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THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

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LEGISLATIVE ASSEMBLY.

Tuesday, 11th September, 1928.

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

QUESTIONS AND ANSWERS.

NUMBER OF INDIAN AND BRITISH INTERNAL SECURITY TROOPS.

364. *Pandit Hirday Nath Kunzru : Will Government be pleased to state the number of (a) Indian and (b) British internal security troops ?

Mr. G. M. Young : All troops stationed in India are available for internal security purposes in peace time. It would not be in the public interest for me to give particulars of the troops allotted to internal security in the event of war, since that would enable anyone, by a simple mathematical calculation, to discover the strength and composition of the troops which it is proposed to put into the field.

Pandit Hirday Nath Kunzru : May I ask the Honourable Member whether he is aware that it is stated in the life of Lord Rawlinson that in 1921 there were 28 British and 21 Indian battalions detailed for internal security ?

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

Pandit Hirday Nath Kunzru : What is the objection to giving the present figures, as these figures are bound to be changed in time of war ?

Mr. G. M. Young : I would point out that it is not of very much consequence now how many troops it was proposed to put into the field in 1923, but it is of some consequence how many troops we propose to put into the field now.

Pandit Hirday Nath Kunzru : Since I am asking for only the normal distribution, what is the objection to telling us now how many troops have been allotted for internal security as the proportion in the various sections is bound to be changed during the time of war ?

Mr. G. M. Young : I think my friend is drawing me into an argument, and I think he has missed the point. The allotment of troops for internal security is not the normal allotment in peace time. The troops are definitely allotted for internal security in the event of war, and, as I have already stated in my answer, all troops are available for internal purposes in peace time.

Pandit Hirday Nath Kunzru : Is the Honourable Member aware, Sir, that when the Indian Army was increased in 1885-87, the Government of India informed the Secretary of State how many troops were wanted for internal security and that this information has been published in a despatch of 1887 ?

Mr. G. M. Young : I am quite prepared to take facts from the Honourable Member.

Pandit Hirday Nath Kunzru : When both the Government of India and the Commander-in-Chief have at various times stated the number of troops allotted for internal security, what is the objection to giving that information now ?

Mr. G. M. Young : I have already answered that question.

Pandit Hirday Nath Kunzru : The Honourable Member has not answered it.

RATIO OF INDIAN TO BRITISH SOLDIERS IN (a) THE FIELD ARMY, (b) COVERING TROOPS AND (c) INTERNAL SECURITY TROOPS.

365. *Pandit Hirday Nath Kunzru : Will Government be pleased to state the ratio of Indian to British soldiers in (a) the field army, (b) covering troops and (c) internal security troops ?

Mr. G. M. Young : The figures are apt to fluctuate. At the present moment there are slightly more British than Indian troops in the battalions earmarked for internal security. In the field army the proportion of British soldiers is about 1 to 3 Indian soldiers, and in the covering troops the proportion is about 1 to 6.

Pandit Hirday Nath Kunzru : What is the proportion of the internal troops ? I could not catch what the Honourable Member said.

Mr. G. M. Young : I shall repeat my answer. The figures are apt to fluctuate. At the present moment there are slightly more British than Indian troops in the battalions earmarked for internal security.

Pandit Hirday Nath Kunzru : Is the proportion still $1\frac{1}{2}$ to 1 as it was in Lord Rawlinson's time ?

Mr. G. M. Young : I have not got exact figures with me, but I think it is about that.

SCALE OF PAY AND LEAVE RULES OF OFFICERS, INDIANS AND EUROPEANS, ON THE BENGAL AND NORTH WESTERN RAILWAY.

366. *Mr. Gaya Prasad Singh : (a) Will Government be pleased to give the scale of pay of officers in the superior cadre, Indians and Europeans, and the leave rules in force on the Bengal and North Western Railway, along with a statement of the staff drawing Rs. 100 and above per month ; together with a comparative statement on the above points on State Railways in India ?

(b) If it is not convenient to supply this information in reply to a question on the floor of the House, why should it not be available to Members who desire to have it from the Railway Board ?

Mr. A. A. L. Parsons : The Honourable Member will find the information which he requires as to scales of pay in the establishment rolls, copies of which are in the Library. I am seeing if I can obtain for him a copy of the leave rules in force on the Bengal and North-Western Railway. The leave rules on State-managed Railways are the Fundamental Rules. The Railway Board have not got the figures of staff drawing Rs. 100 and over on the Indian Railways, but those for staff drawing Rs. 250 per mensem and over or on scales of pay rising to Rs. 250 per mensem and over, will

be found in Appendix F of Volume I of the Reports by the Railway Board on Indian Railways.

Mr. Gaya Prasad Singh : Is the Honourable Member aware that when I wrote to the Railway Board asking for information on this point, they wrote back saying that the information cannot be supplied to me ?

Mr. A. A. L. Parsons : I do not remember myself seeing the Honourable Member's letter.

Mr. Gaya Prasad Singh : Will you kindly make inquiries in the Railway Board and see if such a letter was sent to me ?

Mr. A. A. L. Parsons : I hardly think it necessary to make such an inquiry. I have now given the Honourable Member the reference to the places where he can find the information that he desires.

FIRING ON STRIKERS AT BAMANGACHI.

367. ***Mr. Gaya Prasad Singh :** Have Government received any report from the Government of Bengal regarding the Bamangachi shooting affair ? If so, do they propose to lay a copy on the table, or in the Library ? If not, why not ?

The Honourable Mr. J. Crerar : The Government of Bengal have investigated all the circumstances connected with this case, but they have been advised that no conclusions should be published until the completion of the trial in which one of the leaders of the strikers is being charged with perjury and bringing a false case against the Chief Deputy Mechanical Engineer, East Indian Railway. In the circumstances the Honourable Member will understand that it is not possible at present to lay any papers.

CONFISCATION OF THE BOOK ENTITLED " POLITICS OF OIL ".

368. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that a book entitled " Politics of Oil " sent to India by a London bookseller was confiscated on its arrival in Bombay, under a notification issued under section 19 of the Sea Customs Act ?

(b) Is it a fact that although written by a member of the Communist Party, the book has nothing whatever to do with Communists ?

(c) Is it a fact that " it was the source of publication, and not the publication itself which had caused the Government of India to exclude it " as stated by Earl Winterton in the House of Commons some time back ?

(d) Why was the book confiscated ?

The Honourable Mr. J. Crerar : (a) One copy of this book was intercepted.

(b), (c) and (d). The book was intercepted on the strength of a notification which prohibits the importation of publications issued by or emanating from any organization affiliated to, controlled by or connected with the Communist International. The book has since been examined and I understand that, though designed to illustrate the evils of Capitalism, it is not of such a character that it is necessary to exclude it from India. If further copies are sent they will not be intercepted.

Mr. K. C. Neogy : Is it the practice, Sir, to examine a book after confiscating it or before confiscating it ?

The Honourable Mr. J. Crerar : It is impossible to examine a book before interception. The examination naturally takes place after interception.

Mr. Gaya Prasad Singh : Do I understand the Honourable Member to say that this book was proscribed before it was confiscated ?

The Honourable Mr. J. Crerar : It was notified in the general notification which prohibits publications of all kinds emanating from a particular source.

Mr. Gaya Prasad Singh : May I know the date on which this book was proscribed under that notification ?

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

Mr. K. C. Neogy : Is the Honourable Member aware that in the House of Commons, when replying to similar questions, the Under Secretary of State stated that it is the source of the publication and not the publication itself which was the guiding factor with the Government of India in this matter ?

The Honourable Mr. J. Crerar : Yes, Sir ; that was correct in this instance.

Mr. K. C. Neogy : Does that represent the policy of the Government in this matter ?

The Honourable Mr. J. Crerar : I have explained that the notification referred to is of a general character relating to documents emanating from a particular source.

Mr. K. C. Neogy : May I take it, therefore, that if a book of poems or a novel had emanated from that particular source that would have been confiscated quite as much as this book ?

The Honourable Mr. J. Crerar : I am not aware that the particular source referred to is in the habit of publishing " belle lettres ".

Mr. Gaya Prasad Singh : Do I understand the Honourable Member to say that if further copies come into this country, they will not be intercepted ?

The Honourable Mr. J. Crerar : Further copies of this book will not be intercepted.

Mr. K. C. Neogy : Is it a fact that this book was written at the instance of the Labour Research Department under the Labour Publishing Company ?

The Honourable Mr. J. Crerar : I understand that that is correct.

Mr. K. C. Neogy : Any publication coming from that source, I take it, is bound to be confiscated ?

The Honourable Mr. J. Crerar : If it comes within the terms of the notification.

Mr. K. C. Neogy : Does it then presuppose an examination prior to confiscation ?

The Honourable Mr. J. Crerar : Not a detailed examination before interception.

Mr. K. C. Neogy : Was that the case in this particular instance ?

The Honourable Mr. J. Crerar : The book was not examined in detail at the time of interception because it came from the source which comes within the terms of the notification generally.

Mr. K. C. Neogy : Who was the officer who examined it prior to its confiscation ?

Mr. M. B. Jayakar : Did anybody read the book at all or was it confiscated because of the source from which it came ?

The Honourable Mr. J. Crerar : I have already explained that it came within the general notification.

Mr. K. C. Neogy : Who is the authority who examined the book prior to its confiscation ?

Mr. Gaya Prasad Singh : Do I understand the Honourable Member to say that the book was intercepted before it was examined ?

The Honourable Mr. J. Crerar : The book was intercepted before it was examined.

Mr. Gaya Prasad Singh : Who is responsible for this foolish mistake ?

Mr. K. C. Neogy : When did the later examination take place, and when was it confiscated ?

The Honourable Mr. J. Crerar : As regards the date of confiscation, I should like to have notice of the question. I cannot at present recollect the date.

PUBLICATION OF THE REPORT OF THE TARIFF BOARD ON THE OIL INDUSTRY.

369. ***Mr. Gaya Prasad Singh :** (a) Do Government propose to publish the Report of the Tariff Board on the oil industry ? If so, when ? If not, why not ?

(b) What was the amount of expenditure involved in the enquiry ?

The Honourable Sir George Rainy : (a) The Report will be published on the 12th September.

(b) The cost of the enquiry inclusive of that of printing the Report and evidence is estimated to have been approximately Rs. 51,000.

Mr. B. Das : Is it a fact that the Burma oil industry has sent out a letter stating that the industry does not require any protection from the Government ?

The Honourable Sir George Rainy : I do not think that that arises out of the answer I have just given. I think the Honourable Member would do well to wait until tomorrow. It is not a long period for which to exercise his patience.

U. Tok Kyi : How long did the Government take to consider the application from the oil companies before they made a reference to the Tariff Board ?

The Honourable Sir George Rainy : I think the time taken from the date when the matter was first brought to our notice was very nearly six months.

U. Tok Kyi : Cannot the Honourable Member give the exact date of the receipt of the application ?

The Honourable Sir George Rainy : If the Honourable Member wants the exact date, he must give me notice.

PRESENT POSITION OF CIVIL AVIATION IN INDIA.

370. ***Mr. B. Das :** Will the Government be pleased to state the present position of civil aviation in India, and detail the progress made since the appointment of the Director of Civil Aviation ?

The Honourable Mr. A. C. McWatters : The attention of the Honourable Member is invited to the reply given in this House to question No. 238 put by Colonel Crawford.

AERODROMES AT BOMBAY AND CALCUTTA.

371. ***Mr. B. Das :** (a) Is it a fact that the aerodromes at Bombay and Calcutta are unfit for all the year flying ?

(b) If the answer is in the affirmative, will Government be pleased to state what steps have been or are being taken to make these important aerodromes first class landing grounds, and the approximate cost thereof ?

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

(b) A scheme for improving the Dum Dum aerodrome at Calcutta at a cost of Rs. 2,93,500 has been approved, and work is now in hand. When the work has been completed, the aerodrome will be fit for use throughout the year.

The Government of India have not yet reached a decision regarding the acquisition of the site at Juhu near Bombay, which is used as an aerodrome and are therefore not in a position to undertake the improvements necessary to render it fit for regular use.

ESTABLISHMENT OF AIR MAIL SERVICES.

372. ***Mr. B. Das :** (a) Will Government state what progress has been made in floating a rupee capital Indian company for the purpose of inaugurating internal flying passenger services ?

(b) Is it a fact that tenders are being or are about to be asked for by the Director of Civil Aviation and will Government be pleased to state the present position and when it is expected to start civil aviation ?

(c) Are Government aware of the possibility of foreign competition and is the Director of Civil Aviation doing everything possible to expedite the inauguration of civil flying services ?

The Honourable Mr. A. C. McWatters : (a) It is not the intention of Government to float any companies of the type to which the Honourable Member refers. But if subsidies are given for the establishment of air mail services, they will be granted only to companies which have rupee capital and a majority of Indian Directors, and the Government of

India understand that this policy has already led to some activity in the direction of company floatation.

(b) Government are examining a scheme for the development of air mail routes in India, but I am not in a position to say when a call for tenders will be issued. I am not sure what the Honourable Member is referring to by the starting of civil aviation, but if he means the starting of the subsidized aeroplane clubs, I hope that these will be actively functioning by the beginning of the cold weather.

(c) I am again in some doubt as to the meaning of the Honourable Member's question. So far as subsidized services are concerned, there can be, in view of the assurance already given, no question of foreign competition. The inauguration of civil flying services depends on decisions of the Government of India and other authorities and the Director of Civil Aviation is not in a position to expedite or anticipate these decisions.

EXPENDITURE ON THE DIRECTOR OF CIVIL AVIATION AND HIS OFFICE.

373. *Mr. B. Das : (a) Will Government be pleased to state what amount has been spent on the Director of Civil Aviation since its inauguration ?

(b) Will Government please state whether the progress made is satisfactory compared with the cost of the air establishment ?

The Honourable Mr. A. C. McWatters : (a) The expenditure incurred on the Director of Civil Aviation and his office from the 11th January 1927, the date of its inauguration, to the 1st August 1928 amounts to Rs. 93,424.

(b) The answer is in the affirmative.

EDUCATION OF THE DEPRESSED CLASSES IN THE DELHI PROVINCE.

374. *Lala Lajpat Rai : (a) Will the Government be pleased to state :

(1) the total population of the depressed classes in the Delhi Province : and

(2) their educational position ?

(b) What steps do the Government of India propose to take to improve their position and what facilities do they propose to provide to them for a wider dissemination of education amongst their ranks ?

(c) Are Government prepared to consider the advisability of opening an industrial school at Delhi to provide facilities for the sons of the depressed classes to receive general education along with training in certain trades such as motor driving, leather manufacture, black-smithy and weaving ?

Mr. G. S. Bajpai : (a) (1) The number of persons in the Delhi Province belonging to communities ordinarily classed as "depressed" is approximately 70,000.

(2) There are 26 primary schools in Delhi managed by the Arya Samaj and various Christian missions mostly for the children of the depressed classes. Education is now compulsory in almost the whole of

the municipal area both for the depressed classes and for others, but no separate statistics of members of the depressed classes attending schools have been maintained so far. Three municipal board schools have been opened in the sweepers' and chamars' quarters in the City and 300 boys of these classes are receiving education there. There are 24 scholarships of Rs. 4 per mensem each, tenable at middle schools, and 6 of Rs. 6 per mensem each at the high schools for boys of the depressed classes. In addition, 2 scholarships of the value of Re. 1 per mensem each and 1 of Rs. 4 per mensem have lately been sanctioned.

(b) The matter is receiving consideration.

(c) There is already a Government industrial school at Delhi in which special facilities in the shape of stipends are given to boys of the depressed classes.

Mr. K. Ahmed : Does my Honourable friend, the questioner realise the situation that, if the members of the depressed classes are trained in motor driving, black-smithing, etc., their services will not be accepted by the people in general, and particularly by the orthodox Hindu members of the community ?

Lala Lajpat Rai : Of course, they will. You come and try.

DICTUM OF MR. JUSTICE MADGAONKAR OF THE BOMBAY HIGH COURT IN THE CASE OF EMPEROR vs. JAGARDEO REGARDING THE BINDING NATURE OF TREATIES.

375. ***Mr. N. C. Kelkar :** (a) Has the attention of the Government been drawn to the dictum of Justice Madgaonkar of the Bombay High Court in the case of *Emperor vs. Jagardeo* reported at page No. 1054 of the Bombay Law Reports, Vol. 27 (1925), the dictum, namely, that " It is now too late in the day to raise the question of the binding nature of treaties and the duty, in matters civil and criminal, of enforcing and abiding by their terms, incumbent on all contracting powers (British Government and Indian States) and their courts not less than in the case of laws passed by the Legislatures. For the purpose of the present application, this treaty, in my opinion, is as much law-binding on the courts as a statute law or the law of the Legislature " ?

(b) Have Government accepted the view put forth in the above observations ? If not, do they propose to take any steps to have it set aside ?

Sir Denys Bray : The reply to part (a) and to the first question in part (b) is in the affirmative. The rest of the question does not arise.

Munshi Iswar Saran : May I know, Sir, why Government has expressed some kind of view about an observation made by a High Court Judge in a decision in the Bombay High Court, while Government on a previous occasion stoutly declined to express any view as regards the observation of the Patna Chief Justice about the veracity of the people inhabiting that part of the country ?

Sir Denys Bray : If by inadvertence I have been too communicative I must apologise to the Honourable Member.

TOTAL NUMBER OF PERSONS AGAINST WHOM ACTION WAS TAKEN UNDER THE FOREIGNERS ACT, 1864, DURING THE LAST 10 YEARS.

376. ***Mr. N. C. Kelkar** : (a) Will Government state the total number of persons, province by province, during the last 10 years against whom action was taken under the Foreigners Act of 1864, stating the precise nature of the action that was taken ?

(b) Will Government state how many of the persons against whom action referred to in (a) above was taken were residents or subjects of Indian (Native) States ?

The Honourable Mr. J. Crerar : Section 3 of the Act gives concurrent powers to the Government of India and the Local Governments, and I regret that I am not in a position to give the Honourable Member information regarding action taken independently by Local Governments. Such information as is available from the records of the Government of India is being collected and will be communicated to the Honourable Member shortly.

PROVISION OF LAND FREE OF COST TO THE ROHILKHAND AND KUMAON RAILWAY.

377. ***Mr. N. C. Kelkar** : Is the Rohilkhand and Kumaon Railway Company provided with land free of cost by Government ? Is it a fact that under the terms of the contract the Company is required to pay to the Government on demand the cost price of the land purchased by the latter ? If so, why was this land free of cost ?

Mr. A. A. L. Parsons : I refer the Honourable Member to clauses 6 and 8 of the Contract of 1882 which give the provision with regard to land in detail. Briefly, these clauses provide that the Secretary of State shall provide land in his possession free of cost to the Company, and that the Company shall pay to him the cost price of any land purchased by him for the line. These clauses only refer to the original line which ran from Bhojepura to Kathgodam. For extensions of the original line, land is, generally speaking, provided free of cost. The answer to the last part of the Honourable Member's question is that these happen to be the terms mutually agreed on at the time the contracts were made, and no doubt, if they had not been accepted, the Company would have required a *quid pro quo* in other directions.

TOTAL ADDITIONAL REVENUE EARNED BY THE IMPERIAL INDIAN MAIL RUN BETWEEN BOMBAY AND CALCUTTA.

378. ***Mr. N. C. Kelkar** : Will Government state, for the latest year for which figures are available, the total *additional* revenue earned by the Imperial Indian Mail run between Bombay and Calcutta against the estimated total *additional* revenue of Rs. 35,000 per annum given at page 16 of the Proceedings of the Standing Finance Committee for Railway, Volume II, No. 5 ?

Mr. A. A. L. Parsons : I am obtaining the figures for the year ending the 31st of July 1928 for the Honourable Member, and will let him have them as soon as I can.

SIR A. L. DICKENSON'S REPORT ON RAILWAY ACCOUNTS.

379. ***Mr. N. C. Kelkar** : Will Government state what progress has been made in the consideration of Sir A. L. Dickenson's report on railway accounts ?

Mr. A. A. L. Parsons : About half the report has been examined already. The recommendations of the Railway Board on traffic accounting were placed before the Standing Finance Committee for Railways at their last meeting and those on stores accounting will be considered by the Committee at their next meeting a few days hence.

RECOMMENDATIONS OF THE ACWORTH COMMITTEE.

380. ***Mr. N. C. Kelkar** : Will Government lay on the table a statement showing the progress of the consideration of those recommendations of the Acworth Committee which have not yet been carried out ?

Mr. A. A. L. Parsons : I lay on the table a summary of the recommendations of the Acworth Committee and of the action taken thereon.

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
1	<p>(a) Changes in the constitution, status and functions of the Railway Board.</p> <p>(b) A Member of Council in constant touch with Railway affairs to be at head of Railway Department and with this object.</p> <p>(c) A new Department of Communications for Railways, Ports, Inland navigation, Road transport (so far as dealt with by Central Government) and Posts and Telegraphs should be created.</p> <p>(d) Member for Communications to be experienced administrator, able to represent his Department both in Legislature and with public, but need not be technical expert.</p>	Page 86, para. 1.	The Railway Board has been re-organised generally on the principles underlying the Acworth Committee's Report except that recommendation 1(c) has not been accepted.
2	Delegation of increased power of day-to-day management to local Railway administrations. Railway Department to be relieved from control by India Office and Government of India except on large questions of finance and general policy.	Page 86, para. 2.	Large financial powers have been delegated by the Secretary of State to the Government of India in Railway matters and the Railway Administrations have also been granted increased powers.
3	<p>(1) Finance Department, control over internal finance of railways to cease.</p> <p>(2) Railways to have separate budget, be responsible for disposal of own income and for provision of net revenue to meet interest on debt incurred or to be incurred by Government for railway purposes.</p>	Page 86, para. 3.	The separation of Railway from General Finance has been in force for the last three years. The question will again come under consideration.

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
4	<p>(3) Railway budget to be presented to Assembly by Member in charge of Railways instead of by Finance Member.</p> <p>(1) Subject to independent audit by Government, Railway Department to employ own accounting staff and be responsible for own accounts.</p> <p>(2) Present accounts and statistics to be thoroughly overhauled and remodelled with assistance of experts.</p>	Page 86, para. 4.	<p>(1) The separation of Accounts from Audit has been tried on the East Indian Railway as an experimental measure since December 1925 and it is hoped to put forward proposals for the adoption of this system on all State-managed Railways.</p> <p>(2) The question of Statistics has been thoroughly investigated and revised and improved methods introduced. A comprehensive investigation into the accounts was made by Sir Arthur Dickinson recently and his report is at present under investigation.</p>
5	<p>(1) Title "Railway Board" to be replaced by "Railway Commission".</p> <p>(2) Technical staff under Member for Communications to consist of one Chief Commissioner and four Commissioners.</p> <p>(3) Of four Commissioners one to be in charge of finance and organization and staff of office and the other three to be in charge of Geographical divisions and devote substantial portion of time to personal visits to their divisions.</p>	Page 86, para. 5.	<p>The old title "Railway Board" has been retained. The reorganisation provides for a Chief Commissioner, two Members and a Financial Commissioner. It has been considered more convenient that the work entrusted to Members should be on the basis of subjects and not on a geographical basis.</p>
6	<p>Technical staff attached to Commissioner to be—</p> <p>(1) strengthened especially on traffic side.</p> <p>(2) Divided into six sections each under a Director. One responsible, under Commissioners, for Ports, Inland Navigation and Road Transport.</p>	Page 86, para. 6.	<p>The re-organisation provided for the staff considered necessary at the time. Should further strengthening be required, the question will be reconsidered.</p>
7	<p>Salaries in highest posts of railway services inadequate to attract right men and to keep those already in service.</p>	Page 86, para. 7.	<p>Individual cases are considered on their merits.</p>

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
8	Number of Engineering Inspectors to be reduced and money utilised for new appointments of Inspectors of Traffic.	Page 86, para. 8.	No action taken so far.
9	<p>(1) Member for Communications to take steps to modify present position in regard to rights of management reserved to guaranteed companies under contracts.</p> <p>(2) Railway Commission (<i>Sic.</i>) to have greater powers in matters like initiation and enforcement of reforms and some control over appointment and retention of principal officers.</p> <p>(3) Local executive officers to have greater freedom from interference in affairs of every-day management.</p>	Page 86, para. 9.	(1) and (2) No action has been taken.
		..	(3) The powers delegated to Agents include powers to re-delegate powers to authorities subordinate to them.
10	Less rigid regard than hitherto to claims of seniority.	Page 87, para. 10.	This policy is being followed.
11	<p>To secure to Indian public adequate voice in management of their railways, Central and Local Railway Advisory Councils to be established, constituted as follows :—</p> <p><i>C. A. C.</i>—Not more than 25 members, of whom 3 or 4 represent Departments of Government concerned ; 8 or 9 nominated, according to scheme to be arranged, by associations representing trade and industry ; similar number to represent agricultural interests and travelling public to be added by nomination of one member by each of Provincial Legislative Councils.</p> <p><i>L. A. C.</i>—Constitution similar to Central Council perhaps half the size. If at Headquarters of each railway, Agent to act as Chairman ; if at each important railway centre, Agents of all railways concerned to be members and one of them Chairman. These councils to be established early without waiting for introduction of full scheme put forward.</p>	Page 87, paras. 11-13.	A Central Advisory Council has been established and Local Advisory Committees introduced on all Railways.
12	Pending radical improvement of situation by provision of adequate facilities, various <i>ad interim</i> measures to be adopted to mitigate to some extent hardships to which 3rd class passengers are subjected at present.	Page 87, para. 16.	Various measures have already been taken to improve the amenities of 3rd class passengers and the question is always kept in the forefront of railway policy.

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
13	Adoption of reasonable general increase in rates and fares and withdrawal of present sur-taxes on railway traffic.	Page 87, para. 17.	The sur-taxes on railway traffic were withdrawn and an increase in rates and fares adopted as suggested in 1922 for the time being. More recently, reduction in rates and fares have been effected.
14	Provision of greater facilities for training of Indians for superior posts in railway service and acceleration of process of employment in such posts.	Page 87, para. 18.	This recommendation is being given effect to.
15	Branch lines, as far as possible, to be constructed and worked by main line to which tributary; Formation of separate branch line companies to be encouraged only if State is unable or unwilling to provide funds itself.	Page 87, para. 19.	The policy of the Government of India is on the lines of these recommendations.
16	A Tribunal consisting of experienced lawyer as Chairman and two Members representing railway and commercial interests respectively to be established with jurisdiction over questions of reasonableness of rates and facilities, instructions to investigate conditions attached to present "Owners" and "Railways" risk-notes and to frame new and standard forms for future use. An appeal to lie under certain circumstances to the Governor General in Council from decisions of Rates Tribunal.	Page 87, para. 14.	A Railway Rates Advisory Committee has been in existence since 1926.
17	(1) Steps to be taken to reduce delay in settling claims for loss or damage. (2) Both local officials and Railway Commission to devote utmost efforts to stamping out serious and widespread abuses in connection with allocation of railway wagons.	Page 87, para. 15.	} These recommendations have been adopted.
18	As soon as financial conditions permit forward movement by Government with railway development, Indian States to be called into Council and invited to assist in working out common plan in common interest.	Page 87, para. 20.	No action has been taken in this direction, but the Railway Board are in agreement with this recommendation.
19	An enquiry to be undertaken into the effect on inland waterway communication of alleged unfair railway competition.	Page 87, para. 21.	No action has been taken.

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
20	<p>A thorough investigation by a commission of most competent experts of the railway world of the gauge question with reference to the potential future development of the Indian system as a whole.</p> <p>(Note.—Sir H. Burt in a separate minute records his doubt as to the necessity for and value of the proposed investigation).</p>	Page 86, para. 22.	No such investigation has been started or is at present contemplated.
21	System of management by companies of English domicile to be discontinued on termination of existing contracts and these companies not to be permitted to increase further their share capital.	Page 87, para. 23.	The East Indian and Great Indian Peninsula Railways have been taken over by the State, and the Burma Railways will be taken over in the beginning of 1929.
22	No steps to be taken towards establishing combined companies, both with English and with Indian domicile.	Page 87, para. 24.	The principle has been accepted.
23	<p>(1) Undertakings of guaranteed companies to be entrusted, as and, when contracts fall in, to direct State management.</p> <p>(2) Oudh and Rohilkhand Railway to be absorbed with East Indian Railway on termination of contract of latter in 1924.</p>	Page 88, para. 25.	<p>(1) This has been done in the case of East Indian, Great Indian Peninsula and Burma Railways, the only railways the contracts of which have fallen due in the meantime.</p> <p>(2) Done.</p>
24	<p>(1) System of both State and Company management to be continued, Government not being committed to policy of State management only for all railways.</p> <p>(2) Indian domiciled Companies to be created to manage East Indian and possibly Great Indian Peninsula Railways. Cases of other lines to be considered on merits when contracts become terminable.</p>	Alternative page 88, para. 25-A.	<p>See above.</p> <p>Do.</p>
25	<p>(1) Whole capital for future development of railways to be raised directly by State.</p> <p>(2) Provincial Government should not take any part in the work.</p>	Page 88, para. 26.	<p>(1) } This is the position at present.</p> <p>(2) }</p>
26	(1) Much capital must be raised direct by State and done by Central Government.	Alternative page 88, para. 26-A.	See remarks against item No. 25 above.

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
	<p>(2) From 1924 fullest use to be made of Indian domiciled Companies in the manner proposed as means of providing funds from independent sources.</p> <p>(3) Having regard to large amount required no channel offering money on reasonable terms to be neglected, for instance, negotiation of further debenture loans through existing companies.</p>	<p>Alternative page 88, para. 26-A.</p>	<p>See remarks against item No. 25 above.</p>
27	<p>(1) Money required to rehabilitate existing railways to be raised even at present prices, as fast as it can be economically spent.</p> <p>(2) Immediate raising of capital for extensions of existing system not recommended.</p>	<p>Page 88, para. 27.</p> <p>..</p>	<p>(1) Being done.</p> <p>(2) The Retrenchment Committee's recommendation that a portion of the money not required for rehabilitation and development on open lines may, with advantage, be devoted to the construction of new lines promising an adequate return is being acted on.</p>
28	<p>(1) As in 27 (1) above ..</p> <p>(2) Rather than new development be arrested assistance of private enterprise to be enlisted to provide capital for new lines.</p>	<p>Alternative page 88, para. 27-A.</p>	<p>See remarks against item No. 27.</p>
29	<p>Government issues for railway purposes—</p> <p>(1) In England to take form of ordinary sterling loans.</p> <p>(2) In India rupee loans to be earmarked for railway purposes.</p>	<p>Page 88, para. 28.</p>	
30	<p>Government borrowings for State and Guaranteed railways to be by direct Government loans advertised, whether in England or India, as being for Railway purposes.</p>	<p>Alternative page 88, para. 28-A.</p>	<p>No action has so far been taken to raise specific railway loans.</p>
31	<p>Adoption of Mackay Committee's recommendation that in periods of easy money, funds be raised in excess of immediate requirements in order to obviate recourse to market at time of stringency.</p>	<p>Para. 88, Para. 29, Para. 29-A.</p>	<p>No action has, so far, been taken.</p>

Item No.	Recommendation.	Reference to summary of the Report.	Action taken.
32	Establishment of systematic organisation to familiarize Indian population with idea of subscribing to Government loans and specially to reach through local Indian agencies, mass of people to whom idea of investment has been strange hitherto.	Page 89, para. 30.	The post office already offers standing facilities for investments in Government of India securities as well as in cash certificates. The Imperial Bank of India usually offer facilities for investments in any new loan during the period of original subscription. One or two local Governments have on occasion issued loans locally and have no doubt employed local propaganda. There is no other systematic organisation at present.
33	Assistance of all banks in India to be enlisted when money is required. Independent offers of loans on special conditions not to be lightly set aside.	Page 89, Alternative para. 30-A.	In the current year the authorities of the Imperial Bank of India enlisted the co-operation of leading Bankers in Calcutta and Bombay. The action to be taken depends upon the circumstances prevailing at the moment.

NAMES OF INSTITUTIONS TO WHICH GRANTS WERE MADE BY THE BOMBAY AND SIND CUSTOMS.

381. ***Haji Abdoola Haroon** : With reference to the " Central Board of Revenue's Review of the Customs Administration in India in 1926-27 " printed at the Simla Government of India Press, 1928, will the Government be pleased to state the names of the institutions to which the amounts of Rs. 20,200 and Rs. 5,520 were paid in Bombay and Sind Customs respectively in the year 1926-27 as grants-in-aid as shown at page 27 of the above Review ?

The Honourable Sir Bhupendra Nath Mitra : The names of the institutions which received the amounts mentioned were the Customs Clubs, the Lascars' Home, and the Prince of Wales' Seamen's Institute at Bombay ; and the Kiamari Maternity and Child Welfare Centre, the Karachi Civil Hospital and Nursing Aid Association and the Customs Recreation Club at Karachi.

INITIAL PAY OF SUB-ASSISTANT SURGEONS IN RAJPUTANA.

382. ***Rai Sahib Harbilas Sarda** : Will Government kindly state whether Rule 22 of the Fundamental Rules is applicable in fixing initial pay of officers in services where an efficiency bar is prescribed in a time-scale and who have passed the prescribed examinations ? If not, will Government kindly state why the benefit of Rule 25 has not been given to the Sub-Assistant Surgeons in Rajputana who are Government servants and why

their past permanent services have not been taken into consideration as interpreted by the Government of India's order, *vide* the footnote of Rule 25 which reads as under :

" On each occasion on which an officer is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him, subject to the pay admissible according to his length of service." (Government of India, Home Department, No. 917-Esta., dated 2nd October 1922 ; also Auditor General's No. 997-A. and A. 255-21, dated 16th May 1921) ?

Sir Denys Bray : The reply to the first part of the question is in the affirmative. The second part does not therefore arise.

INITIAL PAY OF SUB-ASSISTANT SURGEONS IN RAJPUTANA.

383. ***Rai Sahib Harbilas Sarda :** (a) With reference to Sir Denys Bray's reply given on 20th August 1926 (page 163, Volume VIII, No. 4, Legislative Assembly Debates) to Doctor K. G. Lohokare's supplementary question to my question No. 165, has the attention of the Government been drawn to the letter of the Honourable the Agent to the Governor General in Rajputana referred to on page 182 of the Printed Proceedings of the Standing Finance Committee for 12th-15th January 1925 (Volume IV, No. 3) which reads " These men entered the service with an implied understanding that their pay would be regulated according to the United Provinces scale " ?

(b) Will Government, in the circumstances, state the reasons why that understanding has not been carried out by Government ?

Sir Denys Bray : (a) Yes.

(b) It is in view of this understanding that the United Provinces scale of pay has been extended to Sub-Assistant Surgeons in Rajputana. But the claim to have their initial pay on this scale fixed on the basis of their past permanent service as in the United Provinces instead of according to the ordinary rule contained in Fundamental Rule 22, has not been conceded for the reasons given in my reply in August 1926. Government are, however, prepared to consider, on their merits, proposals for any other form of relief which the Local Administration may make in respect of officers with good records in whose cases the application of Fundamental Rule 22 has in its opinion resulted in undue hardship.

Rai Sahib Harbilas Sarda : Will the Government kindly state why, when these Sub-Assistant Surgeons were employed on the understanding that their pay would be regulated by the United Provinces scale, has their initial pay not been fixed after taking into consideration their past permanent services, as has been done in the United Provinces ; and does this not amount to a breach on the part of the Government of the understanding on which these Sub-Assistant Surgeons were taken into employment ? Will the Government kindly reconsider this matter ?

Sir Denys Bray : The question appears to bear such serious significance that I trust the Honourable Member will give me notice.

COMPULSORY RETIREMENT OF SUB-ASSISTANT SURGEONS DEPUTED TO INDIAN STATES IN RAJPUTANA.

384. ***Rai Sahib Harbilas Sarda :** (a) Is it a fact that Sub-Assistant Surgeons recruited in Government service and deputed to Indian States

in Rajputana and no longer required by those States are being compulsorily retired ?

(b) If so, will Government kindly state whether this is done under Article 426 of the Civil Service Regulations or under any other Rule ?

