by the Government of India and whose jurisdiction must certainly begin and end with British India. I just wanted to make this position sufficiently clear. If my Muslim brethren are willing to accept those conditions, and if they insist on the appointment of a Committee as the only step towards the investigation of the grievances of the pilgrims, I repeat that I am quite willing to accept it. (Cheers.)

**Maulvi Mohammad Shafee** (Tirhut Division : Muhammadan) : Sir, I rise, with your permission, to lend my support to the Resolution moved by my Honourable friend, Haji Abdoola Haroon. Before I do so, I have to thank the Honourable Sir Muhammad Habibullah for the frankness with which he has put his case and for the sympathy he has shown in the troubles of the Hajia. Sir, it fell to my lot in the very beginning of my career as a Member of this Assembly to study all the Acts, the rules and the regulations regarding Hajis from the earliest times. I have studied them with industry and care, and I think I can understand the implications of these Acts and these rules and regulations. I thought at that very moment that these rules and regulations were not made with reference to the life, the feeling and the sentiments of the people who were concerned with those laws and for whom they were made. Fortunately, soon after that, I had to fight for the opening of the Haj season that year and we had to force our way to Hedjaz because the Government discouraged the Haj in that season. I had to travel myself to the Hedjaz. Although I was offered some very comfortable position on my journey to the Hedjaz, I preferred to go through all the minute details through which the poor pilgrims had to pass.

**Mr. President** : Order, order. I do not desire to interrupt the Honourable Member, but I hope he will realise that the issue between the Government and the House is not whether a Committee should or should not be appointed. The Government as I understood the Honourable Member is prepared to appoint a Committee if the Muslim Members want it and if they accept the conditions indicated by him. So the discussion should better be confined to the acceptance or otherwise of the conditions which the Honourable Member has just mentioned.

**Maulvi Mohammad Shafee** : I was just going to refer to that. It is only for that reason that I have risen to speak. You will see that the object of the Resolution is to get a Committee to go into all these



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details and find out for this House all the grievances which the Hajis really suffer from, from the time they leave their homes till the time when they reach the place up to which the British Government have got their influence.

**Mr. President :** The Government has no objection to the appointment of a Committee.

**Maulvi Mohammad Shafee :** If they left out the troubles at Kamaran, which is so far as I know under the influence of the British Government, although I have been told that it is directly under the control of the British.....

**The Honourable Sir Muhammad Habibullah :** No, no.

**Maulvi Mohammad Shafee :** However it is certainly under the influence of the British if not under their direct control. I am certain about that. Therefore, I was telling you, Sir, that we have got to see whether the rules and regulations which are at present in vogue for the Hajis are to be overhauled all through or not. That is the point. If you only want to touch the question so far as the Indian part is concerned, it is not of much avail. We have got to go beyond that. We have got to go to that limit up to which we find that the British Government can influence the authorities who are working in those places. That is the real point. I was going not to ask for the appointment of a Committee. If it had been my Resolution I would have asked for the election of a Committee by this House. However, it is not the Resolution before the House. Therefore I confine myself to pointing out.....

**Mr. President :** The Honourable Member is entitled to move an amendment.

**Maulvi Mohammad Shafee :** I have not done so. However, my point is that we have got to go over the whole thing. I am trying to bring out before the Honourable Member in charge of this Department that it will not do to touch one part and leave the other part at the mercy of the authorities who are dealing with it at present. Of course we do not want that the British Government should be dragged into a matter in which they have no concern. That would of course be beyond the power of the British Government, but so far as we can go we ought to go. If we are satisfied by our private talk with the Honourable Member in charge that the British Government cannot go into that question, if we feel that the British Government is helpless there, we cannot press it ; but if we are not satisfied as regards that point we shall certainly press the point. One point I was going to urge most strongly is that the Honourable Member will remember when constituting the Committee that the Committee which is required to be formed is one of official and non-official Moslems with a majority of non-officials. That of course has to be seen because it is then and then alone that you will be able to know the public mind. If on the other hand you make your choice.....

**The Honourable Sir Muhammad Habibullah :** I have not tried to discuss any single item in the Resolution. I have not expressed any difference of opinion so far as the constitution of the Committee is concerned and I do not think it is necessary.

**Mr. President :** I think it would be a much better course for Honourable Members representing the community to meet Sir Muhammad Habibullah before the next non-official day approaches and discuss the whole question with him. There is hardly any difference of opinion between Government and non-official Members in this matter, and I do not see why they could not come to an understanding on the question and save the time of the House.

**Maulvi Mohammad Shafee :** I don't think we should leave this opportunity. This Resolution may be passed and there is nothing.....

**Mr. President :** If Honourable Members do not want to come to an agreement with the Government they are entitled to do so, but if there is a chance of agreement there is no reason why it should not be taken.

**Maulvi Mohammad Shafee :** If the particular restrictions were removed from the offer made by Government, the Resolution might be passed to-day. I do not want to miss this opportunity.

**Mr. President :** The object is to get something from the Government. That can be more effectively had by the course I have suggested.

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The Assembly then adjourned till Eleven of the Clock on Thursday, the 6th September, 1928.