

24th September 1928

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Legislative Assembly Debates

(Official Report)

THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

1928



SIMLA
GOVERNMENT OF INDIA PRESS
1929

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LEGISLATIVE ASSEMBLY.

Monday, 24th September, 1928.

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

QUESTIONS AND ANSWERS.

ADHERENCE OF INDIA TO THE KELLOGG *Anti-War* PACT.

828. *Mr. C. S. Ranga Iyer : 1. Will the Government be pleased to state :

(a) If it is a fact that the United States Ambassador handed to the Foreign Office of His Majesty's Government in London a Note, dated 23rd May 1928, inviting amongst others the Government of India to become an original party and an original signatory to the Treaty for the renunciation of War ?

(b) If any correspondence has passed on the said subject (1) between the Government of India and His Majesty's Government, (2) between the Government of India and the Government of the United States ?

(c) If the Government will be pleased to lay on the table the entire correspondence on the subject ? If not, why not ?

2. (a) Will the Assembly be given an opportunity to discuss the subject ?

(b) If not, why not ?

3. Will a full official statement be made on the matter ?

The Honourable Mr. J. Crerar : 1. (a) Yes, Sir.

1. (b) and (c), 2 and 3. Correspondence has passed between the Government of India and His Majesty's Government and the views of the Government of India were communicated to the United States Government through His Majesty's Secretary of State for Foreign Affairs.

Government do not propose to table the correspondence or to make a fresh official statement, since very full papers have already been published.

As regards discussion in the House, no resolution, so far as I am aware, has been tabled ; if one were tabled, it would presumably be for the Honourable the President to decide whether discussion was not admissible under the Rules.

VICE-PRESIDENTS OF CANTONMENT BOARDS ACTING FOR PRESIDENTS, DURING THE ABSENCE OF THE LATTER.

829. *Pandit Thakur Das Bhargava : (a) Is it a fact that the avowed object of the recent amendment to the Cantonments Act made in 1927 was to afford opportunities to the Vice-President to act as President when the latter was absent from the station ?

(b) Is it a fact that as a general rule Vice-Presidents are not afforded the opportunities which the Government policy and Statute intend to secure on account of Executive Officers sending papers to the President while he is out of the station and the President making it a point to be present at the meeting of the Board ?

(c) Will Government be pleased to state in which Cantonments, and on how many occasions the Vice-President has acted in place of the President under the combined effect of the provisions contained in section 20 (1) and section 23 (6) of the Cantonments Act ?

(d) Are Government prepared to issue instructions and insist that in future the provisions of law and the policy of Government in respect of affording opportunities to Vice-Presidents to act as Presidents are not violated by resort to illegal practices such as sending the papers out to Presidents while they are out of the station ?

Mr. G. M. Young : (a) No, Sir. The objects of the amendment, as recorded in the Statement of Objects and Reasons, are to ensure continuity of administration by the President, and at the same time to make it possible for the Vice-President to preside over meetings of the Board from which the President is absent.

(b) and (d). The Honourable Member appears to be under a misapprehension. In Cantonment Boards, as in any municipal body, it is the duty of the President to attend and preside at meetings, and to carry out his other duties, to the maximum extent possible. The function of a Vice-President is to preside, or act for the President, when the latter is unavoidably absent. Under the Cantonments Act, as it stood before amendment, a Vice-President could never do this, because, in the absence of the real President, for however short a period, another military officer became technically the President.

(c) In view of what I have just stated, Government do not think that any object would be served by collecting the information asked for. No interest or significance appears to them to attach to the number of occasions on which the President of a Cantonment Board has been unavoidably prevented from attending a meeting.

RECORDING OF MINUTES OF DISSENT BY MEMBERS OF CANTONMENT BOARDS.

£30. ***Pandit Thakur Das Bhargava :** (1) Is it a fact that the Army Department of the Government of India have issued a circular No. 36667-A.D., dated 30th May, 1928, by virtue of which a dissenting member of the Cantonment Board is required simultaneously with his expression of dissent verbally to make a short statement of his reasons for the same ?

(2) Are Government aware that while section 43 (3) of the Cantonments Act authorises a dissenting member to record his dissent with a short statement of grounds it does not make it obligatory on the dissenting member to verbally state his reasons of dissent on the spur of the moment ?

(3) Are Government aware that in practice the requisition contained in the circular referred to above constitutes a great hardship to the non-official members of the Cantonment Board and as dissents may have reference to files and quotations from them, it is next to impossible that dissents may be properly expressed on the spur of the moment ?

(4) Was it the practice before the issue of the circular that dissenting members used to send in the short statement of grounds of dissent within a few days of the expression of such dissent and the same was incorporated in the proceedings of the Board ?

(5) Has the All-India Cantonment Association strongly protested against the circular and characterized it as a move to undo the reform in the Cantonment administration ?

(6) Do Government propose to recall the circular or amend the law in this behalf so as to afford a genuine opportunity to a dissenting member to record his minute of dissent ?

Mr. G. M. Young : (1) No, Sir. The circular stated that what the law required to be entered in the minutes was not a minute of dissent, but the fact of a member's dissent, together with a short statement of the grounds for such dissent. It went on to say that the proper way of complying with this requirement was for the President, if so required by the dissenting member, to enter on the record at the meeting the fact that the member dissented and a short statement of his reasons as verbally stated by the member in opposing the majority decision.

(2) Yes, Sir. A member of a Cantonment Board has a right to have his dissent recorded together with a short statement of the grounds for such dissent, but under the existing procedure his views are voiced and recorded in precisely the same way as the views of the majority.

(3) Government cannot agree that the position is as stated by the Honourable Member. It may be necessary to read papers before a meeting in order to oppose a motion at a meeting. The Honourable Member appears to suggest that, after a resolution has been passed and entered in the minutes of the meeting, and the proceedings are complete, a dissenting member should be given the opportunity to consult papers at his leisure and prepare a subsequent minute of dissent for insertion in the proceedings. I am not aware that this procedure obtains in any municipal body.

(4) Government understand that this was the practice in Ambala, but, if so, it was not strictly legal.

(5) Government have received a representation from the Association.

(6) No, Sir. The existing procedure is the normal one, and in the opinion of Government affords due facilities for recording dissent.

GRANT OF JOINING TIME TO MEMBERS OF THE TELEGRAPH OFFICE, SIMLA, DURING THE MOVE BETWEEN SIMLA AND DELHI.

831. ***Mr. Satyendra Chandra Mitra :** (a) Is it fact that the officials and clerks employed under the Government of India and moving between Simla and Delhi are given joining time under the Simla Allowance Code ? If not, under what code do they enjoy this privilege ?

(b) Is it a fact that the Honourable Member in charge of Industries promised to amend the joining time rules applicable to the Government Telegraph Office, Simla ? If so, what amendment has been made and what was the joining time allowed during the move 1927-28 ?

(c) If Government have not amended the rule already when do they propose to do so ?

The Honourable Mr. A. C. McWatters : (a) Yes, under the Simla Allowances Code.

(b) No such promise can be traced. The Honourable Member's attention is drawn to the reply given on the 13th September, 1927, to Mr. Joshi's unstarred question No. 113. Since that reply was given, the general rule regarding joining time in the Supplementary Rules has been added to by a provision allowing an authority ordering a transfer to reduce the period of joining time admissible, in special circumstances. In the exercise of this power the joining time of the staff in question was limited to 5 days for the move of 1927-28. This is the same as would be admissible if the Simla Allowances Code were applied to their case.

(c) Government do not propose to alter the rules further.

REPLACEMENT OF THE NALDI BRANCH POST OFFICE IN THE DISTRICT OF JESSORE BY A SUB-OFFICE.

832. ***Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the inhabitants of some eight villages under the jurisdiction of the Naldi Branch Post Office in the District of Jessore, Bengal, sent petitions to the Post Master General through the Divisional Superintendent praying for the replacement of the said Branch Office by a Sub-Office respectively on 14th February 1927, 7th March 1927, 2nd April 1927, 25th June 1927, 29th December 1927, 1st February 1928, 21st February 1928, 7th May 1928, 25th June 1928, and 5th August 1928 ?

(b) Is it a fact that no notice has been taken of nor any reply vouchsafed to these repeated petitions ?

(c) If the replies to (a) and (b) are in the affirmative will the Honourable Member kindly explain the reasons therefor ?

(d) Will the Honourable Member be pleased to lay on the table copies of the said petitions ?

(e) Do Government intend taking any steps in the matter and if so, when ?

The Honourable Mr. A. C. McWatters : The Government has no information in the matter. An enquiry has now been made and the decision arrived at will be communicated to the Honourable Member in due course.

EARNINGS OF COMPOSITORS OF THE GOVERNMENT OF INDIA PRESSES.

833. ***Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the Government of India Resolution No. A-31, dated the 15th July 1920, stated that the compositors of the Government of India Presses used to earn from Rs. 35 to Rs. 90 according to old class rates ?

(b) Is it a fact that by the said Resolution an increment of 40 per cent. was given to all the workers in the Government of India Presses ?

(c) Is it a fact that according to the rates of increment given by the Government, the earnings of the compositors work out at from Rs. 49 to Rs. 126 ?