(c) If under the Civil Service Regulations, will Government kindly state if this unwillingness of Indian States to keep these officers in their service means a reduction of establishment ?

(d) If not, will Government state the reasons for not acting according to the provisions of Articles 428-429 for selections for discharge ?

(e) Has the attention of Government been drawn in this connection to section 3 of Appendix 8 of the Appendices to the Civil Service Regulations (printed on page 22, Edition 1922) ?

Sir Denys Bray : (a) The Sub-assistant Surgeons were actually recruited to man the dispensaries in the various States in Rajputana but were treated as Government servants lent to Indian States. When the States took the dispensaries under their own control, Government made every effort to provide continued employment for the Sub-Assistant Surgeons, but in cases where employment unfortunately could not be provided, there was no alternative but discharge from Government service on compensation pension.

(b) Under Article 426 of the Civil Service Regulations.

(c) Yes.

(d) Does not arise.

(e) Yes, but in these cases compensation was given.

(1) INTRODUCTION OF COMPULSORY PRIMARY EDUCATION IN THE CITY OF AJMER.

(2) MEDICAL EXAMINATION OF THE PUPILS OF PRIMARY AND SECONDARY SCHOOLS IN AJMER-MERWARA.

385. ***Rai Sahib Harbilas Sarda :** Has the attention of Government been drawn to the note on education in Ajmer-Merwara that appeared in the *Arya Martand* of Ajmer in its issue of the 16th August 1928, complaining that while compulsory primary education has been introduced in one of the provinces under the direct administration of the Government of India, viz., Delhi, no such measure has been introduced in Ajmer, which is also under the direct administration of the Government of India and is an equally advanced province ? Will Government kindly state when action will be taken :

(1) to introduce compulsory primary education in the city of Ajmer, and

(2) to introduce a system of medical examination of the pupils reading in the primary and secondary schools of Ajmer-Merwara ?

Mr. G. S. Bajpai : (1) The Government of India have seen the note referred to. The Honourable Member will probably recognise that conditions in Ajmer and Delhi are not exactly similar. The question of extending the principle of compulsion to elementary education in Ajmer-Merwara is, however, receiving the attention of Government.

(2) The question is under examination by the local authorities.

Mr. President : There are certain questions in the name of Mr. Aney (questions Nos. 386-389) with reference to the separation of the office of the Assembly. I hope he will wait till the whole question is discussed in the House.

(Mr. Aney thereupon did not put his questions).

†386*—389*.

INEFFICIENCY OF THE INDO-CYLON CABLES.

390. ***Mr. C. S. Ranga Iyer :** (a) Has the attention of the Government been drawn to the protest made by the *Times of Ceylon* and the *Hindu* of Madras in its issue of August 13th. against the inefficiency of the Indo-Ceylon cables ?

(b) Is it a fact that messages sent from Ceylon to Australia can all too often reach their destinations in half the time that it takes to get a message from Ceylon to India ?

(c) Is it a fact that the cause of the delays and the breakdowns is due to the antiquated system of cables connecting India and Ceylon ?

(d) When do the Government of India propose to lay an under-water cable between Talaimannar and Rameswaram ?

(e) What are the defects in the present cable system connecting Ceylon and India and how and when are they going to be remedied ?

The Honourable Mr. A. C. McWatters : (a) Yea.

(b) Government have no information.

(c) No.

(d) and (e). There are two under-water cables between Talaimannar and Rameswaram of the deep-sea type. No. 1 laid in 1885 and No. 2 in 1895.

Repairs and renewals of sections have been carried out from time to time, and as recently as October 1927, twelve miles of new cable were inserted in Cable No. 2.

Both cables are in good condition and working satisfactorily.

MUSLIM GRAVEYARD OUTSIDE DABAGRI GATE IN PESHAWAR CANTONMENT.

391. ***Mr. Ismail Khan :** (a) Will the Government be pleased to state whether the area of land situated outside Dabagri Gate in Peshawar Cantonment and shown in the Survey of India Department plan of the said Cantonment of 1866 as a " Muslim graveyard " was purchased by the Government for this purpose or whether it existed before the advent of the British as a cemetery and as such belonged to the Muslims of the place ?

(b) In case the said land was purchased by Government and subsequently assigned to the Muslims for a graveyard, will the Government be pleased to state the names of persons from whom it was purchased and the amount of compensation paid to them by the Army Department for this piece of land ?

†On Mr. President's suggestion, these questions were held over for the present.

(c) Is it a fact that the Army Department of the Government of India has recently addressed a letter to the General Officer, Commanding-in-Chief, Northern Command, to make over this land to the Awkaf Committee of Peshawar after consultation with the local civil authorities ? If the answer be in the affirmative, will the Government be pleased to state the result ?

Mr. G. M. Young : (a) The graveyard is believed to have existed before the formation of the Cantonment. It was not purchased by Government.

(b) Does not arise.

(c) No. Sir. There is apparently no body or Committee in Peshawar which can be said to represent the Muslim community as a whole, and until some agreement can be reached which is acceptable to all concerned, the land has simply been demarcated and left as it is.

ACTION OF THE SPECIAL MAGISTRATE IN THE MUNICIPALITY OF PESHAWAR IN HOLDING HIS COURT IN THE EVENINGS.

392. ***Mr. Ismail Khan :** (a) Are the Government aware that a retired Assistant Commissioner re-employed as a Sub-Registrar in Peshawar, has been appointed a Special Magistrate in the Municipality of Peshawar ?

(b) Is it a fact that owing to heavy work devolving upon him by holding two offices, he is compelled to work at night and the public is thus constrained to attend his court at night for registration purposes ?

(c) Is it a fact that both the Bar and the Muslim Associations have protested against the action of this officer in holding his court in the evenings ?

(d) Will the Government be pleased to state what action has been taken by the local authorities on the representations of these two Associations ?

(e) Do the Government intend that in future no Sub-Registrar will be appointed as a Special Magistrate ?

Sir Denys Bray : (a) Yes.

(b), (c) and (d). The Special Magistrate used to hold court until a late hour, but when the inconvenience to the public was brought to notice by the Bar and Muslim Associations his case work was lightened and it is understood that his court is now closed by 6 P.M. at the latest.

(e) No, Sir. It seems hardly necessary to lay down a general rule.

RECRUITMENT FOR THE SUPERIOR SERVICES OF THE NORTH WESTERN RAILWAY OF MUSLIMS FROM THE NORTH-WEST FRONTIER PROVINCE.

393. ***Mr. Ismail Khan :** (a) Are the Government aware that the staff employed East and West of the Indus at present in the superior service, in the Traffic, Loco. and Carriage Departments in North-West Frontier Province of the North Western Railway Administration is preponderantly non-Muslim and that the proportion is inconsistent with the numerical strength of the Muslims in that Province ?

(b) Will the Government be pleased to state the number of North-West Frontier Muslims who have either been given service or admitted for training by the Divisional Superintendent, North Western Railway, Rawalpindi, during the past five years ?

(c) Do the Government intend to issue orders that in future Muslims of the North-West Frontier Province are to be recruited for the various sections of the Railway Administration according to their numerical strength in the Province ?

Mr. A. A. L. Parsons : (a) I must point out to the Honourable Member that recruitment of officers for superior service on the North Western Railway is determined by the requirements of the Railway as a whole and not of any particular section of it, and that the number of officers of a particular community stationed on sections of the North Western Railway, which are within the limits of the North-West Frontier Province, varies from time to time according to the posting arrangements of the Railway.

(b) If I am right in assuming that the Honourable Member is, as in the first part of his question, referring to officers in the superior service, the answer is that Divisional Superintendents do not either give service to such officers or admit them for training.

(c) The policy of the Government of India with regard to the redress of communal inequalities in the superior services is, I think, known to the Honourable Member and to the House, and is in force with regard to the railway services.

PAUCITY OF MUSLIM CLERKS AND ACCOUNTANTS IN THE MILITARY ACCOUNTS DEPARTMENT, NORTH-WEST FRONTIER PROVINCE.

394. ***Mr. Ismail Khan :** (a) Are the Government aware that the number of accountants and clerks in the Military Accounts Department, North-West Frontier Province, is about 4,275 of whom only 370 are Muslims ?

(b) Is it a fact that on the representation made by the Muslim Association, Peshawar Cantonment, in 1925, the Financial Adviser to the Government of India (Military Finance) instructed the Controller, Military Accounts, Peshawar, by his letter, dated 13th February 1926, to notify to the said Association when vacancies occur in his office and that in future those vacancies are to be filled by direct recruitment ? If so, will the Government be pleased to state whether these instructions are being acted upon ?

(c) Is it a fact that recently 13 vacancies occurred in his offices which were not notified to the said Association and so they were filled up by non-Muslims ?

The Honourable Sir Bhupendra Nath Mitra : (a) The figures quoted by the Honourable Member relate to the whole of India in 1926 and not to the Peshawar District alone.

(b) The reply to the first part is in the affirmative except that the instructions related only to such vacancies as are filled by direct recruitment. As regards the second part, I understand that the instructions are being followed.

(c) The reply is in the negative so far as the office under the Controller of Military Accounts, Peshawar, is concerned. Possibly the Honourable Member has in mind another office in that District which is controlled by the Controller of Military Accounts, Rawalpindi. I am making enquiry and will inform the Honourable Member in due course.

ELECTED REPRESENTATIVE FOR THE NORTH-WEST FRONTIER PROVINCE IN THE LEGISLATIVE ASSEMBLY.

395. *Mr. Ismail Khan : (a) Do the Government know that the public of the North-West Frontier Province is anxious to have an elected representative in the Assembly ?

(b) Have the Government received any representations from representative bodies on this subject ? If so, what action do they intend to take ?

The Honourable Mr. J. Crerar : (a) and (b). As the Honourable Member is aware, the whole question of the introduction of Reforms in the North-West Frontier Province is under consideration and the Government of India have no doubt that, in all its aspects, it is a matter of great interest and importance to the public of the Province. They have not, however, received specific representations of the kind referred to by the Honourable Member.

Maulvi Muhammad Yakub : May I know, Sir, how long this question has been under the consideration of the Government of India ?

The Honourable Mr. J. Crerar : With regard to the particular point raised in the question, as I have already stated, we have not received specific representations.

Nawab Sir Sahibzada Abdul Qaiyum : Is it not a fact, Sir, that in their memorials to the Viceroy's visiting the North-West Frontier Province and to the Local Administration the frontier people have always asked for elected representation in the Central Legislature, and have not the local Associations asked for elected representation in the Central Legislature ?

The Honourable Mr. J. Crerar : No such representations, as far as I am aware, have been received directly by the Government of India.

Maulvi Muhammad Yakub : Will the Government be pleased to state what action, if any, was taken by the Government on the Resolution about introducing Reforms in the Frontier Province which was unanimously passed by the Assembly at its last Session in Delhi ?

Mr. K. Ahmed : And the Government also voted welcoming the Resolution.

The Honourable Mr. J. Crerar : The matter is still under consideration.

Nawab Sir Sahibzada Abdul Qaiyum : May I ask, Sir, if, until the question of Reforms is considered and settled, Government propose to send elected representatives to this Assembly, as suggested by the Bray Committee ?

The Honourable Mr. J. Crerar : No conclusions on the matter have yet been arrived at.

Maulvi Muhammad Yakub : Will the Simon Commission go into the question of introducing Reforms in the Frontier Province ?

The Honourable Mr. J. Orerar : I should like to draw the Honourable Member's attention to the Appendix to the Memorandum issued by the Simon Commission with regard to matters on which they are desirous of receiving information and suggestions.

THE SHIKOABAD-ETAH-KASGANJ LINE.

396. ***Mr. Ismail Khan :** (a) When do the Government expect that Jehangirabad-Risghat-Garh Mukhtesar (East Indian Railway) line will be completed ?

(b) Has any decision been reached about the location of the railway station in Jehangirabad ?

Mr. A. A. L. Parsons : (a) and (b). The traffic survey of the Shikoabad-Etah-Kasganj line which, I think, is the line the Honourable Member refers to, is now being put through. Until it has been completed no decision can be reached whether the line will be taken up or where the stations will be located.

EXECUTIVE OFFICERS IN CANTONMENTS.

397. ***Mr. Ismail Khan :** Do the Government intend to allow some of the large Cantonments to appoint their own Executive Officers according to the provisions of the present Cantonments Act ? If not, why not ?

Mr. G. M. Young : No, Sir. In reply to the second part of the question, Government do not think that the time has yet come when a reconsideration of the answer given to the Honourable Member in this House on the 2nd February 1926, in reply to his starred question No. 539, would be justified.

RESTRICTION OF THE SUPPLY OF ELECTRIC CURRENT BY THE ELECTRIC POWER HOUSE IN MEERUT CANTONMENT TO MILITARY NEEDS.

398. ***Mr. Ismail Khan :** (a) Is it a fact that Electric Power House in Meerut Cantonment is unable to supply electric current to all houses in the Cantonment ?

(b) Is it a fact that the Meerut Municipality is to have electricity supplied to it by the Public Works Department from a Fall known as ' Bhola ki Jhal ' and that after supplying the Municipality a large amount of current will still be available ? If this be the case, are Government prepared to consider the desirability of restricting the operations of the Military Electric Power House to supplying military needs and allowing the ordinary residents to avail themselves of the benefits of the municipal scheme ?

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

(b) The Government of India understand that power will be available from the Bhola Falls Hydro-Electric Scheme. The normal policy is for the Military Engineer Services to supply military needs only. There is no question of departing from this policy in Meerut, and Government certainly have no objection to Cantonment Authorities or private persons, who can afford it, obtaining their supply from other sources.

Mr. Muhammad Yamin Khan : Have Government any objection to the Municipality of Meerut getting a license for supplying electricity in the areas known as Sadar Bazaar and Lal Koti Bazaar ?

Mr. G. M. Young : As I have just explained, Government have certainly no objection.

Mr. Muhammad Yamin Khan : Will Government issue orders to the Cantonment Authorities to allow the Municipality to include these areas in their license ?

Mr. G. M. Young : I do not see how the Cantonment Authorities can allow the Municipality to do anything.

Mr. Muhammad Yamin Khan : The Municipality of Meerut has got a license to supply electricity, and it is a controversial matter now pending between the two Boards whether the Cantonment Board of Meerut should have a license for Sadar Bazaar or the Municipality of Meerut should have it. If the Government have no objection, will they issue instructions to the Cantonment Authorities of Meerut that Government have no objection to the Municipality of Meerut including these areas in their license for the supply of electricity ?

Mr. G. M. Young : That is implicit in the reply I have already given, namely, that Government have no objection to the Cantonment Authorities obtaining their supply from other sources.

Mr. Muhammad Yamin Khan : My question was, will Government issue instructions to that effect ?

Mr. G. M. Young : I have declared publicly the intentions of Government in this matter now. I do not propose to issue any separate instructions.

INCREASE IN THE SUBSISTENCE ALLOWANCE OF TASK WORKS PEONS IN THE TELEGRAPH DEPARTMENT.

399. ***Mr. N. M. Joshi :** Will Government be pleased to state whether they have come to some decision as regards the increase in the subsistence allowance given to the task works peons in the Telegraph Department ; and if so, will they be pleased to state what the decision is ?

The Honourable Mr. A. C. McWatters : No decision has been arrived at.

Mr. N. M. Joshi : May I ask why there is delay ?

The Honourable Mr. A. C. McWatters : It is a very complicated question which, I think the Honourable Member will realise, is affected by conditions all over India. But I can assure him that my Honourable friend, Mr. Rogers, is dealing with the matter as expeditiously as possible.

DELIVERY PEONS OF THE TELEGRAPH DEPARTMENT.

400. ***Mr. N. M. Joshi :** Will Government be pleased to state what steps they have taken to give the privileges of superior service to the delivery peons of the Telegraph Department ?

The Honourable Mr. A. C. McWatters : No steps have been taken. The Honourable Member's attention is invited in this connection to the

reply to starred question No. 550 by Mr. Chaman Lall in the Legislative Assembly on the 22nd February 1927.

Mr. N. M. Joshi : Why have no steps been taken ?

The Honourable Mr. A. C. McWatters : For the reasons given in the answer to the question to which I have referred the Honourable Member. Briefly, the position is that Government consider that as regards education, as regards duties and as regards responsibilities, no exact parallel can be drawn between telegraph peons and postmen.

Mr. N. M. Joshi : May I ask whether Government will be prepared to put this question to arbitration ?

The Honourable Mr. A. C. McWatters : No.

Mr. N. M. Joshi : Why ?

The Honourable Mr. A. C. McWatters : Because Government are quite satisfied that their opinion is correct in this matter.

DAILY PAID MEN IN THE STORES BRANCH OF THE TELEGRAPH DEPARTMENT.

401. ***Mr. N. M. Joshi :** (a) Is it a fact that in the Stores Branch of the Telegraph Department there is a large number of employees who are treated as daily paid men although they have put in many years of regular service ?

(b) Will Government be pleased to state what is the total number of such daily paid men and how many of them have served for ten years and more and how many have served between three years and ten years ?

(c) Will Government be pleased to state what steps they are taking to give such of these employees as have served for more than three years the privileges of permanent service ?

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

(b) The total number is 337, of whom 61 have served for ten years or more and 126 between three and ten years.

(c) Government are taking no steps in the matter as they consider that the existing system is the most satisfactory for the class of work required.

Mr. N. M. Joshi : May I ask whether it is a proper system of recruiting their employees that Government should keep a large proportion of men who have served more than three years as temporary men ?

The Honourable Mr. A. C. McWatters : That must depend on the class of work which the men are doing. In the case of day to day work of this kind, the system adopted here is, I understand, followed in most departments and in most private firms.

Mr. N. M. Joshi : May I ask whether Government are aware that it is such treatment of their employees that leads to industrial unrest in this country ?

The Honourable Mr. A. C. McWatters : No. I do not admit that in this particular case.

Mr. N. M. Joshi : May I ask whether Government will enquire whether such treatment of their employees leads to unrest ?

The Honourable Mr. A. C. McWatters : I can only say this that in this particular case we have had no complaint whatever at any time.

GOODS SHED AT BURHANPUR RAILWAY STATION.

402. ***Mr. Abdul Qadir Siddiqi :** (a) Will the Government state in what year the goods shed at Burhanpur railway station was constructed ?

(b) Will the Government state the approximate amount of exports and imports at this station when the goods shed was constructed and the amount of export and import during the year 1926-27 ?

(c) Are Government aware that for want of sufficient accommodation the goods are kept on the passenger platform and on the temporary sidings and are exposed to damage, and that this causes great inconvenience to the passengers and gives chances for accidents ?

(d) Are Government aware that the merchants have been representing their grievances for several years and no action has been taken to provide an adequate goods shed, sidings, etc. ?

(e) Will the Government state whether they propose to take early action in the matter ?

Mr. A. A. L. Parsons : Government have no information on these points, but I am sending a copy of the Honourable Member's question to the Agent of the Great Indian Peninsula Railway in order that he may consider whether the goods traffic at this station justifies the provision of further facilities.

RAILWAY BETWEEN KHANDWA AND AKOLA.

403. ***Mr. Abdul Qadir Siddiqi :** (a) Will the Government state how far the scheme of connecting Khandwa to Akola by a railway line has progressed ?

(b) Do Government propose to extend the work under construction between Akola, Hivarkhed up to Khandwa or will it terminate at Hivarkhed ?

Mr. A. A. L. Parsons : (a) and (b). The project for a broad gauge line from Basin through Akola to Hivarkhed is ready, and is at present being discussed with the authorities of His Exalted Highness the Nizam's Guaranteed State Railways. There are no immediate proposals for continuing the line from Hivarkhed to Khandwa.

STOPPAGE OF THE CALCUTTA MAIL AT BURHANPUR.

404. ***Mr. Abdul Qadir Siddiqi :** (a) Are Government aware that the stoppage of the Calcutta Mail at Burhanpur was suspended on account of the diversion of the train because the Nerbudda bridge was washed away in 1926 ?

(b) As the bridge in question has been constructed and the train is running by the old route, do Government propose to consider the desirability of stopping the train at the Burhanpur railway station ?

Mr. A. A. L. Parsons : I have not been able to obtain a copy of the time tables for 1926 from which to verify the statement in the first

part of the Honourable Member's question, but I am sending a copy of the question to the Agent of the Great Indian Peninsula Railway in order that he may consider the suggestion made in the second part.

†405* and 406*.

‡407*—441*.

NOMINATION OF MEMBERS OF THE DEPRESSED CLASSES TO THE LOCAL BOARDS AND MUNICIPAL COUNCILS IN DELHI PROVINCE, ETC.

442. ***Rao Bahadur M. C. Rajah** : (a) Will the Government be pleased to state whether the principle of nominating members of the depressed classes to the Local Boards and Municipal Councils in Delhi Province was accepted by Government ?

(b) Will the Government be pleased to lay on the table a statement giving the names of the members of the depressed classes nominated to the various Local Boards and Municipal Councils in Delhi Province ?

(c) (i) Will the Government be pleased to state whether it is a fact that the members of the depressed classes made a representation to the Chief Commissioner of Delhi for the nomination of a member of the depressed classes to the Delhi Municipal Council ?

(ii) If the answer to the above is in the affirmative, will the Government be pleased to lay on the table the reply given to this representation by the Chief Commissioner of Delhi ?

(d) (i) Will the Government be pleased to state, if it is a fact that the localities inhabited by the depressed classes in Delhi are in a most insanitary condition ?

(ii) Will the Government be pleased to lay on the table a statement showing the amount of money spent by the Delhi Municipal Committee during the years 1925-26, 1926-27 and 1927-28 on sanitation, education, roads, lighting and water supply in these localities ?

(e) (i) Will the Government be pleased to state if any representation was made to them by the members of the depressed classes in Delhi for improving these localities ?

(ii) If the answer to the above is in the affirmative, will they be pleased to state what action they took on this representation ?

Mr. G. S. Bajpai : (a) Government has accepted no such principle.

(b) No representative of the depressed classes has so far been appointed a member of the local bodies in question.

(c) (i) Yes.

(ii) A copy of the reply given to the Hindu Depressed Classes Mission in March last is placed on the table.

(d) (i) and (ii). The depressed classes are not confined to any particular area but live in various places in Katras or compounds. The insanitary conditions referred to by the Honourable Member are due partly to congestion and defective housing and partly to the unhygienic habits of the occupants themselves. No separate account is kept showing the

†On Mr. President's suggestion these questions were held over for the present.

‡For answers to these questions, see at the end of the list of starred questions for the day.

amount spent in these areas on the conveniences mentioned by the Honourable Member. Public latrines have been erected, water supply has been placed within easy reach, public schools have been thrown open for the children of this class and free primary education has been established. There are two considerable settlements of the depressed classes in the Municipal area. In one, where the land belongs to Government, arrangements for proper sanitation, water supply and street lighting have been made and drains constructed. The other is owned privately but a special staff was engaged last year to deal with its sanitation. The locality has been lighted and water taken to the nearest point. Proposals to acquire the whole of this latter area with a view to improvements are under consideration. Besides, a large area of land has lately been leased on favourable terms for the establishment of a colony for this class.

(e) (i) and (ii). No special representation has been received. Complaints which have reached the authorities from time to time have been dealt with as far as possible.

FROM THE HONOURABLE MR. A. M. STOW, O.B.E., I.C.S., CHIEF COMMISSIONER, DELHI, TO THE GENERAL SECRETARY, HINDU DEPRESSED CLASSES MISSION, No. 1812-EDN., DATED DELHI, THE 12TH MARCH 1928.

Question of the nomination of a representative of the Depressed Classes to the Delhi Municipal Committee.

In reply to your letter No. 3371, dated the 9th January 1928, to the Deputy Commissioner, Delhi, forwarding a memorial on the subject noted above, I have the honour to say that I have made enquiries into the statement contained in your letter to the effect that, in most of the Provincial Legislatures there are nominated representatives of the depressed classes. The Punjab Government, to whom I referred the matter, have replied that there is no seat in the Punjab Legislative Council specially reserved for a representative of these classes, and that no provision exists for their separate representation on Municipal Committees in the Punjab Municipal and District Boards. Arrangements in Delhi are based on legislation and rules current in the Punjab, and I do not, therefore, propose to make any special arrangements for Delhi until the question is mooted in the Punjab and a decision arrived at.

COLLECTION OF CUSTOMS REVENUE AT VIRAMGAUM.

443. *Sir Purshotamdas Thakurdas : (a) Will Government be pleased to place on the table a statement showing the collection of customs revenue at Viramgaum from 1st January 1928 to 30th June 1928 or such later date as they can give ?

(b) Will Government be pleased to indicate in the statement referred to in (a) above the articles on which they received customs revenue and also the names of the Ports at which the imports were received in India ?

(c) Will Government be pleased to state if the full revenue has been collected in cash ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (c). The total amount of duty assessed from the 6th July 1927 to the 31st July, 1928, is Rs. 55,00,652 (gross) out of which Rs. 33,82,154 represents duty for the period from the 1st January to the 31st July, 1928. The amount recovered from the 6th July, 1927, to the 31st July, 1928, is Rs. 23,90,054 (gross), out of which Rs. 23,70,917 was recovered since the 1st January, 1928.

(b) (i) Sugar, matches, cotton and silk piece-goods, tobacco and cigarettes, motor cars, paper bales and bangles are the principal articles ;

(ii) Ports of Baroda, Nawanagar, Porebandar, Junagadh and Morvi.

Sir Purshotamdas Thakurdas : Do I understand that all these amounts have been collected in cash and there are no outstandings ?

The Honourable Sir Bhupendra Nath Mitra : I have given the figures of collections in my reply and I have nothing to add to what I have said.

PROSCRIPTION OF THE PAPER *Al Mujahid* PUBLISHED IN CHAMARKAND.

444. *Mr. C. S. Ranga Iyer : (a) Will the Government please state if it is a fact that a paper called *Al Mujahid* is published from Chamarkand in Bijaur (Indian tribal territory) ?

(b) Is it proscribed in India ?

(c) What are the reasons for taking such action against the paper ?

(d) Have the premises of that paper been raided or are they going to be raided ?

Sir Denys Bray : (a) and (b). Yes, Sir.

(c) Because it is published with the avowed intention of exciting disaffection against Government.

(d) Not so far : Chamarkand lies unfortunately in a remote and unpoliced corner of our unadministered tribal territory.

Mr. President : Sardar Kartar Singh.

(The Honourable Member was absent.)

Sardar Gulab Singh : May I put the question, Sir ?

Mr. President : I cannot give permission because I have not been informed. Has the Honourable Member been asked by Sardar Kartar Singh to put his question ?

Sardar Gulab Singh : Yes.

Mr. President : He has not sent any intimation to the Chair.

†445* to 450*.

LEADER IN THE *Times of India* REGARDING TOURS OF THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY.

451. *Mr. C. S. Ranga Iyer : (a) Has the attention of the Honourable the President of the Legislative Assembly been drawn to an editorial in the *Times of India* in which it asks " who pays for the Assembly President Mr. V. J. Patel's gadding about the country " ?

(b) Is the Honourable the President aware that a telegraphic summary, dated August 23rd, of the said article appeared in most of the Indian newspapers ?

(c) Has the attention of the Honourable the President been further drawn to the observations in the said leader of the *Times of India* as contained in a telegraphic summary thereof, asserting " that Mr. Patel does

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

not, like Sir Frederick Whyte, possess a deep fund of expert knowledge and experience of Parliamentary practice out of which to give advice and assistance" ?

(d) Is the Honourable the President aware that the said newspaper protests "as a tax-payer" against the expenditure of public funds and expects the tax-payer's representatives in the Legislative Assembly to make sure that no such expenditure is allowed ?

(e) Will the Honourable the President be pleased to communicate to the House the actual expenses for a year incurred by way of tours by the said Sir Frederick Whyte, the former President of the Assembly, and the present President ?

(f) Has the attention of the Honourable the President been drawn to this observation of the said newspaper : "For what purpose is it one of those conventions that he pretends to make" ?

(g) Will the Honourable the President be pleased to state whether he is making a convention or following a precedent ?

(h) Is it not a fact that the Joint Committee of Parliament expected of the President of the Indian Legislative Assembly to tour over the country in connection with the work of the Provincial Legislatures ?

Mr. President : This is a question addressed to the Chair. I think ordinarily questions are not permissible in that form, but I have allowed this question to be put down on the paper with a view to enable me to make a statement on the subject of this question. I hope the Honourable Member will wait till I make my statement.

Mr. C. S. Ranga Iyer : Yes, Sir.

†452* to 456*.

DISCONTENT AMONG GRADUATE CLERKS IN THE POST OFFICES IN PRESIDENCY TOWNS.

457. ***Mr. A. H. Ghumavi :** (a) Are the Government aware that serious discontent is prevailing among graduate clerks in the post offices in Presidency towns ?

(b) Are the Government aware that the graduate clerks in the Presidency post offices who were enlisted before 1926 and rendered 3 to 4 years' service are getting less than Rs. 74 whereas raw graduates enlisted in 1926-27 are getting Rs. 74 and Rs. 80 per month ?

(c) Do Government propose to take steps to rectify the above anomalies at an early date ?

The Honourable Mr. A. C. McWatters : (a) Government are not aware of any serious discontent. Some representations received are under consideration.

(b) The facts are substantially as stated by the Honourable Member.

(c) The Honourable Member is referred to the answer given by the Honourable Sir Bhupendra Nath Mitra to Mr. V. V. Jogiah's unstarred question No. 100 in the Assembly on the 6th September, 1927. The matter is still under consideration.

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

CHARGES FOR TOURISTS' CARS ON THE DIFFERENT RAILWAYS.

458. ***Mr. A. H. Ghuznavi** : (a) Are the Government aware that at present there is not much demand for tourists' cars on the different railways ?

(b) Are the Government aware that this is due to the exorbitant rates charged for tourists' cars ?

(c) Do Government propose to cheapen the rates of tourists' cars so as to make them popular ?

(d) Do Government propose to provide second class tourists' cars as well ?

Mr. A. A. L. Parsons : (a) The information in possession of Government shows that there is a very large demand for these cars, particularly in the cold weather.

(b) No.

(c) As has been explained, there is a very large demand for these cars during the winter at the present rates. During the summer months the rates are reduced by 50 per cent. by the State-managed Railways and the Bombay, Baroda and Central India Railway.

(d) Government do not contemplate putting on second class tourist cars at present. Experiments are shortly to be made on certain Railways with third class tourist cars.

ISSUE OF MONTHLY TIME-TABLES BY THE EASTERN BENGAL AND THE EAST INDIAN RAILWAYS.

459. ***Mr. A. H. Ghuznavi** : (a) Are the Government aware that great hardships are caused to the travelling public by the absence of monthly time-tables on the Eastern Bengal Railway and the East Indian Railway, especially because very great changes are sometimes effected in the time-tables of these Railways before six months are over ?

(b) If the answer to (a) is in the affirmative, do Government propose to direct that these Railways issue monthly time-tables showing only the timings of the different trains at the cost of one anna per copy ?

Mr. A. A. L. Parsons : It is probably true that some inconvenience is caused when the timings of trains are altered between issues of the six-monthly time-tables now usually prepared on Railways. The Railway Board will consider whether it is possible to remove this inconvenience either by the issuing of more frequent time-tables or by other measures.

PROVISION OF PROPER LIGHTS AND FANS IN THE SHUTTLE TRAIN BETWEEN CHEOKI AND ALLAHABAD.

460. ***Mr. A. H. Ghuznavi** : (a) Are the Government aware of the great inconvenience of the travelling public in the shuttle train between Cheoki and Allahabad for the want of the proper provision of fans and lights ?

(b) If the answer to part (a) is in the affirmative, do Government propose to make arrangements for providing proper lights and fans in the above-mentioned train at any early date ?

Mr. A. A. L. Parsons : (a) Government have received no complaint to this effect.

(b) A copy of the Honourable Member's question will be sent to the Agent, East Indian Railway, who will I am sure rectify any defects there may be in the service.

Pandit Hirday Nath Kunru : May I ask the Honourable Member to suggest to the Agent that the best way of removing this defect would be to take the Bombay Mail to Allahabad instead of asking the passengers for Allahabad to get out at Cheoki ?

Mr. A. A. L. Parsons : I will communicate the Honourable Member's suggestion to the Agent.

[At this stage Mr. President vacated the Chair which was taken by Lala Lajpat Rai, one of the Panel of Chairmen.]

WATER WORKS FOR KASAUJI.

461. ***Mr. A. H. Ghuznavi :** (a) Are Government aware that some years back there was a scheme for starting a water works at Kasauli ?

(b) Is it a fact that the public of Kasauli are in want of a proper supply of drinking water ?

(c) Do Government propose to consider a scheme to draw water for the public from a place near Jabli station on the Kalka-Simla Railway ?

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

ACCIDENTS ON RAILWAYS IN 1927.

462. ***Mr. A. H. Ghuznavi :** Will the Government be pleased to lay on the table a statement showing the number of railway accidents during last year with the number of casualties in each case ?

Mr. A. A. L. Parsons : I have sent the Honourable Member a statement showing the number of accidents which occurred during 1927-28 together with the number of casualties from those accidents. Full details will be found in Appendix D to Vol. II of the Railway Board's report for 1927-28 which will be published in November.

PROMOTION OF SUBORDINATE EMPLOYEES OF THE GREAT INDIAN PENINSULA RAILWAY.

463. ***Mr. N. M. Joshi :** Will Government be pleased to state :

(a) whether there are any rules for making appointments in the higher grade from among the subordinate employees of the Great Indian Peninsula Railway ; if so, what are these rules ;

(b) whether there have been innumerable complaints from the Great Indian Peninsula Railway staff of (i) indiscriminate promotions to the junior men superseding the claims of many competent men though senior in service, and (ii) of making direct recruitment thereby superseding the claims of the officials in service ; if so, what action has so far been taken on these complaints ;

- (c) whether in future definite instructions will be issued to the heads of the Departments of the Great Indian Peninsula Railway Administration requiring promotions to the higher grades from among the senior and competent men ?

Mr. A. A. L. Parsons : (a) Promotions are made in accordance with seniority combined with suitability and merit. Other things being equal, the senior man is given the promotion.

(b) No, though no doubt complaints have been received from individuals who have not received promotion owing to the principle explained in my reply to (a) I understand each such complaint is investigated by the Deputy Agent.

(c) No. As I have explained, seniority and competence are taken into account in making promotions and no further instructions seem to be needed.

CLASSIFICATION OF GUARDS, ENGINE DRIVERS AND TICKET COLLECTORS ON THE GREAT INDIAN PENINSULA RAILWAY.

464. *Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether the guards, the engine drivers and ticket collectors working on the Great Indian Peninsula Railway are divided into two classes or grades, viz., " A " and " B " ;
- (b) whether it is a fact that employees in " A " grade are Europeans and Anglo-Indians and those in " B " grade Indians ;
- (c) whether the division is based on racial grounds ; if not, what are the rules governing this classification ;
- (d) what are the qualifications and scales of pay of the employees of each class ;
- (e) whether it is a fact that rules relating to leave, and other privileges governing the two grades are different ; if so, what are the rules applicable to each grade ;
- (f) the reasons for this differentiation ?

Mr. A. A. L. Parson : (a) Guards are divided into two grades " A " and " B " and into classes within those grades. Drivers are divided into four classes " A ", " B ", " C " and " D ". Ticket collectors are divided into two grades, lower and higher.

(b) The Agent informs me that this is not the case. No grade or class is restricted to any particular race.

(c) No. But I find in the rules governing the classification, which I obtained in order to answer the Honourable Member's question and of which I am sending him copies, a provision that when a qualified European or Anglo-Indian ticket collector works temporarily as a guard he will be paid the minimum pay of a probationary guard Grade " A ". The Railway Board are instructing the Agent that this rule must either be cancelled or made applicable to all ticket collectors irrespective of race.

(d) The rules, copies of which I am sending the Honourable Member, state the qualifications and scales of pay for guards and drivers. Ticket collectors are graded according to educational qualifications and suitability

and the scale of pay of the lower grade is from Rs. 30 to Rs. 50 and of the higher grade from Rs. 60 to Rs. 90.

(e) and (f). The leave of staff engaged after the 1st of July, 1925, is regulated by the Fundamental Rules applicable to Government servants generally. The staff of the Great Indian Peninsula Railway who were taken over by Government on the 1st of July, 1925, remain under the old Company's rules as part of the arrangement under which they were taken over. In neither case is distinction made according to grades.

Mr. N. M. Joshi : With reference to the answer to part (b) may I ask whether the Government of India have scrutinised the figures of guards and drivers in class "A" and found out whether these classes are made to keep up the racial distinction in substance, if not in name?

Mr. A. A. L. Parsons : The Government of India do not know what the particular composition is. I understand the position to be that in the past a large number of Europeans or Anglo-Indians were taken into grade "A" and that ordinarily Indians were not taken into grade "A". Therefore at present the composition in grade "A" is largely either European or Anglo-Indian. That is not now the rule and as men retire from that grade and others come in, the composition will be varied.

Mr. K. C. Neogy : Has the Honourable Member assured himself that Indians are recruited direct to "A" grade?

Mr. A. A. L. Parsons : The Agent has assured me that they are now recruited to "A" grade.

Mr. N. M. Joshi : May I ask, in view of the fact that there is an impression that these grades are made in order to keep up racial distinctions in substance though not in name, whether Government will make an inquiry and place the figures on the table of this House?

Mr. A. A. L. Parsons : I do not see any reason for making such an inquiry. I have explained the exact position, and I think the impression to which the Honourable Member has referred relates to what has happened in the past. I have no reason to believe there is now racial discrimination in this matter.

Mr. N. M. Joshi : Will not that impression be removed if the Honourable Member gives figures for Indians in grade "A" during the past year?

Mr. A. A. L. Parsons : I am afraid I feel rather hopeless about removing the Honourable Member's impressions on this matter, whatever statistics I get for him.

Sir Hari Singh Gour : The Honourable Member's impression may not be removed but the general impression that prevails in the country is that though the distinction has been nominally removed it really remains. May I ask the Honourable Member to reconsider his decision and place the figures on the table?

Pandit Hirday Nath Kunru : May I know if the Honourable Member is aware that this state of things also exists on the East Indian Railway?

Mr. Gaya Prasad Singh : And also on the Bengal and North-Western Railway?

Mr. C. S. Ranga Iyer : And also on the Oudh and Rohilkhand Railway and the Rohilkund and Kumaon Railway?

The Honourable Sir George Rainy : I think the Honourable Members who have put questions about a number of other Railways should give notice of them. As regards the question put by my Honourable friend Mr. Joshi, I will look into the matter and consider whether it would not be desirable that the figures he wants for the past year should be given.

Pandit Hirday Nath Kunzru : In view of the fact that similar questions have been put in this House about the East Indian Railway, would Government mind inquiring into the state of things on that Railway also ?

The Honourable Sir George Rainy : I think the Honourable Member should give notice of a question on that matter if he wishes it to be inquired into.

Pandit Hirday Nath Kunzru : Do not Government know that I have repeatedly put questions on this subject in the House ?

The Honourable Sir George Rainy : It is quite clear, Sir, from Mr. Joshi's question what is the precise point that he wants to be enquired into, and what are the figures he wants. It is by no means clear what would be the exact point in connection with the East Indian Railway. It is for that reason that the Honourable Member should give notice.

INORDINATE DELAY ON THE PAYMENT OF SALARIES TO THE SUBORDINATE STAFF OF THE GREAT INDIAN PENINSULA RAILWAY.

465. ***Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) whether the subordinate employees of the Great Indian Peninsula Railway Administration have been complaining for the long and inordinate delay in the payment of their monthly salaries ;
- (b) the dates on which the salaries are paid to the employees of different grades and at different stations ;
- (c) whether they will take steps to see that payment of salaries is not in any case delayed beyond the first week of every month ?

Mr. A. A. L. Parsons : (a) No such complaints have been received.

(b) I am sending the Honourable Member statements showing dates on which different grades are paid on various divisions.

(c) It is not possible to arrange that payment of salaries is in no case delayed more than 7 days beyond the close of the period by the work of which the salaries have been earned. The Great Indian Peninsula Railway Administration are taking steps to secure that there should be no avoidable delay.

Mr. N. M. Joshi : May I ask with regard to (a) whether no such complaints have been received either by the Agent or by the Government ?

Mr. A. A. L. Parsons : Certainly no complaints have been received by the Government of India or by the Railway Board. The information which I gave the Honourable Member in my reply is that which I received from the Agent.

Mr. M. S. Aney : Is it not a fact that complaints in these matters are ordinarily made to the Agent and not to the Railway Board ?

Mr. A. A. L. Parsons : Will the Honourable Member kindly repeat the question ?

Mr. M. S. Aney : Is it not a fact that complaints of this nature are ordinarily made to the Agent and not to the Railway Board ?

Mr. A. A. L. Parsons : Yes, Sir, it is certainly a matter with which the Agent should deal.

Mr. M. S. Aney : If that is so, is it not the duty of the Railway Board to inquire from the Agent whether complaints of that nature have been received ?

Mr. A. A. L. Parsons : And that is why, as I have already explained, I did make inquiries from the Agent.

GRANT OF A WEEKLY REST DAY TO THE STAFF OF THE GREAT INDIAN PENINSULA RAILWAY.

466. ***Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) whether the Great Indian Peninsula Railway Administration has proposed to increase the daily working hours of the staff in order to give a weekly off-day ;
- (b) what are the exact proposals of the Great Indian Peninsula Railway Administration to give effect to the Geneva Convention ;
- (c) whether Government will see that a weekly off-day is given without increasing the present hours of work ?

Mr. A. A. L. Parsons : (a) and (b). A large number of the staff on the Great Indian Peninsula Railway already work for 60 or less hours per week in accordance with the terms of the Washington Convention. It is not proposed to increase the number of hours they work in each week, but, in order to give them the benefit of a weekly rest day in accordance with the Geneva Convention, the introduction of a system of rostering has been suggested under which they will work 12 hours a day instead of 8 on two days in the week and 8 hours a day on the remaining four days. To this extent the working hours on certain days would be increased, but the men would receive in one week a continuous rest of 40 hours and in the next two weeks a continuous rest of 32 hours without any increase in the number of their working hours.

(c) Government consider that the proposals of the Agent of the Great Indian Peninsula Railway are well devised to give effect to both the Washington and Geneva Conventions, but they understand that he has informed the staff concerned that if they can put forward alternative proposals they will be considered.

Mr. N. M. Joshi : May I ask whether it is not in the interests of the passengers themselves that railway servants should not be asked to work twelve hours a day ?

Mr. A. A. L. Parsons : I do not think that there is any fear that if the arrangements which the Agent has proposed are put into force by which

the staff will only work on two days in the week for twelve hours and will then have a longer period of rest, the interests and safety of passengers will not be properly looked after. The Honourable Member appears to suggest that steps should be taken to give effect to the Geneva Convention and at the same time to reduce the hours of work below those laid down by the Washington Convention.

Mr. N. M. Joshi : May I ask whether the Government of India are aware that the hours fixed by the Washington Convention are maximum hours and are not hours which must necessarily be exceeded ?

Mr. A. A. L. Parsons : The Government of India are aware of the position, and as the Honourable Member will see from my original reply, the hours of work on the Great Indian Peninsula Railway are generally 56 and not 60.

GRANT OF CASUAL AND PRIVILEGE LEAVE TO THE SUBORDINATE STAFF OF THE GREAT INDIAN PENINSULA RAILWAY.

467. ***Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) whether the production of the certificate from the Railway Doctor is invariably insisted upon by the Great Indian Peninsula Railway Administration from their subordinate employees for obtaining either casual or privilege leave in case of illness ;
- (b) whether it is a fact that the officials who become suddenly ill are denied the request of casual leave for a period up to three days, even though supported by a certificate from a registered medical practitioner under whose treatment he may be ;
- (c) whether the certificate referred to in part (b) above is sent for countersignature to the Railway Doctor who refuses to countersign it inasmuch as the official is returned to work after a short illness ;
- (d) whether it is a fact that the subordinate officials working at Wadi Bunder in Bombay are not given any day's casual leave even for most urgent and sudden emergency unless they previously apply ; if so, whether the Government will take steps to remove the grievance of the staff ?

Mr. A. A. L. Parsons : (a) No medical certificate is required for casual leave or privilege leave from whatever motive it may be applied for.

(b) From the reply so far received to my enquiry I have not been able to ascertain what the exact position is. I am therefore making further enquiries from the Agent and will communicate again with the Honourable Member.

(c) The countersignature of the Railway Medical Officer is required ; it is not refused without good reason.

(d) No. The ordinary rule is that if a man absents himself without leave, leave will not subsequently be granted for the days of absence. This is of course necessary to prevent dislocation of work ; but this rule is not enforced in cases of sickness or of absence on account of unforeseen circumstances.

GRANT OF PERSONAL PAY AND ADVANCE INCREMENTS TO SUBORDINATE OFFICIALS ON THE GREAT INDIAN PENINSULA RAILWAY.

468. *Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether it is a fact that the Railway Board has accepted a principle of giving advance increments and personal allowance in the case of officials whose yearly promotion has been retarded through no fault of their own for a period of five years and can claim a special grant of advance increments and personal allowance ;
- (b) whether they are aware that there are a number of cases of subordinate officials on the Great Indian Peninsula Railway who have been clocked (*sic*) on one scale of pay through no fault of their own ; if so, whether they apply the same principle in respect of subordinate staff also ; if not, why not ?

Mr. A. A. L. Parsons : (a) Ordinarily, personal pay is not granted to an officer, unless he has been at least five years on the same pay ; but this is by no means the only, or the most important, criterion. I will send the Honourable Member a copy of the instructions with regard to both personal pay and advance increments, if he wishes.

(b) The orders apply equally to subordinates.

DISCHARGE OF FIVE MEN EMPLOYED AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

469. *Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether it is a fact that five persons working at Wadi Bunder in Bombay on the Great Indian Peninsula Railway were discharged at the end of 1926 under plea of reduction in establishment ; if so, how many years of service each of them had put in ;
- (b) whether new men have since been employed ;
- (c) whether those discharged men were re-employed ?

Mr. A. A. L. Parsons : I am collecting the information and will communicate with the Honourable Member in due course.

DISCONTENT AMONG THE SUBORDINATES OF THE ELECTRICAL BRANCH OF THE INDIAN POSTAL AND TELEGRAPH DEPARTMENT.

470. *Mr. N. M. Joshi : Are the Government aware of the great and long-standing discontent existing among the subordinate ranks of the Electrical Branch of the Indian Posts and Telegraphs over their pay, prospects, and conditions of service under the dual control of the Traffic and the Engineering Branches ? Do the Government propose taking any steps to improve the efficiency of the Branch and remove the disabilities now obtaining ?

The Honourable Mr. A. C. McWatters : Government understand that certain representations from the subordinate ranks of the Electrical Branch of the Posts and Telegraphs Department have just been received by the Director-General and will be considered by him in due course.

ABOLITION OF THE PUNISHMENT OF FLOGGING.

471. ***Mr. M. S. Aney** (on behalf of Lala Lajpat Rai) : (a) Has the attention of the Government been drawn to an article relating to " Flogging " which appeared in the *People*, dated September 29th ?

(b) Will the Government state its attitude towards the abolition of the punishment of " Flogging " ?

The Honourable Mr. J. Crerar : (a) Government have seen the article referred to.

(b) Government consider that whipping whether as a judicial punishment or as a jail penalty cannot be entirely dispensed with. While they hold that the Whipping Act of 1909 should be retained on the Statute-book I would inform the Honourable Member that Government issued instructions in 1925 through Local Governments and High Courts requiring magistrates to confine the application of section 3 of the Act in practice to cases in which both the status of the offender and the nature of the offence make the punishment of whipping suitable. As a jail penalty whipping is now inflicted only for mutiny or for conduct seriously affecting the discipline of the prison or for incitement thereto, for serious assaults on any public servant or visitor or, after other punishments have failed, for other offences of a specially grave nature.

CLOSING OF THE MALL AT DERA ISMAIL KHAN TO THE INDIAN PUBLIC.

472 ***Mr. Gaya Prasad Singh** : (a) Is it a fact that the local authorities of Dera Ismail Khan have closed the Mall Road of that place to the Indian public, on the ground that its surface was sinking ? If so, why is the road not repaired ?

(b) Is it a fact that military lorries, Europeans, motor-cars of Europeans, their horses, dogs, sweepers, khansamas, bearers, etc., are allowed to pass over the Mall, but not Indian gentlemen ?

(c) Is it a fact that the citizens of Dera Ismail Khan held a public meeting about the 21st August 1928 to protest against this objectionable order, and the President of the meeting said that he " went to the road in order to copy the order, but was stopped by a policeman on duty, who said that he had orders that it was meant to be read and not copied " (*vide the Lender*, dated the 25th August 1928) ?

(d) Will Government be pleased to lay a copy of this order on the table ; and also state what steps, if any, are being taken to withdraw it ?

Mr. G. M. Young : The Mall Road in Dera Ismail Khan Cantonment has been temporarily closed to the public by the Cantonment Board under the powers vested in them under section 192 of the Cantonments Act, owing to the fact that through lack of rain the road surface was breaking up.

An exception was, however, made in favour of all persons, whether Indian or European, who actually reside on the Mall Road, and who obviously could not be debarred from its use.

A copy of the order in question is laid on the table.

The Government have no further information but they presume that the road will be repaired as quickly as possible, when the order will be withdrawn.

Notice.

Owing to the lack of rain and the breaking up of the surface of the Mall, it is hereby declared under section 192 (g) of the Cantonments Act, 1924, that the Mall is temporarily closed to all traffic with the exception of persons actually resident in the Mall.

Mr. Gaya Prasad Singh : May I know if the Honourable the Foreign Secretary has anything to say on this question ?

Sir Denys Bray : It would be impossible for me to put the answer more neatly.

NUMBER OF APPLICATIONS MADE BY ASSESSEES IN THE DELHI PROVINCE UNDER SECTION 27 OF THE INDIAN INCOME-TAX ACT, 1922.

473. *Lala Rang Behari Lal : (a) Will the Government be pleased to state how many petitions were made by the assesses in the Delhi Province under section 27 of the Income-tax Act 11 of 1922 for a fresh assessment on the ground of sufficient cause during the last three years ?

(b) Will the Government be pleased to state how many out of these petitions were accepted by the Income-tax Officer, Delhi ?

(c) Will the Government be pleased to state how many assesses whose petitions were rejected under section 27 filed appeals from the orders of rejection during the last three years ?

(d) Will the Government be pleased to state how many of these appeals were successful ?

The Honourable Sir Bhupendra Nath Mitra : (a) The number of applications presented by assesses under section 27 was 278 in 1925-26, 201 in 1926-27 and 104 in 1927-28.

(b) Of these, 70 were successful in 1925-26, 45 in 1926-27 and 14 in 1927-28.

(c) and (d). The information is not available. It will be obtained and supplied to the Honourable Member.

GRANT OF A RIGHT OF APPEAL TO PERSONS WHO RECEIVE NOTICES UNDER SECTION 22 (2) AND (4) OF THE INDIAN INCOME-TAX ACT AS AGENTS OF NON-RESIDENTS LIABLE TO ASSESSMENT.

474. *Lala Rang Behari Lal : (a) Has the attention of the Government, been drawn to the cases of persons who receive notices under section 22 (2) and section 22 (4) of the Income-tax Act as agents of non-residents liable to assessment under section 42 of the said Act, but who deny being agents of such persons and are unable to comply with the notices but are assessed under section 23 (4) by the Income-tax Officer and have no right of appeal ?

(b) Do Government propose to make a provision for appeal in such cases ?

The Honourable Sir Bhupendra Nath Mitra : (a) The Central Board of Revenue have not received any representations on the subject to

which the Honourable Member refers. It is not the case, as he suggests, that no appeal lies in such cases. Anyone who is assessed under section 23 (4) may apply to the Income-tax Officer under section 27 to re-open the assessment on the ground that he was prevented by sufficient cause from making the return required by section 22, or from complying with notices issued under section 22 (4) or section 23 (2). If the application is rejected he has an appeal to the Assistant Commissioner under section 30 (1). He may also if necessary move the Commissioner to exercise his revisional powers under section 33. If a point of law is involved, he may claim a reference to the High Court under section 66 (2) and if necessary move the High Court to direct the Commissioner to make a reference to it under section 66 (3).

The fact, if established, that a person was "unable to comply with a notice" would obviously be a "sufficient cause" for not complying with it.

(b) Does not arise.

QUESTIONS NOT PUT AT THE MEETING OWING TO THE ABSENCE OF THE QUESTIONERS, AND ANSWERS TO THE SAME.

RECRUITMENT OF THE CLERICAL STAFF IN ARMY HEADQUARTERS.

407. *Sardar Kartar Singh : (a) Is it a fact that the Indian Stores Department and the offices of the Director-General, Posts and Telegraphs, and the Director General of Observatories are offices attached or subordinate to the Department of Industries and Labour ?

(b) Is it a fact that each of these offices gets its staff from the Public Service Commission direct and not through the Department of Industries and Labour ?

(c) Is it also a fact that similarly there are attached offices of the Departments of the Education, Health and Lands, Finance, Commerce and Home ?

(d) Is it a fact that all of the attached offices subordinate to the Departments mentioned in (c) also get their recruits direct from the Public Service Commission and that they have got their own officer who deals with the establishment cases ?

(e) Is it a fact that none of the main offices which has got attached offices has any officer simply dealing with the appointments, leave and transfers of the clerical establishment of the attached offices ?

(f) If the reply to (a) and (c) are in the affirmative, will the Government please state if Army Headquarters are not subordinate or attached offices to the Army Department ?

(g) Is it a fact that every Branch of the Army Headquarters has got its own Officer Supervisor who deals with the establishment ?

(h) If the reply to (g) is in the affirmative, will the Government please state the reasons for keeping the post of the Officer Supervisor in the Army Department who is doing recruitment work for the Army Headquarters ?

(i) Will the Government please let this House know why the Officer Supervisors in the different Branches of the Army Headquarters should not

get the staff direct from the Public Service Commission as is done in the Civil Departments ?

(j) In view of the above facts, do Government propose to consider the advisability of abolishing the post of Officer Supervisor with its staff in the Army Department to relieve the Indian tax-payers from this burden ?

(k) If they cannot abolish this post, do Government propose to consider the advisability of abolishing other Officer Supervisors' appointments in all the Branches ? If not, why not ?

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

(b) Yes, so far as the Indian Stores Department is concerned. The recruitment of the staff for the offices of the Director General, Posts and Telegraphs, and the Director General of Observatories is not done through the Public Service Commission.

(c) and (d). Yes, except that the Commerce Department has no attached office.

(e) Yes.

(f) Not in the sense in which the description is applied to the offices mentioned in (c).

(g) Yes.

(h) There is no post of Officer Supervisor in the Army Department. The recruitment work for Army Headquarters is performed by the Establishment Officer but it forms only a part of his duties.

(i) As a matter of administrative convenience in order to obtain a single co-ordinating authority the Army Headquarters clerical staff is controlled by the Secretary, Army Department, and all questions concerned with recruitment are dealt with in his office. For Army Headquarters to recruit direct from the Public Service Commission would throw a very great burden of work on the Public Service Commission and would undoubtedly result in much overlapping and uneconomical working.

(j) No.

(k) No. The duties of Officer Supervisors are by no means confined to appointments and are sufficiently onerous to justify their retention.

RECRUITMENT OF THE CLERICAL STAFF FOR ARMY HEADQUARTERS.

408. ***Sardar Kartar Singh :** (a) Will the Government please state the number of clerical appointments made by the Officer Supervisor of the Army Department in all the offices under him since January, 1925, and how many of them are Muhammadans, Hindus and Sikhs ?

(b) Will the Government also be pleased to state how many times this officer asked for men from the Public Service Commission since then ?

(c) Will Government be pleased to state the number of—

(1) Muhammadans,

(2) Sikhs, and

(3) Hindus

asked for on each occasion ?

(d) Is it a fact that this officer when he did not once get Muhammadans asked the Public Service Commission to send Muhammadans even though they had none and the Public Service Commission was specially asked to supplement the list of passed candidates by Muhammadans only from the unpassed men who appeared at the last examination ?

(e) Will the Government please state how many times he asked for Sikhs ? If not, why not ?

(f) Is it not a fact that the Sikhs are included in minority communities ? If so, was any Sikh candidate sent for from the Public Service Commission in the letter referred in (d) ? If not, why not ?

(g) Is it a fact that the assistant in the office of the Officer Supervisor entrusted with this work is a Muhammadan and that he always asks for Muhammadans only and never any man from the Sikh or Indian Christian community ? If so, will the Government please put some senior assistant other than the Muhammadan or a Hindu in charge of this work ?

(h) Do Government propose to appoint Sikhs in future vacancies in the Army Headquarters ?

Mr. G. M. Young :	(a) Total appointments made	..	738
	Hindus .. ..	..	305
	Muhammadans .. ..	..	211
	Sikhs .. ..	..	47

The figures necessarily include appointments which have been given to the same men on different occasions or in different offices throughout the period of 3 years.

(b) The exact number is not known, but it is probably several hundreds.

(c) No particular community is normally asked for.

(d) The Army Department did on one or two occasions ask for Muhammadans. The Public Service Commission were unable to comply fully with the request. The Army Department never asked for unpassed men.

(e) As far as I know Sikhs were never asked for because there was always an ample proportion of them in the office as compared with Muhammadans and Hindus.

(f) Yes. No Sikh candidate was asked for for the reasons at (e) above.

(g) The assistant is a Muhammadan but he works under the orders of the Establishment Officer and has no control in selecting the castes required. It is untrue to say that requisitions are confined to Muhammadans. The last part of the question does not arise.

(h) It will be apparent from (a) that Sikhs are being appointed in a sufficient proportion.

SIKH STENOGRAPHERS AND REPORTERS IN THE GOVERNMENT OF INDIA SECRETARIAT.

409. ***Sardar Kartar Singh :** (a) Is it a fact that there is not a single Sikh stenographer or Reporter in the Secretariat ?

(b) Is it a fact that Public Service Commission is going to hold an examination for this ?

(c) If so, do Government propose to take Sikhs alike Muhammadans for appointment in the offices as stenographers ? If not, why not ?

The Honourable Mr. J. Crerar : (a) No Sikhs are permanently employed as Reporters or Stenographers in the Government of India Secretariat at present, but two are officiating as Stenographers.

(b) Not in the near future.

(c) The question does not arise.

DUTIES OF THE MUHAMMADAN MEMBER OF THE PUBLIC SERVICE COMMISSION.

410. ***Sardar Kartar Singh :** Will the Government be pleased to state whether it is the duty of the Muhammadan Member appointed on the Public Service Commission to look after the interests of the Muhammadan community alone ? If so, who is the Member to safeguard the interests of the other minority communities ?

The Honourable Mr. J. Crerar : The answer to the first part of the question is in the negative : the second part does not arise.

TRAINING OF INDIAN YOUTHS IN THE SECURITY PRINTING PRESS, NASIK.

411. ***Sardar Kartar Singh :** Has the proposal to train Indian youths in the Security Printing Press, Nasik, and then send them to England for further training for ultimate appointment in that line, been matured ? If so, from which Province and community and how was the last recruitment made ? What are the prospects of that line ?

The Honourable Sir Bhupendra Nath Mitra : No such proposal has hitherto been considered by the Government of India. The question was raised by the Standing Finance Committee at its meeting on the 30th August 1928, and it will receive in due course the most careful consideration of Government. With reference to the last part of his question, I shall hand to the Honourable Member a statement showing the pay now drawn by the employees of the Security Printing Press in superior pensionable service.

LAVATORIES IN THE THIRD AND INTERMEDIATE CLASS COMPARTMENTS ON THE KALKA-SIMLA RAILWAY.

412. ***Sardar Kartar Singh :** Has the attention of the Government been drawn to the lavatories in the third and intermediate class compartments on the Kalka-Simla Railway ? Are Government aware that they are so narrow and small that it is not possible for a healthy man to conveniently enter through the door and if he does with difficulty he cannot make use of them ? Do Government propose to take early steps to remove this difficulty ? If not, why not ?

Mr. A. A. L. Parsons : The answer to the first part of the question is in the negative. The lavatories in all classes of passenger stock on the Kalka-Simla Railway are unavoidably small owing to the restricted dimensions of vehicles on a narrow gauge railway ; but owing to the frequent halts, no great inconvenience should be caused thereby.

RECRUITMENT OF THE IMPERIAL AGRICULTURAL SERVICE FROM POST-GRADUATE STUDENTS OF THE AGRICULTURAL RESEARCH INSTITUTE AT PUSA.

413. ***Sardar Kartar Singh :** (a) How many post-graduate students are taken each year in the Pusa Agricultural Institute and how many have so far been trained since the existence of the Institute and how have they been provided for ?

(b) Is it a fact that no post is guaranteed to these students as is done in Roorkee and other colleges ? If so, why not ?

(c) Has any student after qualifying himself from this Institute been taken in the Imperial Agricultural Service ? If not, what is the object of establishing this Institute ?

(d) How many Sikhs have so far been trained and in what capacity were they taken after passing the final examination ?

(e) Do the Government propose to recruit their future Imperial Agriculture Service men from this Institute ? If not, why not ?

Mr. G. S. Bajpai : (a), (b), (c) and (e). The Honourable Member is referred to the replies given to parts (a), (b), (d) and (e) of question No. 406 asked by Mr. Mukhtar Singh on the 12th March 1928. Since that question was answered the number of post-graduate students trained at the Pusa Agricultural Institute has risen to 108.

(d) 5 Sikhs in all have so far been trained. Of these two are serving in the Punjab Department of Agriculture, one is Director of Agriculture, Patiala State, and another is employed in the Khalsa College, Amritsar.

APPOINTMENT OF SIKHS TO THE INDIAN METEOROLOGICAL DEPARTMENT.

414. ***Sardar Kartar Singh :** (a) Is it a fact that in September, 1927, a couple of appointments of Assistant Meteorologist were made in the Meteorological Department ?

(b) How many Sikhs were applicants ?

(c) Why has no Sikh so far been appointed in this Department ? Do the Government propose to take steps to give a share of representation to Sikhs in this Department ?

The Honourable Mr. A. C. McWatters : (a) One appointment of Assistant Meteorologist was made in the Indian Meteorological Department in September 1927.

(b) One.

(c) The attention of the Honourable Member is invited to the reply given to part (b) of Sardar Gulab Singh's question No. 312 on the 7th February 1927.

REPRESENTATION OF SIKHS IN THE INDIAN RAILWAY SERVICE OF ENGINEERS AND THE TRAFFIC DEPARTMENT OF THE SUPERIOR REVENUE ESTABLISHMENT OF STATE RAILWAYS.

415. ***Sardar Kartar Singh** : (a) Is it a fact that some A. T. S. (Imperial) and Engineers (I. S. E.) are to be recruited in the near future ?

(b) How do Government propose to represent the Sikhs in these lines ?

(c) Is it a fact that there is a negligible number of Sikhs in these lines ? If so, do Government propose to take early steps to bring up the required number of Sikhs in these vacancies so as to give them a full share of representation ?

Mr. A. A. L. Parsons : (a) Yes. There will be an examination next January.

(b) The recruitment is being carried out under the regulations published in the Government of India Railway Department's Resolution No. 4048-E., dated the 6th July 1927. The examinations prescribed by the regulations were held by the Public Service Commission on 28th November 1927. The representation of minority communities, including Sikhs, is secured by a provision in the regulations that one-third of the vacancies will be reserved for the redress of marked communal inequalities by nomination from among candidates who have attained the qualifying standard at the examinations.

(c) There are at present 2 Sikhs in the Indian Railway Service of Engineers and one in the Traffic Department of the Superior Revenue Establishment of State Railways. As has been stated, the regulations provide for the reservation of one-third of the vacancies to redress marked communal inequalities provided properly qualified candidates from the communities concerned are available as a result of the examination.

ADMISSION OF SIKH STUDENTS TO THE COLLEGE OF MINES IN DHANBAD.

416. ***Sardar Kartar Singh** : (a) Is it a fact that a College of Mines has been opened at Dhanbad ?

(b) While admitting students do the Government recruit a proportionate number of candidates from each community and Province every year ? If not, why not ?

(c) How was the recruitment made last year and how many Sikhs were admitted ?

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

(b) and (c). The attention of the Honourable Member is drawn to the reply given on the 12th March 1928 by the Honourable Sir Bhupendra Nath Mitra to question No. 407 asked by Mr. Mukhtar Singh on the same subject. Eight Sikh students were admitted to the School last year.

NUMBER OF SIKH SUPERINTENDENTS AND ASSISTANTS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

417. ***Sardar Kartar Singh** : (a) Will the Government kindly refer to the answer to question No. 663 on the 3rd September, 1925, and say how many Sikhs have so far been appointed in each office in these grades ?

(b) Is it a fact that no Sikh was passed in the First Division in the last examination held by the Public Service Commission to bring their number up to the standard ?

The Honourable Mr. J. Crerar : (a) A statement is being placed in the Library.

(b) None of the qualified candidates were Sikhs.

NUMBER OF SIKHS APPOINTED TO THE POLITICAL DEPARTMENT.

418. ***Sardar Kartar Singh :** How are the appointments in the Political Department filled up ? Will the Government please state the number of Muhammadans and Sikhs appointed in this line since 1925 ?

Sir Denys Bray : Appointments to the Political Department are made by His Excellency the Viceroy by selection from members of the Indian Civil Service and of the Indian Army holding the King's Commission, and also the Provincial Civil Service in cases of special merit.

Seven Muslims and one Sikh have been appointed since January 1925.

NUMBER OF HINDUS, MUHAMMADANS AND SIKHS EMPLOYED IN THE OFFICES OF THE POSTMASTER GENERAL, PUNJAB AND N. W. F. CIRCLE, AND THE DEPUTY POSTMASTER GENERAL, RAILWAY MAIL SERVICE, AMBALA.

419. ***Sardar Kartar Singh :** (a) With reference to answer to question No. 513, dated the 18th February, 1927, will the Government please state what steps they have taken to increase the number of Sikhs in those offices ?

(b) How many vacancies occurred up till now and how many Sikhs have been taken in each office ?

The Honourable Mr. A. C. McWatters : The information asked for by the Honourable Member is being collected and will be furnished to him in due course.

SIKH INSPECTORS IN THE RAILWAY MAIL SERVICE IN THE PUNJAB.

420. ***Sardar Kartar Singh :** In view of the fact that there are very few Sikh Inspectors in the R. M. S. in the Punjab, will the Government please state how many vacancies in this cadre occurred since January last and how many Sikhs have been recruited ?

The Honourable Mr. A. C. McWatters : Six vacancies occurred, and one of them was filled by a Sikh.

TOWN INSPECTORS OF POST OFFICES IN THE PUNJAB CIRCLE.

421. ***Sardar Kartar Singh :** What is the total number of Town Inspectors of Post Offices in the Punjab Circle and how many of them are Muhammadans, Hindus and Sikhs ?

The Honourable Mr. A. C. McWatters : The total number of Town Inspectors in the Punjab Postal Circle is 15. Of these, 2 are Muhammadans, 11 are Hindus and 1 is a Sikh.

EMPLOYMENT OF SIKHS IN THE SURVEY OF INDIA.

422. *Sardar Kartar Singh : (a) What is the total number of Superintendents, Assistant Superintendents, and Extra Assistant Superintendents in the Survey of India Department and how many of them are Anglo-Indians, Muhammadans, Hindus and Sikhs ?

(b) Is it a fact that a couple of Muhammadans were appointed as Probationary Extra Assistant Superintendents on a communal basis ?

(c) Is it a fact that there is no Sikh in this service ?

(d) Do Government propose to take as many Sikhs in future vacancies alike Muhammadans as will give them their full representation in this service ?

Mr. G. S. Bajpai : (a) A statement giving the information required has been laid on the table of the House.

(b) Two Muhammadans were appointed last year to secure the representation of minority communities. No Sikh was selected as none of the three who appeared for the examination qualified.

(c) Yes.

(d) Government will consider the claims of Sikhs in conformity with the standing orders on the subject of communal representation in the services.

Statement giving information regarding the number of Superintendents, Assistant Superintendents and Extra Assistant Superintendents in the Survey of India Department.

	Euro-peans.	Anglo-Indians.	Hindus.	Muham-madans.	Sikhs.	Total.
Superintendents	21	10	3	..	..	34
Assistant Superintendents ..	13	..	..	..	..	13
Extra Assistant Superintendents ..		51	30	9	..	90
Total ..	34	61	33	9	..	137

EMPLOYMENT OF SIKH SUPERINTENDENTS IN THE RAILWAY MAIL SERVICE.

423. *Sardar Kartar Singh : Is it a fact that out of 19 R. M. S. Superintendents in India there is no Sikh ? Do Government propose to appoint Sikhs in future vacancies ?

The Honourable Mr. A. C. McWatters : The reply to the first part of the question is in the negative. Qualified Sikhs will be considered with other candidates in filling future vacancies.

NUMBER OF APPOINTMENTS MADE BY THE PUBLIC SERVICE COMMISSION, ETC.

424. *Sardar Kartar Singh : (a) Will Government please lay on the table a statement showing all the appointments made so far by the Public Service Commission since its creation ?

(b) Will the Government kindly show in the statement the number of vacancies offered to the members of the Muhammadan, Christian and Sikh communities separately in each grade along with other communities ?

The Honourable Mr. J. Orerar : I think my Honourable friend is under some misapprehension as to the position. In the first place, the functions of the Public Service Commission extend only to making recommendations for appointments. The actual appointments are made by Government. In the second place, the responsibility for preventing the preponderance of any one class or community rests with the appointing authority and not with the Public Service Commission, who give preference to candidates of minority communities only when they have instructions to do so.

I have, however, obtained from the Commission statements which give an analysis of the results of the various examinations held by them and of the nominations made by them, and I shall be glad to send the Honourable Member a copy of these statements if he so desire.

SUPPLEMENTARY LIST OF PASSED CANDIDATES ISSUED BY THE PUBLIC SERVICE COMMISSION.

425. *Sardar Kartar Singh : (a) Is it a fact that the Public Service Commission issued a supplementary list of passed Muslim candidates ?

(b) How many Indian Christians and Sikhs were passed by the Public Service Commission on a communal basis at that time or afterwards ?

(c) If the reply to (b) be in the negative, do Government propose to issue a supplementary list of passed candidates from Indian Christians and Sikhs to ensure their adequate representation like Muhammadans ? If not, why not ?

The Honourable Mr. J. Orerar : I understand the Honourable Member's question relates to recruitment to the Government of India Secretariat. The answers are :

(a) Yes.

(b) None.

(c) Government will ask the Public Service Commission to furnish a limited supplementary list of Indian Christians and Sikhs if and when the need arises.

EMPLOYMENT OF SIKHS IN THE OFFICE OF THE RAILWAY BOARD.

426. *Sardar Kartar Singh : (a) Will the Government please say why the Railway Board has been permitted to recruit its own staff in the upper, lower and third divisions of the ministerial establishment and why it does not take the help of the Public Service Commission which is the recruiting agency ?

(b) How many Sikhs have been entertained in this office since January 1927 as against Muhammadans and Hindus ?

Mr. A. A. L. Parsons : (a) Much of the work in the Railway Board's office is of a technical nature, and it is therefore necessary that the Railway Board should be free to recruit qualified staff from Railways.

(b) 1, 14 and 11 respectively.

THE BUTARI-PATTI-LAHORE RAILWAY.

427. ***Sardar Kartar Singh :** (a) Will the Government please state if the Railway Board has received the project report and estimates of the proposed Butari-Patti-Lahore Railway from the North-Western Railway and come to any decision in regard to the construction of the line ?

(b) If so, will they communicate its decision to the House ?

or

(c) Will the Government be pleased to state what progress has been made in the construction of the Butari-Patti-Lahore Railway ?

Mr. A. A. L. Parsons : The project report and traffic estimate are expected by the Railway Board in October and it will then be decided whether the line should be taken up.

EMPLOYMENT OF SIKHS IN CLERICAL APPOINTMENTS IN THE POST OFFICE.