(d) Is it a fact that the clerks in the Government of India Presses are getting regular and systematic increments while the earning of the compositors is diminishing day by day ?

(e) Will the Honourable Member in charge be pleased to lay on the table a comparative statement on the point showing therein the earnings of the :

- (1) Head Assistants (Calcutta, Aligarh, Delhi, Simla, respectively),
- (2) Personal Assistants (Calcutta, Aligarh, Delhi, Simla, respectively),
- (3) Head Clerks and any other five clerks (Calcutta, Aligarh, Delhi, Simla, respectively),
- (4) Head Computer and any other five Computers (Calcutta, Aligarh, Delhi, Simla, respectively),
- (5) Any three Compositors of :
 - (i) Class 6 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (ii) Class 7 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (iii) Class 8 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (iv) Class 9 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (v) Class 10 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (vi) Class 11 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (vii) Class 12 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (viii) Class 13 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (ix) Class 14 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (x) Class 15 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (xi) Class 16 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (xii) Class 17 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (xiii) Class 18 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (xiv) Class 19 (Calcutta, Aligarh, Delhi, Simla, respectively),
 - (xv) Class 20 (Calcutta, Aligarh, Delhi, Simla, respectively),

giving the name of each employee, before 15th July, 1920 and from January to June, 1928 ?

(f) If the reply to (d) is in the affirmative, do Government propose to consider any scheme of revision for proper readjustment of the earnings of the two kinds of employees, (1) clerks, and (2) compositors ?

The Honourable Mr. A. C. McWatters : (a), (b) and (c). The attention of the Honourable Member is invited to the reply given on the 23rd August, 1926, to parts (a), (b) and (c) of the Honourable Srijut Lokenath Mukherjee's question No. 69 in the Council of State.

(d) The clerks in the Government of India Presses are on time scales of pay. The compositors in the Government of India Presses, Simla and Aligarh, are on fixed monthly rates of pay, while the compositors in the Calcutta and Delhi Presses are paid on piece rates. So far as I am aware, the earnings of the compositors in these presses are not diminishing.

(e) Government regret that they cannot undertake to collect the information asked for in so far as it could be collected as it would entail an amount of time and trouble out of proportion to its value. I would add

that a number of the men for whom particulars are required are non-existent.

(f) Does not arise.

**MEMORIAL OF THE PIECE-WORKERS OF THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.**

834. *Mr. Satyendra Chandra Mitra : (a) Is it a fact that all the piece employees of the Government of India Press, Calcutta, sent a memorial to the Honourable Member in charge on the 7th instant against the orders passed on the 21st June, 1928 ?

(b) Is it a fact that they have shown therein that the said orders have not benefited any of the workers concerned ?

(c) Will the Honourable Member be pleased to lay on the table a copy of the said memorial ?

(d) If the reply to (b) is in the affirmative, will the Honourable Member be pleased to state what the Government contemplate doing in this matter ?

(e) Is it a fact that Mr. C. T. Letton, late Manager of the Government of India Press, Calcutta, strongly recommended the salient points raised in the memorial submitted by the piece-workers of the Government of India Press, Calcutta on the 18th December, 1926 to the Honourable Sir B. N. Mitra, the then Member in charge of the Department of Industries and Labour ?

(f) If the reply to (d) is in the affirmative, will the Honourable Member lay on the table a statement of those recommendations showing therein how far they have been acted upon, and if not, why not ?

The Honourable Mr. A. C. McWatters : (a) to (d). Government have received a copy of the memorial direct from the piece employees of the Government of India Press, Calcutta. The points raised therein will be duly considered after the memorial is received through the Controller of Printing and Stationery. Government do not propose to lay on the table a copy of the memorial.

(e) and (f). The memorial presented by the piece-workers of the Government of India Press, Calcutta, in 1926, was considered in consultation with the Controller of Printing and Stationery, but Government are unable to disclose the views expressed by the Controller on this memorial.

CLASSIFICATION OF PIECE-WORKERS IN THE GOVERNMENT OF INDIA PRESSES.

835. *Mr. Satyendra Chandra Mitra : (a) Is it not a fact that in his speech in reply to the Honourable Mr. G. S. Khaparde on the debate in the Imperial Council on the 14th September, 1920, in connection with the latter's Resolution for a committee to investigate and report on the causes of the troubles in Government Presses in Simla, Delhi, and Calcutta, the Honourable Sir Thomas Holland said that in the piece-rate system "an annual classification of workers is obtained automatically" ?

(b) Is it not a fact that this "automatic" classification has remained postponed since 1922 ?

(c) Is it not a fact that it is only in June last that the workers have got a two-class promotion when they should have got a six class promotion ?

(d) If the replies to (a), (b) and (c) are in the affirmative will the Honourable Member be pleased to give the reasons therefor ?

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

(b) The annual classification has been kept in abeyance since 1922, as the time rates of piece-workers were inflated to an extravagant extent owing to the fact the piece-workers were able to do piece-work against which no hours were credited.

(c) and (d). The object of the old classification was to secure, as far as possible, correspondence between a worker's rate of earning on piece work and his rate of remuneration for time work. It did not necessarily involve the promotion of each individual by one class every year. The postponement of the classification had not, therefore, the effect of depriving the piece-workers of six class promotions as assumed by the Honourable Member. The new scheme for classification which was introduced with effect from the 1st July, 1928, is a system whereby most of the workers should be able to secure a rise in their classification every second year ; and piece-workers who were in employment on the date of the last classification got an immediate promotion of two classes.

PAYMENT FOR MEAL AND PRAYER INTERVALS TO THE PIECE-WORKERS OF THE GOVERNMENT OF INDIA PRESSES.

836. ***Mr. Satyendra Chandra Mitra :** (a) Is it not a fact that the piece-workers of the Government of India Presses were allowed meal, tiffin and prayer hours which were counted and paid for at time-scale rates previous to the orders, dated the 21st June, 1928 ?

(b) Is it not a fact that Mr. F. R. R. Rudman in his notice to press workers, dated Simla, the 30th July 1920, upheld the previous practice of allowing meal, tiffin and prayer hours (not exceeding a total of one hour per diem) to piece-workers, when employed on time work, and paying therefor at class rates ?

(c) Is it not a fact that the Honourable Sir Thomas Holland in his speech in the Imperial Council on 14th September 1920 said that the Government have allowed meal hours to be counted and to be paid for at time-scale rates ?

(d) If the reply to (b) and (c) is in the affirmative will the Honourable Member be pleased to lay on the table a copy each of the said orders and the speech adding the reasons for the recent withdrawal of the concessions so long enjoyed by the workers ?

(e) Will the Honourable Member be pleased to give a comprehensive statement of the loss to the workers of the Government of India Presses at Calcutta, Delhi, Simla and Aligarh and the consequent gain to the Government that the withdrawal of the aforesaid concessions would effect ?

(f) Will the Honourable Member be pleased to state to which account the sum thus obtained by the Government will be credited ?

The Honourable Mr. A. C. McWatters : (a) Prior to the issue of the orders dated the 21st June, 1928, payment for meal intervals was made at time rates only to piece-workers who were in employment before the 1st

November, 1922, when they happened to be working on time. Payment for prayer intervals on Fridays was also allowed to Muhammadan piece-workers at time rates.

(b) The notice of the 30th July, 1926, referred to payment for meal and rest intervals and not to prayer intervals.

(c) Yes.

(d), (e) and (f). A copy of the orders referred to will be forwarded to the Honourable Member. The system of payment for the intervals referred to has never rested on any logical basis, and Government took the opportunity to abolish it at a time when they were giving concessions to the piece-workers which, in the aggregate, involved the disbursement of much larger sums than were formerly paid for meal and prayer intervals. The changes made thus involved increased expenditure to Government and not a saving.

AMOUNT SANCTIONED IN THE BUDGET OF 1928-29 FOR THE PIECE-WORKERS OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

837. *Mr. Satyendra Chandra Mitra : (a) Is it not a fact that the Budget of 1928-29 sanctioned Rs. 38,900 for the piece employees only of the Government of India Press, Calcutta ?

(b) If so, will the Honourable Member in charge be pleased to state the amount spent for the compositors, distributors, and binders and impositors severally ?

(c) Is it not a fact that a fine fund (compassionate fund) in the Government of India Press was started in April 1922 ?

(d) If the reply to (c) is in the affirmative, will the Honourable Member be pleased to state how the fines collected before the starting of the fund in 1922 were spent and whether due accounts were kept of the same and the amount collected since 1875 to 1st April 1922 had been administered ?

The Honourable Mr. A. C. McWatters : (a) The total budget provision for the piece establishment of the Government of India Press, Calcutta, during 1928-29 is Rs. 3,45,204 and not Rs. 38,900 as stated by the Honourable Member.

(b) I am not sure for what period the information is required by the Honourable Member. If it is for the year 1928-29 the figures can only be supplied after the close of the financial year.

(c) Yes.

(d) Before the 1st April, 1922, fines were not collected separately, but were recovered by stoppages from pay and consequent short drawings from the treasury.