428. ***Sardar Kartar Singh :** Is it a fact that about two years ago the Government issued orders that in recruiting candidates for clerical appointments in the Post Office special consideration should be given to the minority communities ? If it is so, is it a fact that the minority community in the Punjab is the Sikhs, and is it a fact that Muhammadans are specially given every third vacancy in a Division in order to carry out the Government orders ?

The Honourable Mr. A. C. McWatters : The Honourable Member presumably refers to general orders which were issued by the Government of India in the Home Department which provided that, in recruiting for the clerical establishments of the Government of India Secretariat and offices subordinate thereto, there should be a reservation of one-third of all permanent vacancies for the redress of communal inequalities. These orders have been circulated and effect is being given to them in the Posts and Telegraphs Department. It is a fact that the Sikh community is one of the minority communities in the Punjab. The local arrangements for recruitment in the Posts and Telegraphs Department are as understood by the Honourable Member, but the whole question is being re-examined and the Honourable Member will be advised in due course of the orders issued in connection with it.

EMPLOYMENT OF SIKHS AS PROBATIONERY SUPERINTENDENTS OF POST OFFICES.

429. ***Sardar Kartar Singh :** (a) Is it a fact that ordinary graduates are entertained in the Post Office as Probationary Superintendents ?

(b) If so, for what services was one Mr. S. N. Sahibzada, a matriculate, taken on as a Probationary Superintendent in the Punjab in February last ?

(c) Do Government propose to take a Sikh similarly in the next vacancy ? If not, why not ?

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

(b) Though Sahibzada Syed Mahmood is not a graduate he was considered specially suitable for the appointment on the grounds of his personal qualifications and good general education.

(c) The matter rests with the Director-General of Posts and Telegraphs, with whose discretion Government are not prepared to interfere.

EMPLOYMENT OF SIKHS AS SUPERINTENDENTS IN THE RAILWAY MAIL SERVICE.

430. *Sardar Kartar Singh : (a) Do Government propose to take a Sikh in the next first vacancy in the R. M. S. Superintendentship in view of the fact that there is none in this service ?

(b) If not, why so ?

Mr. P. G. Rogers : (a) It is not a fact that there is no Sikh Superintendent in the Railway Mail Service.

(b) Does not arise.

EMPLOYMENT OF SIKHS IN THE OFFICE OF THE CHIEF AUDITOR, NORTH-WESTERN RAILWAY.

431. *Sardar Kartar Singh : (a) Will the Government please refer to an advertisement by the Chief Auditor, North-Western Railway, Lahore, dated the 24th July 1928, in the *Tribune*, dated the 5th August 1928, inviting applications from Muhammadans only ignoring the fact that the Sikh representation in his office is equally small and they form the minority ?

(b) If the reply to (a) be in the affirmative, do Government propose to issue orders that in future vacancies the Sikhs should be recruited until they are adequately represented ? If not, why not ?

(c) Are Sikhs sufficient in number in that office ?

(d) Will Government be pleased to place on the table a statement stating the reasons why Sikhs are not recruited in that office ?

The Honourable Sir Bhupendra Nath Mitra : Enquiry is being made and a reply will be sent to the Honourable Member in due course.

APPEAL OF MR. SHER SINGH, LATE CLERK, POST OFFICE, PESHAWAR.

432. *Sardar Kartar Singh : (a) Will the Government be pleased to state if Mr. Sher Singh, late clerk, Post Office, Peshawar, submitted on the 21st May 1928 an appeal addressed to the Director-General, Posts and Telegraphs, India ?

(b) Is it a fact that the said appeal was withheld by the Postmaster-General, Punjab, *vide* his No. X. F. S.-13|N., dated the 12th June 1928, on the ground that the language of the appeal was disrespectful and improper ?

(c) Will the Government be pleased to point out the portions of the appeal taken exception to by the Postmaster-General ?

(d) Is it a fact that Mr. Sher Singh, late clerk, Peshawar Post Office, alleged in his appeal, dated 21st May 1928, that the Postmaster, Peshawar, concocted a case against him with the help of some of his subordinates in order to win a reward and to get money from the person involved by unfair means ?

(e) Is it a fact that Mr. Sher Singh alleged in the same appeal that the Postmaster, Peshawar, within a few months of his taking over charge dismissed more than half a dozen officials with certain motives in view ?

(f) If the reply to (e) above is in the affirmative, will the Government be pleased to state the names of the postal officials removed and the names of those out of them who appealed to the Postmaster-General and were re-instated in their posts ?

(g) Is it a fact that Mr. Sher Singh stated in his said representation that the present Postmaster at Peshawar was twice reverted from a Superintendentship on account of his unfitness and misconduct ?

(h) If the reply to (g) above is in the affirmative, will the Government be pleased to state the particulars of cases in which the said Postmaster was involved and the name of the Postmaster-General who reported his misconduct to the Government ?

(i) Is it a fact that the said Mr. Sher Singh stated in his representation that the present Postmaster, Peshawar, visited 19 places out of which 16 places were visited without the permission of superior authority ?

(j) If the answer to (i) is in the affirmative, will the Government be pleased to state the 19 stations referred to in the question and the particulars of the 16 places to which the Postmaster went on private trips without leave ?

(k) In case the Postmaster went to all the places referred to above with due authority, will the Government be pleased to lay on the table the leave orders in respect of each occasion of absence ?

(l) Is it a fact that the said Mr. Sher Singh stated in his representation that on all the visits referred to above the mail contractor's car was used free of charge ?

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

(c) Government have not seen the appeal.

For the rest the Government see no reason to question the discretion of the Postmaster General in withholding the appeal, which he has reported was couched in most disrespectful and improper language. Mr. Sher Singh has been informed that he should submit an appeal couched in clear, concise and respectful language. No such appeal has been received and in the circumstances the Government are not in a position to deal with the further points raised in the question, nor do they consider any enquiries necessary in such cases where the normal procedure for the representation of grievances has not been adopted.

TOWN INSPECTOR OF POST OFFICES, PESHAWAR.

433. *Sardar Kartar Singh : (a) Will the Government be pleased to state the length of service of the present Town Inspector, Peshawar, and the particulars of the postal branches in which he worked during his service ?

(b) Is it a fact that the present Town Inspector of Peshawar did not work in any branch of the post office except as a typist prior to his appointment as Town Inspector ?

(c) Is it a fact that one Mr. Sher Singh, late clerk, Peshawar Post Office, stated in his representation to the Director-General that half of the excess drawn by this undeserving official was appropriated monthly by the present Postmaster, Peshawar ?

(d) Is it a fact that the permanent pay of the present Town Inspector was Rs. 60 on his appointment as Town Inspector and that he began to draw Rs. 160 from the date of his officiating appointment ?

(e) Will the Government be pleased to state if they propose making any enquiries into this serious allegation against the conduct of the present Postmaster ?

The Honourable Mr. A. C. McWatters : Government have no information and, in the circumstances explained in my answer to question No. 432, do not consider it necessary to make any enquiries.

REPRESENTATION FROM MR. PESHAWARI MALL, LATE TOWN INSPECTOR OF POST OFFICES, PESHAWAR.

434. *Sardar Kartar Singh : (a) Is it a fact that Mr. Peshawari Mall, late Town Inspector, Peshawar, attached a statement with his representation to the Postmaster-General, Punjab, showing details of borrowings of the present Postmaster, Peshawar, from Mr. Peshawari Mall ?

(b) Is it a fact that these transactions include borrowing of hard cash and details of articles purchased for household use ?

(c) Is it a fact that Mr. Peshawari Mall stated in his said representation that the Postmaster, Peshawar, evaded payment of his dues and that his demand for his money resulted in his transfer from the post of Town Inspector ?

(d) Is it a fact that Mr. Peshawari Mall stated in his representation that he was made to pay a sum of Rs. 54 by the present Town Inspector, Mr. Acharaj Ram, a most junior official ?

(e) Is it a fact that Mr. Peshawari Mall sent a list of witnesses to prove his allegations but those witnesses were never examined by the Deputy Postmaster-General although he visited Peshawar twice in this connection ?

(f) Will the Government be pleased to place on the table the statements recorded, if any, by the Deputy Postmaster-General connected with enquiries into the allegations set forth by Mr. Peshawari Mall in his representation ?

(g) Will the Government be pleased to state the result of the enquiries by the Deputy Postmaster-General on which his finding was based keeping in view the fact that no statements were recorded nor were any witnesses examined ?

The Honourable Mr. A. C. McWatters : The Government have not received any representation from Mr. Peshawari Mall to whom it is open to utilise the usual departmental procedure if he has any grievance.

In the circumstances Government are unable to answer the Honourable Member's questions, nor do they consider any special enquiries necessary.

PAYMENT OF RENT FOR THE BUILDING OCCUPIED BY THE OLD CITY POST OFFICE, PESHAWAR, AFTER ITS VACATION.

435. ***Sardar Kartar Singh :** (a) Is it a fact that the Peshawar City Post Office was shifted to a new building in the year 1927-28 and, if so, from what date ?

(b) Is it a fact that the charge of the old City Post Office building was not personally given over to the owner by the Postmaster, Peshawar, resulting in loss of and damage to several articles belonging to the owner ?

(c) Is it a fact that the Government had to set right the damages and to pay for the articles lost and, if so, will the Government be pleased to state the total expenditure incurred in this connection ?

(d) Will the Government be pleased to state the rent of the new and old Peshawar City Post Office building and is it a fact that from the date of occupation of the new building the rent of the old vacated building is also being paid by the Government ?

(e) Will the Government be pleased to state the aggregate amount that will have to be paid for the old building from the date it was vacated ?

(f) Will the Government be pleased to state if according to the terms of lease the old City Post Office building could be vacated after a month's notice without being liable for payment of rent for the unexpired period of lease ?

(g) If the reply to part (f) of the question is in affirmative, will the Government be pleased to state the reasons for which the Peshawar City Post Office old building was not finally vacated and payment of rent stopped ?

(h) Will the Government be pleased to state if the old Peshawar City Post Office building was sublet to the proprietor of the building at a monthly rent of Rs. 40 and, if so, from what date ?

(i) Is it a fact that the Postmaster, Peshawar, reported to the Postmaster-General that the rent of the old building could not be assessed beyond Rs. 35 against Rs. 135 paid by the Government and that the offer of Rs. 35 was the highest except that it was the proprietor only who offered Rs. 40 in order to take back the possession of the building and to be paid Rs. 95 a month extra for nothing by the Government ?

(j) In view of the fact stated above, do Government propose to stop the payment of rent for the old building since it was vacated ?

Mr. P. G. Rogers : The information is being collected and will be furnished to the Honourable Member in due course.

RENT FOR THE BUILDING OCCUPIED BY THE NEW POST OFFICE, PESHAWAR SUDDER BAZAR.

436. ***Sardar Kartar Singh :** (a) Will the Government be pleased to state the date on which the new Post Office, Peshawar Sudder Bazar, was opened ?

(b) Will the Government be pleased to ascertain and state the rent of the building prior to its occupation by the Post Office as entered in the office of the Executive Officer, Peshawar, and for which house-tax was being paid ?

(c) Is it a fact that the rent of the two shops now converted into one by demolition of the partition wall was Rs. 14 a month against Rs. 30 paid by the Post Office ?

(d) Will the Government be pleased to state if there was any justification for doubling the rent for the simple reason that the proprietor had to make small alterations and repairs at a cost not exceeding Rs. 300 ?

(e) Is it a fact that the proprietor of the building presented to the Postmaster, Peshawar, a billiard table the cost whereof appears debited to the account of the proprietor and, if so, was it permissible to accept it ?

The Honourable Mr. A. C. McWatters : The information is being collected and will be furnished to the Honourable Member in due course.

**ALLEGED USE FOR PRIVATE PURPOSES OF THE SERVICES OF POSTAL OFFICIALS
BY THE POSTMASTER, PESHAWAR.**

437. ***Sardar Kartar Singh :** (a) Is it a fact that the Director General, Posts and Telegraphs, had to issue a warning to his subordinates to the effect that drastic action will be taken against officers using postal officials for their private services ?

(b) Is it a fact that the representation of Mr. Sher Singh, late clerk, Peshawar H. O., and the appeals of Mr. Peshawari Mall and Ram Lal and Ghulam Hussain, Postman, Peshawar Post Office, contained allegations to the effect that Dheru and Azadmir, the whole time inferior servants of the Post Office, are being used by the Postmaster, Peshawar, as private servants, the former as a bearer and the latter as a motor driver ?

(c) Is it a fact that Azadmir, one of the two persons named above, was paid Rs. 15 per mensem by the contractor for motor driving service and this sum was accepted by the said official with the knowledge of the Postmaster and without the permission of the competent authority ?

(d) Is it a fact that Sher Singh alleged in his representation, dated 21st May 1928, that the said Azadmir conveyed mails on motor to six stations during the months of February and March 1928 without obtaining leave on the dates stated in the allegation and that the signature of Azadmir is affixed to the mail list of the officers which supports the allegation ?

(e) In view of the facts stated above, will the Government be pleased to state the action they propose to take against the Postmaster, Peshawar, in the matter ?

The Honourable Mr. A. C. McWatters : As regards (a) it is a fact that the Director-General issued a warning to the effect mentioned by the Honourable Member.

For the rest, as regards the representation of Mr. Sher Singh, I would refer the Honourable Member to the answer given to his question No. 432. No appeals have been received by the Government of India from Mr. Peshawari Mall, Ram Lal and Ghulam Hussain, and the Government are not accordingly in possession of the facts concerning the

points mentioned by the Honourable Member, nor do they consider it necessary to make special enquiries when the persons concerned have not themselves exhausted the ordinary procedure prescribed for representing grievances.

GOVERNMENT SERVANTS AND MEMBERSHIP OF THE ANGLO-INDIAN ASSOCIATION.

438. *Sardar Kartar Singh : (a) Is it a fact that the All-India Anglo-Indian Association is one of the political associations in India like the Muslim League and the Hindu Sabha ?

(b) Is it a fact that a meeting of the Anglo-Indian Association was held in Calcutta in connection with the Simon Commission and other political rights of the Anglo-Indian community ?

(c) Is it a fact that Government servants are forbidden either from being the office bearers of such political associations or from taking any active part except on behalf of the Government ?

(d) Is it a fact that the present Postmaster, Peshawar, is the Secretary of the local branch of the All-India Anglo-Indian Association and that he took an active part in the deliberations of the Calcutta meeting referred to above ?

(e) If the reply to part (d) of the question is in the affirmative, will the Government be pleased to state the action they propose to take against the present Postmaster, Peshawar ?

The Honourable Mr. A. C. McWatters : (a) So far as the Government of India are aware the Anglo-Indian Association has been constituted mainly as an aid to the moral and material progress of the community. I would in this connection draw the attention of the Honourable Member to the reply given by Sir Malcolm Hailey on the 8th March 1924 to Mr. B. C. Roy's question No. 611.

(b) The Government of India understand that meetings of the Association were held to consider among other things the preparation of a memorandum for presentation to the Indian Statutory Commission.

(c) I would refer the Honourable Member to rules 22 and 23 of the Government Servants' Conduct Rules.

(d) Government have no information and do not consider enquiry necessary.

(e) Does not arise.

APPOINTMENT OF MR. RAM LAL AS AN ACCOUNTANT IN THE PESHAWAR POST OFFICE.

439. *Sardar Kartar Singh : (a) With reference to the reply to starred question No. 31 by Mr. B. P. Naidu in September 1927 Session, will the Government be pleased to state whether the seniority referred to in the reply means seniority of position in the gradation list in the same cadre irrespective of date of passing the examination ?

(b) Is it a fact that Government do not allow supersession by juniors in the same Postal Clerical Cadre on the plea of priority in passing the accountants examination ?

(c) Is it a fact that Mr. Gayan Chand, one of the most senior clerks in the Peshawar Post Office, worked in the Accounts Branch for nearly 15 years and gave satisfaction in his work ?

(d) Is it a fact that Mr. Gayan Chand passed the accountants' examination in 1927 creditably and one Mr. Ram Lal passed in 1926 with grace marks ?

(e) Is it a fact that the said Mr. Ram Lal is a very junior official and worked in the Accounts Branch under Mr. Gayan Chand and was trained by the latter ?

(f) Is it a fact that in defiance of the Government orders referred to in reply to the question quoted above the Postmaster, Peshawar, appointed Mr. Ram Lal as accountant in 1928 and kept Mr. Gayan Chand to work under him without declaring the latter as inefficient ?

(g) Will the Government be pleased to state if in 1928 there was any other certificated accountant in the Peshawar Post Office senior to Mr. Ram Lal available to be posted as accountant ?

(h) In view of the unjustified supersessions of seniors by juniors in the same cadre by some officers of the department for want of communication of Government orders to them officially, do Government propose to communicate these orders by a General Letter to all Superintendents and 1st Class Postmasters to protect the interests of senior men ?

The Honourable Mr. A. C. McWatters : (a) Seniority means seniority of position in the gradation list.

(b) Yes.

(d) Yes.

(e) Yes.

(c), (f), (g) and (h). The information is being collected and will be furnished to the Honourable Member when received.

APPOINTMENT OF POSTAL CLERKS AS TOWN INSPECTORS OF POST OFFICES.

440. ***Sardar Kartar Singh :** (a) With reference to reply to unstarred question No. 124 of last March Session, will the Government be pleased to state the pay of postal clerks before and after their appointments as Town Inspectors in the revised scale of Rs. 160—250 in 1927 as also the difference between the two pays referred to above separately in each case ?

(b) Is it a fact that if clerks on a substantive pay of Rs. 145 were appointed Town Inspectors in the Rs. 160—250 grade the additional cost to Government would have been far less than what it has been by the appointment of junior postal clerks as Town Inspectors ?

(c) In view of these circumstances, do Government propose to appoint the senior deserving officials without waiting for the result of 1st selection grade examination in order to reduce the cost to the Government and to do justice to the senior officials ?

The Honourable Mr. A. C. McWatters : (a) A statement giving the information will be furnished to the Honourable Member.

(b) It is possible that in the circumstances mentioned by the Honourable Member there might have been some saving in cost.

(c) Government are not prepared to alter the existing arrangement pending the results of the first selection grade examination.

PROVISION OF A MOTOR GARAGE IN THE PREMISES OF THE POST OFFICE,
PESHAWAR, ETC.

441. *Sardar Kartar Singh : (a) Is it a fact that the map of the Peshawar Head Post Office does not show any provision for a motor garage in the premises of the Post Office ?

(b) Is it a fact that a room adjacent to the Postmaster's quarters is being used as a motor garage ?

(c) Is it a fact that the present Postmaster fitted doors to the said garage and that the cost thereof was borne by the owner of Peshawar City Post Office new building in whose accounts the said expenditure would be found debited ?

(d) Will the Government be pleased to state if the conduct of the Postmaster, Peshawar, in this respect was objectionable and, if so, what action they propose to take in the matter ?

Mr. P. G. Rogers : The information asked for by the Honourable Member is being obtained and will be furnished to him in due course.

REMARKS OF PROFESSOR REILEY REGARDING NEW DELHI.

445. *Mr. Gaya Prasad Singh : Are Government aware that Professor Reiley, who recently visited India to study the architecture of Delhi, told a gathering of Manchester Rotarians that " none wanted New Delhi ", and he " severely criticised the New Parliament House, which was not comparable with the original design, and suggested a gasometer " (*vide the Englishman*, dated the 30th July 1928, page 7) ?

The Honourable Mr. A. C. McWatters : Yes.

THE AGE OF CONSENT COMMITTEE.

446. *Mr. M. K. Acharya : (a) Will the Government be pleased to state :

- (i) the purpose for which the Age of Consent Committee has been appointed ;
- (ii) the special qualifications, if any, of its members ;
- (iii) whether any representations have been received from the Presidency of Madras or elsewhere, requesting the Government to nominate as member a representative of orthodox Hindu opinion on it ;
- (iv) and if the answer to clause (iii) be in the affirmative, why the Government have not chosen to accede to the request ?

(b) Will the Government be pleased to state whether the Chairman of the said Committee, at a recent public meeting held at Simla, spoke strongly in favour of the proposed marriage reform legislation and strongly also deprecating orthodox opposition to it ?

The Honourable Mr. J. Orerar : (a) The Home Department Resolution No. F-382/27, dated the 25th June 1928, a copy of which has been placed in the Library, states the terms of reference to the Committee and also the qualifications of the members. Government have received representations asking for the nomination of a representative of orthodox Hindu opinion, and have accordingly appointed Rai Bahadur Pandit Kanhaiya Lal.

(b) Government understand that the answer to this part of the question is in the negative.

APPOINTMENT OF A SIKH AS A JUDGE OF THE HIGH COURT, LAHORE.

447. ***Sardar Kartar Singh :** In view of the fact that no Sikh has ever been appointed as High Court Judge in the Punjab, do Government propose to appoint a Sikh in the next vacancy ?

The Honourable Mr. J. Orerar : Permanent appointments to the High Courts are made by His Majesty under section 101 of the Government of India Act. Courts of justice are not representative institutions, and the main consideration in filling up vacancies in high judicial appointments must always be that of efficiency. Subject to this the claims of Sikhs no less than those of members of other communities receive and will continue to receive due consideration.

PROVISION FOR ORPHANS AND WIDOWS OF GOVERNMENT SERVANTS OTHER THAN MEMBERS OF INDIAN CIVIL SERVICE.

448. ***Khan Bahadur Makhdum Syed Rajan Baksh Shah :** (a) Have Government framed any rules to provide maintenance to orphans and widows of Government servants, other than members of I. C. S., who die in harness ? If so, will the Government be pleased to lay them on the table ?

(b) Do Government propose to take steps to provide rules for granting maintenance by grant of pension or otherwise on proper lines to the said orphans and widows ?

The Honourable Sir Bhupendra Nath Mitra : A Family Pension Fund has recently been instituted for pensionable European and Anglo-Indian members of the superior civil services other than the Indian Civil Services.

The benefits derivable from this Fund in the way of family pension will, it is intended, be provided by the subscriptions of the members of the Fund themselves. The rules of the Fund were published in the Gazette of India, Part I, dated the 25th of August 1928, a copy of which will be found in the Library. Another scheme which has a similar object in view and which would apply to other categories of Government servants employed under the Governor General in Council is at present under the consideration of the Government of India. Detailed calculations connected therewith are being prepared by the Government Actuary and are nearly ready. The leading feature of the particular scheme to which I refer is that provision should be made for the dependants of Government servants by substituting payments of lump sums for the whole or a portion of the pension which is being earned.

ARTICLE IN THE *Times of India* REGARDING THE FOUNDER OF ISLAM.

449. *Khan Bahadur Makhdum Syed Rajan Baksh Shah : (a) Are Government aware that in an issue of June last, the English paper *Times of India* wrote contemptuously against the Founder of Islam, by which the feelings of His Majesty's Muslim subjects have been disturbed ?

(b) Have Government taken any action against the paper ? If not, what steps do Government propose to take to bring the paper to its senses ?

The Honourable Mr. J. Crerar : (a) Nothing of the sort has come to the notice of the Government of India.

(b) Does not arise.

EMPLOYMENT OF MUSLIMS IN THE INDIAN FOREST SERVICE.

450. *Khan Bahadur Makhdum Syed Rajan Baksh Shah : (a) Will the Government please state the total number of employees in each of the provinces in the Imperial Forest Service and how many of them are Muhammadans ?

(b) Will the Government please state whether any action is being taken by them to maintain the communal rights of the Muslims by putting the number of Muhammadans in the above service up to the mark ?

Mr. G. S. Bajpai : (a) A statement giving the information required regarding the Indian Forest Service has been laid on the table of the House.

(b) A number of vacancies are reserved to be filled by nomination for the purpose of adjusting communal inequalities which may arise as a result of the competitive examination which is the principal avenue for recruiting for the Indian Forest Service. In this connection, I would invite the Honourable Member's attention to the statement made by the late Sir Alexander Muddiman in the Council of State on the 2nd March 1925.

Statement showing the number of Indian Forest Service officers and Muslim Indian Forest Service officers in service on 1st January 1928.

Province.	Muslim I. F. S. officers.	Total Indian I.F.S. officers.	Total I. F. S. officers.
Madras	2	24	56
Bombay .. .. .	..	7	28
Bengal	2	8	22
United Provinces	1	11	36
Punjab	3	13	33
Bihar and Orissa .. .. .	..	7	16
Burma .. .. .	..	11	95
Central Provinces	1	11	34
Assam .. .. .	..	1	11
Total ..	9	93	332

ENHANCEMENT OF PENSIONS OF MEMBERS OF THE INDIAN MEDICAL DEPARTMENT.

452. *Lieutenant-Colonel H. A. J. Gidney : (a) Will Government please state if it is a fact that, in the early part of 1925, when Lord Birkenhead, Secretary of State for India, sanctioned the proposal submitted by the Government of India to enhance the pensions of departmental officers, he did so on the express condition that the Indian Medical Department be included in this scheme along with the other Departments ?

(b) If the reply is in the affirmative, will Government kindly state why the orders of the Secretary of State were not carried out ?

Mr. G. M. Young : (a) No, Sir.

(b) Does not arise.

PROBATIONARY ASSISTANT TRAFFIC SUPERINTENDENTS ON THE BURMA RAILWAYS.

453. *Lieutenant-Colonel H. A. J. Gidney : Will Government be pleased to state :

(a) the number of probationary Assistant Traffic Superintendents recently recruited by the Burma Railways through advertisements in the papers ?

(b) the qualifications and nationality of those who were accepted and entertained ?

(c) the number of Anglo-Indians who applied for these posts and their respective qualifications ?

(d) if any Anglo-Indians were asked to appear before the Selection Board ? If so, how many ? If not, why not ?

Mr. A. A. L. Parsons : I am making enquiries and will communicate the result to the Honourable Member.

TIME SCALE OF PAY FOR THE NINE TRANSPORTATION OFFICERS OF THE OLD OUDH AND ROHILKHAND RAILWAY TRANSFERRED TO THE EAST INDIAN RAILWAY.

454. *Lieutenant-Colonel H. A. J. Gidney : (a) Will Government be pleased to state if it is a fact

(i) that there are 9 Transportation Inspectors belonging to the old Oudh and Rohilkhand Railway, who have been absorbed into the East Indian Railway after the amalgamation of the two Railways and who are borne on graded pay ?

(ii) that on all Class I Railways these are the only 9 Inspectors who are still on graded pay ?

(iii) that all or some of these 9 Inspectors have specially been selected as Instructors in the Transportation School, Chandausi ?

(iv) that the Government is considering the introduction of a new scale of pay for these men which will not materially benefit them ?

(b) Do Government propose to take early steps to remedy this inequitable condition and introduce a more beneficial time scale of pay with an efficiency bar as obtains in other Government Departments ?

Mr. A. A. L. Parsons : The information will be collected from Railway Administrations, and will be communicated to the Honourable Member when it is ready.

INTRODUCTION OF A SYSTEM OF RE-EXAMINATION OF THE STAFF ON THE OUDH AND ROHILKHAND SECTION OF THE EAST INDIAN RAILWAY.

455. *Lieutenant-Colonel H. A. J. Gidney : (a) Is it a fact that great discontent and dissatisfaction prevail on the Oudh and Rohilkhand Railway section of the East Indian Railway on account of the newly introduced system of re-examination of the staff which is demanded, before promotion to higher grades is allowed, in duties they have been performing for many years and for which these men possess certificates of having passed the Oudh and Rohilkhand Railway examinations ? If so, why has this system been introduced ?

(b) Do Government propose to take any action to remedy this ? If not, why not ?

Mr. A. A. L. Parsons : (a) The Honourable Member has been misinformed. The true facts are that it is only in exceptional cases when there are indications that a man is working inefficiently that he is required to pass another test in the interests of public safety.

(b) Government do not, therefore, propose to take any action.

PROMOTION OF EMPLOYEES OF THE OUDH AND ROHILKHAND SECTION OF THE EAST INDIAN RAILWAY.

456. *Lieutenant-Colonel H. A. J. Gidney : (a) Is it a fact that as the higher grade appointments especially in the Loco. Department of the Oudh and Rohilkhand Railway section of the East Indian Railway fall vacant they are offered to the men from the East Indian Railway section ?

(b) Is it a fact that the rights and claims of even the most senior and deserving men of the Oudh and Rohilkhand Railway section are thereby ignored ?

(c) If so, do Government propose to take any steps to safeguard the interests of the Oudh and Rohilkhand Railway section employees so that all such vacancies occurring in the Oudh and Rohilkhand Railway section be given to the Oudh and Rohilkhand Railway section men ?

Mr. A. A. L. Parsons : It is not a fact that no staff of the former Oudh and Rohilkhand Railway have been promoted to the higher grades on this section since its amalgamation with the East Indian Railway. In fact a considerable number of former Oudh and Rohilkhand Railway men in the locomotive subordinate supervising staff have been transferred to former East Indian Railway areas to their financial benefit. Difficulty is experienced in getting suitable senior locomotive running staff of the former Oudh and Rohilkhand Railway to take up subordinate supervising posts even on this section owing to their mileage rates being so favourable as to render them liable to financial loss should they make the change.

Government cannot agree to the suggestion that all vacancies occurring in subordinate supervising posts on the former Oudh and Rohilkhand Railway section should be reserved for men of this Railway. They must be prepared to serve anywhere on the East Indian Railway.

UNSTARRED QUESTIONS AND ANSWERS.

IMPROVEMENT IN THE CONDITIONS OF SERVICE OF MENIALS IN BOMBAY.

266. Mr. Jamnadas M. Mehta : Have Government received a petition from the Government Peons, and Menial Service Union of Bombay for an improvement in the conditions of service applicable to this class of public servants ?

If so, will they say (1) when they received the petition, and (2) what action they have taken on it, particularly with regard to the demands of these men for increases in pay and pension ?

The Honourable Sir Bhupendra Nath Mitra : Yes. The Honourable Member's attention is invited to the reply already given to starred question No. 220, asked by Mr. M. R. Jayakar in this Session.

CLAIM AGAINST THE GERMAN GOVERNMENT BY MR. MEHERJI BHICAJI OF PORTUGUESE EAST AFRICA.

267. Mr. Jamnadas M. Mehta : (a) Is it a fact that one Mr. Meherji Bhicaji, a British Indian subject, carrying on business in Portuguese East Africa, a few years back, had lodged a claim for reparation on the 22nd

July 1919 with the Controller, Local Clearing Office (Enemy Debts), Government of India ?

(b) Is it a fact that the claim was in connection with the loss of 150 cases of soap valued at £158-9-8 ordered by the party and shipped by the German s. s. " Etruria " in June 1914 from Lisbon to Lourenco Marques ?

(c) Is it a fact that the consignment in question did not reach the party, as owing to the outbreak of the War, the vessel took refuge in Rio de Janeiro and the soap was utilised by the crew of the steamer ?

(d) Is it a fact that the claim was ultimately turned down in April 1928 on the ground that the loss of the consignment was not directly due to enemy action and as such it did not give rise to a claim for reparation as defined in the Treaty with Germany ?

(e) Will Government be pleased to inform me as to what claims are included in the Treaty with Germany for reparation ?

Mr. L. Graham : The answer to (a) is in the affirmative, except that the claim was lodged with H. B. M.'s Consul General, Lourenco Marques, and forwarded by him to the Reparation Claims Department of the Board of Trade.

The answers to (b) and (c) are in the affirmative.

The answer to (d) is in the affirmative, except that the claim was actually rejected on 25th November 1925.

The communication of 21st April 1928 was a reply to an enquiry from the claimant received through the Reparation Claims Department of the Board of Trade as to the fate of his claim.

The answer to (e) will be found in Annexure I of Part VIII of the Treaty of Versailles, copy of which is attached.

It will be seen from clause (9) that damage to property must be directly in consequence of hostilities or of any operations of war in order to give rise to a reparation claim.

ANNEXURE I.

Compensation may be claimed from Germany under Article 232 above in respect of the total damage under the following categories :—

- (1) Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including bombardments or other attacks on land, on sea, or from the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising.
- (2) Damage caused by Germany or her allies to civilian victims of acts of cruelty, violence or maltreatment (including injuries to life or health as a consequence of imprisonment, suite deportation, internment or evacuation, of exposure at sea or of being forced to labour, wherever arising and to the surviving dependents of such victims.
- (3) Damage caused by Germany or her allies in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work, or to honour, as well as to the surviving dependents of such victims.
- (4) Damage caused by any kind of maltreatment of prisoners of war.
- (5) As damage caused to the peoples of the Allied and Associated Powers, all pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated,

wounded, sick or invalided, and to the dependents of such victims, the amount due to the Allied and Associated Governments being calculated for each of them as being the capitalized cost of such pensions and compensation at the date of the coming into force of the present Treaty, on the basis of the scales in force in France at such date.

- (6) The cost of assistance by the Governments of the Allied and Associated Powers to prisoners of war and to their families and dependents.
- (7) Allowances by the Governments of the Allied and Associated Powers to the families and dependents of mobilised persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.
- (8) Damage caused to civilians by being forced by Germany or her allies to labour without just remuneration.
- (9) Damage in respect of all property wherever situated belonging to any of the Allied or Associated States or their nationals, with the exception of naval and military works or materials, which has been carried off, seized, injured or destroyed by the acts of Germany or her allies on land, on sea or from the air, or damage directly in consequence of hostilities or of any operations of war.
- (10) Damage in the form of levies, fines and other similar exactions imposed by Germany or her allies upon the civilian population.

CLOSING OF THE MALL IN DERA ISMAIL KHAN TO THE INDIAN PUBLIC.

268. **Pandit Hirday Nath Kunru :** (a) Is it a fact that the Mall has been or is proposed to be closed to the Indian public in Dera Ismail Khan ? If so, what are the grounds on which such action has been taken or is under contemplation, and under what law have Indians been discriminated against ?

(b) What steps have Government taken to prevent this discrimination ?

Mr. G. M. Young : (a) No, Sir.

The Mall Road in Dera Ismail Khan Cantonment has been temporarily closed to the public by the Cantonment Board under the powers vested in them in section 192 of the Cantonments Act owing to the fact that through lack of rain the road surface was breaking up.

An exception was however made in favour of all persons, whether Indian or European, who actually reside on the Mall Road, and who obviously could not be debarred from its use.

(b) Does not arise.

PENALISING OF STRIKERS.

269. **Pandit Hirday Nath Kunru :** Is it a fact that some years ago the Government of India proposed to the Secretary of State for India that strikes should be made a criminal offence but that Lord Morley rejected the proposal ? If so, will Government place a copy of the correspondence on the table ?

Mr. A. A. L. Parsons : I have not been able to trace any such proposal, though in 1906 there was a suggestion that the withdrawal of railway servants from their duties without notice be penalised. Government regret that they are not prepared to lay a copy of the correspondence, which took place at that time, on the table.

EDUCATION OF THE CHILDREN OF RAILWAY EMPLOYEES.

270. **Pandit Hirday Nath Kuneru :** (a) Has the question of the education of the children of railway employees been placed by Government in accordance with the promise given by them during the Railway Budget debate on the 25th February last, before the Central Advisory Council for Railways ? If so, what are the recommendations made by the Advisory Council ?

(b) If the answer is in the negative, will Government state when they propose to convene a meeting of the Advisory Council for the consideration of the question ?

Mr. A. A. L. Parsons : I will place the question before the Central Advisory Council for Railways at a meeting during the course of the present month.

PAY OF THE HEADMASTERS AND TEACHERS OF INDIAN HIGH OR MIDDLE SCHOOLS MAINTAINED BY THE EAST INDIAN RAILWAY.

271. **Pandit Hirday Nath Kuneru :** (a) Have any grades or incremental scales been laid down for the salaries of the headmasters and teachers of Indian high or middle schools maintained by the East Indian Railway except in the case of the Khagole (Patna) High School ? If not, why not ?

(b) Is the enforcement of the scale fixed for the headmaster and teachers of the Khagole High School conditional on funds being available ? Have the East Indian Railway provided the necessary funds ?

(c) Is there any other class of subordinate Indian employees on the East Indian Railway for whose salary no grades or incremental scales have been fixed ?

(d) Is it a fact that even temporary men engaged for construction work have been allowed incremental scales of salaries ?

Mr. A. A. L. Parsons : Enquiry is being made and the result will be communicated to the Honourable Member.

DEATH FROM SNAKE BITE OF DAFFATRAY SHIVLAL, A CABIN MAN EMPLOYED ON THE GREAT INDIAN PENINSULA RAILWAY.

272. **Mr. N. M. Joshi :** Will Government be pleased to state :

(a) whether on the 16th April 1928 a cabin man by name Daffatray Shivilal working at Umbarmali 69 Mileage Cabin on the Great Indian Peninsula Railway met with his death by snake bite ;

(b) whether the deceased had to walk to and from the Cabin at odd hours at night to join his duties or to the station to get into the train ;

(c) whether this was due to the non-stoppage of trains at the wayside cabins for the convenience of the cabin staff ;

(d) whether trains were so stopped till very recently ;

(e) if so, the reasons for discontinuing the old practice ?

Mr. A. A. L. Parsons : Government have no information. The matter is within the competence of the Agent of the Great Indian Peninsula Railway to whom a copy of the Honourable Member's question has been sent. I may add that in the opinion of the Railway Board the stoppage of trains at wayside cabins is certainly undesirable.

WORKING HOURS OF THE GREAT INDIAN PENINSULA RAILWAY STAFF EMPLOYED AT GHORPADI NEAR POONA.

273. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) what are the working hours of the Great Indian Peninsula Railway staff working at Ghorpadi near Poona ;
- (b) the number of men working at Ghorpadi ;
- (c) whether it is a fact that one of the platforms at Ghorpadi is without any shed and the staff have to work in the sun and rain without any protection ;
- (d) whether the work of loading and unloading is done simultaneously ;
- (e) whether it is a fact that the transshipment clerks at Ghorpadi have not been provided with any table, chair, stool or any other material on which they could make the usual entries of goods loaded and unloaded ;
- (f) whether the staff working at Ghorpadi have been provided with quarters ;
- (g) if not, whether they have to stay at Poona as there are no houses available at Ghorpadi ;
- (h) whether the staff at Ghorpadi have to be away from their homes from early morning till late in the evening ;
- (i) whether any furnished tiffin-rooms have been provided there for the use of the staff ;
- (j) whether the tiffin-rooms at Ghorpadi are mere enclosures constructed of old corrugated iron-sheets, without any windows, plinth or flooring ;
- (k) what is the minimum quantity of daily work that has to be done by each transshipment-clerk and each cooly at Ghorpadi ?

Mr. A. A. L. Parsons : Government have no information. A copy of the Honourable Member's question will be sent to the Agent, Great Indian Peninsula Railway, who will no doubt remove any defects there may be in the arrangements at Ghorpadi.

DISCHARGE OF TEMPORARY CLERKS EMPLOYED AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

274. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether it is a fact that there are many clerks who have been serving in the Great Indian Peninsula Railway at Wadi

Bunder in Bombay under the Goods Superintendent for several years but who have not been confirmed ;

- (b) if so, what is the number of such clerks with years of service to their credit ;
- (c) whether it is a fact that in July 1928 the services of five of such clerks were dispensed with without giving even a day's notice and without any fault of theirs ;
- (d) if so, whether there were many clerks junior to those whose services were thus dispensed with ;
- (e) whether it is a fact that it is proposed to dispense with the services of many more such temporary clerks who have put in service of ten years and below ;
- (f) whether it is a fact that with this object in view they were unusually examined in subjects such as mathematics and dictation ?

OFFERING OF PERMANENT EMPLOYMENT TO PAID CANDIDATES WORKING AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

275. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether it is a fact that the paid candidates serving at Wadi Bunder on the Great Indian Peninsula Railway in Bombay have not been made permanent even after some of them have served for three years ?
- (b) if so, what are the reasons for the same ?

PROMOTION OF PAID CANDIDATES WORKING AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

276. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether it is a fact that the paid candidates working at Wadi Bunder on the Great Indian Peninsula Railway were given a promotion of Rs. 5 after having served for six months ;
- (b) whether this system or rule has been changed ; if so, when and for what reasons ;
- (c) whether the staff were informed of discontinuing such promotion ;
- (d) if not, why not ?

DISTINCTION IN THE RATES OF PAY OF CLERKS EMPLOYED AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

277. Mr. N. M. Joshi : (a) Will Government be pleased to state whether it is a fact that at the Wadi Bunder Goods Depot of the Great Indian Peninsula Railway a distinction in the rates of pay is made in the

case of the clerks such as cashiers, loaders, weighers, raters, etc., doing precisely the same kind of work and having their responsibilities, the nature of work and hours of attendance in no way different ?

(b) If so, whether some of these officials though junior in service are drawing more pay than others who have longer years of faithful service to their credit and possess equal qualifications—educational or otherwise ?

(c) If so, what are the reasons for keeping such distinctions in the pay ?

(d) Will the Government be pleased to state whether the principle of equal pay for equal work is not and cannot be recognised and given effect to in the case of the officials serving at Wadi Bunder under the Great Indian Peninsula Railway Administration ?

PAY OF THE STAFF EMPLOYED AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

278. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) what are the scales of pay of the officials working at Carnac Bunder of the Bombay, Baroda and Central India Railway and of those working at Wadi Bunder Goods Depôt of the Great Indian Peninsula Railway ;
- (b) whether it is a fact that there is no difference in the nature of work, hours of attendance or the responsibilities in the case of these officials at Carnac Bunder and Wadi Bunder ;
- (c) whether it is a fact that the scale of pay of the Wadi Bunder staff is even lower than that of the staff of the East Indian Railway working at the Howrah Goods Depôt despite the heavy cost of living in Bombay ;
- (d) whether it is a fact that at Wadi Bunder there are only 7½ per cent. posts carrying a pay of Rs. 100 or above while this percentage is far greater in all other railway offices in Bombay, such as :

Bombay, Baroda and Central India Railway at C. C. Depot.	46
East Indian Railway at Howrah Depot ..	45
Great Indian Peninsula C. T. M. Office ..	44
Great Indian Peninsula Audit Office ..	39
Great Indian Peninsula General Store Office ..	29
Bombay, Baroda and Central India C. T. M.'s Office ..	53
Bombay, Baroda and Central India Audit Office ..	53

and so on ;

- (e) whether it is a fact that there are so many officials working at Wadi Bunder who have put in 15 years of good service to their credit but are drawing a salary of Rs. 50 or 60 only per month ;
- (f) whether the officials at Wadi Bunder have been requesting for a substantial increase in their pay ;
- (g) if so, what action has been taken in the matter ?

Mr. A. A. L. Parsons : With your permission, Sir, I propose to answer questions Nos. 274 to 278 and 282 together. Government regret that they are not prepared to impose on the Railway Administration the work of compiling the information necessary to answer the Honourable Member's question.

ADMISSION OF THE PUBLIC TO THE SHED OFFICES AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

279. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether they are aware that the members of the public are freely allowed to enter in the Shed Offices at Wadi Bunder, thereby causing unnecessary trouble and annoyance to the typists and hindering them in the due performance of their work ;
- (b) whether it is a fact that on more than one occasion the typists at Wadi Bunder were assaulted and molested by the members of the public ;
- (c) if so, what precautions have been taken to prevent the repetition of such occurrences in future ?

Mr. A. A. L. Parsons : (a) No members of the public are allowed to enter the office where typists work.

(b) A Delal made a forced entry into the office on one occasion only.

(c) In view of reply to (a) above, the question does not arise.

RECOVERY OF LOSSES IN THE CASE OF SHORTAGE OF PACKAGES FROM THE STAFF OF THE GREAT INDIAN PENINSULA RAILWAY.

280. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether the staff of the Great Indian Peninsula Railway have given debits of heavy sums for the alleged shortages found at destination or junction stations in the "Seals Intact Wagons" ;
- (b) whether any enquiries are made to trace the short packages and, if so, what enquiries are made ;

- (c) whether it is a fact that in several such cases of shortages, the junction stations report such shortages while the packages found their way onward in excess ;
- (d) whether it is a fact that packages which are sent to unclaimed Goods Offices happen to be those which are reported to be short ;
- (e) whether it is a fact that in view of the fact that a strict watch has been maintained by the Watch and Ward Department everywhere no theft or fraud is ever possible to be committed by the staff ;
- (f) whether it is a fact that the staff is made to make good the losses on this score without proving their responsibility in any way ; if so, do they propose to issue orders to stop recovery of losses from the staff ; if not, why not ?

Mr. A. A. L. Parsons : Government have no knowledge of the facts and regret that they cannot undertake to enquire into these matters, which are entirely within the competence of the Agent of the Railway.

LOADING OF WAGONS AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

281. **Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) whether it is a fact that at Wadi Bunder, Great Indian Peninsula Railway, the wagons which are utilised for loading are examined by the Carriage and Wagon Department, shed foreman and the loaders ;
- (b) whether it is a fact that in cases where any deficiency is noted owing to defect in the wagons, the loader alone is held responsible and punished ; if so, why so ?

Mr. A. A. L. Parsons : Government have no information but are sending a copy of the Honourable Member's question to the Agent, Great Indian Peninsula Railway, for such action as may appear to him to be necessary.

CHIEF GOODS INSPECTOR AT WADI BUNDER, GREAT INDIAN PENINSULA RAILWAY.

282.† **Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) when the post of Chief Goods Inspector was created at Wadi Bunder, Great Indian Peninsula Railway, and for what reasons and with what duties ;
- (b) what is the work which the Chief Inspector does ;
- (c) whether it is a fact that this post was created when the Railway was feeling the necessity of reducing the expenses of running the Dépôt in view of the depression in traffic ?

†For answer to this question, see answer to unstarred question No. 274.

NUMBER OF TELEGRAPHISTS NOMINATED TO THE TESTING BRANCH IN THE BOMBAY CENTRAL TELEGRAPH OFFICE TO LEARN TESTING, ETC.

283. Mr. N. M. Joshi : Will Government be pleased to place on the table a statement of figures up to 31st July 1928, as required in the following table ?

	Anglo-Indians.		Christians.		Parsis.		Jews.		Mohamedans.		Hindus.	
	Technically-qualified.	Non-qualified.	Technically-qualified.	Non-qualified.	Technically-qualified.	Non-qualified.	Technically-qualified.	Non-qualified.	Technically-qualified.	Non-qualified.	Technically-qualified.	Non-qualified.
(1) Number of Telegraphists nominated to the Testing Branch in the Bombay Central Telegraph Office, to learn testing work, under Article 51 of Posts and Telegraphs Manual (Traffic Instructions), Volume XI, Parts I and II, during the last 10 years.												
(2) Number of such Telegraphists returned as incompetent, or otherwise unsuitable during the above-mentioned period.												
(3) Number of Telegraph Masters appointed in charge of the Testing Branch of the C. T. O., Bombay, during the last 10 years.												
(4) Number of Telegraph Masters so appointed, reverted, as incompetent.												
(5) Number of Telegraphists transferred to the Engineering Branch (outdoor) from C. T. O., Bombay, during the last 10 years.												
(6) Number of Telegraphists reverted from the outdoor Engineering Branch, Bombay, as unsuitable, during the above-mentioned period.												

The Honourable Mr. A. C. McWatters : The time and labour involved in collecting the information would, in the opinion of the Government, be out of all proportion to the value of the information when collected.

LINK WITH THE COALFIELDS IN BENGAL.

284. **Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 21st August 1928, page 13, under the heading "Link with Bengal's Coalfields—Chord Railway—Preliminary work of scheme completed" ?

(b) If so, will Government please state if the statements made therein are correct ?

(c) If correct, will they please state by what time the railway line is expected to be completed and opened for traffic ?

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

(b) The statements made are substantially correct.

(c) The end of 1930 or beginning of 1931.

REMOVAL OF OFFICERS OF THE INCOME-TAX DEPARTMENT FOR FAILURE TO PASS THE DEPARTMENTAL EXAMINATION.

285. **Maulvi Badi-uz-Zaman :** (a) Will the Government be pleased to state how many officers of the Income-tax Department in each Province have been removed from service for failure to pass the departmental examination since the reorganisation of the Department in 1922 ?

(b) Will the Government be further pleased to state if there is any duly constituted Examination Board to supervise the conduct of the examination or is the matter entirely left to the sweet will of the examiner ?

(c) Are the Government aware that there is a most growing belief in the country that the departmental examination of the Income-tax Department is being now made stiffer beyond any justification with a view to materialise the policy of retrenchment afoot in the Department ?

(d) Do the Government propose to investigate into the present system of the examination and training and to remedy the defects, if any, at an early date ?

The Honourable Sir Bhupendra Nath Mitra : (a) The information will be obtained and communicated to the Honourable Member.

(b) There is no Examination Board for the examination of officers of the Income-tax Department.

(c) No.

(d) Government do not consider that an investigation is necessary.

ISSUE OF WEEK-END RETURN TICKETS BY THE BENGAL AND NORTH-WESTERN RAILWAY.

286. **Mr. Gaya Prasad Singh :** (a) Are Government aware that the Bengal and North-Western Railway Company does not issue week-end return tickets to any class of passengers ?

(b) Do Government propose to introduce this system ; and if so, since when ?

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

(b) Government have no information. They will send a copy of the Honourable Member's question to the Agent of the Railway, with whom the decision rests.

LUGGAGE RULES OF THE EAST INDIAN RAILWAY.

287. Mr. Amar Nath Dutt : Is it a fact that great hardship is experienced by passengers who cannot book their luggage for want of time owing to operation of rules 2 and 14 of the Luggage Rules mentioned in the East Indian Railway time-table ? Is there any proposal to amend the rules so as to relieve them of the penalty ? If so, in what way ?

Mr. A. A. L. Parsons : Government are aware that there is some dissatisfaction with the existing rules. The question whether the rule should be altered to admit of the free allowance being given if the luggage is not booked at the starting station is under the consideration of the Indian Railway Conference Association.

WORKING CONDITIONS OF THE RAILWAY EMPLOYEES ON EACH OF THE STATE RAILWAYS.

288. Mr. V. V. Jogiah : Will the Government be pleased to collect and lay on the table the following information regarding the working conditions of the railway employees on each of the State Railways separately ?

1. Into what groups, categories or sections are the workers on the Railways divided ?
2. What characterises each of these groups ?
3. What is the correlation as to wages between the highest and the lowest of these groups ?
4. What systems of labour remuneration are generally employed on the Railways and particularly in :
 - (a) The principal workshops,
 - (b) The railway yards,
 - (c) For locomotive crews,
 - (d) For train crews,
 - (e) For traffic crews,
 - (f) For telegraphists,
 - (g) For road repair works,
 - (h) For administration office employees,
 - (i) For lower subordinates designated as menials ?
5. How are the rates of remuneration fixed for piece-workers and time-workers ?
6. Are the rates of train runs taken into consideration in fixing the rates of remuneration for locomotive and train crews and traffic gatemen ?
7. What purely bonus systems are in existence (enumerate them) ? On what principles are they based and what percentage of additional earnings do they yield ?
8. How are the locomotive and train crews paid for waiting time ?

Mr. A. A. L. Parsons : I propose to reply to questions Nos. 288, 289, 290, 291, 292, 293, 294, 295, 299, 300, 301, 302, 303, 304, 305, 306, 308, 310, 311, 312, and 317 together. Government are not prepared in response to the Honourable Member's demand, to impose on the Railway Board and Railway Administrations generally the excessive and costly labour of collecting and tabulating the extremely voluminous information which the replies to these questions would entail.

TOTAL NUMBER OF FEMALE WORKERS AND PERSONS UNDER 12 YEARS OF AGE EMPLOYED ON EACH OF THE STATE RAILWAYS.

†289. **Mr. V. V. Jogiah :** What is the total number of female workers and persons under 12 years of age respectively employed on each of the State Railways ?

NUMBER OF POSTS ASSIGNED TO EACH GRADE OF EACH OF THE DIFFERENT CATEGORIES OF EMPLOYMENT ON EACH OF THE STATE RAILWAYS.

†290. **Mr. V. V. Jogiah :** What is the number of posts assigned to each grade of each of the different categories of employment on each of the State Railways ?

POSTS EXCLUSIVELY FILLED BY EUROPEANS AND ANGLO-INDIANS ON EACH OF THE STATE RAILWAYS.

†291. **Mr. V. V. Jogiah :** What grades of what posts have been exclusively filled hitherto by Europeans only and by both Europeans and Anglo-Indians only on each of the State Railways ?

NUMBER OF EUROPEANS AND ANGLO-INDIANS EMPLOYED ON EACH OF THE STATE RAILWAYS.

†292. **Mr. V. V. Jogiah :** What is the existing number of Europeans and Anglo-Indians employed on each of the different grades of the different categories of employment on each of the State Railways ?

NUMBER OF EMPLOYEES EMPLOYED BELOW THE AUTHORISED MINIMUM OF THE DIFFERENT GRADES OF DIFFERENT CATEGORIES OF EMPLOYMENT ON EACH OF THE STATE RAILWAYS.

†293. **Mr. V. V. Jogiah :** How many employees are employed below the authorised minimum of the different grades of different categories of employment on each of the State Railways ?

WORKERS EMPLOYED ON DAILY RATES OF PAY ON EACH OF THE STATE RAILWAYS.

†294. **Mr. V. V. Jogiah :** (a) Is it a fact that employees performing the same nature of work in different State Railways are employed on different scales of pay ? Is it a fact that employees performing the same nature of duties are employed on daily rates as well as on monthly rates of pay ? If so, will the Government be pleased to state the reasons for this difference ?

†For answer to this question, see answer to unstarred question No. 288.

(b) Are the Government aware that the employees who have put in equal length of service on daily rates of pay have inferior privileges to those who are remunerated on the monthly rated system? Are the Government aware that the employees on daily rates of pay are treated as casual labourers although they may have put in more than three years?

PLACING OF SOME EMPLOYEES OF THE ENGINEERING WORKSHOPS ON THE BENGAL NAGPUR RAILWAY ON DAILY RATES OF PAY.

†295. **Mr. V. V. Jogiah** : Is it a fact that some engineering workshop employees who were on the monthly rated system on the Bengal Nagpur Railway have been put on the daily rated system at Sini with the consequent loss of their privileges in respect of leave, holidays, foreign passes, etc.? Will the Government be pleased to state how many such changes in the systems of remuneration have been made on the various State Railways in India within the last five years?

MINIMUM WAGES OF EACH CLASS OF WORKERS ON THE STATE RAILWAYS.

296. **Mr. V. V. Jogiah** : Will Government be pleased to state whether they have instituted or propose to institute any enquiry as to the amount of minimum wages required by each class of workers on the State Railways?

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

REGULATION OF THE WAGES AND ALLOWANCES OF RAILWAY EMPLOYEES.

297. **Mr. V. V. Jogiah** : Has the attention of the Government been drawn to the working class cost of living index prepared by the Labour Office of the Government of Bombay every month, in considering the adequacy of the wages paid to the staff on the State Railways? Do the Government propose to direct that similar cost of living indices should be prepared for all important railway centres in India with a view to regulate the wages and allowances of the railway employees?

Mr. A. A. L. Parsons : Government are aware of the cost of living indices prepared by the Labour Office of the Government of Bombay. The figures there given are not taken specifically into account in determining the rates of pay to be offered for various classes of employment on State-managed Railways, and Government do not consider that the compilation suggested in the last part of the question would be of great use for the purpose suggested.

WAGES OF RAILWAY EMPLOYEES.

298. **Mr. V. V. Jogiah** : Are the Government aware :

- (a) that the wages of the railway workers are not fixed with any reference to cheapest or dearest localities ;
- (b) that there are no basic rates of pay with sliding scales for each class of employment according to the different localities ?

Mr. A. A. L. Parsons : The wages of a good many classes of railway employees are fixed with regard to local conditions. In view of the varying conditions in different parts of India Government do not consider that there would be any advantage in attempting to fix a basic rate of pay for each class of employees.

†For answer to this question, see answer to unstarred question No. 288.

CLASSIFICATION OF TIME RECORDER ATTENDANTS AND SEAL CHECKERS AS MENIALS ON THE BENGAL NAGPUR RAILWAY.

†299. **Mr. V. V. Jogiah :** Is it a fact that time recorder attendants and seal checkers who possess a knowledge of English are classified as menials and given their scales of pay on the Bengal Nagpur Railway ? Will the Government be pleased to state what other staff whose nature of duties require a knowledge of English and ability to prepare intelligent statements are designated as menials and given those scales of pay on each of the State Railways ?

GRANT OF CERTAIN CLASSES OF ALLOWANCES TO EMPLOYEES ON EACH OF THE STATE RAILWAYS.

†300. **Mr. V. V. Jogiah :** (a) What staff are given the following allowances, on what basis and in what places on each of the State Railways ?

- Over-time allowance.
- Relieving allowance.
- Travelling allowance.
- Local allowance.
- Mileage allowance.
- House allowance.
- Clothing allowance.
- Day allowance.
- Night allowance.
- Regular attendance bonus.

(b) Is it a fact that low paid employees who perform the same nature of duties in the same places or stations are not all granted any of the allowances mentioned in the preceding question ?

REMUNERATION OF RAILWAY EMPLOYEES AT HIGHER RATES FOR NIGHT DUTY, ETC.

†301. **Mr. V. V. Jogiah :** Are the Government aware that on most Railways duties performed during nights or after fixed hours of duty are not remunerated by higher rates ? In what Railways is this grievance not prevalent and for what categories of employment ?

PAY OF CLERKS ON STATE RAILWAYS.

†302. **Mr. V. V. Jogiah :** Are the Government aware that clerical employees on State Railways are placed on inferior scales of pay as compared with those of other Government establishments, like Postal Departments ?

MONTHLY WAGES BILL OF THE STAFF EMPLOYED IN EACH OF THE DIFFERENT GRADES OF DIFFERENT CLASSES OF EMPLOYEES ON EACH OF THE STATE RAILWAYS.

†303. **Mr. V. V. Jogiah :** What is the amount of the average monthly wages bill paid to the staff employed in each of the different grades of different classes of employees on each of the State Railways ?

†For answer to this question, see answer to unstarred question No. 288.

POSTS ON DIFFERENT STATE RAILWAYS FILLED UP BY SENIORITY, DIRECT RECRUITMENT, ETC.

†304. **Mr. V. V. Jogiah :** (a) What are those grades in each class of employment which are thrown open to employees on the basis of seniority only ?

(b) What are those grades the vacancies in which are filled up only on the occurrence of permanent vacancies ?

(c) What are those grades filled up by direct recruitment on the results of competitive tests only ? What are the grades thrown open only to the employees in the lower grades on the basis of competitive tests ?

(d) What are those posts filled up by direct recruitment without competitive tests, and without the sole consideration of claims of seniority without any fault in working ?

NUMBER OF EMPLOYEES IN EACH OF THE GRADES OF DIFFERENT CLASSES OF EMPLOYMENT ON STATE RAILWAYS WHO REACHED THEIR MAXIMUM THREE OR MORE YEARS AGO, ETC.

†305. **Mr. V. V. Jogiah :** (a) Will the Government be pleased to state the number of employees in each of the grades of different classes of employment, who reached their maximum three or more years ago, without further increases ?

(b) Will the Government be pleased to state the number of employees in each of the grades of different classes of employment, whose annual grade increases or promotions have been stopped during the last three years respectively for slack or inefficient work, on each of the State Railways ?

REDUCTION OF EMPLOYEES AS A PUNISHMENT ON EACH OF THE STATE RAILWAYS.

†306. **Mr. V. V. Jogiah :** (a) How many employees have been reduced as a punishment measure in spite of appeals, within the last three years on each of the State Railways ?

(b) Is it a fact that when Railway employees are withheld their increments, their future increments are also in most cases adversely affected ?

NUMBER OF DAYS ELAPSING BETWEEN THE CONCLUSION OF THE PERIOD OF WORK AND THE ACTUAL PAYMENT OF WAGES ON EACH OF THE STATE RAILWAYS.

307. **Mr. V. V. Jogiah :** What is the maximum and minimum number of days normally elapsing between the conclusion of the period of work and the actual payment of wages, among the different staff on each of the State Railways ?

Mr. A. A. L. Parsons : A statement is being prepared shewing with as much accuracy as possible the number of days which normally elapse between the conclusion of the period of work and the actual payment of wages of different classes of staff on each of the State Railways. It will be sent to the Honourable Member in due course.

†For answer to this question, see answer to unstarred question No. 288.

FACILITIES FOR THE GRANT OF ADVANCES AND RATIONS TO EMPLOYEES OF THE STATE RAILWAYS.

†308. **Mr. V. V. Jogiah** : What facilities are granted to the employees on State Railways for easily obtaining advances and rations, in cases of hardship ?

INFLECTION OF FINES ON AND DEDUCTIONS FROM THE WAGES OF EMPLOYEES ON THE STATE RAILWAYS.

309. **Mr. V. V. Jogiah** : Do the Government propose to introduce any legislation regarding the abolition of or the regulation of infliction of fines and deductions on the State Railways employees ?

Mr. A. A. L. Parsons : Government have under their consideration the question of introducing legislation for the control and regulation of fines. It is not their intention to introduce any special legislation for railway employees.

FINES REALISED DURING THE LAST THREE YEARS FROM EUROPEANS, ANGLO-INDIANS AND INDIANS EMPLOYED ON EACH OF THE STATE RAILWAYS.

†310. **Mr. V. V. Jogiah** : (a) Will the Government be pleased to state the total amount of fines realised from European, Anglo-Indian and other Indian employees respectively during the past three years on each of the State Railways ?

(b) How much of the fines so collected were from the European Supervising Staff and how much amounts from the fine fund were spent for the sake of non-Indian Staff exclusively ?

FORMS OF SERVICE BONDS OR AGREEMENTS EXECUTED BY THE DIFFERENT EMPLOYEES ON EACH OF THE STATE RAILWAYS.

†311. **Mr. V. V. Jogiah** : (a) Will the Government be pleased to lay on the table the different forms of service bonds, or agreements required to be executed by different employees on each of the State Railways ?

(b) Is it a fact that the terms of service agreements are so framed as to leave the employees without any protection in a court of law from the employers against unjust dismissals ?

FURNISHING OF CHARGE SHEETS TO EMPLOYEES OF STATE RAILWAYS BEFORE REDUCTION, REMOVAL OR DISMISSAL.

†312. **Mr. V. V. Jogiah** : (a) Are the State Railway employees before they are reduced, removed, dismissed, or otherwise seriously punished furnished as a rule with charge sheets, their cases enquired into and opportunities given to them for examining witnesses for and against personally or through the representatives of the accused employees ?

(b) Is it a fact that no rules governing the infliction of punishments on State Railway employees are in force unlike Rule No. 14 of the Home Department, dated June 1924 ?

†For answer to this question, see answer to unstarred question No. 288.

(c) How many employees during each of the last three years have been discharged against their appeals for reasons not connected with reduction of establishment, on each of the State Railways ?

(d) How many employees forfeited their service gratuity and both service gratuity and provident fund bonus, respectively, during the last three years ?

LEAVE RULES OF THE SUBORDINATE AND MENIAL STAFF ON EACH OF THE STATE RAILWAYS, ETC.

313. **Mr. V. V. Jogiah :** 1. What leave rules govern the subordinate and the menial employees on each of the State Railways ?

2. Is it a fact that the Government have been proposing to revise the State Railway rules but have been postponing the revision for some reason or other ?

3. Is it a fact that racial discrimination exists in respect of leave rules in some of the State Railways ? Is it the case with Government servants ?

4. What is the existing leave reserve allowed for each different class of employees ?

5. What holidays are allowed for different classes of employees ?

Mr. A. A. L. Parsons : (1) On the North-Western and Eastern Bengal Railways the Fundamental Rules apply. These rules also apply to the former employees of the Oudh and Rohilkhand Railway now working on the East Indian Railway, and to all employees engaged on the East Indian and Great Indian Peninsula Railways after those Railways were taken over for State management. Employees of the East Indian and Great Indian Peninsula Railways, who have now come into Government service, remain under the rules framed by those Companies.

(2) Yes ; but the revision has taken longer than was expected because it was found necessary to revise at the same time the rules governing other conditions of service.

(3) The Fundamental Leave Rules (which apply to all Government servants whose pay is debitable to civil estimates) provide that Government servants of non-Asiatic domicile are subject to special rules which are generally more favourable than the ordinary leave rules.

(4) and (5). The leave reserves for, and holidays allowed to, different employees vary according to the different classes of employees, and Government regret that they are not prepared to undertake the exhaustive investigation which would be necessary to give an answer to the Honourable Member's question.

NUMBER OF HOSPITALS MAINTAINED BY EACH OF THE STATE RAILWAYS, ETC.

314. **Mr. V. V. Jogiah :** 1. How many hospitals are maintained by each of the State Railways for the benefit of their employees ? Of these how many are zenana hospitals ?

2. Is it a fact that medical certificates issued by competent registered medical practitioners without the countersignature of a railway doctor .

are considered invalid by the Railway Administrations ? If so, do the Government propose to remove this anomaly ?

3. Have the Government ever made or propose to make any enquiry into occupational diseases of the railway men ? Is it a fact that locomotive men are subject to special diseases ? Has the attention of the Government been drawn to the recent enquiry conducted by the medical officers on the State Railways in Sweden into the several diseases and ailments incidental to the occupation of railway employees ?

4. At what intervals, are what employees subjected to periodical medical examinations ?

5. Is any consideration taken, before discharging a medically unfit employee, of the fact of his having contracted any defect in vision or any ailment due to the nature of the duties performed, so as to find him suitable employment and suitably compensate him ?

6. What steps have been taken by the Railway Board towards the adoption of a uniform hospital policy on Indian Railways and considerable expansion of facilities for indoor treatment to railway employees ?

7. Will the Government be pleased to lay on the table a report of the work done by the Standing Committee of the railway medical officers ?

Mr. A. A. L. Parsons : (1) The information is being collected and will be supplied to the Honourable Member in due course.

(2) Yes. There is no anomaly in the practice.

(3) The answer to the first part of the question is in the negative. Government are not prepared to express an opinion on the second part. They have not seen any report of the enquiry stated to have been made in Sweden.

(4) The rules with regard to periodical medical examinations are now under revision. A copy of the revised rules when issued will be sent to the Honourable Member.

(5) Yes.

(6) It would not be correct to say that the Railway Board have adopted a uniform hospital policy on Indian railways but as the result of a special enquiry into this subject by a senior medical officer in 1925 certain broad principles were adopted for application to all new proposals for hospital accommodation on the State Railways with a view to ensuring adequate medical treatment for all classes of the staff.

(7) A memorandum is being prepared and a copy will be sent to the Honourable Member in due course.

CENSUS OF THE CHILDREN OF SCHOOL-GOING AGE OF THE EMPLOYEES ON EACH OF THE STATE RAILWAYS.

315. **Mr. V. V. Jogiah :** Have the Government taken any census of the children of school-going age of the railway employees on each of the State Railways ? If the reply be in the affirmative, will the Government be pleased to lay on the table a report of the census taken ?

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

NUMBER OF EDUCATIONAL INSTITUTIONS STARTED BY EACH OF THE STATE RAILWAYS.

316. **Mr. V. V. Jogiah** : What are the total number of educational institutions started by each of the State Railways ?

Mr. A. A. L. Parsons : I would refer the Honourable Member to the statistics given in Appendices I and III of the report on the expenditure of the Railways on the education of the children of employees in 1925-26, a copy of which is in the Library.

TOTAL NUMBER OF RAILWAY QUARTERS OCCUPIED BY THE INDIAN, ANGLO-INDIAN AND EUROPEAN EMPLOYEES ON EACH OF THE STATE RAILWAYS.

†317. **Mr. V. V. Jogiah** : 1. What is the total number of railway quarters occupied by the Indian, Anglo-Indian and European employees respectively on each of the State Railways ?

2. What different types of quarters are provided on each of the State Railways and what are the characteristics of these quarters ?

3. Do the Government propose to house all the employees with suitable quarters in view of the limited number of employees on the Railways ?

4. Is it a fact that rooms provided for gangmen on the Bengal-Nagpur Railway have an area of only 64 square feet and is it also a fact that quarters provided for the subordinate staff at Khargpur have an area of $12' \times 8'$ and $16' \times 10'$ respectively ?

STATION COMMITTEES ON STATE RAILWAYS.

318. **Mr. V. V. Jogiah** : 1. How many Station Committees are in existence on each of the State Railways in India and how many railway employees come within the jurisdiction of these Committees ? What is their constitution ?

2. Do the Government propose to amend the constitution of these Station Committees so as to bring them within the scope of the Local Self-Government Acts of the respective Provinces ?

Mr. A. A. L. Parsons : So far as the Railway Board are aware there are no station committees in the sense intended by the Honourable Member on the State-managed Railways in India. The remaining parts of his question do not therefore arise.

CONDONATION OF BREACH IN SERVICE OF SUBORDINATE EMPLOYEES ON STATE RAILWAYS.

319. **Mr. V. V. Jogiah** : What is the maximum period of break in service an Agent of a State Railway is authorised to condone for the purpose of gratuity ?

Mr. A. A. L. Parsons : The maximum period is one year in the case of break in service of subordinate employees caused by an unconditional resignation for the employee's own purposes, if such break occurred before September 1911 when the gratuity rules were first introduced. In case of breaks after that date, Agents have no power to condone such as are due to unconditional resignation or dismissal ; but in other circumstances, they have full powers.

†For answer to this question, see answer to unstarred question No. 288.

AMENDMENT OF THE GRATUITY RULES OF STATE RAILWAYS.

320. **Mr. V. V. Jogiah** : Is it a fact that railway employees have no right to claim their service gratuity as a right ? If so, do the Government propose to amend the State Railway Gratuity Rules so as to remove this hardship ?

Mr. A. A. L. Parsons : The reply to the first part of the question is in the affirmative, and to the second in the negative. Government do not consider that the existing rule causes any hardship.

RULES GOVERNING THE ISSUE OF UNIFORM, FREE PASSES, ETC., TO THE STAFF ON THE VARIOUS STATE RAILWAYS.

321. **Mr. V. V. Jogiah** : What rules govern the issue of uniform clothing, free passes and P. T. Os. to the staff on the various State Railways ?

Mr. A. A. L. Parsons : Government are not aware of the rules governing the issue of uniforms on the various State-managed Railways, a matter which is left to the individual Railway Administrations. The rules governing the grant of free passes to the staff also vary on different Railways, though they are required to be in accordance with the provisions of Appendix 3 of the State Railway Open Line Code, Vol. II. Privilege Ticket Orders are governed by rules framed by the Indian Railway Conference Association, a copy of which I will show the Honourable Member if he will call at my office.

CONSTITUTION OF A CENTRAL WAGES BOARD, ETC.

322. **Mr. V. V. Jogiah** : Has the attention of the Government been drawn to the frequent resolutions passed by the All-India Trade Union Congress and All-India Railwaymen's Federation urging upon the Government to amend the Indian Railways Act inserting provisions for the constitution in India of a Central Wages Board for settling disputes concerning wages and for making it obligatory on Railway Administrations to establish joint Industrial Councils on the lines of the English Railway Act of 1921, with necessary modifications ? Will the Government be pleased to state what action they propose to take in this matter ?

Mr. A. A. L. Parsons : Government have not been able to trace the resolutions mentioned by the Honourable Member.

WITHDRAWAL OF RECOGNITION FROM RAILWAY UNIONS.

323. **Mr. V. V. Jogiah** : Will the Government be pleased to state what Railway Unions have had their recognition withdrawn by the Agents of the respective Railways and for what reasons ?

Mr. A. A. L. Parsons : The Railway Board are not in possession of the information. But they are making enquiries and will communicate with the Honourable Member in due course.

OPENING OF EMPLOYMENT BUREAUS ON EACH OF THE STATE RAILWAYS.

324. **Mr. V. V. Jogiah** : Will the Government be pleased to state whether they propose to take steps to open employment bureaus on each

of the State Railways so as to obtain re-employment for workers brought under reduction of establishment or retrenchment ?

Mr. A. A. L. Parsons : It is the general practice of Railways to give preference to men who have been discharged, provided their previous service has been satisfactory, in filling subsequent vacant posts the work of which the discharged men are competent to perform. The Railway Board are prepared to consider whether any improvements of organisation are required to assure that this practice is adhered to.