EMPLOYMENT OF IMPOSITORS IN THE GOVERNMENT OF INDIA PRESSES ON THE PIECE-RATE SYSTEM.

838. *Mr. Satyendra Chandra Mitra : (a) Is it a fact that the orders of the Government of India, dated the 21st June, 1928, have often referred as precedents to the system followed in the Bengal Government Press ?

(b) Is it a fact that the impositors in the Bengal Government Press are salaried hands whereas the impositors in the Government of India Presses work on the piece-rate system ?

(c) If the replies to (a) and (b) are in the affirmative will the Honourable Member be pleased to state the reasons therefor ?

The Honourable Mr. A. C. McWatters (a) Reference was made in the orders, dated the 21st June, 1928, only to the rates for hand composition in the Government of Bengal Press, which have been adopted by the Government of India.

(b) The impositors in the Bengal Government Press are salaried hands. The impositors in the Government of India Presses are piece-workers in Calcutta and Delhi.

(c) The Government of India consider that the piece-rate system is more suitable for impositors in their Calcutta and Delhi Presses. They are not aware of the reasons for the payment of impositors by salaries in the Bengal Press.

REVISION OF THE RATES FOR PIECE-WORKERS IN THE GOVERNMENT OF INDIA PRESSES, ETC.

839. ***Mr. Satyendra Chandra Mitra** : (a) Will the Honourable Member be pleased to state on how many occasions the rates for piece-workers in the Government of India Presses have been revised, and how many times the piece-workers have gone on strike since 1875 and by what percentage have their rates been increased at each revision ?

(b) Is it a fact that before the war the compositors in the Government of India Presses were getting 2½th of the London rate and that after the war they are getting 1½th of the London rate ?

(c) If the reply to (b) is in the affirmative, will the Honourable Member be pleased to state whether the earnings of the said employees have come down, and if so, to what extent ?

(d) If the replies to (b) and (c) are in the affirmative, will the Honourable Member be pleased to state the reasons therefor ?

The Honourable Mr. A. C. McWatters : (a) The attention of the Honourable Member is invited to the reply given on the 26th September, 1921, in the Council of State to question No. 160 by Maharaja Sir Manindra Chandra Nandy of Kasimbazar. No general revision of piece rates has been effected since 1921, but the rates for hand composition have recently been increased. There has been no strike since 1920.

(b) The Government of India have no definite information. The conditions of service in London and Calcutta are so different that a comparison of rates would be misleading.

(c) This does not strictly arise ; but if there has been any increase in the disparity between London and Calcutta rates, it is not due to reductions of rates in Calcutta.

(d) Does not arise.

DEDUCTIONS ON ACCOUNT OF BLANKS IN SOLID MATTER FROM THE WAGES PAID TO THE EMPLOYEES IN THE GOVERNMENT OF INDIA PRESSES.

840. ***Mr. Satyendra Chandra Mitra** : (a) Is it a fact that deductions on account of blanks in solid matter obtain in the Government of India Presses whereas no such deductions take place in the Bengal Government Press ?

(b) If the reply to (a) is in the affirmative will the Honourable Member be pleased to give the reasons therefor ?

The Honourable Mr. A. G. McWatters : (a) and (b). An enquiry is being made and the result will be communicated to the Honourable Member in due course.

EARNINGS OF BINDERS IN THE GOVERNMENT OF INDIA PRESSES.

841. *Mr. Satyendra Chandra Mitra : (a) Is it a fact that the earning of the binders in the Government of India Presses is diminishing day by day ?

(b) Is it not a fact that since the introduction of the piece system in 1875 up to July, 1924, the binders were paid by the hour for preparing maps, plans and diagrams ?

(c) Will the Honourable Member be pleased to state the reasons why and the rules according to which, subsequently to July, 1924, payment by rates has been introduced ?

(d) Is it a fact that formerly leather was used in binding while now cloth is used in its stead ?

(e) Is it a fact that in consequence more labour as well as time have to be spent than before, while the rates have also been diminished ?

(f) Will the Honourable Member in charge be pleased to lay on the table a comparative statement showing therein what a worker previously got for binding 100 copies in leather and what he now gets for the same in cloth ?

(g) Is it a fact that the juniors alone are paid by the hour and never the seniors ?

(h) If the reply to (g) is in the affirmative, will the Honourable Member be pleased to state the reasons therefor ?

(i) Will the Honourable Member be pleased to lay on the table a comparative statement showing the earnings of any five binders of the Government of India Presses in Calcutta and at Delhi of class (ix) to (xxiii) severally, and noting the name of each, from January to May, 1924, and from January to May, 1928, month by month ?

The Honourable Mr. A. C. McWatters : (a) No. The binders in the Government of India Presses at Delhi, Simla and Aligarh are salaried hands, so that it is impossible for their earnings to diminish day by day. In Calcutta they are paid at the piece-rates, and there has been no reduction in the piece-rates.

(b) Yes.

(c) I would refer the Honourable Member to the reply given to the Honourable Mr. Khaparde's question No. 40 on 25th August, 1925, in the Council of State.

(d) to (h). Enquiries are being made and the result will be communicated to the Honourable Member in due course.

(i) The information asked for by the Honourable Member would require much time and trouble to collect, but I shall endeavour to have a comparison made of average earnings of a number of men in 1923-24 and 1927-28 and inform the Honourable Member of the result.

AMOUNT SPENT ON ACCOUNT OF AS WELL AS THE AMOUNT RECEIVED FROM THE SALE OF COMPOSING MATERIALS BY EACH OF THE GOVERNMENT OF INDIA PRESSES AT CALCUTTA, DELHI AND SIMLA.

842. *Mr. Satyendra Chandra Mitra : Will the Honourable Member-in-Charge be pleased to lay on the table a statement showing the amount separately under each head, as far as practicable, year by year from 1922 to 1927 spent by the Government of India Presses at Calcutta, Delhi and Simla on account of as well as the amount received from the sale of :

- (i) Composing materials like spirits, petrol, rope, turpentine, brush, molasses, flower, coal, composing racks, composing cases, and
- (ii) shooting brass ?

The Honourable Mr. A. C. McWatters : The information desired by the Honourable Member is not readily available, but will, as far as it can be collected without an undue amount of labour and difficulty, be supplied to him.

NUMBER OF MACHINES PURCHASED AND SOLD BY THE GOVERNMENT OF INDIA PRESSES AT CALCUTTA, DELHI, SIMLA AND ALIGARH, FROM 1922 TO 1927.

843. *Mr. Satyendra Chandra Mitra : Will the Honourable Member be pleased to state the number of machines such as printing, typefoundry, hand-press lino. and mono. machines purchased by the Government of India Presses at Calcutta, Delhi, Simla and Aligarh, from 1922 to 1927, year by year with dates and prices as well as the number of such machines sold during the said period with dates of purchase and sale, original prices and the sale prices ?

The Honourable Mr. A. C. McWatters : Even if all the particulars required by the Honourable Member are now available, it would not be possible to supply them without an amount of research which would be incommensurate with the results. But if particulars can be readily secured of the number of machines of the kinds mentioned purchased and sold between 1922 and 1927 with the prices paid and realized they will be supplied to the Honourable Member.

CONSTRUCTION OF HIGH LEVEL PLATFORMS ON THE STATIONS ON THE LINE FROM CHANDPUR TO BILNORE, EAST INDIAN RAILWAY.

844. *Maulvi Muhammad Yakub : (a) Is it a fact that on the railway line which is being constructed from Chandpur to Bilnore on the East Indian Railway, in Rohilkhand, all the platforms on the stations are being constructed very low ?

(b) Are Government aware that such platforms are highly inconvenient to the passengers, specially Indian ladies ?

(c) Are Government aware that a memorial signed by the public of the locality was submitted to the Agent, East Indian Railway, through the District Magistrate of Bilnore, but that the Agent paid no heed to the matter ?

(d) Do Government propose to move the Agent in the matter and direct the construction of raised platforms on the line mentioned above ?

Mr. A. A. L. Parsons : (a) to (d). It is a fact that rail level passenger platforms are being constructed on the Chandpur-Bilnore line. The usual

practice on new lines is to provide such platforms at all stations other than those of considerable importance until the growth of traffic justifies the construction of high level platforms.

Mr. C. S. Ranga Iyer : Sir, I do not want to put questions Nos. 845 and 846. I put question No. 847.

†845° & 846°.

NUMBER OF STIPENDIARY SCHOLARS SELECTED AND TRAINED FOR ARCHAEOLOGICAL WORK DURING THE LAST TWO YEARS.

847. ***Mr. C. S. Ranga Iyer :** (a) Will Government be pleased to state the number of stipendiary scholars selected and trained by them for Archaeological work during the last two years ?

(b) What is the purpose and object in selecting and training such scholars at the public expense ?

(c) What is the procedure by which these scholars were selected ?

(d) What is the number of candidates who applied for selection ?

(e) When did this selection take place ?

(f) Were Government satisfied at the time the selection was made that those selected by them were the best available among those who offered themselves for selection ?

TRAINING OF INDIANS FOR ARCHAEOLOGICAL WORK.