RECOGNITION OF RAILWAY UNIONS.

325. **Mr. V. V. Jogiah :** Will the Government be pleased to state the number of Railway Unions which are not recognised by the respective Railway Administrations in spite of being registered under the Indian Trade Unions Act ?

Mr. A. A. L. Parsons : The Railway Board are not in possession of the information. But they are making enquiries and will communicate with the Honourable Member in due course.

GENERAL BRANCH OF THE CENTRAL STATIONERY OFFICE.

326. **Mr. Satyendra Chandra Mitra :** (a) Will the Honourable Member in charge of the Industries and Labour Department be pleased to state whether it is a fact that the reply to part (a) of unstarred question No. 202 at page 1064 of the Legislative Assembly Debates of the 7th March 1928 is an extract furnished from the Office Manual of the Central Stationery Office ?

(b) Is it a fact that the General Branch of the Stationery Office has all along been under a Head Assistant and has very recently been under a senior assistant ?

(c) If the answer to (b) above be in the affirmative, will the Honourable Member be pleased to state what he meant by the words ' general charge of the office establishment ' and ' under his direct supervision ' used in reply to question referred to in (a) above ?

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

(b) Government are not in possession of the information required.

(c) Does not arise.

DUTIES OF THE SUPERINTENDENT OF THE GENERAL BRANCH, CENTRAL STATIONERY OFFICE.

327. **Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the main duty of the General Branch of the Stationery Office is (i) to receive and issue letters and (ii) to deal with establishment cases ?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member be pleased to state the nature of the cases which are dealt with by the Superintendent personally ?

(c) Do Government propose to transfer the work of dealing with bills for payment of supplies, vouchers for supplies and delivery vouchers to the Head Accountant from the Superintendent ? If not, why not ?

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

(b) The Honourable Member is referred to the answer given by the Honourable Sir B. N. Mitra to his unstarred question No. 202 on 7th March, 1928, for a general account of the Superintendent's duties. Government are not in possession of more detailed information.

(c) The allocation of work of this kind is a matter for the head of the office, and Government do not propose to interfere.

ALLOCATION OF WORK TO HEAD ASSISTANTS OF DIFFERENT BRANCHES OF THE CENTRAL STATIONERY OFFICE.

328. Mr. Satyendra Chandra Mitra : (a) Do Government propose to transfer to the Head Assistant of the C and S Section work connected with shipping documents ? If not, why not ?

(b) Do Government propose to entrust the Head Assistants of the respective Branches of the Stationery Office with the work of issuing reminders and submitting requisitions ? If not, why not ?

The Honourable Mr. A. C. McWatters : (a) and (b). The answer is in the negative. The allocation of work to Head Assistants is a matter for the head of the office.

RULES REGULATING PROMOTIONS AND GRANT OF LEAVE.

329. Mr. Satyendra Chandra Mitra : (a) Is it a fact that recommendations for promotions and sanction for leave are guided by a set of rules and regulations ?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member be pleased to say whether the Head Assistant or the senior assistant of the General Branch of the Stationery Office is required to know these rules and regulations ?

The Honourable Mr. A. C. McWatters : The information is being collected and will be supplied to the Honourable Member.

ATTENDANCE REGISTERS OF THE MENIALS OF THE CENTRAL STATIONERY OFFICE.

330. Mr. Satyendra Chandra Mitra : (a) Is it a fact that the attendance registers of all Branches of the Stationery Office are under the supervision of the Head Assistants of the respective Branches ?

(b) Is it a fact that the attendance registers of the menials of the Stationery Office is under the supervision of the General Branch of the Stationery Office ?

(c) Is it a fact that the Head Assistants of the Branches are authorised and competent to rectify irregular attendance in their Branches ?

(d) If the answers to questions (a), (b) and (c) above are in the affirmative, will the Honourable Member be pleased to state the reasons for submitting those attendance registers to the Superintendent of the Stationery Office ?

GENERAL SUPERVISION OF THE BRANCHES OF THE CENTRAL STATIONERY OFFICE, ETC.

331. Mr. Satyendra Chandra Mitra : (a) Is it a fact that the Head Assistants of the Branches of the Stationery Office are responsible for the work and the correct observance of the office procedure within their respective Branches and are authorised to submit work direct to the officers of that Department ?

(b) Do Government propose to relieve the Superintendent of the Stationery Office of his duty of general supervision over all Branches ? If not, why not ?

(c) Is it a fact that the Head Assistant or the senior assistant of the General Branch of the Stationery Office marks all letters and cases received in that office and arranges for their distribution to the different Branches of that office ?

(d) If the answer to part (c) above be in the affirmative, will the Honourable Member be pleased to state what class of letters and cases are distributed to the Branches by the Superintendent as stated in the reply to unstarred question No. 202 of the 7th March 1928, and furnish the number of such cases and letters received and distributed every day on an average ?

(e) Will the Honourable Member be pleased to state whether it is a fact that an account of all service stamps utilised in the Central Stationery Office is maintained in the General Branch of that office ?

The Honourable Mr. A. C. McWatters : I propose to answer questions Nos. 330 and 331 together. Government are not in possession of the information required, which relates to matters of administrative detail lying within the competence of the head of the office.

ABOLITION OF THE POST OF SUPERINTENDENT OF THE CENTRAL STATIONERY OFFICE.

332. Mr. Satyendra Chandra Mitra : Do Government propose to appoint a committee to enquire whether the post of the Superintendent of the Stationery Office can be abolished by distributing his general duties to the Branches ? If not, why not ?

The Honourable Mr. A. C. McWatters : Government do not consider the appointment of such a committee to be necessary.

PRESENTATION OF THE ACCOUNTS OF RAILWAY-OWNED COLLIERIES ON A COMMERCIAL BASIS.

333. Mr. K. C. Neogy : (a) Will Government be pleased to state what action they are going to take, and when, in re-casting the accounts of the railway-owned collieries on a commercial basis ?

(b) If so, when can the accounts of the railway-owned collieries be expected to be available, presented on a commercial basis ?

(c) Meanwhile will Government furnish figures showing the approximate cost of production per ton in the different railway collieries based on a commercial basis including such items as depreciation allowance for exhaustion of minerals ?

Mr. A. A. L. Parsons : (a) Government are now considering the recommendations of Sir Arthur Dickinson in this behalf and hope to come to a conclusion on them in the course of the winter.

(b) It is hoped that it will be possible to present the accounts for 1929-30 on a commercial basis, in which case they should be ready in May, 1930.

(c) A reference is invited to Appendix B in Volume II of the Report by the Railway Board on Indian Railways for 1926-27. The figures there given for working expenses include an allowance for a sinking fund for the eventual extinction of the capital cost of the collieries when the mines are completely worked out.

CONSUMPTION OF COAL BY THE BENGAL NAGPUR RAILWAY, ETC.

334. **Mr. K. C. Neogy :** Will Government be pleased to state what is the present consumption of coal by the Bengal Nagpur Railway, and what proportion of the supply of such coal is met from the output of the collieries owned by this Railway ? Are the consumption of coal by the Bengal Nagpur Railway, and the output of their collieries already opened for working, likely to increase in course of the next 5 years ; and if so, to what extent ?

Mr. A. A. L. Parsons : I am making enquiries and will communicate the result to the Honourable Member in due course.

PURCHASE OF COAL FROM THE MARKET BY THE BENGAL NAGPUR RAILWAY.

335. **Mr. K. C. Neogy :** Is it a fact that an undertaking was given by Government that in the matter of coal consumption of the Railways, 50 per cent. of the requirements will be met by purchase from the market ? If so, why is the Bengal Nagpur Railway not working upon the percentage ? Do Government propose to ensure larger purchases of coal by that Railway from the market than at present ?

Mr. A. A. L. Parsons : No such undertaking has been given. The Honourable Member is probably referring to a statement which was made by the Honourable the Railway Member on the 14th April, 1927, to a deputation of the Indian Mining Federation accompanied by representatives of the Indian Mining Association, whom he told that the instructions at the time to the Chief Mining Engineer were to adjust the development of the railway collieries in such a way that 50 per cent. of the railway demand was purchased and 50 per cent. supplied by the railway collieries. This statement of course referred to the collieries of State-managed Railways ; it did not, and could not, bind the Bengal Nagpur Railway Company to adopt any similar practice, and Government are not in a position, nor do they wish, to fetter the discretion of the Bengal Nagpur Railway Company in this respect.

EXEMPTION OF THE PROFITS OF RAILWAY COLLIERIES IN BIHAR AND ORISSA FROM ASSESSMENT UNDER CHAPTER V OF THE CESS ACT.

336. **Mr. K. C. Neogy :** Is it a fact that the railway collieries in Bihar and Orissa are exempt from assessment of their profits under Chapter V of the Cess Act (Bengal Act IX of 1880) ? If so, will Government state the grounds of such immunity ?

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

ABANDONMENT OF CERTAIN PARTLY-DEVELOPED RAILWAY COLLIERIES.

337. **Mr. K. C. Neogy :** (a) Did Government receive from the Indian Mining Federation of Calcutta any representation suggesting the abandonment of certain partly-developed railway collieries ? If so, what action do Government propose to take on the suggestion made ?

(b) Will Government state what has been, according to the latest available figures, the amount of capital expended on the railway collieries in the Talchar fields and in Religari-Dari ?

Mr. A. A. L. Parsons : (a) Yes. Government do not propose to abandon any of the collieries acquired.

(b) I am collecting the information and will communicate with the Honourable Member on receipt.

CONSUMPTION OF COAL BY CLASS I RAILWAYS.

338. **Mr. K. C. Neogy :** Will Government be pleased to state the amount of coal consumed by Class I Indian Railways during the years 1919-20 to 1927-28, both years inclusive, and what proportion of coal out of the total consumption was each year purchased from the market during these years ?

Mr. A. A. L. Parsons : I am sending the Honourable Member a statement showing for the years 1921-22 to 1927-28 inclusive the coal consumed by locomotives and the coal issued by railway collieries. The figures for the years 1919-20 and 1920-21 are not readily available. The difference between these two figures may be taken approximately to represent purchases from the market, and the statement shows the percentage which these purchases bear in each year to the total consumption. I should explain that the figures of consumption do not include coal consumed for other than locomotive purposes, for instance, for pumping engines, workshops, etc., since these figures were not tabulated prior to 1927-28. It would be reasonable to assume that coal consumed for these purposes represents about 8 per cent. of the total consumption, and that the quantities of market purchases are larger to this extent.

NUMBER OF PERSONS EMPLOYED IN RAILWAY COLLIERIES ON CERTAIN SPECIFIED SALARIES, ETC.

339. **Mr. K. C. Neogy :** Will Government be pleased to state how many persons are employed in the collieries owned by the State and the Guaranteed Railways drawing a monthly salary of Rs. 1,000 and above, between Rs. 500 to Rs. 1,000 and Rs. 250 to Rs. 500 ? Of these three grades of appointments how many are held at present by Europeans, Indians and Anglo-Indians, respectively, under each grade ? How many appointments were made during the last two years under each of these grades and how many of these appointments went to Indians ?

Mr. A. A. L. Parsons : The information desired by the Honourable Member has been called for and will be communicated to him on its receipt.

**UNWORKED RESOURCES OF COAL OF 13, 14, 15, 17 AND 18 SEAM LEFT WORK-
ABLE IN THE JHARIA COALFIELDS.**

340. Mr. K. C. Neogy : Will Government be pleased to state what are the unworked resources of coal of 13, 14, 15, 17 and 18 seam still left workable in the Jharia coalfields ? What is the authority on which the estimates given are based ?

The Honourable Mr. A. C. McWatters : The required information has been called for and will be supplied to the Honourable Member if it is available.

**PROVISION OF A RAISED PLATFORM AND SUITABLE WAITING ACCOMMO-
DATION AT MUGMA ON THE EAST INDIAN RAILWAY.**

341. Mr. K. C. Neogy : Is it a fact that in an important coalfield station, Mugma, on the East Indian Railway, the public interested has been asking for the last 7 years for the provision of a raised platform and suitable waiting accommodation ? Is it a fact that the platform and the waiting accommodation were sanctioned by the East Indian Railway twice—once in August 1926 and again in November 1927 ? If so, have the facilities sanctioned been already provided, and if not, why not ?

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

**DISCONTINUANCE OF THE STEAMER SERVICES MAINTAINED BY THE EASTERN
BENGAL RAILWAY.**

342. Mr. K. C. Neogy : (a) Is it a fact that for some time the Eastern Bengal Railway used to run its own steamers in competition with the passenger and goods traffic services of the India General Steam Navigation Company and the Rivers Steam Navigation Company in Bengal and Assam ?

(b) If so, will Government make a statement giving a short account of this practice of the Eastern Bengal Railway, and of any other Railway in India which may have undertaken similar navigation service in inland waters ?

(c) Did the aforesaid navigation companies ever make any representations to Government regarding their competition with the Eastern Bengal Railway ? If so, when, to what effect, and with what results, were such representations made ?

(d) Were any agreements ever made between the said Companies and the Eastern Bengal Railway regarding traffic and earnings of the competing steamer services ? If so, when and to what effect were these agreements made ?

(e) What are the circumstances in which the steamer services maintained by the Eastern Bengal Railway came to be discontinued in the different local areas ?

Mr. A. A. L. Parsons : Steps are being taken to collect such information as is available and I will communicate it later to the Honourable Member.

REMOVAL OF THE IMPERIAL RECORD DEPARTMENT FROM CALCUTTA TO DELHI.

†343. **Mr. Satyendra Chandra Mitra :** (a) Will the Government please state the approximate date by which the removal of the Imperial Record Department from Calcutta to Delhi will be completed ?

(b) Will the Government please state what is the amount of the annual rent for the buildings in which the Imperial Record Department, Calcutta, is now located ?

(c) Is it a fact that the retired Superintendents of the various departments of the Government of India enjoying pension have been employed for the weeding of the Crown records ?

(d) Is it a fact that three upper grade assistants and two lower grade clerks of the Imperial Record Department are now engaged in the classification of the Company records ? Is it a fact that Sir Montagu Butler, in his capacity as the Secretary of the Government of India in the Department of Education, Health and Lands, held that classification of Company records is more difficult than the work of weeding ?

(e) If the answers to the above questions be in the affirmative, do Government propose to raise the pay of the permanent Government servants commensurate with their responsibilities ?

DUTIES OF CLERKS IN THE LOWER GRADE OF THE IMPERIAL RECORD DEPARTMENT.

†344. **Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the clerks in the lower grade of the Imperial Record Department have often to conduct searches among the old records for tracing information required by the Government in their dealings with the Indian Powers or for other purposes ?

(b) Are the Government aware that these searches require considerable historical knowledge and acumen and constant application on the part of the workers and that a search sometimes lasts for months together ?

(c) Is it a fact that a heavy amount of correspondence with different Governments, Universities and private individuals has to be conducted in the Imperial Record Department in connection with the annual sittings of the Indian Historical Records Commission and that this work is done by a lower division clerk ?

REVISION OF THE PAY OF THE CLERICAL ESTABLISHMENT OF THE IMPERIAL RECORD DEPARTMENT.

345. **Mr. Satyendra Chandra Mitra :** (a) Will the Government please state how many graduates there are among the clerks in the lower grade of the Imperial Record Department, what is the period of their service and what is their present pay ?

(b) Are there any rules for promoting the clerks of the lower grade to vacancies in the upper grade ? How many vacancies normally occur in the upper grade annually and how many are expected to occur annually in the next 6 years ?

†For answer to this question, see answer to unstarred question No. 345.

(c) Is it a fact that the scales of pay of Rs. 50—3—125 and Rs. 120—10—260 were sanctioned for the Imperial Record Department in 1920 on the analogy of the scales of pay in the secretariat offices of the Government of Bengal and other offices of the Government of India located in Calcutta ?

(d) Is it a fact that the scales of pay in most of the offices of the Imperial Government in Calcutta except the Imperial Record Department have since been revised ?

(e) Is it a fact that the scale of pay in the Imperial Record Department, New Delhi, is lower than that of any attached or subordinate offices of the Government of India located in Delhi ?

(f) If the answers to the above questions be in the affirmative, will the Government kindly state the reasons for this differential treatment of the staff of the Imperial Record Department and do the Government propose to revise their scales of pay ?

Mr. G. S. Bajpai : The information is being collected and will be supplied to the Honourable Member later.

PAY AND GRADING OF MAIL GUARDS OF THE RAILWAY MAIL SERVICE.

346. **Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the scale of pay of R. M. S. mail guards was higher than that of the overseers and branch postmasters ?

(b) Is it a fact that the pay of the overseers and branch postmasters have been subsequently increased but no corresponding increment has been given to the R. M. S. mail guards ? If so, why ? Do the Government propose to increase their pay ?

(c) Is it a fact that R. M. S. mail guards are now ranked with postmen ? If so, do the Government propose to put them in a higher rank than that of a postman ?

The Honourable Mr. A. C. McWatters : (a) No.

(b) Yes, because the duties of mail guards are on the whole less onerous and less responsible than those of departmental branch postmasters and overseers. Government do not propose to increase the pay of mail guards.

(c) Yes. Government do not propose to put them in a higher rank than that of a postman.

PETITION RELATING TO THE SPECIAL MARRIAGE (AMENDMENT) BILL.

Secretary of the Assembly : Sir, under Standing Order 78 I have to report that a petition signed by the Joint Honorary Secretary on behalf of the Parsi Federal Council has been received relating to the Bill further to amend the Special Marriage Act, 1872, which was introduced in the Legislative Assembly on the 9th February, 1928.

12 NOON.

PETITIONS RELATING TO THE HINDU CHILD MARRIAGE BILL.

Secretary of the Assembly : Sir, under Standing Order 78, I have to report that a petition signed by 12,320 persons has been received relating to the Bill to regulate marriages of children amongst the Hindus which was introduced in the Legislative Assembly on the 1st February, 1927.

RESOLUTION RE THE HAJ PILGRIM TRAFFIC.

Lala Lajpat Rai (Chairman) : The House will now resume discussion of the pilgrim Resolution moved by Haji Abdoola Haroon.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division : Muhammadan Rural) : Sir, I rise to offer my grateful thanks, and I am sure all the Muslim Members will agree with me when I say that our grateful thanks are due to the Honourable Sir Muhammad Habibullah for having taken the trouble to come over here and personally tell us the views of Government on the Resolution of my friend Mr. Haji Abdoola Haroon. As regards the speech of the Honourable Member it can safely be divided into two parts. The first part is that the Honourable Member has not received sufficient representations or proofs or complaints, whatever you like to call them, and therefore his first intention was that the debate on this Resolution in this House should be forwarded to the Provincial Governments and whatever correspondence he may have would be laid on the table. The second part of his speech was that if there was a strong feeling amongst the Muslim Members of this Assembly and that they would accept nothing short of the appointment of a Committee, he on his part and on behalf of the Government of India would be prepared to accept their decision on certain conditions. I have gathered from the Honourable Member's speech that he has laid down three conditions. The first condition is in regard to the funds. If the Standing Finance Committee vote the funds, there will not be any difficulty. The second condition is that the terms and personnel should be strictly according to the views of the Government of India ; and the third condition the Honourable Member has laid down is that the activities of the Committee should be confined only to arrangements made in India. He has pointed out that if these three conditions are agreed upon by Honourable Members here he for his part will be prepared to accept the Resolution as it stands. Then, Sir, following the suggestion which you made on the last occasion that, as the Government were not opposing the appointment of the Committee, a few Muslim Members should meet the Honourable Member and arrive at a conclusion by which this Resolution would be adopted, a few Members of this House met the Honourable Member. I am glad to inform you, Sir, that we have arrived at a conclusion by which this Resolution will be accepted. The only difficulty the Government found, Sir, was regarding the word "open", which is in the third line of the Resolution and about which I have tabled an amendment which I now move. The difficulty of Government was that while they recognize the importance of this Committee, while they do not want that it should be conducted in camera throughout all its sittings, they have explained to us a difficulty by which they will not be able to meet the wishes of this House fully and of Muslims generally if they accepted an open inquiry. If I may explain a little further, it was in regard to the third condition that the

difficulty arose. It was not at all the intention of the Mover or those who agree with him that the Committee should proceed to Kamaran or Jeddah or places like those for personal investigations. What they felt was, and I think rightly, that they should not be debarred from investigating the grievances of the Hajis from Bombay, Karachi and the other ports right up to the centres of pilgrimage, namely, the grievances of the pilgrims on board the steamers and at the landing places and quarantine stations, etc. As regards this, if a full investigation was necessary, the Honourable Member pointed out in his speech, that Kamaran being foreign territory there might be some difficulty in having an open inquiry. Therefore, Sir, we have accepted the suggestion of the Honourable Member and I am moving an amendment that the word "open" should be omitted. But I want to make it very clear to this House that we did not mean that the inquiry will be held in Camera throughout. It will be left to the discretion of Government. If they think there will be difficulty and that there should not be an open inquiry, we will be quite prepared to accept a suggestion of Government and we will not have an inquiry as regards that particular portion. I think in this connection I may also thank Mr. Bajpai for the very able way in which he conducted the proceedings of the meeting and for his deep sympathy for the Hajis. As regards the first part of the speech, I have pointed out to the Honourable Member, and I may say that complaints have been received not only by the Honourable Member but by His Excellency the Viceroy as well. A telegram was sent recently to His Excellency a copy of which I have here :

"Public meeting of 800 *nimari* returned ticket holders and other notable pilgrims held at Jeddah on the 28th August. Resolved to approach Your Excellency for, firstly, immediate repatriation of all *nimari* pilgrims already long detained here by first ship in harbour; secondly, to introduce compulsory deposit system instead of return ticket system in future. It is the best remedy to minimise pilgrim hardships here."

And there have been other public meetings, copies of resolutions of which I have here. I have also received telegrams from all over expressing in detail the sufferings which the Hajis are undergoing. I hope, therefore, I have satisfied the Honourable Member and my colleagues here as regards the real grievances of the Hajis, and I hope, Sir, that there will be very little difficulty in accepting the Resolution as amended by me.

(At this stage Lala Lajpat Raj vacated the Chair which was resumed by Mr. President.)

Then there is one other suggestion, Sir, of the Honourable Member, and that is to have a permanent Departmental Advisory Committee. I think this House should welcome that suggestion, and I hope Government will put it into practice, because that will bring the Honourable Member and the Government of India into direct touch with those people who are well conversant with the affairs and grievances of pilgrims.

As regards the question, Sir, about the Haj Committees already in existence and about their working, I understand from the speech that the Government of India know nothing. I come from Bombay and I may say unhesitatingly that they are nothing but a farce and hardly any meetings take place, about which the public are aware, no responsibility is attached to that Committee and the Committee meetings take place with no work to do and hardly any member of that Committee goes personally to investigate into the grievances of the Hajis. I think, Sir, that

[Mr. Fazal Ibrahim Rahimtulla.]

unless some constitution is framed by the Government of India laying down a certain policy and certain methods by which this Committee could work, I do not think any useful purpose will be served by continuing these Committees. I hope this will be one of the terms of reference, the methods to be laid down for these Haj Committees if they are to continue their existence.

In conclusion I can say, Sir, on behalf of my Muslim brethren—and I am sure they will agree with me—that we will be satisfied with nothing short of the appointment of this Committee, and I hope the Honourable Member will accept the suggestion which I am making of appointing a committee at a very early date.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands) : I regret, Sir, that the Honourable Sir Muhammad Habibullah is not able to be present in the House to-day to deal with this Resolution. He has to be in another place and that renders his absence from this House unavoidable.

Mr. President : Is the other place meeting to-day ?

Mr. G. S. Bajpai : Yes, Sir. As regards the amendment which the Honourable Member from Bombay has moved, I am in a position to state on behalf of Government that with that amendment we are prepared to accept the Resolution. I do not think that it is necessary for me now to state in detail what the grievances of the Hajis are or to anticipate what the activities of the Committee will be. Now that the principle of appointing a committee has been accepted, I think we had better leave the grievances as well as the best method of dealing with those grievances to the Committee. The Honourable Member from Bombay who spoke just now pointed out the conditions which the Honourable Sir Muhammad Habibullah laid down the other day as conditions precedent to our acceptance of the Resolution for the appointment of a committee of enquiry. As regards the first, namely, that the Government will have a measure of discretion both as to the terms of reference and the personnel, there never was any difference of opinion. As regards the second condition, namely, that the funds for the appointment of the Committee must first be voted by the Legislature before the Committee can function or be appointed, as regards that condition also, there was no difference. The difference really related to the scope of the survey of the Committee and Honourable Muslim Members were perhaps under a misapprehension as to our real intentions in that behalf. They thought that the scope of investigations of the Committee would be limited rigidly to arrangements in India. But, as Mr. Fazal Ibrahim Rahimtulla has pointed out, we met the other day outside the House and we made it clear on behalf of Government that it was not the intention of Government to impose any such rigid limitation. At the same time, we asked Muslim Members who met us the other day to realise that it is delicate ground that we are treading on when we try to go into the adequacy or otherwise of arrangements in territories which really are the territories of another power and not the territories of the Government of India ; and so we said, Sir, that investigation into that part of the grievances of the Hajis will have to be conducted with due discretion and with proper regard for diplomatic and international propriety. The Honourable Muslim Members who met Sir

Muhammad Habibullah the other day readily accepted this condition. My only excuse, Sir, for stating in brief the conditions which the Honourable Sir Muhammad Habibullah laid down the other day and the exact implications of those conditions is that I do not wish that hereafter there should be any misunderstanding as regards the attitude of Government and as regards any action that they may take hereafter. I am very glad, Sir, if I may sound a personal note at this stage, that the initiative of Government in this matter has met with the approval of the Muslim Members of the House and that they are convinced that the solicitude of Government for improving the conditions under which Hajis perform this religious duty is as great, as profound and as deep as that of any Muslim Member of this House.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province : Nominated Non-Official) : May I enquire, Sir, if the allotment of funds is a condition precedent to the appointment of the Committee ? Is this a usual condition and is it going to be a condition for every Committee hereafter ?

Mr. G. S. Bajpai : I am not, Sir, in a position to state the principle on behalf of Government, but it seems to me that it is only a rational safeguard to postulate, namely, that if your Committee is to function, the Legislature must vote the funds for it.

Nawab Sir Sahibzada Abdul Qaiyum : Is it the usual custom or precedent to allot funds before Committees are appointed or whether Committees have been appointed and funds asked for later on ? And is it going to be a general custom in the future, or is it meant for this particular Committee ?

Mr. G. S. Bajpai : Our practice, Sir, in the Department which I have the honour to represent is to secure as far as possible the approval of the Standing Finance Committee to any proposal for the appointment of a Committee before we actually proceed to appoint that Committee. The Honourable Member who spoke just now and who is also a member of the Standing Finance Committee had testimony of it the other day, because in connection with a Committee which we intend appointing to go into the affairs of the Forest Research Institute at Dehra Dun, we placed the proposal before the Standing Finance Committee before we took steps towards the actual appointment of the Committee ; but, lest there be any misapprehension on this point or lest any misgiving on this point arise in the minds of the Muslim Members of the House, I wish to make it perfectly clear that Government do not anticipate any difficulty either from the Standing Finance Committee or from the Legislature in so far as securing funds for this Committee is concerned.

Nawab Sir Sahibzada Abdul Qaiyum : I suppose it will be the custom in the future and that this custom will be followed in appointing All Committees.

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : What about the Royal Agricultural Commission ?

Mr. G. S. Bajpai : That was a Royal Commission, not a Committee appointed by the Government of India.

Mr. President : The question is :

" That the word ' open ' before the word ' enquiry ' in the third line of the Resolution be omitted."

The motion was adopted.

Mr. President : The question is :

“ That the following Resolution, as amended, be adopted :

‘ This Assembly recommends to 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 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 ’.”

The motion was adopted.

RESOLUTION *RE* PAY OF JUDGES OF THE HIGH COURTS.

Mr. A. H. Ghurnawi (Dacca Division : Muhammadan Rural) : Sir, I beg to move the Resolution which stands in my name and which runs as follows :

“ This Assembly recommends to the Governor General in Council that steps be taken for improving the scale of salary of all High Court Judges. ”

Sir, surprise has been expressed in certain quarters at my sponsoring the Resolution and curiosity has not been idle in its quest for motives and reasons for my doing so. Sir, at the very outset I must tell the House that I have no personal axe to grind. I am neither a Judge nor a Munsif, nor ever aspire to be one. I am not the brother or brother-in-law, son or son-in-law, father or father-in-law of a Judge. I am not a barrister, vakil or advocate practising before a Judge. I am a landholder and a merchant who has very little to do with a Judge of the High Court, but who, as a member of the public, is profoundly convinced that British rule in India like any other rule in the world, depends for its stability and continuance on the strength and impartiality of the highest courts of justice in the land.

There is an outcry against the Chief Justice of the Patna High Court. There has been an outcry against the Chief Justice of the Punjab High Court. Questions are asked in the House whether the eternal Miss Mayo is responsible for the aberration of a Judge. There are insinuations and innuendoes that prejudices and preconceptions are imbibed by Judges hobnobbing in clubs with the die-hards of Anglo-India. But no one pauses to inquire why the days, the good old days, are gone by of the sturdy race of Judges jealous of the dignity of their office who lived in splendid isolation and never cared to be within miles of the Government House, not to speak of the clubs in which some of the Judges of to-day are compelled to take rooms to live in.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President, Maulvi Muhammad Yakub.)

The fact of the matter is that the altered conditions of to-day affecting the position, dignity and emolument of the Judges do not offer sufficient inducement to first-rate men to accept a Judgeship. In my Resolution I deal with only one aspect of the case, namely, how the salaries of Judges having been adversely affected by the altered conditions of to-day should be increased or at any rate brought up to the pre-war level. Let me make my point clear by giving the House a brief history of the salaries of the Judges of the High Courts.

In 1886, the salary of a Judge was originally fixed at Rs. 50,000 a year in the Calcutta High Court, and Rs. 45,000 in other High Courts. In 1881, Lord Cranbrook equalised the pay of European Puisne Judges of all High Courts by reducing it to Rs. 48,200 a year. In 1883, Lord Kimberly abolished the invidious distinction between European and Indian Judges in this respect and fixed the pay of all Judges, Indians and Europeans, at Rs. 45,000 a year, or Rs. 3,750 a month. In 1899, Lord George Hamilton, the then Secretary of State for India, raised the pay to Rs. 4,000 a month, the figure at which it now stands. After referring to the great dissatisfaction which prevailed among the Judges of the Calcutta High Court and to the pay of the Member of the Board of Revenue and of the Secretaries, Lord George Hamilton observed as follows :

"The raising of the salaries of the Puisne Judges generally from Rs. 3,750 to Rs. 4,000 a month seems, therefore, to me a desirable measure, as tending to remove inequalities which have an invidious appearance between offices of like importance and dignity in the Judicial and Executive line respectively, and in some degree compensating for the greater expensiveness of living which is generally admitted to have been a marked feature of recent years in the Presidency towns."

Now, while the reasons put forward by the Secretary of State for India in 1899 for an increase in the salary of High Court Judges still hold good, the conditions which obtained in 1899 are certainly not those which obtain in 1928. The expenses of life in the Presidency towns and the principal cities of India have risen by leaps and bounds. The cost of living since 1899, when the pay of a Judge was fixed at Rs. 4,000 a month, has enormously increased, it being 67 per cent. above the pre-war time. The inequalities and the invidious appearance which Lord George Hamilton had sought to remove in 1899 have re-appeared in a more accentuated and aggravated form since the Reforms. A Judge of the High Court occupied a position second only to that of the Head of the Administration of the Province. Now, in the Warrant of Precedence a Judge of the High Court occupies a position below that of a Member of the Executive Council and a Minister of the Province for whom it was thought necessary to provide a salary of Rs. 64,000 a year or Rs. 5,333-5-4 a month in consideration of labour which, by common report, is not more arduous than that of Judges. Successive reforms by the creation of the posts of Members of the Executive Council and Ministers enjoying a salary of Rs. 64,000 a year have impaired the status and prestige of Judges, not only in the eyes of the public, but a Judgeship has ceased to be an attractive prize and a fit goal for professional ambition and the ambition of young men adopting a judicial career. Instances are not unknown (and may be found even in this very House to-day) of legal luminaries who, though proof against the attractions of the Bench, succumb to the glamour and glory of an Executive office with a salary of Rs. 64,000 to boot.

Mr. K. O. Roy (Bengal : Nominated Non-Official) : Without a pension ?

Mr. A. H. Ghumanvi : Yes, though without a pension. Since 1899, when Lord George Hamilton, by reference to the pay of the Member of the Board of Revenue and the salaries of officers in the Executive line, deemed it a desirable measure to increase the salary of a High Court Judge, there has come into existence almost in every province half a dozen executive offices carrying emoluments higher than those of High Court Judges, and since 1899 there has been an increase of pay and allowance in almost every branch of the public services. The salaries of Munsiffs, Subordinate Judges

[Mr. A. H. Ghuznavi.]

and District Judges have been increased, but the Commissions and the Committees since 1899 have left the Judges of the High Court severely alone. In 1899, there was no such thing as the super-tax. The salary of a Judge less income-tax prior to the birth of the super-tax was something like Rs. 3,800 a month, but after the introduction of the super-tax it comes to something like Rs. 3,500 a month. Thus we see that, although there is an increase of salary all-round, the High Court Judges have not had an increase, but a decrease in salary. It is notorious that since 1899 there has been an enormous increase in the cost of living : the rise in house rent had to be checked by legislation. The price of all necessities and the wages of servants have increased beyond all proportions and the incomes and emoluments of the professional, mercantile and other non-official classes have risen beyond conception. It has consequently become increasingly difficult for a High Court Judge to live in a manner befitting that position and the dignity of the high office. There is a movement, Sir, everywhere to increase the salaries of Judges. The salaries of Judges have been recently increased in America. Besides, in America, the salaries of Judges are income-tax free. (*An Honourable Member* : "What is the salary there ?") That I do not exactly know. At any rate they are income-tax free. Sir, there is ample justification in the altered circumstances of to-day for the Government of India to take steps to introduce a reasonable increase in the salary of High Court Judges commensurate with their dignity and importance and for the Secretary of State for India with his experience as a lawyer and judge to follow the example of his predecessor in office, Lord George Hamilton.

Sir, I think I have made my point clear and I have been able to make out a good case for the consideration of this House.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : Sir, I am one of those who have suspected the motives of my Honourable friend in moving this particular Resolution, but my suspicion was not that he had any claim to any relationship as father-in-law with any of the present Judges of any Honourable High Court. I thought that perhaps my Honourable friend was developing an ambition of becoming a Labour Leader in this House. I almost thought I should warn my Honourable friend, Mr. Joshi, to look to his laurels ; because, if my Honourable friend Mr. Ghuznavi comes forward with such proposals, with such grievances of a very depressed class of public servants, then I am afraid my Honourable friend Mr. Joshi may lose his job in this House. My Honourable friend, as I said, was developing an ambition to become a Labour Leader. He found that the postal peons, the railway ticket collectors had already come under the protecting wings of my Honourable friend Mr. Joshi, and so he set about trying to find a suitable subject to take up in the House in order to establish his claim as a Labour Leader. Only the other day we were discussing the grievances of a rather equally depressed class of public servants, the Imperial duftaries, who also happen to be under the leadership of my Honourable friend Mr. Joshi. Now my Honourable friend Mr. Ghuznavi comes forward and places before us the harrowing tales of sorrow and privations of the Honourable Judges of the different High Courts. Sir, I flatter myself that I have a sort of dependable memory, but I do not remember to have come across any such question ever having been raised in this House during the last eight years that I have been a Member

of the Assembly. It may be that the learned Judges have only lately banded themselves into a trade union and appointed my Honourable friend as their spokesman. Sir, that is a comfortable thought to me, because I have no sympathy with Communistic ideals, and I should very much dislike the idea of the learned Judges falling a prey to the ministrations of Mr. Spratt, declaring a strike or resorting to sabotage, to which reference was made only yesterday by my Honourable friend Sir Hari Singh Gour. I very much hope that my Honourable friend's connexion with the latest trade union will keep the Judges out of harm's way and that we will have no occasion to add "judicial unrest" to agrarian and industrial unrest, which is one of the conditions laid down for taking action under the new security Bill which has been fathered by the Honourable the Home Member. Sir, as I said, during the last eight years nobody ever thought of bringing up this question. The Honourable Members have exercised their ingenuity on all sorts of questions, but never did it strike any Honourable Member in this House to bring up this particular question. My Honourable friend was talking of the economic difficulties of the learned Judges. May I remind my Honourable friend that only a few years ago an eminent Commission was appointed to go into the famine conditions that were supposed to be prevailing among the higher Civil Services in this country? Need I say that I am referring to the Lee Commission? Well, if my Honourable friend were to look up the Report of the Lee Commission, he would find that even that Commission, charged as they were with the duty of finding all sorts of excuses for raising the salaries and emoluments of the higher officers of the Government of India, did not find it possible to make any recommendation on the lines suggested by my Honourable friend. I have to admit that the question of the Judges' salaries did not arise in a direct manner, so far as the terms of reference of that Commission were concerned, but inasmuch as a proportion of the Indian Civil Service men have to be found seats on the Benches of High Courts, this question indirectly arose for the consideration of that Commission. If my Honourable friend will turn to page 109 of the Lee Commission Report, he will find a note signed by all the English members of the Commission, where they say that they cannot recommend any increase they were referring in that connexion to the remittance concessions which they were recommending for officers drawing a pay up to Rs. 4,000, and there they say :

"We cannot, however, recommend any increase for Judges of the High Court or Members of Council whose salaries are fixed by Statute."

That is the view which they took. If my Honourable friend will turn to the note of the Indian members of that Commission he will find that they took quite another view. They did not think it right to make any recommendation which would discriminate between the Indian and the European members of the judiciary. They particularly referred to the fact that it was only when a man was in the middle stage of his service that he stood in need of relief. This is what they say :

"The general trend of evidence given before us is that hardship is felt mainly in the middle married grades and that the officers in the earliest and latest stages are not hard hit."

Apart from that, my Honourable friend will find, if he turns to page 42, that the Commission considered the special pension of £1,200 per annum, after a short period of service extending only to 11½ years, as quite adequate for the Judges of the High Court. Therefore, in putting forward this claim to-day, my Honourable friend is trying to be more royalist than the

[Mr. K. C. Neogy.]

King himself, because, it can never be said that if there was any consideration which could be brought forward for the raising of the salaries of these high officials, a man like Sir Reginald Craddock would have omitted to mention it in his special note.

Now, Sir, I turn to section 104 of the Government of India Act under which the salaries and emoluments of the Judges of High Courts are fixed. My Honourable friend will find that it is provided there that the Secretary of State may fix the salaries, allowances, and so on :

“and may alter them, but any such alteration shall not affect the salary of any Judge appointed before the date thereof.”

So that, even if there were any increase, the present incumbents will not be benefited at all, because I do not think there will be any disposition on the part of any Honourable Member present here to question this interpretation of the expression “affect”. Whether the salary is raised or lowered, it comes within the description of the word “affected”, and therefore if the salary is increased, it will not benefit the existing incumbents. Thus, Sir, the trade union to which I have made reference does not stand to gain anything by any change which may be made as a result of the recommendations which this House may adopt. I thought, Sir, my Honourable friend was a very great friend of Sir John Simon. I remember to have seen a complimentary telegram addressed to him by that Honourable gentleman broadcast in Delhi. My advice to him would be to approach his distinguished friend in this matter and lay the case of the Honourable Judges, or rather instruct the members of the trade union of the Honourable Judges to place their case before the Simon Commission. I am very much afraid that my Honourable friend has mistaken his forum.

Sir, my Honourable friend was referring to the salaries enjoyed by the Executive Councillors and Ministers. My Honourable friend Mr. Roy has already pointed out that so far as non-official Indians appointed as Executive Councillors are concerned, they do not enjoy any pensions on the termination of their office.

Mr. A. H. Ghuznavi : What about the official members ?

Mr. K. C. Neogy : I am coming to that. I may remind my Honourable friend of one particular instance from which he will see that it is not exactly the salary that is the main attraction of a Judgeship. My Honourable friend, I daresay, knows Sir Ali Imam. He was a Member of the Executive Council of the Governor General. Shortly after relinquishing this appointment, if I am not very much mistaken, he accepted a Judgeship of the Patna High Court on a salary of Rs. 4,000 a month.

Mr. A. H. Ghuznavi : For only a month or two.

Mr. K. C. Neogy : It may be so, but it shows that there was nothing derogatory in the salary attached to a Judgeship, a point of which my Honourable friend was seeking to make too much.

Now, Sir, coming to Ministers, I know of instances in which Ministers have been voted only a rupee per month as salary. I do not think the analogy of Ministers' salaries was a very strong argument to bring forward in asking for an increase in the Judges' salaries.

Mr. K. Ahmed : That is what the Swaraj Government in future may think.

Mr. K. C. Neogy : My Honourable friend Mr. K. Ahmed has come to my help. Supposing it were open to a distinguished lawyer either to become a Judge of a High Court or a Member of the Executive Council, or a Minister in a Province. What would be his choice in this matter ? If he accepted a Judgeship, he would be sitting on that high perch and my Honourable friend Mr. K. Ahmed would be making his humble and respectful submissions from the Bar. Look at the other picture. There is my Honourable friend the Home Member, drawing a salary, I do not know, of how many thousands, and I see him every day that I am here, trembling in his shoes in trying to answer my Honourable friend Mr. K. Ahmed's supplementary questions. If a choice were given to a learned lawyer, I can easily imagine that he would readily agree to forego Rs. 2,000 a month rather than face the onslaught of my Honourable friend's supplementary questions.

Now, Sir, my Honourable friend Mr. Ghuznavi was referring to the splendid isolation in which Judges used to live in the olden days, and he was referring with great disapprobation to the practice which some of the Judges have of living in clubs in close association with executive officers. I am perfectly at one with him in condemning this practice. But may I remind my Honourable friend that the present Chief Justice of the Calcutta High Court, in spite of the fact that he gets a salary of Rs. 6,000 a month which is Rs. 1,000 more than is admissible to the Chief Justices of other High Courts, lived for a considerable period in a particular club sacred to the die-hard Britisher—official and non-official and it was only when this objection was brought to his notice by certain members of the Bar that he agreed to hire a house in Calcutta ? So that, Sir, even if you were to raise the salary of the Judges to Rs. 6,000, there is nothing to prevent them from living in clubs.

Mr. A. H. Ghuznavi : Instead of raising the salary you can give them a house allowance.

Mr. K. C. Neogy : It comes to about the same thing. My Honourable friend was giving the figures of 1866. I have not made any antiquarian research of that kind, but this much I think I can safely say that so many clubs were not in existence in those days.

An Honourable Member : Question.

Mr. A. H. Ghuznavi : Clubs were in existence in 1866.

Sir Victor Sassoon (Bombay Millowners' Association : Indian Commerce) : Even in 1832.

Mr. K. C. Neogy : Well, Sir, whatever it is, it all depends upon personal temperament. It does not depend upon the salary. You may pay Rs. 10,000 a month to a Judge, but that will not ensure the Judge being altogether impartial and independent.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran : Non-Muhammadian) : Quite so.

Mr. K. C. Neogy : But here my Honourable friend seems to be thinking only of the European members. I should like my Honourable friend to tell me of any instance in which an Indian Judge has usually lived in a club. (The Honourable Member resumed his seat for a while.) May I take it that he has no such instance to give ?

Mr. A. H. Ghuknavi : I believe Mr. Hasan Imam lived in a club. I can give you a number of such instances. I will provide you with a list to-morrow.

Mr. E. C. Neogy : I will go into that with my Honourable friend to-morrow.

Mr. Amar Nath Dutt (Burdwan Division : Non-Muhammadan Rural) : Then the debate may be adjourned till to-morrow.

Mr. K. C. Neogy : Now, my Honourable friend wants this House to make a recommendation to the Government of India that the salaries of the Judges should be increased. But does my Honourable friend realise that the bill has got to be footed by the Provincial Governments and not by the Government of India ? Because, even in the case of the Calcutta High Court, which is under the administrative control of the Government of India, all its expenses have to be borne by the Government of Bengal. It will not, therefore, do for my Honourable friend to ask the Government of India to be charitable at the cost of the Provincial Governments. I dare say, my Honourable friend realises the very difficult financial position of the province from which he and I come, and I hope he will hesitate before making a recommendation of this kind for the acceptance of the Government of India.

The Honourable Mr. J. Oserar (Home Member) : Mr. Deputy President, my intervention in this discussion will be of the briefest, as I intend to confine myself to explaining very shortly the attitude of the Government towards this Resolution, and I do not intend to enter into the merits. Much of what the Honourable the Mover has said has a cogency and a force which, I think, will be admitted by Honourable Members whatever opinion they may hold upon the particular proposition which is put before them. No one will deny the immense importance to the country of the adequate discharge by distinguished lawyers of the great and responsible duties which fall upon the Judges of the High Courts. No one will deny that to secure services of that high order the country will not lose by paying what is adequate. No one will deny, in view of the important duties which the Judges of the High Courts perform, that it is desirable that their emoluments should be so fixed that they may be enabled to maintain the dignity which ought to attach to their high office. I am sure these are propositions with which none of us will disagree. I am not, however, prepared on behalf of the Government of India to announce to the House any definite attitude towards this Resolution. If the House desires to pass an opinion upon this matter we shall be very glad to be in possession of that opinion. But, we could not come to any conclusion without consultation with the Local Governments, because, as Mr. Neogy pointed out, the salaries of the Judges of the High Courts are defrayed from provincial revenues. It would be unfair, therefore, to proceed to any conclusions ; the Government of India would not feel itself justified in making any recommendations to the Secretary of State, who, as has been pointed out, is the final authority in this matter, without a close consultation with Local Governments. If, however, this House is disposed to pass an affirmative decision upon this Resolution, I shall be glad to send a copy of the debate to the Local Governments, who are concerned, and enquire their views in the matter. My attitude, therefore, is that the Government of India are not at present in a position, nor could they be without the enquiry to which I have

referred, to come to any definite conclusions in the matter. But if the House desires to express an affirmative conclusion, we shall be very glad to take the action which I have indicated, namely, to consult Local Governments in the matter.

Sir James Simpson (Associated Chambers of Commerce : Nominated Non-Official) : Sir, I have pleasure in supporting this Resolution, and on behalf of my Honourable colleagues who sit on these Benches I would just like to say in a few words that we fully approve of and endorse the proposal for improving the scale of salary of all High Court Judges. I understand my Honourable friend Mr. Neogy is, in the midst of his many activities, connected with the Law. I would take it after the sparkling speech to which he has treated the House this morning that he has abandoned all ambitions to be raised to the dignified ease of the High Court Bench and that he prefers to continue in the spectacular limelight of the Labour Leader. (*Mr. K. C. Neogy* : "I have no such ambition.") My Honourable colleagues here and myself consider that the Honourable the Mover has fully made out his case and has proved that this increase is long overdue. If there is one body of our public servants who command our utmost respect and who possess our implicit confidence, it is the Judges of the High Courts and we ought to be prepared to pay them sufficiently in order to get the best class of men. The Leader of the House has told us that this is a matter for Local Governments and that they must foot the bill. And I dare say that it would also be necessary to consult the Secretary of State. I would invite the House to pass this Resolution unanimously so that the Leader of the House may send it down to Local Governments with the strong approval of this House and also stamped with the strong approval of his own Government.

I have much pleasure in supporting this Resolution.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, after the very ominous speech delivered by the Honourable the Home Member, committing the Government of India to nothing and throwing the burden upon this House, it becomes the serious duty of this House to consider whether this Resolution should be supported and what would be the consequences of supporting this Resolution. Honourable Members are aware that all provinces more or less have been working at a heavy deficit during the last four or five years and year after year we have been treated to provincial and inter-provincial discussions about the revision of the Meston Award. Now, law and justice have always been a reserved provincial subject, and if we were to pass a Resolution by adopting the Honourable the Mover's suggestion, the result of that would be an increase in the court-fees throughout the provinces concerned, and I ask Honourable Members here very seriously to consider whether they are in a position to face a rebuff, and pay extra court-fees upon litigation. The present state of court-fees is about the highest in the whole world, which is $7\frac{1}{2}$ per cent., and 5 per cent. upon higher values.

If you increase the salary of the Judges, you will be mulcted in still higher court-fees which is a provincial subject.

1 P. M.

Another point that Honourable Members must bear in mind before they support this Resolution is this. Honourable Members must remember that if they raise the salary of the Judges, they must, of necessity, have to increase the salary of the judicial establishments.

[Sir Hari Singh Gour.]

You cannot raise the salary of a man from Rs. 4,000 to Rs. 4,500 or Rs. 5,000 without raising the salary of the Registrar, the Deputy Registrar and the clerical establishments. If you raise the salary of the High Court Judge, the Home Member who controls him will immediately demand a higher salary because he will say that his duties are of a more onerous and responsible character. Then comes the Governor himself. He will say "Look at myself. What 4 is to 8, 5 is to 10. Therefore, you have to raise my salary too. I am also hard hit. It is not merely the Judges who have to keep up a costly establishment. We have equally to keep up a costly establishment and entertain the public." This is the thin end of the wedge. We have been stoutly resisting the recommendations of the Lee Commission. In spite of our recommendations, the country has been saddled with heavy taxation.

Mr. K. O. Neogy : In this matter the Lee Commission refused to make a recommendation.

Sir Hari Singh Gour : That Commission, while making all sorts of recommendations in favour of raising the salaries of certain superior services, deliberately refrained from making any recommendation in favour of the raising of the salary of the High Court Judge. It is only about three or four years ago that the case of the High Court Judges was placed before an extremely sympathetic, and I might almost say, magnanimous committee—a committee with no responsibility whatever to the tax-payer of this country beyond saddling upon it the heavy additional taxation which was the net result of its alarmist recommendations.

Colonel J. D. Crawford (Bengal : European) : Will the Honourable Member give me an idea of what a proficient Barrister gets at the Bar ?

Sir Hari Singh Gour : The Honourable Colonel Crawford has put me a question. What about the merchant princes who earn millions, may I ask ? There are members of the Bar who earn millions, but that is a precarious calling. When you are on the Bench, you occupy a position of power, of dignity and, I might almost say, of comparative ease. You cannot compare the emoluments of public services with the earnings in trade and in the professions. Therefore, the comparison cannot possibly be made.

Colonel J. D. Crawford : Can you get a good Barrister to take up a position on the Bench ?

Sir Hari Singh Gour : My friend has put me a very pertinent question. My answer is "Yes". I shall ask my friend another question. Do you think that a small paltry increase in the salary would make a difference to a successful barrister ? If you increase it to Rs. 4,250 or even Rs. 4,500, would that be a sufficient compensation ? Some interruptor asked the Honourable the Mover of this Resolution what was the salary of the Judges of the United States of America. He was not able to answer that question, but I can. I have got the Statesman's Year Book. You will find from it that the Judges of the Federal High Courts draw a salary of \$5,000 per year or about Rs. 18,000 a year. The salary in the Supreme Court is \$20,000. Now you are going to have a Supreme Court here ? (An Honourable Member : "Are we ?") The scheme of the Associated Chambers of Commerce and other schemes have recommended a Supreme Court for India. If you now raise the salary of the Judges of the High

Court, you will also have to raise the salary of the Judges of the Supreme Court. America is the richest country in the world. The salary of the Judges there is in many cases less than the salaries in India. India is notoriously one of the poorest countries in the world. I therefore ask Honourable Members here most seriously to pause before they cast their vote in favour of this Resolution. I have every sympathy with the Judges of the High Court but, at the same time, remember that our sympathy to the Judges of the High Court should not make us oblivious of the poor tax-payer who is already ground down under taxation. Litigation is no longer and never was a luxury and the passing of a Resolution of this character would be a denial of litigation as it would inevitably lead to a large increase in the court-fees leviable under the Court-fees Act. Therefore, I most reluctantly but very emphatically oppose this motion.

Mr. Amar Nath Dutt : Sir, I rise to oppose the Resolution of my Honourable friend Mr. Ghuznavi and my reasons mainly are that the High Court Judges perform duties which do not require more salary than they already get and I may say that in a poor country like this, the salary of no official, be he a member of the Bench or be he a member of the Executive Council, should be more than Rs. 1,000 a month. I shall place before you facts in order to convince you that no increase of salary of the Judges is necessary. I ask you to consider the method of recruitment of High Court Judges. They are either recruited from the Civil Service or from the subordinate judicial service or from the members of the Bar. I shall first take up the case of the members of the Bar. It is optional to the members of the Bar to accept or not a seat on the Bench. If they think that they cannot forego their income of Rs. 20,000 or Rs. 30,000 a month and to do their duty to the country they need not come down to accept a salary of Rs. 4,000 a month. Only conscientious and dutiful men will accept the office at a sacrifice. As regards the subordinate judicial service the less said the better. Their salaries range from Rs. 800 to Rs. 1,200 per mensem. The Subordinate Judges do not get more than that, and when the Subordinate Judge gets an Assistant Sessions Judgeship or an officiating District and Sessions Judgeship for some time, he is elevated to the Bench of the High Court on a salary of Rs. 4,000. A man who having failed to secure a decent income at the Bar joins the subordinate judicial service on Rs. 200 or Rs. 300, and it is sufficient if he gets more than Rs. 1,000 or Rs. 1,200 at the time of his retirement. He did not expect more than that. And when he gets Rs. 4,000 it is more than enough for him. As regards the members of the Civil Service who are recruited to this branch of the service, if they choose to go to the executive side of the service, it is open to them. Why do they at all choose the Bench, the comfort of the Bench I should say, instead of the worry and trouble of an executive officer? If they do so, I beg to submit they ought also to accept the salary which has been fixed, and which may be lower in future years—time and opportunity permitting Indians to attain Swaraj. I am surprised to find that in this matter the Resolution has come from a gentleman who has no connection either with the Bench or with the Bar, and one may be led to think that it is a very disinterested Resolution and for that certainly he deserves our best wishes; and no one can ascribe any motive to him that he has either a son or a father or a father-in-law in whom he is interested, as my Honourable friend, Mr. Neogy, suggested.

Mr. K. C. Neogy : I never suggested that.

Mr. Amar Nath Dutt : But my suspicion is that there must be something behind it which has made my Honourable friend come forward with a Resolution like this. It may be the prompting of some friend on the Bench, it may be that some one in whom he is interested may have a case on the Bench and that case before a Judge who is in want : it may be to help people like these. But, Sir, one of the grounds that have been put forward for an increase in the salary is this, that they should be placed above all temptations. Now am I to understand that Judges who sit on the Bench are the victims of temptation, and are there instances that owing to their want they have accepted bribes ? Since the establishment of the High Courts, Sir, we have not come across any case of a High Court Judge who has been tempted to accept a bribe.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions : Muhammadan Rural) : Nobody has suggested that.

Mr. Amar Nath Dutt : So I think they are above temptation, and therefore this ground of placing them above temptation does not apply. But there is one temptation above which they ought to be placed but above which they cannot be placed by an alien Government. That is this, namely, going out of their way to help the Executive and terrorizing public men, as was the case the other day in the Patna High Court. (Hear, hear.) We have instances of Judges who forget their high office.

The Honourable Mr. J. Crerar : On a point of order, Sir. Is the Honourable Member in order in referring to the conduct of a Judge of a court of law in that manner ?

Mr. Deputy President : He is not referring to the conduct of a Judge as a judicial officer.

The Honourable Mr. J. Crerar : I understand that he was referring to a statement made by a Judge.

Mr. Deputy President : He did not refer to such a statement at all.

Mr. Amar Nath Dutt : And attempt to suppress criticisms of decided cases. Sir, this is the type of men whom my Honourable friend wants to befriend and whose salaries he wants to increase. I appeal to every Indian to see that that type of Judges are suppressed and their salaries made such that they may not be tempted to accept such offices. (Laughter.)

Now, Sir, I would have been very glad if my friend, the Mover of the Resolution had taken up the cause of the lowerpaid clerks of the High Courts, but he would not do that. It is not necessary for him to do that. He comes to the rescue of the Rs. 4,000 men, but not to the rescue of the Rs. 40 or Rs. 60 men.

Then look at the work of these High Court Judges. How many days in the week do they work ? They work only five days in the week, and that for only five hours.

An Honourable Member : Some of them sleep.

Mr. Amar Nath Dutt : Some of them were asked whether they would work on Saturdays and they refused. You will also note that often where two Judges sit in order to decide a case, one of them sleeps and the other

at times only heckles the lawyers, and then comes to judgments which are at times far inferior to those of the members of the subordinate judiciary, as will be seen from the various reports of the Privy Council where the judgments of High Courts have been set aside and the judgments of the subordinate judiciary have been restored.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : On a point of order. Is it proper for the Honourable gentleman to pass an indictment of that kind in this House ?

Mr. Deputy President : Mr. Amar Nath Dutt.

Mr. Amar Nath Dutt : Sir, this is relevant in this way. My argument is that the class of men who are recruited to the Bench do not deserve even Rs. 4,000 and therefore I was discussing the question of the quality of their work. My friend on the other side says that the salary of Judges in every other country has been increased, but he has been quite discreet in not giving us the amount of salary that Judges in other countries of the world get. Sir, you will be pleased to see that such eminent lawyers as Sir Hari Singh Gour, my Honourable friend, Mr. Neogy.....

Mr. Gaya Prasad Singh : And yourself.

Mr. Amar Nath Dutt : That is, those who are lawyers are opposing this Resolution while laymen are supporting this Resolution. Even the Honourable the Home Member has kept his mind open in this matter, and it is very right and proper for him and I appreciate his disinterested attitude in this matter. But one thing shows which way the wind blows. "that it is for you to say that you want things like this and then we shall go on with the recommendation which will increase their salary", or something like this. So, Sir, it is our paramount duty in this House to oppose this Resolution and show to the Government that really we are not in favour of a Resolution like this and convince thereby the Home Member and the Government that there need be no such inquiry as he proposes to make from the Provincial Governments whether or not the salaries should be increased : and in doing so I would request the Government at least not to vote in this matter so as to show that they are really disinterested. They should not put in pleas of disinterestedness and then throw the whole blame upon us when it is passed and say, "You passed a Resolution like this....."

Mr. K. C. Neogy : If the question is raised at all, it should be considered whether the Judges' salaries should not be reduced.

Mr. Amar Nath Dutt : So I hope that the Honourable the Home Member will send a whip to all the official Members not to vote on this Resolution and that he will allow the matter to be decided according to the votes of the non-official representatives of this House.

The Honourable Mr. J. Crerar : Sir, with your permission, I should like to state at this stage, that, in view of the attitude which I took in the matter, namely, that Government could not commit itself to any definite conclusion, it is the intention that official Members should not vote in any division on this Resolution.

***Mr. C. S. Ranga Iyer** : Sir, it is with a certain amount of nervousness that I listened to the speech of the previous speaker when he launched an attack on the High Court Judges, when he launched an

[Mr. C. S. Ranga Iyer.]

attack on their inefficiency, on their incompetence, on their insomnia or rather on their sleepiness. Sir, I thought the Honourable gentleman was not in a responsible Legislature ; I thought he was indulging in a sort of drawing room conversation after an excellent dinner. Sir, that is a speech that I strongly repudiate. I repudiate the reflections on the High Court Judges of India. Sir, the High Court Judges of India have performed their duty in a manner of which India and Great Britain and the Empire and the civilized world may be proud. Sir, the Judges of India are, alike on the point of impartiality and on the point of competence, worthy of their place in any part of the world. All those reflections, coming as they come from this side of the House, must be repudiated by me because I do not think they reflect the opinion of everybody on this side of the House.

An Honourable Member : What about Justice Terrell ?

Mr. C. S. Ranga Iyer : I hear a voice from Orissa which is in the neighbourhood of Bihar. Sir, a prophet is not always honoured in his own country. I do not have the privilege of knowing Mr. Justice Terrell. I have read the judgment of Mr. Justice Terrell ; I have also read rather carefully the statements that appeared, the observations that were made by certain learned advocates in a particular case. Sir, the judgment has been delivered, comments have been made in the newspapers. I for my part am not here to pass any judgment on Justice Terrell. I for my part am of opinion that Justice Terrell is perfectly entitled to make whatever observation he thinks fit in his capacity as a Judge. If, through a certain lack of tact, if by necessity he made certain observations on certain aspects of life, I am sure the Honourable Member from Bihar will be satisfied that he has also been criticised in the Press as well as elsewhere. Whether I share in that criticism or not is not a matter which is germane to the issue.

Mr. Gaya Prasad Singh : You are just like the Home Member, non-committal in your attitude.

Mr. C. S. Ranga Iyer : Another Honourable Member from Bihar is expressing his opinion against my unwillingness to make a pronouncement on Justice Terrell. Suppose Justice Terrell were as bad as two gentlemen from Bihar or from the neighbourhood of Bihar would like to make out ; suppose he were guilty of all that they would like to say. I would like to ask, does one swallow make a summer ? Suppose Justice Terrell were as bad as he is painted, can you say the same of all the High Court Judges in this country ? I for my part refuse to make that statement ; I for my part refuse to draw general conclusions from a single particular incident ; I for my part even refuse to take notice of that particular incident because that does not help the view point that I want to present to this House.

In regard to the increase of the salary of the High Court Judges I am at one with my Honourable friend from Nagpur. I do not think, Sir, that India can afford to increase the pay of the High Court Judges ; not because they are not competent. I would have been tempted to support the Honourable Member from Bengal if instead of salary he had said "house allowance". But I am to-day dealing with the Resolution as it appears on the paper. I would certainly be willing to make it convenient for High Court Judges to live not in clubs but in

their own bungalows. But, unfortunately, I see no such amendment on the paper, and I have to deal with the Resolution as it appears on the paper. Sir, I do think the High Court Judges are among the most hard-worked people. I do think they are entitled to consideration. But, unfortunately, taking the totality of circumstances into consideration : taking the fact of life as it exists in India : considering the difference in the standard of life between highly paid officers and low paid officers : I think there should be a general increase of all standards of life. I think this question should not be isolated. I think the whole question has to be gone into, beginning, say, with labour. And here I was delighted to listen to the observation of my friend from Madras who referred to the spectacular lime-light in which Labour leaders moved. I do not know if the Honourable the Mover of this Resolution appeared in that light, because I did not listen to the whole of the speech. But I would like to treat even High Court Judges as coming under the category of honest labour. I want the whole question of labour—from the humble labourer to the highly paid labourer, the impartial labourer, the High Court Judge—I want the whole question to be gone into, because there is a good deal of discontent in the country, even in the higher services. I know that members of the higher services do find it difficult to maintain their standard of life, and even the members of the lower services find it difficult to maintain their standard of life. I think, Sir, the whole question has to be gone into by the Government and the excellent attitude that has been taken on this subject by the Home Member—I do not share the opinion of my friend from Nagpur who described it as menacing : I should call it a very excellent attitude—the attitude taken by the Home Member encourages me in thinking that the whole question will be gone into. Incidentally, I may point out, not by way of embarrassing the Mover of the Resolution as much as by way of presenting a fact to this House, that the Chief Justice of Australia, who is also the Lieutenant Governor, gets £2,500 a year. And when Australia does not pay any higher than we do, it may be urged with a certain amount of reason why there should be an increase of the pay of High Court Judges here without also taking into consideration at the same time the question of increasing the standard of life of all those who are working in the Judicial Department. From the bottom to the top, I think the whole question has to be considered as to the advisability of increasing the pay of everybody concerned. If the Government would go into that question in that manner I think they would considerably satisfy the discontented people in the Judicial Service. Sir, the author of that fascinating book “The Lost Dominion”, who was, I think, a learned Judge himself, said that members of the Indian Civil Service are banished into that penal settlement called the Judicial Service. That observation, Sir, though anonymously made, tends to lend colour to the statement of the Honourable the Mover of the Resolution that there is discontent throughout the service. It is a matter for the consideration of the Government whether their salary should not be increased.

One or two questions put by the Honourable and gallant Member who is not present in his seat may be answered. He referred, Sir, to the fact that a barrister draws a larger income from his practice than a High Court Judge gets by way of salary. But, Sir, is it not the

[Mr. C. S. Ranga Iyer.]

ease even in England? Was it not a fact, Sir, that that distinguished barrister, Sir Rufus Isaacs, was drawing a much more fabulous income as a practising barrister than when he went to the *gadi* of the Lord Chief Justice of England? That is the case all the world over and I think barristers will not be found wanting to make that sacrifice for the prestige of their own profession, for, Sir, I think it is a legitimate ambition of every barrister to conclude his legal career as a Judge. With these observations, Sir, I bring my speech to a close.

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

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

Munshi Iswar Saran (Lucknow Division : Non-Muhammadan Rural) : Sir, I had no intention of intervening in this debate, but certain remarks which have been made by some of my Honourable friends leave me no option but to ask your permission to make one or two submissions in regard to them. It is to be deeply regretted that certain Honourable gentlemen have considered it right and proper to cast reflections on High Court Judges and on High Courts generally. It is perfectly easy for any Honourable gentleman either to support this Resolution or to oppose it without exposing himself to the charge of not approaching the question in the proper spirit. I venture to submit, Sir, that a tradition ought to be created that, as far as possible, High Courts and High Court Judges should not be lightly drawn into the debates on the floor of this House. I venture to submit that no one will be prepared to assert that on the whole the High Courts in India have not discharged their duty satisfactorily and properly. It may be that certain Judges in a fit of forgetfulness permit themselves to make extra-judicial statements. I wish to assure the House that I deplore those statements as much as anybody else, but they do not justify any one attacking the High Courts and the High Court Judges as a whole in the manner in which they have been attacked.....

Mr. Ram Narayan Singh (Chota Nagpur Division : Non-Muhammadan) : Why not?

Munshi Iswar Saran : My Honourable friend says, "Why not". For the simple reason that if you in this House try to detract from the position and the dignity of the High Court, you really do all that lies in your power to shake the confidence of the people in the justice that is being administered to the various parties that appear before the High Court without fear or without favour. That is the reason why we should not attack them. Yes, those of us who are by temperament, fond of attacking, might very well attack the Members of the Executive Council to their heart's content, and I shall have no objection to that. But I submit, Sir, that the High Court Judges should be left alone. I do not think it is necessary for me to dwell at greater length on this aspect of the matter. It is enough that I have recorded my protest against the kind of remarks that certain Honourable Members have permitted themselves to make on the floor of the House.

Now, the question is, shall we increase the salary of the High Court Judges ? The reason of some of my Honourable friends is that, if we increase the salary, we may be able to induce really the top men to take High Court Judgeships. Sir, I venture to think that that is not a sound argument. If you take a top man, the increase of the salary, say from Rs. 4,000 to Rs. 5,000 or even Rs. 6,000, will not be enough to induce him to accept a High Court Judgeship. A High Court Judgeship is accepted either for the comparative rest which it affords to the man who accepts it, or certain men are drawn to the post by the dignity of the position which a High Court Judge rightly enjoys, or there are again men who take up High Court Judgeships at great pecuniary sacrifice in order to discharge what they consider to be their duty. I therefore submit, Sir, that a mere increase in the salary by the paltry sum of Rs. 1,000 or even Rs. 1,500 will not be enough to induce a man like Pandit Moti Lal Nehru or Sir Tej Bahadur Sapru or men of that class to take it up.

Then, I am told,—I was not present here, I am sorry,—that the Honourable the Home Member—I am not attacking him—has given a warning to us that the bills of the salaries of High Court Judges have to be paid by the Provincial Governments, and I have it on the authority of my friend Mr. Neogy that in Bengal where the Chief Justice gets a salary of Rs. 6,000—other Chief Justices, I think, get only Rs. 5,000—a house was being built for him as his official residence, and when the matter came up before the Bengal Council, they turned down the proposal with the result, as my friend tells me, that the roof could not be put on the walls, and that the land, together with the unfinished building, had to be sold. If that is the attitude of the Provincial Councils, I wish to ask my Honourable friends here to be very careful before they pass this Resolution. My Honourable friend also told me that in that case Government did not think it proper to certify that particular item which they could have very easily done. Certification, Sir, as you know, is a matter now of no very great difficulty. Certifications come very easily, and if the Governor of Bengal had been convinced of the urgent necessity and importance of the item which had been rejected by the Local Council, one ventures to think that the Governor of Bengal would have certified this amount. When I say that certifications come easily, an Honourable friend on the other side shakes his head. I suppose my friend who sits on the official Benches expects them to come with greater frequency and only then he will feel that there is not very great difficulty about certification.

I venture to think, Sir, as far as this Resolution is concerned, Honourable Members of this House will, before voting on it, take into consideration the fact that, while we make the proposal, it is really the Provincial Governments which have got to pay, and if the Provincial Governments are reluctant to pay, then our Resolution, like all other Resolutions, will remain as a pious wish expressed by this House.

I, Sir, oppose the Resolution.

Mr. Ram Narayan Singh : Sir, I oppose this Resolution and beg of the House to reject it. My Honourable friend Sir Munshi Iswar Saran

Munshi Iswar Saran : I am not a Knight.

Mr. Ram Narayan Singh : I withdraw it. My Honourable friend Munshi Iswar Saran said that a tradition must be created in the country so that the High Court Judges may be above all criticism. But, I think, Sir, this is impossible as long as the High Court Judges are recruited from a foreign country. What is the position of this country to-day ? Even a briefless barrister in the Patent Office in London may be appointed as the Chief Justice of a High Court in this country, if he happens to be in the good book of the Secretary of State for India. Sir, when it is said that High Court Judges must not be criticised and attacked, they must be above all suspicions. The Honourable the Mover has said, "on justice depends any Government organization".

That is all right ; but where is the justice in this country ? I think the High Courts are established in this country not to administer justice but to terrorise people so that they will not act against the Government. (*An Honourable Member :* "No"). Well, I quote certain passages from the judgment of a High Court Judge, and you will see whether the judgment is written by a qualified man or by quite an ordinary man in the street. Sir, this is a passage from the judgment of a High Court Judge :

"The subject of the charge is a silly little article in an insignificant little paper, written by a silly noisy little man."

This is one passage. Then there is another passage :

"It is, in short, a biological product and is not the result of political conditions."

The Honourable Mr. J. Crerar : Sir, on a point of order, is the Honourable Member in order ?

Mr. President : I think the motion deals with High Court Judges in their judicial capacity alone.

Mr. Ram Narayan Singh : Sir, I bow to your ruling. But I do not understand why, when there are people in the House who have been allowed to talk in favour of High Court Judges, why am I not entitled to say something which may be against them ?

Mr. President : Because you have passed certain Standing Orders.

Mr. Ram Narayan Singh : However, Sir, I may very well say that such a judgment, though written by a High Court Judge, is a silly little product of a silly little mind. If this is the judgment of a High Court Judge, I think the man ought to be dismissed at once if there is any justice in the country and if the Government cares to do justice to the people. I may refer my Honourable friends here to the judgment written by the Chief Justice of the Patna High Court in the Mahabir sedition case, which they might have read.

Sir, I have nothing more to add, but I say that the high salaries in this country are already a disgraceful affair so far as the condition of the masses of the people is concerned. Millions of people are starving in this country. I say, several millions of them are living on roots and leaves of trees from the jungle, and here I find that several thousands are being pocketed by each member of the bureaucracy every month. Sir, this is all a disgraceful affair, and I do not think there is any justification to increase the salary of the High Court Judges who are already getting much more than they deserve. With these remarks I beg of the House to reject this Resolution.

Mr. S. Srinivasa Iyengar (Madras City : Non-Muhammadan Urban) : Mr. President, I wish to take part in this debate because I have some experience of the High Court and I do think that this motion is wholly gratuitous and should not have been brought before this House. I do not see why the present salary of the Judges of the High Court is not adequate. We are all men who have some business habits and we know what expenses we have got to meet and we have got to keep up a certain standard of comfort. We know these things, and with a full sense of responsibility, with as full a sense of responsibility as sometimes flows from the Treasury Bench, I assure the House that the present salary of the High Court Judges is ample, and there is not the slightest necessity for increasing it by a single rupee or a single pie.