848. ***Mr. C. S. Ranga Iyer :** (a) Will Government be pleased to state the authority under whom stipendiary scholars selected for Archaeological work are being trained, and the reports they have from time to time received of their progress ?

(b) Is it a fact that before they were appointed to scholarships, the selected scholars were required to produce certificates of medical fitness such as are produced by those entering Government service ?

(c) Were the selected scholars called by Government or their agency for a personal interview before their final selection was confirmed ?

(d) Do Government propose to provide their trained scholars with careers if and when any are available, in preference to those not trained by Government ?

(e) Are Government aware of any recognised non-official institution in India which offers equal facilities for practical training in Indian Archaeology such as are available under their own auspices ?

(f) Is it a fact that several Indian States, Museum Committees and some Colonial Governments find it necessary from time to time to have their candidates trained and recommended by the Archaeological Department under it, before appointing them to posts of responsibility ?

NUMBER OF INDIAN OFFICERS APPOINTED TO THE ARCHAEOLOGICAL SURVEY OF INDIA WITHOUT FIRST UNDERGOING TRAINING IN SURVEY WORK!

849. ***Mr. C. S. Ranga Iyer :** (a) Will Government be pleased to state the number of Indian officers in the Archaeological Survey of India

†Not put by the Honourable Member, Mr. C. S. Ranga Iyer.

excluding the Epigraphic and Architectural Branches, who were appointed without being first required to undergo training in the Survey itself ?

(b) Do Government intend to select more scholars for training in Archaeological methods in the near future ?

(c) If answer to part (b) be in the affirmative, will Government kindly state :

(i) the necessity for selecting more scholars when those already selected and under training have not been absorbed in the service of the Archaeological Department : and

(ii) the manner in which the new scholars will be selected, trained and ultimately employed by Government ?

VACANCIES IN THE ARCHAEOLOGICAL SURVEY OF INDIA.

850. *Mr. C. S. Ranga Iyer : (1) (a) Will Government kindly state the number of posts that remained vacant in the Archaeological Survey during the last three years, giving the length of time for which each remained vacant ?

(b) What is the number of posts now lying vacant or likely to fall vacant during the next twelve months ?

(c) Have Government ready means of filling these posts as soon as they fall vacant ?

(2) (a) If the answer to (c) above be in the negative, will Government kindly state how they propose to remedy this defect in the organisation of its Archaeological personnel ?

(b) Do long term vacancies in the Archaeological Survey leave the efficiency and continuity of that Department's work unimpaired ?

(c) Have Government any objection to obtaining the consent and approval of the Public Service Commission, if that be at all necessary, to appoint the scholars whom they have already selected and trained to emergent or permanent vacancies that occur in the Archaeological Survey subject always to the report of the expert authority which trains such scholars ?

(d) How long do Government propose to detain the present scholars in training and what is the understanding as to their future prospects ?

Mr. G. S. Bajpai : With your permission, Sir, I shall answer questions 847, 848, 849 and 850 together. Enquiries are being made and the information asked for will be communicated to the Honourable Member in due course.

RECRUITMENT OF APPRENTICES AND SCHOLARS FOR TRAINING IN TECHNICAL AND SCIENTIFIC DEPARTMENTS.

851. *Mr. C. S. Ranga Iyer : Will Government kindly state the procedure they sanction for :

(a) recruiting apprentices and scholars for training in technical and scientific departments with a view to their ultimate employment in the superior posts of those departments : and

- (b) appointing such apprentices and scholars to regular service after their training is favourably reported on by those technically competent and responsible for imparting such training ?

The Honourable Mr. A. C. McWatters : I am afraid it is not possible for me, in an answer to a question, to give any adequate description of the various apprenticeship schemes in force. If the Honourable Member is interested in a scheme applicable in any particular department, I shall endeavour to obtain particulars for him. Ordinarily apprentices do not receive a guarantee of an appointment under Government.

CONSTRUCTION OF OVERBRIDGES OR UNDERBRIDGES AT THE LEVEL CROSSINGS NEAR GUNTUR, TENALI AND NELLORE STATIONS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

852. ***Mr. B. P. Naidu :** (a) Are the Government aware that considerable public inconvenience is being caused by frequently keeping the gates shut at the level-crossings adjacent to and on the south of the Madras and Southern Mahratta Railway stations of Guntur, Tenali and Nellore ?

(b) If so, when do the Government propose to obviate this inconvenience by putting up either over-bridges or under-bridges, whichever are feasible, at those level crossings ?

Mr. A. A. L. Parsons : (a) and (b). Government have received no complaints, nor apparently has the matter been raised by the Local Advisory Committee. They are sending a copy of the Honourable Member's question to the Agent.

CONSTRUCTION OF WAITING SHEDS AT SINGARAYAKONDA, TETTU, TALAMANCHI AND KODAVALUR STATIONS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

853. ***Mr. B. P. Naidu :** (a) Are the Government aware that much suffering is caused to third class passengers for want of waiting sheds at Singarayakonda, Tettu, Talamanchi and Kodavalur stations on the Madras and Southern Mahratta Railway ?

(b) Are there any proposals for the construction of these sheds in the immediate future at the above stations ?

Mr. A. A. L. Parsons : (a) and (b). Government have no information. As I have explained before, the provision of waiting rooms and sheds is a matter which we leave to the Agents. I am, however, sending a copy of the Honourable Member's question to the Agent of the Madras and Southern Mahratta Railway.

PROVIDENT FUND FOR GOVERNMENT EMPLOYEES.

854. ***Mr. M. K. Acharya :** With reference to starred question No. 91 and answer thereto, dated 3rd February 1927, on the subject of Provident Fund for Government employees, will Government be pleased to say :

- (a) whether Government are aware that the matter has been before them since 18th February, 1924, when a Resolution

on the subject was moved in the Council of State by the Honourable Mr. S. Vedamurti ;

- (b) whether Government have come to any conclusions on the said matter ; and if not, will Government make a statement on the stage of consideration which the matter has reached ?

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

(b) I would refer the Honourable Member to the latter part of the reply given to question No. 448 asked by Khan Bahadur Makhdum Syed Rajan Baksh Shah in this House on the 11th of this month. The scheme referred to therein is the outcome of the Resolution moved by the Honourable Mr. Vedamurti in the Council of State on the 18th February, 1924.

Mr. M. K. Acharya : When may we expect the Government to give us an early reply in the matter ?

The Honourable Sir Bhupendra Nath Mitra : I did not quite catch the Honourable Member.

Mr. M. K. Acharya : When may we expect the Government to give us an early reply in the matter referred to in the question ?

The Honourable Sir Bhupendra Nath Mitra : I have already said, Sir, I think, in replying to a question by Khan Bahadur Makhdum Syed Rajan Baksh Shah, that a particular scheme is now engaging the consideration of the Government.

EDUCATION OF THE UNTOUCHABLES AND OTHER DEPRESSED CLASSES.

855. ***Rao Bahadur M. C. Rajah :** (a) Will the Government be pleased to state, if they have issued directions to all Local Governments to provide facilities for the education of the untouchables and other depressed classes in accordance with the Resolution passed on the 23rd February, 1928, by the Legislative Assembly ?

(b) if the answer to the above is in the negative, do they propose to issue instructions immediately ?

(c) If the answer to the above is in the affirmative, will they be pleased to state what reply they have received since then from the various Local Governments ?

Mr. G. S. Bajpai : (a) The attention of the Honourable Member is invited to the reply given to a similar question asked by Pandit Thakur Das Bhargava in the Legislative Assembly on the 17th September.

(b) Does not arise.

(c) Only two Local Governments have so far replied. It is the intention of Government when all the replies are in to place a summary on the table of the House for the information of Honourable Members.

AMELIORATION OF THE CONDITION OF THE DEPRESSED CLASSES.

856. ***Rao Bahadur M. C. Rajah :** (a) Will the Government be pleased to state what is being done at present throughout India with regard to the amelioration of the condition of the depressed classes ?

(b) If Government are not in possession of the information, do they propose to call for the information and place it on the table ?

The Honourable Mr. J. Orerar : (a) and (b). As the Honourable Member is aware the matter is one primarily for the Local Governments. The Government of India have every reason to believe that Local Governments are alive to the importance of the question of the amelioration of the condition of depressed classes and are taking steps in various directions to achieve this object.

OPENING OF A RAILWAY STATION TO THE WEST OF HALLA IN SIND.

857. ***Mr. Lalchand Navalrai :** (a) Has the attention of Government been drawn to a contribution published in the *Sind Observer*, Karachi, dated 3rd September 1928 under the heading 'Sind Feeder Lines' referring to the demand of the Halla citizens for a station on the western side and their petition signed by several Hindus and Muhammadans to the Commissioner in Sind asking for a railway station to be opened to the west of Halla ?

(b) Do Government propose to undertake enquiries into the matter and be pleased to see their way to take necessary action for the convenience of the western side of Halla ?

Mr. A. A. L. Parsons : (a) Government have not seen the article referred to.

(b) I imagine the Commissioner in Sind will have referred the matter to the Agent, North-Western Railway, if he thought it desirable. In any case, I will send a copy of the Honourable Member's question to the Agent in order to draw his attention to the matter.

Mr. Lalchand Navalrai : I have a copy with me, and if the Honourable Member desires to see it I can give it to him now.

Mr. A. A. L. Parsons : I should be very glad to see the article.

(A copy of the article was handed in.)

CONVERSION OF INDIA INTO A GREAT EASTERN MILITARY DEPÔT FOR THE BRITISH.

858. ***Mr. Gaya Prasad Singh :** (a) Is there any proposal of converting India into a great Eastern Military Depot for the British, analogous to the Singapore Naval Base, and of reducing the Indian Army into a mere territorial force ?

(b) Is there any proposal to organise a permanent force in India, available for use at any time in any part of the Far East, and that the control of such a force would vest in the War Office in London, and not in the Government of India ; and that the cost of such a force is to be borne by contributions from the Dominions, the Indian Government, and the Indian Princes ?

Mr. G. M. Young : The answer to both parts of the question is in the negative throughout.

Mr. Gaya Prasad Singh : Are Government aware that statements to this effect appeared in the Press, and they were not contradicted at the time ?

Mr. G. M. Young : I was not aware until now that rumours of this kind had obtained currency in the Press. I must express my indebtedness

to the Honourable Member for giving me an opportunity to contradict them now.

REDUCTION OF INDIAN REPRESENTATION IN THE MUNICIPALITY AT NAIROBI, ETC.

859. *Mr. Gaya Prasad Singh : Will Government kindly state if one of the recommendations of the Feetham Report on Kenya is that Indian representation in the Municipality at Nairobi be reduced ? What are the other recommendations in the Report adversely affecting the Indian community, and what steps have Government taken in the matter ?

Mr. G. S. Bajpai : The attention of the Honourable Member is invited to the answers given by me to Pandit Hirday Nath Kunzru's questions Nos. 124—126 asked on the 6th February, 1928.

APPOINTMENT OF AN INDIAN REPRESENTATIVE PERMANENTLY AT GENEVA.

860. *Mr. Gaya Prasad Singh : (a) Is it not a fact that the Government of India delegates to the World Economic Conference at Geneva, had recommended the permanent appointment of an Indian representative at Geneva ?

(b) Have Government selected any such representative, and when is the appointment likely to be filled up ?

Mr. L. Graham : (a) Yes.

(b) The Honourable Member's attention is invited to the reply given on the 8th instant to starred question No. 260 by Mr. N. M. Joshi.

PROTECTION OF THE RAILWAY LINE AT RAMESWARAM FROM SAND DUNES, ETC.

861. *Mr. Gaya Prasad Singh : (a) Will Government kindly state what project has been finally adopted to protect the railway line at Rameswaram (South India) from sand dunes, without adding to the trouble and inconvenience of the pilgrim traffic ?

(b) Is it a fact that the Agent of the South Indian Railway submitted a proposal for the diversion of the present alignment between Pamban and Rameswaram towards the north, with a new Rameswaram station, which will be only within two furlongs of the famous temple, and of the main part of the town ? If so, when will this scheme be taken in hand ?

Mr. A. A. L. Parsons : (a) and (b). It has been decided to construct a branch line from Pamban to the north of Rameswaram where there will be a station within two furlongs of the temple. The scheme will be taken in hand shortly.

INDIA HOUSE, LONDON.

862. *Mr. Gaya Prasad Singh : (a) Is it a fact that the London County Council has accepted the offer of the High Commissioner for India to rent for £6,000 a year on a 999 years' lease a site in Aldwych at the junction with Montreal Place ?

(b) When will the construction of the new India House begin, at what total cost, and who is the author of the design ?

The Honourable Sir George Rainy : (a) Yes.

(b) The work was commenced about the beginning of February last. The present estimated cost of the building is £3,24,220. It has been designed by Sir Herbert Baker.

PREVENTION OF INDIANS FROM COMPETING AT THE I. C. S. EXAMINATION HELD IN LONDON.

863. ***Mr. Gaya Prasad Singh :** Are Government aware of any proposal to stop Indian youths from competing for the I. C. S. examination in London, in view of the fact that many Indians have come out successfully in the London examination ?

The Honourable Mr. J. Crerar : The question whether any steps could be taken whereby a larger number of the Indian vacancies would be available for the examination in India is being explored, but no proposal is under consideration that Indians should be prohibited from competing in London.

EXPENDITURE ON THE MAINTENANCE OF TEMPLES AND MOSQUES FOR INDIAN TROOPS AND CIVIL OFFICERS.

864. ***Mr. Gaya Prasad Singh :** Is it a fact that in 1926 a sum of about Rs. 41 lakhs had been expended from Indian revenues "for maintenance of chaplains and churches for troops and civil officers" in India ? If so, what sum was spent in that year out of Indian revenues for the maintenance of temples and mosques for Indian troops and civil officers in India ?

The Honourable Sir George Rainy : The actual expenditure incurred in 1926-27 on the maintenance of churches and chaplains for British troops and civil officers in India was about 45 lakhs.

Government do not provide funds for the erection or maintenance of temples or mosques for the use of Indian troops. But a sum of Rs. 1,39,254 was expended during 1926-27 for the provision of religious teachers in units of the Indian Army. The Government of India are bound by the King's Regulations to provide religious ministrations for British soldiers serving in India, and since 1698, it has been the practice, first of the East India Company and then of the Government of India, to provide, within reasonable limits, for the ministrations of religion to British-born European servants of the Crown. It may also be pointed out that many temples and mosques in India receive indirect subsidies from the Government in the shape of remissions of land revenues on land owned by them. I would also invite the Honourable Member's attention to the answer given by the Honourable Mr. (now Sir) A. C. Chatterjee to Khan Bahadur Makhdum Syed Rajan Baksh Shah's starred question No. 1951 on the 15th September, 1924.

Mr. C. Duraiswamy Aiyangar : May I know, Sir, whether the persons employed for religious teaching to the British officers are Indians or Europeans ?

The Honourable Sir George Rainy : Chaplains ?

Mr. C. Duraiswamy Aiyangar : Yes.

The Honourable Sir George Rainy : I imagine that practically all the chaplains are Europeans, but I have not actually verified the fact.

Mr. C. Duraiswamy Aiyangar : May I know, Sir, whether there will be any difference made if Indian Christians are appointed for teaching religion to British officers ?

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

Mr. C. Duraiswamy Aiyangar : I want to know whether the Bible which Indian Christians will teach to British officers will be in any way different from the Bible which European chaplains teach to British officers ?

The Honourable Sir George Rainy : I imagine the Honourable Member is in as good a position as myself to answer that question.

EXPENDITURE ON THE INDIAN STATES' COMMITTEE.

865. ***Mr. Gaya Prasad Singh :** Will Government kindly state if the cost of the Committee which has been appointed to report upon the relationship between the Paramount Power and the Indian States, will be borne by the Indian revenues ; and if so, to what extent ? What would be the total cost ?

The Honourable Mr. J. Crerar : Yes, Sir. It is of course impossible to state the total cost in advance, but the cost up to the end of July last was about Rs. 86,000.

COMPENSATION FOR THE SEQUESTRATION OF THE PROPERTIES OF THE BASEL MISSION COMPANY.

866. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that during the European War, the commercial properties, consisting of the factories, shops and stores, belonging to Swiss subjects, and known as the Basel Mission Company, trading in India, were sequestered under the belief that those properties were largely enemy controlled ; but that this belief has now been proved to be groundless by a French court of enquiry ?

(b) Is it contemplated to give compensation out of Indian revenues to cover the loss incurred by the said Company for the sequestration of their properties ? If so, to what extent ?

The Honourable Mr. J. Crerar : (a) Properties belonging to the Basel Mission Trading Company were taken over and held under the Enemy Trading Act on the ground that it came within the terms of section 2 of the Act. Government are not aware of any enquiry by a French court of enquiry.

(b) I regret I am not in a position to make any statement at present

EMPLOYMENT OF MUSLIMS IN THE OFFICE OF THE DIRECTOR OF CIVIL AVIATION.

867. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) Will Government please state how many new appointments, both temporary and permanent, have been created in each Division in the office of the Director of Civil Aviation since 1st September, 1927, up till 31st August, 1928, and how many of these have been given to Muslims ?

(b) Is it a fact that there is no Muslim in the first division in this office ? If not, why not ?

The Honourable Mr. A. C. McWatters : (a) The following permanent posts in the office of the Director of Civil Aviation were created between 1st September, 1927, and 31st August, 1928.

Assistants	..	..	..	..	2
Clerk	..	..	..	..	1

The clerk's post was filled by the recruitment of a Muslim. In addition, one temporary post was sanctioned for a period of two years from 1st January, 1928, and a Muslim has been appointed to this post.

(b) Yes. No suitable candidate has applied.

EMPLOYMENT OF MUSLIMS IN THE PUBLIC WORKS BRANCH OF THE DEPARTMENT OF INDUSTRIES AND LABOUR.

868. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will Government please state how many vacancies, both temporary and permanent, occurred in each division in the Public Works Branch of the Department of Industries and Labour, from 1st September, 1927, to 31st August, 1928, and how many of these were given to Muslims ?