The whole question really is, whether the best men are attracted by the existing salary. That is not a question that is answered by raising the salary by a thousand or two thousand rupees. If by the best men you mean the men who get the biggest incomes at the Bar, they certainly will not be attracted by raising the salary by one or two thousand rupees. Their income must be four or five times, and sometimes even ten times, that of High Court Judges. That sort of men will not be attracted. I do not know either that it follows that the men who get the best income at the Bar are necessarily the best men to be recruited for High Court Judgeships. I have known that the best advocates are not necessarily the best Judges, and the men with the best incomes do not necessarily make the best Judges, and therefore it is not to be supposed that there is any connection between the income which a man makes at the Bar and his capacity to discharge worthily the functions of a High Court Judge. The whole thing is misconceived. The fallacy is that if you raise the salary by a thousand or two thousand rupees, you will straight away get better Judges. It depends entirely on the selections. If the Honourable Mover of this Resolution is dissatisfied with the actual selection of the Judges, then he must find the cause elsewhere,—that the patronage is not in proper hands or that the patronage is not properly exercised, or that there must be some other reason, such as that the appointments are made not necessarily on grounds of efficiency but on other grounds. These are questions on which there has been considerable divergency of opinion,—and opinions have been expressed both in this House and elsewhere, but I do not wish to take part in that discussion because I do concede that there are many good Judges, some bad Judges and some indifferent Judges. It will not do to cast a reflection on Judges generally and I do not propose to take that line. But taking the proper line in this matter, I do suggest that this is a most ill-timed motion, when we want money for various purposes and when it is not a question of gift or generosity, but a question of whether it is really necessary to pay Judges more. I say the existing salary of Rs. 4,000 is very much more, not only than a Judge deserves, but than an Executive Councillor deserves, or any man in India deserves. I think there should be a maximum salary for any State official. I do not want that it should be £22½ a month or Rs. 300, as in Soviet Russia but I do suggest it should be fixed at Rs. 1,000. And when Indianisation sets in, unless Indians agree to a reduction of salary, it is not possible to eliminate the difficulties of the position. You want Europeans to get more salaries in order that you may get more salaries : thus an unwholesome competition is kept up. This is not the way to do it. Therefore, Sir, the whole thing

[Mr. S. Srinivasa Iyengar.]

is really whether the best men are not attracted by the present salary. I say as good a man as you can get can be got for Rs. 4,000. But if you are dissatisfied with a Judge here and a Judge there, the reasons ought probably to be found elsewhere and not in the matter of salary. If you reduce the salary by a thousand rupees you will get the very same men and equally good men. I am perfectly certain that if a Bill is brought in and the salaries of Judges are reduced, say by a thousand rupees, all the existing Judges will not retire and will not send in their resignations. That after all is the test. Because the Government tell us the competition rate is the proper rate : you can get men for the pay you are offering. Well, you can get men for the present salary, and without casting the slightest disrespect on the many eminent Judges in the various Courts, and without referring to any flaws in the constitution of any particular High Court, I may say that the Honourable Member is not right in making himself their champion. It is true he entered into an elaborate and eloquent plea of how he had no personal axe of his own to grind, but why on earth he takes up this attitude, I cannot understand.

The time of the Assembly ought to be very much better spent than in devoting it to a consideration of this most injudicious question whether the salary of Judges of High Courts ought to be increased or not. Judges in the land ought to be independent. They ought to know that once they accept the appointment there is neither promotion, neither increase nor decrease in the salaries. Many constitutions of the world have accepted the principle that there should be neither reduction nor increase in the salaries of Judges of High Courts. They ought to know that their salaries are stable. That is the way in which the judiciary ought to be recruited and maintained. It is wholly wrong to give to the Judges the idea that their salaries can be increased by means of a motion made in this Legislature. They will then go round and ask Members to move motions any they will canvas votes. That is a most inappropriate kind of thing to do. I do not know whether the Judges themselves relish this motion. I suppose they will disown that they want their salaries to be increased. I do not suppose they made any application to the Honourable the Finance Member or to the Honourable the Home Member or to the Viceroy for the purpose of an increase in their salary. Therefore it cannot be said that they have a grievance and unless this grievance is redressed, they will go on strike and the judicial administration will come to a standstill. I therefore, Sir, without entering into the numerous and very pertinent observations which some of my friends on my side have made and without expressing either disagreement or agreement with those observations, wish to conclude by appealing to the House to resist this sort of motion which is merely made—I do not know for what purpose—which is merely made at the instance of some Judge or other of the High Court who perhaps does not deserve to be a Judge of the High Court. Unless it was made at the instance of a High Court Judge I cannot understand how such a motion comes to be made, and I suppose the Honourable Member will certainly repudiate my suggestion, and I accept that repudiation in anticipation. There is not the slightest doubt, however, that the suspicion will be there in the country and it is not right to encourage Judges to expect that in the year of grace 1928 they will get Rs. 1,000, and in the next year they will get another Rs. 1,000,

and so on. If so, they will go on making applications. I do not wish to add anything further except to say that I have got very great respect for all the High Courts and most of the Judges, and I do believe that the Judges themselves in the first instance will agree with me, and if this Resolution were circulated for their opinion, they would certainly not want any increase of salary. They will perhaps explain why they want an increase, if they want it. At the present moment no grounds have been given either by way of rise in prices or of any other kind, or that they have got to employ a larger staff of servants or live in palaces or own half a dozen motor cars. I have not been able to understand the reason why they want an increase. Rs. 4,000 is quite ample for a Prince in this land to live on. I cannot understand why Rs. 4,000 is not sufficient and why public money should be wasted in this manner. We can get quite good Judges for Rs. 3,000 or Rs. 2,500 or even for Rs. 2,000. I have not the slightest doubt about it. I would therefore appeal.....

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : How much would you accept if you were made a Judge of a High Court ?

Mr. S. Srinivasa Iyengar : I would accept Rs. 1,000 or even Rs. 500 or even honorary for that matter, if you ask me to serve in a Swaraj Government, I will then do so with the greatest pleasure. I speak with the fullest sense of responsibility. It is an idle thing, it is a criminal thing—extravagance is criminal—to waste money in this fashion. Suggestions are made that High Court Judges will have to be increased because their work increases, because one Judge is entertained another will have to be entertained, and then temporary Judges are made permanent. I find the tale of Judges grows longer and longer day by day. The High Courts are not able to get through their work expeditiously. There is no disposition on Government's part to curtail the number of Judges. In this state of things what is the responsibility of any private Member in this House in making this motion ? And after all, this Resolution ought to come from the Government, because the question of public expenditure and matters relating to services, etc., ought to come from the Government. This is not a social service. This is not an unofficial matter. Private members, non-official members, have no right, I submit, to bring forward a Resolution of this kind. Technically perhaps they can, but they have no right to deal with this question. It is a matter really for the Government to bring forward. If Government want to make any such proposal, let them do so ; let them take the responsibility. But let them not get—I do not suggest it—let them not get a private Member to move a Resolution and remain neutral. I expect the Government Benches to vote against this Resolution.

Mr. A. H. Ghuznavi : Sir, I think it is high time that we brought this debate to a close. (Hear, hear).

Mr. Gaya Prasad Singh : It was unnecessary.

Mr. A. H. Ghuznavi : I am grateful, Sir, to my Honourable and gallant friend Mr. Ranga Iyer. (*An Honourable Member* : "How is he gallant ?") for his reasonableness, for the sweet and reasonable speech which he has delivered to-day. Of course, although the express wording of my Resolution does not mention house allowance, the spirit

[Mr. A. H. Ghuznavi.]

of the Resolution embraces house allowance, and, Sir, I should be only too glad to accept any amendment which my Honourable friend moves on the lines which he suggested. (*An Honourable Member* : "Where is the amendment?"). As to my Honourable friend Sir Hari Singh Gour, I am not at all surprised at his opposing my Resolution. He has got the Supreme Court in his head and he is afraid that the salary of the Judges of his unborn darling child may be affected if an increase in the salaries of High Court Judges is given. I am sorry he is not hearing me.

Sir Hari Singh Gour : I am hearing you.

Mr. A. H. Ghuznavi : Coming to my Honourable friend.....

Sir Hari Singh Gour : Is that all you have got to say about me ? What about the court-fees that will be raised ?

Mr. A. H. Ghuznavi : Why should they be raised ? Coming to my Honourable friend Mr. Amar Nath Dutt, I do not think I should take his remarks seriously. He would like to have Judges without salaries, Honorary Judges like Honorary Magistrates. I am not opposed to his suggestion, but I would humbly advise him to give effect to it after the dawn of the millennium under the Swaraj Government. It is true that the salary of Ministers is reducible to one rupee or nothing, but does not affect my argument that the creation of the offices of Members of Executive Council whose salaries cannot be reduced and that of Ministers have adversely affected the position and status of the Judges. From my friend's occasional remarks, occasional lapses in this House addressing the Chair in a form familiar to the lower courts it is not unkind to presume that his practice has been miles away from High Courts. (Laughter). Therefore, his knowledge of High Court Judges is obviously based on secondhand information which is not always accurate, and in the present case it seems to me to betray a woeful lack of taste.

Mr. K. C. Neogy : What about your own secondhand facts obtained from the Judges ?

Mr. A. H. Ghuznavi : I am coming to you presently. My gallant and Honourable friend, Mr. Neogy, (Laughter) has substituted satire, sarcasm and affected witticism for sound logic. He has advised me to address the proper forum, namely, Sir John Simon. Thanks. I would thank him for his gratuitous advice and I hope I will profit by it. He has referred to Sir Ali Imam's acceptance of a Judgeship. Does my friend know that he has been indirectly supplying the case in support of my Resolution ? (*Mr. K. C. Neogy*. Who are the others ?). Just a minute. Sir Ali Imam, who stuck to the office of Law Member for over five years, found it impossible to stick to the uncomfortable position on the Bench for more than six months, and he quickly jumped from it to the Membership of the Executive Council of Bihar.

Sir, I am also grateful to my Honourable friend, Munshi Iswar Saran (*Some Honourable Members* : "Not gallant?"), and I thank him for entering a protest against the reflection upon the Judges of the High Courts by certain Honourable Members in this House. I am not surprised at his doing so, for that is what is expected from a level-headed, sober-minded gentleman like my Honourable friend.

Sir, only word to the ex-Advocate General of Madras, my Honourable friend, Mr. Srinivasa Iyengar. He has forgotten entirely, I believe he was not in the House when I made my speech, that the salaries of the Judges have not been revised since 1866. Even in 1899 the salaries were exactly the same as they were in 1866. Practically for 60 years the salaries of the Judges have not been revised and no notice has been taken by any Committee or Commission regarding those salaries.

Sir Hari Singh Gour : This contradicts your main speech.

Mr. A. H. Ghuznavi : No. I meant "not been increased" I stated that they were not increased and they have almost remained at the same level since 1866. That is my point. Well, Sir, I would ask one thing of my Honourable friend, Sir Hari Singh Gour. If an Executive Council Membership were offered to him and also a Judgeship, will my Honourable friend tell this House which one he would accept? (*An Honourable Member :* "The latter".) I am sure that is not his view. (*Mr. Jamnadas M. Mehta :* "He will be offered neither of the two".) (*An Honourable Member :* "He would like to go to the Supreme Court.") He will not be offered a Judgeship because he is over age. That is the reason. He has no chance for a Judgeship or for a Judge's salary.

Sir, with these words, I would ask the House to carry this Resolution, if possible, unanimously (*Some Honourable Members :* Oh!) or at least to pass it by a large majority. (*Some Honourable Members :* "Withdraw".) *Sir Hari Singh Gour :* "Otherwise it will be thrown out". *An Honourable Member :* "Withdraw as you have made your speech".) I will not withdraw.

Mr. President : The question is :

"That the following Resolution be adopted :

'This Assembly recommends to the Governor General in Council that steps be taken for improving the scale of salary of all High Court Judges.'

The Assembly divided :

AYES—22.

Abdul Qaiyum, Nawab Sir Sahibzada.

Alexander, Mr. William.

Anwar-ul-Azim, Mr.

Ashrafuddin Ahmed, Khan Bahadur
Nawabzada Saiyid.

Chatterjee, The Revd. J. C.

Cocke, Mr. H. G.

Crawford, Colonel J. D.

Ghuznavi, Mr. A. H.

Gidney, Lieut.-Colonel H. A. J.

Lamb, Mr. W. S.

Mohammad Ismail Khan, Haji Chaud-
hury.

Mukherjee, Mr. S. C.

Rafique, Mr. Muhammad.

Rajah, Rao Bahadur M. C.

Sassoon, Sir Victor.

Shah Nawaz, Mian Mohammad.

Shervani, Mr. T. A. K.

Simpson, Sir James.

Suhrawardy, Dr. A.

Sykes, Mr. E. F.

Yamin Khan, Mr. Muhammad.

Zulfiqar Ali Khan, Nawab Sir.

NOES—47.

Aney, Mr. M. S.	Malaviya, Pandit Madan Mohan.
Ayyangar, Mr. K. V. Rangaswami.	Mehta, Mr. Jamnadas M.
Ayyangar, Mr. M. S. Sessa.	Mitra, Mr. Satyendra Chandra.
Badi-us-Zaman, Maulvi.	Moonje, Dr. B. S.
Belvi, Mr. D. V.	Mukhtar Singh, Mr.
Bhargava, Pandit Thakur Das.	Murtuza Saheb Bahadur, Maulvi Sayyid.
Chunder, Mr. Nirmal Chunder.	Naidu, Mr. B. P.
Das, Mr. B.	Neogy, Mr. K. C.
Das, Pandit Nilakantha.	Phookun, Srijut Tarun Ram.
Dutt, Mr. Amar Nath.	Rang Behari Lal, Lala.
Dutta, Mr. Srish Chandra.	Ranga Iyer, Mr. C. S.
Farcokhi, Mr. Abdul Latif Saheb.	Rao, Mr. G. Sarvotham.
Gour, Sir Hari Singh.	Roy, Rai Bahadur Tarit Bhusan.
Gulab Singh, Sardar.	Sarda, Rai Sahib Harbilas.
Hira Singh, Brar, Sardar Bahadur,	Shafee, Maulvi Mohammad.
Honorary Captain.	Siddiqi, Mr. Abdul Qadir.
Ismail Khan, Mr.	Singh, Kumar Rananjaya.
Iswar Saran, Munshi.	Singh, Mr. Gaya Prasad.
Iyengar, Mr. S. Srinivasa.	Singh, Mr. Narayan Prasad.
Jogiah, Mr. Varahagiri Venkata.	Singh, Mr. Ram Narayan.
Kidwai, Mr. Rafiq Ahmad.	Sinha, Kumar Ganganand.
Kunzru, Pandit Hirday Nath.	Sinha, Mr. Rajivaranjan Prasad.
Lahiri Chaudhury, Mr. Dharendra Kanta.	Tok Kyi, U.
Lajpat Rai, Lala.	Yakub, Maulvi Muhammad.

The motion was negatived.

RESOLUTION *RE* EDUCATION OF GIRLS AND WOMEN IN THE TERRITORIES ADMINISTERED BY THE CENTRAL GOVERNMENT.

Mr. President : Sardar Jowahir Singh.

The Rev. J. C. Chatterjee (Nominated : Indian Christians) : Sir, the Honourable Member is absent from the House and he has already requested you in writing to kindly permit me to move the Resolution in his name. Therefore, Sir, with all due respect, I request your permission to move the Resolution that stands in the name of my Honourable friend.

Mr. President : The Rev. J. C. Chatterjee.

The Rev. J. C. Chatterjee : I beg to move the following Resolution :

“ This Assembly recommends to the Governor General in Council that he be pleased to sanction a substantial grant, capital as well as recurring, for the furtherance of girls' education in the centrally administered territories, and that as a first step towards this, a well staffed and up-to-date college be established for the training of women teachers.

This Assembly further recommends that a competent Committee, including prominent women, be appointed to go into the subject and to make a report.”

This Resolution which by your indulgence I have the privilege to move is concerned, I believe, with what is the most vital of our national problems, namely, the furtherance of women's education on right lines and to some extent bringing within the reach of girls and women of this land the benefit of education which is the birthright of every citizen in

a civilised country. I believe, Sir, that the problem of the education of our girls is far more important than any other national problem, and when one hears so many discussions taking place, bitter struggles for the demand of self-government, many committees sitting to write reports, constitutions being drawn up, men saying hard things to each other, it seems to me that there is somewhat of an unreality in all these wranglings, for, Sir, I ask how can any country attain to full responsible government or Swaraj when it is only working as it were with only half its manpower. I believe that so long as we do not bring education to our people, and especially to our womanhood, we shall never be able to settle our national problems, we shall never be able to attain Swaraj or self-government, and even if some fairie could give it to us, that self-government could be sustained so long as the better half of our nation is not educated and is not sensible to its responsibilities or its opportunities.

The Resolution which I have just moved is divided into three parts. I shall endeavour, as briefly as possible, to show the importance and the necessity of each part. The first part of the Resolution asks the Governor General in Council to sanction a substantial grant, capital as well as recurring, for the furtherance of girls' education in the centrally administered territories which, as we all know, comprise the Province of Delhi, the North-West Frontier Province, Ajmer and Coorg. I know that my Resolution of necessity must be confined to these provinces as education is a transferred subject in the other provinces. I do not believe that the Central Government which ought to set an example and give a lead to Provincial Governments in all matters relating to nation-building has in this matter of women's education given a lead in the centrally administered territories. For instance, the Punjab does a great deal more for education than any of the centrally administered territories under the Government of India's direct control. Then, Sir, there is another point. Government have acknowledged on all occasions that they have the greatest sympathy with women's education, but it is difficult to realise that they have done all that they could have done or should have done in this matter. For instance only last week, Mr. P. W. Marsh, I.C.S., Collector and District Magistrate of Aligarh, when opening an Anglo-Vernacular Girls' School in that town said that till now the education of women has depended almost entirely on private generosity. Now, Sir, I shall quote a very few figures and show that that statement is not by any means exaggerated. I take my figures from the official report just issued by Government for Education in 1925-26, and in that report we are told that in the whole of British India there are 176,000 educational institutions of all kinds for the education of males, whereas for the education of women and girls there are only 27,110 educational institutions of various kinds. Sir, I do not in the least contend that the number of educational institutions for boys is sufficient. We all know that in an enormous country like ours this number is hopelessly inadequate; but it is surprising that, as the result of the combined efforts of Government, of local bodies and private effort in this country, the number of girls' schools in the country is hardly a seventh of the number—the very meagre number—of boys' schools in the land. We find that for every ten schools for boys, there is not even one for girls. The proportion would be just under one. Then, again, if we go on to the question of national expenditure on education, we find the disparity just as great or even greater. In the same year 1926 Rs. 14,12,85,861 were spent

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from all sources on the education of males, whereas only a little over Rs. 2 crores was all that could be found for the education of women and girls. Considering that the education of girls in this country is so far behind that of boys, the reasonable and the logical course would have been that we should spend seven times as much on the education of women and girls and provide seven times as many institutions for the education of women and girls as we can do for the boys and men of this country. Now, Sir, my gallant and Honourable friend from Nagpur has some-times referred to the women of this country as the depressed classes. Far be it from me, that I should characterize the fair sex of my country as the depressed classes—to say the least, it would not be quite safe for me—but I may be pardoned when I maintain that at all events in the matter of education the vast majority of women and girls of this country are very backward. Now, Government rightly and at all times profess, and also try to give effect to their professions, to help the backward communities. Therefore it stands to reason that they should do their utmost to help forward the education of what I may with a certain amount of trembling and hesitation describe as the most backward community so far as education goes. But that is not what really happens in practice. If we take the figures given in the report that I have quoted from, we find that in the case of boys' education Government contributes 46.9 per cent. of the total expenditure on boys' education. In the case of girls' education private effort has to find no less than 23 per cent. of the total cost of girls' education, whereas in the case of boys' education private effort is responsible only for 12 per cent. of the total expenditure. Government contributes to the cost of girls' education only 45 per cent. of the total cost on education. I maintain, Sir, that to be fair, Government ought to contribute something like 200 per cent. of what is contributed by private sources for the education of girls, which is so backward. Everyone here more or less realizes the extent of our national disaster because of the illiteracy and the ignorance of the vast majority of the women of this land, but I wonder how many people do realize fully the exact degree of that terrible disaster. I find that in the year 1916 there were only .9 of the womanhood of India who could at all read or who could be described as literate ; that is to say, not one in a hundred was able to sign or write her name at that time. Ninety-nine women out of a hundred could not read and write. We should have thought that in the last ten years, in which there has been so much progress in the country in other directions, the situation in this respect could have improved, but the report for 1926 tells us that the proportion of literate women has only risen to 1.3, and in the words of that report this progress is described as extremely slow and much below the rise in the percentage for males. I do not desire to weary the House by quoting more statistics and figures. I believe I have said enough to convince the House that the problem is most urgent and that we are right in asking the Government to give practical effect to their sympathy and to provide money for education or rather for greater educational facilities at least in the centrally-administered areas. I am asking for money for the centrally-administered areas in the first instance, because I believe Government itself would agree that the Central Government, with all the distinguished men that it includes and with all its great resources, ought to set the lead and an example to the provinces. It is however surprising that in the centrally-administered territories

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there is not a single—I believe I am right in saying—a single arts college for women or a single training college for women except at Delhi. I do not think that there is any part of the centrally-administered territories where compulsory primary education is provided for girls. Sir, if it is possible in States like Baroda and even in the distant and rather outlandish State of Bikaner—for we read in this morning's paper that Bikaner has resolved to provide for compulsory education for boys and girls in that State—it certainly ought to be possible for the Central Government to provide funds for compulsory primary education in the small territories which they directly administer. Speaking of my own Province of Delhi, where I believe the Government of India reside for some part of the year, the Municipality, I can assure you, has been anxious to provide compulsory primary education for girls, but they are unable to do so because the grant that is given for education by Government is very inadequate, and rightly or wrongly as it is still considered that boys' education should come first. As they are not able to provide for all the expenditure required for boys' education, they feel very doubtful if they should undertake compulsory education for girls. Now that is a thing to which I invite the attention of the Assembly and of the Government—Delhi is a place where they can start to-morrow, if they so like, compulsory education for girls and with very good effect.

The second part of my Resolution asks for the establishment of a well-equipped training college for the training of women teachers. A training college, so far as this Resolution goes, is not intended to mean a college for training women graduates only ; I believe it is intended to include a training course, be it normal classes, be it junior Anglo-vernacular classes, or be it classes for the training of graduate teachers. Now, everyone knows that in this country so far as women's education goes, next to the question of money, the most urgent problem is the paucity of suitable trained women teachers : and unless we have women teachers, how are we going to have scholars taught ? I will quote a few further figures. If you look up this 1926 report, you will find that in the whole of British India there are only 134 women in training colleges for teachers. Considering that some of these prospective women teachers are likely to get married and therefore in a sense will be lost to the teaching profession, we thus find that for the whole length and breadth of the country containing 300 millions of people there will hardly be a supply of 100 well-trained teachers a year. Now, I ask, Sir, is that a state of affairs considered complimentary or satisfactory for any civilized country ? I am not one of those who would place all blame for everything on the shoulders of Government ; I am not here to maintain that the paucity of women teachers is entirely due to the lack of sympathy or the lack of facilities provided by Government. But I would say this that after all there is something that can be done by them. Now, what are the reasons why there are not more girls willing to go into training colleges for women teachers ? The first thing is that there is hardly any, at any rate in North India—I do not know about South India—a self-contained training college for women, there may be one such in the South. But the general practice in North India is that one or two or at the utmost three women are admitted to men's training colleges. I maintain that the customs of the country are such that it is not very encouraging for the majority of girls of good families to go into these training colleges. And, even if our customs did permit of that, it is extremely doubtful whether two or three

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women in a large men's college can derive the benefits of corporate life or get the full benefits of training when they are in such a hopeless minority. What we therefore want is a well-staffed, well-equipped training college, or at any rate training classes attached to an arts college in one of the central places in India. I hope that Government will seriously consider the desirability and the urgent need for establishing such a college, possibly in Delhi, which being the hub of the universe at the present time will draw, I hope, qualified women graduates from all parts of the country. I dream of a great college for women on the banks of the Jumna, something like, though not quite like, the one described by Tennyson in the "Princess". But even a college cannot be started or maintained without money, and that is the reason why I am trying to press on Government the need for funds to start a college of this kind.

In the final part of my Resolution I have asked for the appointment of a competent committee, including prominent women, to go into the entire subject and to make a report. Sir, it was in the year 1925 that the Director of Public Instruction of Bengal extended a memorable invitation to women in the following words :

" You have asserted yourselves in the field of politics. How long is to be before you assert yourselves in the field of secondary and higher education ? How long are you going to tolerate a man-made syllabus, a man-made system, a man-made examination and a controlling authority in which women have no voice as the dominating arbiter of your educational destinies ? "

That invitation and challenge was taken up by the educated women of India without delay. They have become fully alive to the dangers of this man-made system of education. They realize that if the slavish imitation of boys' education continues, the girls of this country will never be educated on right lines. Their answer was demonstrated in the two all-India Conferences held this year and last year on women's educational reform. Any one who either attended these conferences, read reports of their doings or had anything to do with them would be convinced not only of the ability of our women and of their fitness to guide the lines on which right education should be based for our girls, but will also have realized the determination of this handful of educated and noble women of our land to bring education within the reach of all their less fortunate sisters. Before the country undertakes—I hope with the help and sympathy of Government—an all-India campaign for the education of women and girls, for wiping out illiteracy amongst women, it is absolutely necessary that we should lay down the right lines on which such education should proceed. We have read notices, or rather extracts, from a great many memoranda submitted to the Educational Committee of the Simon Commission, and several prominent educationists in writing their memoranda have gone out of their way to state that the present system of education in this country is rotten. Well, if after so many years a system of education for boys which has advanced a great deal and may therefore be described as already having settled down to some extent, is rotten, let us not make a mistake in perpetuating an imitation of that system for our girls. There is yet time in which to think—and especially for women themselves to consider—what are the right lines on which the education of girls in this country should proceed. That is the reason why I have asked for the appointment of a competent committee to carefully go into and weigh the subject of women's education and lay down the right lines on which it should proceed. I shall not be

satisfied until that committee, which I hope will be appointed by Government, comprises within its membership an adequate representation of educated women. No one, as I have said, who has seen the work of the all-India Conferences of women and the many constituent provincial Conferences that preceded them, will deny that there are enough women in the land who can adorn such a committee and contribute valuable help in working out the lines on which education for women should proceed.

Sir, I need not add very much more to what I have said. I am perfectly confident that such an enlightened House as this will not hesitate to accept unanimously this modest Resolution for the furtherance of women's education. I have not moved this Resolution merely to get something out of Government, although I sincerely hope that we will get not something but a great deal from Government for this work. I believe, Sir, that the gods and also governments help those who help themselves, and I have therefore moved this Resolution in the hope that the debate that will be raised upon it will bring this important subject to the renewed notice of the country, and that every one who is keen on the enlightenment and advancement of our land or for the attainment of what is known as Swaraj, will take the lead from this House and work with renewed zeal for this noble cause. Speaking personally, if I may be pardoned for making a personal reference, when one realizes and fully believes that all that is best in one's life has come first and foremost from the training and from the help of an educated mother, and realizing how difficult it would be to contemplate life without the help and companionship of an educated wife or the sympathy or the interest of educated sisters—and I believe many Members of this Honourable House have had these benefits—it is hard to imagine how any one should not be keen to bring within the reach of every man in this land the same training, the same companionship, the same enlightened sympathy, which some of us have had the good fortune to enjoy. I cannot do better, Sir, than to conclude my remarks by repeating the noble words spoken by Her Excellency Lady Irwin in the course of a speech delivered at the opening of the second all-India Women's Conference held this year at Delhi. Her Excellency said :

“ The furtherance of education for women is a great constructive work, for it means nothing less than an attempt to build a City of God in the homes of this country. It is the noblest concern of women, nobler even than the great profession of medicine, since it ministers to the hearts and minds and not only to the body. ”

Sir, this Resolution is a humble attempt to help forward the building of a City of God in the homes of our land, and I commend it to this House.

Sir, I move. (Applause).

(At this stage Mr. President vacated the Chair which was occupied by Mr. Deputy President, Maulvi Muhammad Yakub.)

Mr. Mukhtar Singh (Meerut Division Non-Muhammadan Rural) :
Sir, I beg to move :

“ That for the words from ‘ for the furtherance of ’ to the words ‘ training of women teachers ’ the following be substituted :

‘ for providing free and compulsory primary education of girls between the ages of 6 and 11 in the centrally administered territories as early as possible, and as a first step to that end to establish at once a sufficient number of women teachers’ training schools in that area ’. ”

I am in agreement in principle with the learned Mover of this Resolution, but it would have been much better if my friend had not dragged

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in Swaraj. We on this side believe that it is an impossibility to have the people of this country educated without Swaraj. Swaraj comes first and education comes afterwards. To give an instance in point, I may point out that only yesterday the Home Member was cursing the Russian people, but I find, Sir, that even in the cursed Russia they have made education of girls and boys compulsory. But in this country we have been crying, I think, for the last fifty years and no attempt has yet been made in that direction.

I will not enter into details as to the state of affairs in this country about education, but with your permission I may be allowed to say only a few words. In this country there are 5,12,873 villages ; out of which you have primary schools only in 22,635. It means that for every 23 villages you have one school ; it includes boys' school as well as girls' school. Taking the figures only for female education, we find that including towns and villages the total number of institutions for girls' education are 5,146. That gives you one school for every 100 villages. That gives the state of affairs in the whole of this country. I would not deal with the Delhi Province, as my Honourable friend the Mover of the Resolution comes from Delhi. Let me deal with another province, the North-West Frontier Province, and let us see what is the state of affairs in that province.

Mr. Deputy President : Which province are you dealing with ?

Mr. Mukhtar Singh : The North-West Frontier Province. This is a province administered by the Government of India directly and for this province the Government spends Rs. 2,80,55,190, out of which a decent sum of Rs. 1,28,486 is spent for girls' education. That gives us a very decent percentage of .4 per cent. This shows, Sir, how far the Government is sympathetic towards girls' education. If you take the figures for 1921-22 and 1926-27 you will find that in 1921-22 the percentage of girls was .5 that is, 5 girls reading out of 1,000 girls. That has been increased during 5 years to .7 per cent,—a very decent figure, of which the Government of India should be proud. We find, Sir, on page 34, that the percentage of female scholars to the female population of school-going age in 1921-22 was 3.7 per cent., and in 1926-27 it is raised to 4.8 per cent. If we take the number of scholars in the whole province in primary schools the number of scholars is 4,544 only and in middle schools 2,082. This really shows the state of affairs in a province in which the Government is spending such a high amount. This is why by my amendment I have asked Government to make the education of girls compulsory and free. I am very glad that only towards the end of this Resolution we have asked for the appointment of a committee. If the Honourable the Mover had put it in the beginning, I would have opposed it, because I know that nothing would be done and the matter would be left to the committee which the Government may be pleased to appoint. Therefore in the first part of the Resolution I have asked for the compulsory education of girls within the ages of 6 to 11. I am fortified in my remarks by the latest pronouncement of the Royal Agricultural Commission. We find, Sir, that the Royal Agricultural Commission in their Report on page 522 have said :

“ The value to the community of the education of its women lies particularly in its effect upon the spread of lasting literacy amongst the young.”

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In a way they have clearly pointed out that if we want any progress to be made in education we should try to establish girls' schools and give them a sound education. Unless this is done, there is no possibility of spreading education even amongst the boys. If the women of this country had been educated we would have seen that the number of boys educated in the schools would have fairly increased.

They have also stated on page 503 as follows :

" We are convinced that the progressive adoption of the compulsory system is the only means by which may be overcome the unwillingness of parents to send their children to schools and to keep them there till literacy is attained."

This clearly shows, Sir, that there is no other method by which we can educate our women than by compulsion, and therefore it is very necessary that the education of girls should be made free and compulsory. Unless this is done progress in the education of women will be impossible.

Then, Sir, the other point that I have tried to make out in my amendment is with regard to the establishment of training schools for women teachers. I have asked for the deletion of the portion relating to the establishment of an up-to-date college. I should be perfectly satisfied with the establishment of training Schools for women teachers at the present time, because it would be too much for us to aspire to, to have a college now when we cannot expect to have a sufficient number of schools established in the area under the direct control of the Government. I may point out, Sir, that since Education has become a transferred subject, there has been some improvement in every province in the education of boys and girls, but the Central Government has not kept pace with the progress made in the provinces. That clearly shows how far the Government of India is sympathetic towards the aspirations of the people of this country.

Now, Sir, I find an interesting thing on page 139 in the Report for the Progress of Education in India, 1917—22. In the North-West Frontier Province the total expenditure on training schools for males in 1916-17 was Rs. 17,095, and the Government, perhaps in order to show that they have done something towards the education of women teachers, have split up this expenditure in 1921-22 for training schools for males and training schools for females. And what do we find, Sir ? Under the head expenditure on training schools for females we find the figure of Rs. 8,874 is just about half of Rs. 17,095. Thus Government have provided a school for training women teachers without incurring a single pie. That also shows the sympathetic attitude of the Government to establish training schools for women teachers.

Further, we also find in the Administration Report of the North-West Frontier Province for 1926-27 that out of the total number 261 of teachers in girls' schools, there are only 92 trained teachers and the rest are untrained. If you refer to the Report of the Delhi Province you will find a remark on page 55 :

" There is a Government training school for girls at Delhi, where women teachers are trained for Vernacular primary and middle Schools. It had 23 teachers under training as against 32 last year."

So the number of teachers has been reduced by 4. Perhaps it might be said that women teachers are not willing to be trained as teachers. I know, Sir, what happens in my province. I do not know much about the Delhi Province nor of the North West Frontier Province, but I think the condition will be the same all over. Unfortunately, the people of this

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country have got into their heads that they must educate their boys and girls, and in order to attain their object they establish private schools. If a private school wants to send a teacher for training in a training school, the first thing the committee of that private school is asked to do is to contribute a stipend from its own funds for the training of the teacher. I do not know what is the rule in Delhi, but that is the rule in the United Provinces, and the Government of India cannot be expected to be more sympathetic than the United Provinces Government in this matter. If this method is also adopted in the provinces directly administered by the Government of India, the natural result would be that the management of a private institution would not be able to afford to lose a teacher as well as to pay for her salary. People go about, beg money from those who can afford it, and then with very great difficulty, try to manage private institutions, and this is another difficulty placed in their way. The natural result is that they have to remain satisfied with untrained teachers. You cannot make adequate progress in education unless and until the teachers are properly trained. There is not the least doubt that women are willing to be trained as teachers in these schools, and consequently the Government ought to provide better facilities for their training. This point has been recognised.....

Mr. Deputy President : I do not wish to stop the Honourable Member, but I should like to know how long he will take.

Mr. Mukhtar Singh : Only a few minutes more, Sir.

I was referring to a remark on page 133 in the Report of Progress of Education, 1917-1921. This is what is stated there :

“ If the quality of teaching in girls' primary schools is to be improved, it must be through the agency of women teachers, intelligent enough to accept advice from the Inspectress and, if possible, trained for the teaching profession. As yet so poor is the quality of the material that the Chairman of one District Board condemns all the schools in charge of women as without hope, but is more sanguine about a girls' school that is in charge of an old pundit.”

This clearly recognises the urgent necessity of establishing training schools in the country.

Further on on page 134 you will find in the United Provinces the number of women teachers has increased from.....

Mr. Deputy President : The Resolution before the House does not deal with the question of women teachers in the United Provinces, nor can the Honourable Member discuss that subject here. I would therefore ask the Honourable Member to confine himself to girls' education in the centrally administered territories.

Mr. Mukhtar Singh : Sir, the point that I was trying to make was not about the United Provinces, but I was only showing that in the United Provinces and the Punjab the condition of womens' education and the condition of training women teachers is much better than in the centrally administered territories. Sir, as the time at my disposal is over, I would ask the Government not merely to accept the proposal for the appointment of a committee, but also to introduce free and compulsory education in the areas which are administered by the Central Government.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 12th September, 1928.