The Honourable Mr. A. C. McWatters : There were three vacancies during the period referred to, namely, one permanent in the first division and two temporary in the third division. One of the temporary posts was given to a Muslim.

EMPLOYMENT OF MUSLIMS IN THE OFFICE OF THE RAILWAY BOARD.

869. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will Government please state how many vacancies, both temporary and permanent, occurred in the office of the Railway Board from the 1st September, 1927, to the 31st August, 1928, and how many of these were given to Muslims ?

Mr. A. A. L. Parsons : 19 vacancies occurred in the Railway Board's office from 1st September, 1927, to 31st August, 1928, against which seven Muslims were appointed.

Mr. Lalchand Navarai : Will the Honourable Member please state if there are any officers or subordinates in the offices of the Railway Board from Sind ? If not, do Government propose to appoint some of them ?

Mr. A. A. L. Parsons : I must ask for notice of this question, Sir.

Pandit Hirday Nath Kunsru : May I ask the Honourable Member how it is that he has been pleased to answer communal questions this time ?

Mr. A. A. L. Parsons : It has always, I think, been the practice to give statistics with regard to our own office up here which is under our immediate supervision.

Mr. Gaya Prasad Singh : Is it the practice to give answers to communal questions so far as Hindus and Muhammadans are concerned, but so far as Indians and Europeans are concerned not to give such answers ?

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

STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

870. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will the Government be pleased to state whether the Railway Board are observing the canons of financial propriety in sanctioning the staff for the Railway Clearing Accounts Office ?

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

OVERWORKED CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

871. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) Are the Government aware of the fact that the clerks of the Clearing Accounts Office attend office on gazetted holidays and Sundays and sit late hours in spite of the fact that the work is set after shifting the office from Lahore to Delhi ?

(b) Will the Government be pleased to state in what Civil Service Regulations or Fundamental Rules this daily extra attendance of the staff is provided for ?

(c) Do the Government propose to stop this practice of daily extra attendance and attendance on gazetted holidays and Sundays ? If so will the Government be pleased to state what measures they propose to take to redress the grievances of the staff ?

(d) Are the Government aware of the fact that owing to excessive work leave is not granted to clerks even in emergent cases ?

Mr. A. A. L. Parsons : (a) I would invite the Honourable Member's attention to the reply given by me to Haji Abdoola Haroon to a similar question (No. 83) in the last Delhi Session.

(b) The Civil Service Regulations and Fundamental Rules do not deal with questions of this sort.

(c) Government do not consider that action is necessary.

(d) The Director of the Clearing Accounts Office reports that leave is granted to the staff on a reasonable scale.

AGITATION IN THE PRESS ABOUT THE GRIEVANCES OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

872. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (1) Are the Government aware of the fact that there is a great stir in the Press about the grievances of the staff. If so, has the attention of Government been invited to the series of articles printed in the

Muslim Outlook and other leading papers, including an Anglo-Indian organ ?

(2) Are the Government aware of the fact that one officer of the department had been going to the houses of the Members of the Legislative Assembly, to the editors of newspapers and other people holding similar positions to win their favour and work for his cause ?

(b) Are Government aware of the fact that the same officer sent a man to the Editor of the *Muslim Outlook* to stop this agitation ?

Mr. A. A. L. Parsons : I propose, with your permission, Sir, to answer questions Nos. 872, 873, 877, 878, 880, 881, 882, 884, 885, 888, 889, 890, 891 and 892 together. The series of questions is in effect a repetition of allegations which have been made that Rai Bahadur Faqir Chand, Assistant Director of the Clearing Accounts Office, is using his official position to secure places in that office for relatives or other persons in whom he is interested to the exclusion of other candidates, more particularly Moslems. Government have satisfied themselves that these allegations against an honest and able officer are entirely without foundation, and they do not propose to make the enquiries which the Honourable Member's questions suggest. I may add that the appointments in this office are made by the Director and not by Rai Bahadur Faqir Chand.

Mr. Gays Prasad Singh : May I know, Sir, what authority the Honourable Member has for making the insinuation contained in some of these questions ?

Maulvi Abdul Matin Chaudhury : Am I to reply to that question, Sir ?

Mr. President : If the Honourable Member pleases.

ARTICLES WRITTEN BY THE LATE MR. K. C. VIDYARTHI, MANAGER, BHARAT INSURANCE COMPANY, ON BEHALF OF THE ASSISTANT DIRECTOR, RAILWAY CLEARING ACCOUNTS.

†873. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Are Government aware of the fact that the late Mr. K. C. Vidiarthi, Manager, Bharat Insurance Company, wrote articles on behalf of the Assistant Director, Railway Clearing Accounts ? If so, will the Government be pleased to state what interest led an outsider to meddle in Government affairs ?

ANSWERS TO QUESTIONS PUT ON THE 19TH MARCH, 1928, REGARDING THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

874. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will the Government be pleased to lay on the table a copy of the answers given to questions Nos. 454 to 468 and 478 together put by Mr. Anwar-ul-Azim on the 19th March, 1928 ?

Mr. A. A. L. Parsons : I am not aware that any other Member has evinced a desire for the information already sent to the Honourable Member : it is certainly not of sufficient importance to lay on the table.

†For answer to this question, see answer to question No. 872.

EMPLOYMENT OF HINDUS AND MUSLIMS IN VACANCIES OCCURRING IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI, SINCE MARCH 1928.

875. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) How many vacancies occurred in the Railway Clearing Accounts Office since March 1928 ?

(b) How many of them were filled by Muslims and how many by Hindus ?

Mr. A. A. L. Parsons : (a) 111.

(b) I regret that I am not prepared to give this information.

Pandit Hirday Nath Kunzru : Is the Railway Clearing Accounts Office under the Railway Board or not ?

Mr. A. A. L. Parsons : Yes, Sir, it is under the Railway Board, but it is not the Railway Board's own office.

Pandit Hirday Nath Kunzru : Is the office managed by the Railway Board ? The Honourable Member stated just now that he had no objection to giving the figures for appointments held at present by the various communities in offices under the Railway Board.

Mr. A. A. L. Parsons : I made no such statement, Sir. I did not even say that I had no objection to giving these figures for appointments in the Railway Board's Office. But it has, I think, been the practice to give those figures for the Central Office of the Railway Board and for that reason I gave them. Personally, if it had not been the practice, I should have been very unwilling to give them.

Maulvi Abdul Matin Chaudhury : Will the Honourable Member state what is the reason for not giving this information ?

Mr. A. A. L. Parsons : Sir, I have explained that so frequently, not only in replies to questions but also I think during the course of the last Railway Budget debate, that it is not desirable that I should do so again ; or certainly not necessary.

Maulvi Abdul Matin Chaudhury : Why is it not desirable, Sir ?

Mr. A. A. L. Parsons : To furnish information of this kind with regard to communal representation in individual offices and branches of the Railways merely accentuates communal feeling in those offices, and is bad for the work of those offices.

Maulvi Abdul Matin Chaudhury : Is it a fact that the Government is withholding that information to hide the racial and communal bias of their subordinates ?

Mr. A. A. L. Parsons : Nothing of the sort, Sir. It is well known, Sir, to the House that we do give details of communal representation on all Railways, though not of individual offices on Railways, in our annual reports. We there give it in a form which does not accentuate feeling in individual offices and branches.

Mr. K. Ahmed : Is not this contrary to the undertaking given by Lord Reading, Sir ? If the answer is in the negative, do Government propose to state the reasons why we should not give effect to the terms of appointment for the Muhammadan community and other communities in India ?

Mr. A. A. L. Parsons : I am sure, Sir, that nothing I have said is opposed to any undertaking given by His Excellency Lord Reading. As a matter of fact, in several of the offices, with regard to which I have been refusing to give figures, I happen to know that the Muslim appointments have in recent years been, if anything, in excess of the quota which they would get under any strict proportional representation.

Mr. K. Ahmed : In view of the fact, Sir, that the Honourable Member has told us that he is not going to give the figures, is there any other way for the benefit of the country to test the accuracy and veracity of the Honourable Member's answer in this Assembly, whether they are acting in accordance with the circular of the Home Department of 1925 and the solemn declarations made in that time of distress in Calcutta by Lord Reading ?

Mr. A. A. L. Parsons : Sir, I am not accustomed to have my veracity challenged in this House and I must refuse to answer the Honourable Member's question.

Mr. K. Ahmed : Do I understand by concealment of figures the Government betrays the purpose for which Lord Reading made a solemn declaration specifically ? The Honourable Member in charge of Railways now tells us that he will not give the accurate figures and it is for their own benefit that they tell us it is a communal matter and they will not divulge the secret.

The Honourable Sir George Rainy : I am afraid, Sir, I cannot accept the implications of the Honourable Member's question or admit that the motives he attributes to the Government of India can fairly be attributed to them. I am sure that on reflection he will see that what he has suggested is less than fair to the Government.

Mr. K. Ahmed : What is the reason then, Sir, for the Honourable Member refusing to give accurate figures of these appointments and debarring the representatives of the people from knowing what the actual position is ?

The Honourable Sir George Rainy : My Honourable friend, Mr. Parsons, has attempted repeatedly to convey that information to the Honourable Member and, as he has apparently been unsuccessful, I have little hope that I shall have better success.

Mr. K. Ahmed : Will the Honourable Member himself take the responsibility of his Department and give the figures that are asked for ? May I say, Sir, that it is both for the benefit of the country and for the benefit of the Government to show to the people that the Government is acting in accordance with the directions given to them by the Home Department circular and the solemn declarations made by Lord Reading in 1925 ? If they will not state the reasons, as the Honourable Mr. Parsons has told us, will they state the circumstances which justify their refusal ? I am entitled to an answer, Sir.

The Honourable Sir George Rainy : I am afraid I have nothing to add to the answers already given by my friend Mr. Parsons.

Mr. K. Ahmed : In view of the fact that the Honourable Member can see that he has hopelessly failed to satisfy the Members of this Assembly, who are representatives of the people of this country, will he, as head of the Department, explain the reason or reasons why he should not state

the circumstances which prevent him from giving the accurate figures asked for to this House ?

Mr. Gaya Prasad Singh : Sir, is it not a fact that such questions are sometimes prompted by persons who consider themselves aggrieved for some reason or other ?

Mr. K. Ahmed : That is all the more reason, Sir, why the Honourable Member should answer the question. May I have an answer ?

Maulvi Abdul Matin Chaudhury : Do the Government realise that communal feeling is accentuated because of the injustice that is done to Muhammadans and not by the publication of the figures ?

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

Dr. B. S. Moonje : Is it the fact, Sir, that Muhammadans are not given posts because the Government does not want to give them posts and want to favour the Hindus ?

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

GRADATION LIST OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

876. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : What are the regulations for preparing the gradation list in the Railway Clearing Accounts Office ?

Mr. A. A. L. Parsons : The regulations are at present under consideration.

EMPLOYMENT OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†877. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Is it a fact that all the appointments in the Railway Clearing Accounts Office were made on the recommendations of Assistant Director No. 1 ? If so, did his recommendations result in Muslim interests being ignored ?

QUALIFICATIONS OF MR. VASTA APPOINTED TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†878. **Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) Is it a fact that Mr. Vasta drawing Rs. 80 in the office of the District and Sessions Judge, Mianwali, was appointed on Rs. 130 in the Railway Clearing Accounts Office and soon after his pay was raised to Rs. 230 ?

(b) What are his qualifications ?

(c) Is it a fact that he is one of the relatives of the Assistant Director ?

SAFEGUARDING OF THE INTERESTS OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

879. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will the Government be pleased to state what steps were taken

†For answer to this question, see answer to question No. 872.

to safeguard the Muslim interests in the Railway Clearing Accounts Office at the time of recruitment, as the staff was sanctioned on 18th December, 1926, after the issue of Home Department memorandum No. F.-176/25-Ests., dated the 15th March, 1926 ?

Mr. A. A. L. Parsons : The Director of the Clearing Accounts Office is aware of the orders of Government and, I am sure, follows them.

RESIDENCE OF EACH MAN EMPLOYED IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†880. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (1) (a) Is it a fact that a majority of Hindu young men recruited to the Railway Clearing Accounts Office belong to that part of the Province to which the gentleman at the top belongs as published in the *Muslim Outlook* ?

(b) If the answer to part (a) be in negative will Government be pleased to lay on the table a statement giving particulars as to the residence of each man employed in the Railway Clearing Accounts Office ?

(2) (a) Is it a fact that there are 18 officers in the senior grade of the Railway Clearing Accounts Office and that out of these 14 are Hindus, two Europeans, one Christian and one Muslim ?

(b) Are the 14 Hindus drawing Rs. 5,200 a month, while the only Muslim is getting Rs. 150 per month.

(c) If the answer to parts (a) and (b) be in the negative will the Government be pleased to lay on the table a statement showing the correct figures ?

CRITICISM IN THE *Muslim Outlook* OF THE ADMINISTRATION OF THE ASSISTANT DIRECTOR, RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†881. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (1) Will the Government please verify the statistics published in the *Muslim Outlook*, dated 25th February, 1928, 10th, 13th and 15th March, 1928, about the Railway Clearing Accounts Office ?

(2) (a) Is it a fact that there are 45 Sub-Heads in the Railway Clearing Accounts Office and 5 only are Muslims and one Anglo-Indian as published in the *Muslim Outlook* ?

(b) If the answer to part (a) be in negative will the Government be pleased to give the correct figures in this respect ?

(3) (a) Is it a fact that R. B. Lala Faqir Chand, Assistant Director, Railway Clearing Accounts Office, sent an office hand to Mr. Nural Haq with a view to prevail upon him to cease criticising his administration policy as published in the *Muslim Outlook* ?

(b) Is it a fact that the said officer tried to secure a statement from the said office hand after the article was published ?

PAUCITY OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†882. **Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) Is it a fact that 400 men have been recruited as clerks in

†For answer to this question, see answer to question No. 872.

the Railway Clearing Accounts Office as published in the *Muballigh* out of which 15 or 16 are Muslims ?

(b) If the answer to part (a) be in the negative, will the Government, be pleased to give the correct figures in this respect ?

SALE OF BRICKS PURCHASED FOR LAYING THE FLOOR IN A CAMP FOR THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

883. **Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : With reference to the answer given to question No. 81, put by Haji Abdulla Haroon on 1st February, 1928, will the Government please state :

(a) if those bricks were cemented or plastered ?

(b) if the answer to part (a) be in the negative, will Government please state how those bricks bought for Rs. 90 were sold for Rs. 10 ?

Mr. A. A. L. Parsons : (a) Government have no information.

(b) Because that was the best price Government could get at the time, it is understood the purchaser has not up to the present time considered it worth while to remove the bricks from the site.

NAMES OF MUSLIM AND HINDU GRADUATES AND UNDERGRADUATES EMPLOYED IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI, ETC.

†884. **Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : Will the Government be pleased to place on the table a statement showing :

(a) (i) the names of Muslim graduates and undergraduates working in the Railway Clearing Accounts Office ?

(ii) what is the length of their services ?

(iii) If any chances of sub-headship and Inspectorship have been given to any of them ?

(b) (i) Names of Hindu graduates and undergraduates working in the Railway Clearing Accounts Office ?

(ii) What is the length of their services ?

(iii) If any chances of sub-headship and Inspectorship have been given to any of them ?

SAFEGUARDING OF MUSLIM INTERESTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†885. **Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (1) (a) Is it a fact that a majority of Muslims in the Railway Department consist of coolies and porters ?

(b) If the answer to part (a) be in the affirmative do Government propose to give Muslims their proper share in the higher ranks ?

(2) Will Government please state if any Muslim officer has ever been posted in the Railway Clearing Accounts Office since its creation ?

†For answer to this question, see answer to question No. 872.

(3) (a) Will Government please state if any Muslim Officer, Superintendent, Sub-Head, and even a clerk has been posted in the administration, i.e., establishment a most important section of the Railway Clearing Accounts Office, since its creation ?

(b) If the answer to part (a) be in negative will Government be pleased to state if they are prepared to post anyone to safeguard the Muslim interests in that office ?

NUMBER OF MACHINES WORKING IN THE COMPILATION BRANCH AT LAHORE, ETC.

886. *Mr. Abdul Matin Chaudhury (on behalf of Mr. Anwar-ul-Azim) : (1) Will the Government please state :

(a) (i) How many sets of machines are working in the Compilation Branch at Lahore ?

(ii) How many mistries have been appointed to work those machines and what are their names and salaries ?

(iii) If any of them is a qualified mechanic ?

(b) (i) How many sets of machines are working in the Railway Clearing Accounts Office ?

(ii) How many mistries have been appointed to work those machines and what are their names and salaries ?

(iii) If any of them is a qualified mechanic ?

(2) Will Government please state :

(a) If the work of the Railway Clearing Accounts Office has now been set right ?

(b) If the answer to part (a) be in affirmative then why are the clerks made to work extra hours ?

(c) If the answer to part (a) be in negative will Government please state how much time it will take to set the work right ?

Mr. A. A. L. Parsons : (1), (a), (i). Three.

(ii) and (iii). Government have no information.

(b), (i). Four.

(ii) and (iii). Government have no information.

(2) (a). Government have no reason to believe that the work is not being conducted properly.

(b) The allegation that the clerks are made to work extra hours is incorrect.

(c) Does not arise.

REJECTION OF APPLICATIONS FROM GRADUATES AND UNDERGRADUATES FOR EMPLOYMENT IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

887. *Mr. Abdul Matin Chaudhury (on behalf of Mr. Anwar-ul-Azim) : Is it a fact that applications of graduates and undergraduates for employment in the Railway Clearing Accounts Office are rejected ?

Mr. A. A. L. Parsons : Applications are, I understand, registered and considered when there are vacancies.

EMPLOYMENT OF MEMBERS OF THE SAME FAMILY IN ONE OFFICE OR IN ONE BRANCH OF THE SAME OFFICE.

†888. ***Mr. Abdul Matin Chaudhury** (on behalf of **Mr. Anwar-ul-Azim**) : Will the Government be pleased to state, if there is any ruling against the appointment of near relatives and members of one and the same family in one office or in one branch of the same office ? If so, will the Government be pleased to state, why this has been violated in the :

- (a) Railway Clearing Accounts Office ?
- (b) Personal branch of the North-Western Railway Headquarters Office ?

POWERS DELEGATED TO THE ASSISTANT DIRECTOR NO. 1 OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†889. ***Mr. Abdul Matin Chaudhury** (on behalf of **Mr. Anwar-ul-Azim**) : (a) Will the Government be pleased to state the powers delegated to the Assistant Director No. 1 of the Railway Clearing Accounts Office ?

- (b) Is it a fact that the officer who is put on special duty was a recruiting officer ?
- (c) What is the criterion for giving different pay to clerks of the same or lower qualifications ?
- (d) What part of the total salary is being disbursed to Muslims ?

DISCONTENT AMONG THE CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†890. ***Mr. Abdul Matin Chaudhury** (on behalf of **Mr. Anwar-ul-Azim**) : Are the Government aware of the discontent prevailing among the clerks of the Railway Clearing Accounts Office in general and Muhammadans in particular :

- (a) About late and long hours working : and
- (b) about the appointment of a majority of Hindu young men of Hoshiarpur and Srigobindpur (District Gurdaspore) by the Assistant Director on grounds of relation and recommendations ? If so, will the Government be pleased to state what action they have taken to remove this discontent ? If no action is taken why not and on what policy ?

EMPLOYMENT OF MUSLIMS AS GAZETTED OFFICERS IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

†891. ***Mr. Abdul Matin Chaudhury** (on behalf of **Mr. Anwar-ul-Azim**) : Is it a fact that :

- (a) There is no Muhammadan gazetted officer in the Railway Clearing Accounts Office ?

- (b) The Muhammadan graduates have been given less pay than the Hindu matriculates ?
- (c) Special rewards have been given to particular Hindu clerks and one Christian youngster on the plea of helping in packing the records of the Railway Clearing Accounts Office on its shift to Delhi ?
- (d) There is no senior Muhammadan accountant in this office ? If the answer is in the affirmative, will the Government be pleased to state for the information of the House the reasons for these irregular actions ?

RETENTION OF ASSISTANT DIRECTOR NO. 1 IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

*892. *Mr. Abdul Matin Chaudhury (on behalf of Mr. Anwar-ul-Azim) : Will the Government be pleased to state :

- (a) If the scheme for the working of the Railway Clearing Accounts Office is in black and white ? or
- (b) In the head of any one single person. If the answer to (a) is in affirmative, will the Government be pleased to state the reason for giving so much importance to Assistant Director No. 1, as to retain him in that office in spite of a general discontent against his deeds. If the answer to (b) is in the affirmative will the Government be pleased to state the desirability of such a dependent scheme ?

ABSENCE OF ELECTRIC LIFTS IN GORTON CASTLE, SIMLA.

893. *Mr. G. Sarvotham Rao : (a) Are Government aware of the inconvenience caused to the officers and clerks working in the second and third floors of Gorton Castle on account of the absence of electric lifts ?

(b) Have they considered the possibility of substituting electric lifts for some of the winding stairs which at present exist ? If not, do they propose to do so ?

The Honourable Mr. A. C. McWatters : (a) and (b). No. Government do not consider that the expense involved would be justified.

EMPLOYMENT OF LADY CLERKS IN THE OFFICE OF THE RAILWAY BOARD.

894. *Mr. Srich Chandra Dutta : (a) Is it a fact that in reply to starred questions Nos. 1269 and 1270 on 23rd March 1925, Government stated that recruitment of unpassed men was allowed as a special concession to posts requiring technical or special qualifications subject to the previous approval of the Home Department ? Is it a fact that in reply to starred question No. 1402 on 24th March 1926 the Government stated that the regulations of the Staff Selection Board did not at all apply in the case of recruitment of clerical staff for the office of the Railway Board ? Will Government be pleased to explain this discrepancy ?

(b) In how many cases was the approval of the Home Department obtained ?

† For answer to this question, see answer to question No. 872.

(c) How many girl clerks have been recruited in the office of the Railway Board during the last four years? What, if any, technical qualifications do they possess?

(d) How many of these girl clerks are employed as steno-typists and also as tour clerks to officers of the Railway Board?

Mr. A. A. L. Parsons : (a) There is no discrepancy. General exemption was granted to the Railway Board to recruit from Railways and other suitable sources in March, 1925.

(b) Does not arise.

(c) 8 girl clerks have been recruited in the last four years. They were recruited as typists or stenographers and knew typewriting or shorthand. 6 out of the 8 have now left the Railway Board's Office.

(d) One is still employed as stenographer, the other as a typist, and neither of them is a tour clerk.

NAMES AND DESIGNATIONS OF OFFICIALS CHARGED WITH CERTAIN SPECIFIED DUTIES IN THE CALCUTTA POST OFFICES.

895. ***Mr. Yusuf Imam :** 1. Will the Government be pleased to lay on the table the following information :

- (a) the names and the designations of the appointing officials appearing on the service rolls of postmen and menials who were made permanent from the year 1916 to date in the Calcutta Post Offices,
- (b) the designation of the officials who have been granting leave to the postmen and menials of the Calcutta Post Offices from the year 1916 to date.
- (c) the designations of the officials who have been making remarks on the character-sheets of the postmen and menials as also of the overseers of the Calcutta Post Offices,
- (d) the officials who supervise the mails in connection with the articles posted in the street letter-boxes and the crossing of the sectional mails while the Howrah bridge remains closed to the traffic.
- (e) officials who remain in connection with the delivery of special bags for His Excellency the Viceroy and the Governors,
- (f) the officials who have been certifying the fitness or otherwise of the Sub-postmasters and the clerks attached to the post offices, viz., Bagh Bazar (Selection grade), Cossipore (Selection grade), College Square (Selection grade), Colootola (Selection grade), Tirretta Bazar (Selection grade), Khengraputty (Selection grade) and all the no-delivery town sub-post offices appearing on the office order books in the respective Post Offices?

The Honourable Mr. A. C. McWatters : With your permission Sir, I take questions Nos. 895, 896, 897, 898, 899, 901 and 902 together and refer to the answer given by me to questions Nos. 777, 778 and 779 asked by Mr. Siddheswar Sinha on the 21st September, 1928.

DUTIES OF TOWN INSPECTORS OF POST OFFICES IN CALCUTTA.

†896. *Mr. Yusuf Imam : Will the Government be pleased to state the specific duties which have been imposed on the Town Inspectors of Calcutta after 1st September, 1927, as stated in the proviso to paragraph 4 of the Government orders, dated August, 1927 ?

INSPECTION OF THE SELECTION GRADE COMBINED DELIVERY SUB-POST OFFICES BY MUFASSIL INSPECTORS OF POST OFFICES.

†897. *Mr. Yusuf Imam : Will the Government be pleased to state whether the Mufassil Inspectors of Post Offices have the authority to inspect the Selection grade combined Delivery Sub-Post offices like the Town Inspectors of Calcutta ?

TOWN INSPECTORS OF POST OFFICES IN CALCUTTA.

†898. *Mr. Yusuf Imam : 1. Is it a fact that the Town Inspectors of Calcutta who had a minimum starting pay of Rs. 80 were deprived of the general revision of pay sanctioned to all other classes of postal employees in the year 1920 ?

2. Is it not a fact that the decision of the Director-General Posts and Telegraphs regarding the grant of duty allowances to the Town Inspectors was communicated to the Town Inspectors of Calcutta ?

3. Is it a fact that Town Inspectors of Calcutta were not paid the duty allowance promised by the Director-General in 1921 till their pay was revised in the Government Orders of August 1927 ?

†899*—902*.

NUMBER OF INDIANS APPOINTED AS GUARDS IN GRADE A ON THE EAST INDIAN RAILWAY.

903. *Pandit Hirday Nath Kumeru : (a) With reference to the replies given to the supplementary questions to Mr. Joahi's starred question No. 464, will Government be pleased to state the number of Indians appointed as guards in grade A on the East Indian Railway (1) directly and (2) by promotion during the last twelve months ?

(b) What is the number of Europeans and Anglo-Indians appointed as guards in grade B. during the same period ?

Mr. A. A. L. Parsons : In the supplementary questions to which the Honourable Member refers, the Honourable the Railway Member promised to look into the matter and consider whether it would be desirable to give these statistics for the Great Indian Peninsula Railway. The question whether figures can be given for the East Indian Railway will also be considered.

NUMBER OF INDIAN OFFICERS HOLDING KING'S COMMISSIONS IN THE INDIAN UNITS OF ARTILLERY, ENGINEERS, SIGNALS AND THE AIR FORCE.

904. *Pandit Hirday Nath Kumeru : Will Government be pleased to state :

(a) What will be the number of officers holding the King's commission in the Indian units of (1) Artillery, (2) Engineers.

*For answer to this question, see answer to question No. 895.

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

(3) Signals and (4) Air Force which Government propose to create ?

(b) What will be the number of officers recruited annually for these units after the commissioned ranks in them have been completely Indianised ?

(c) Will the creation of these units lead to any reduction in the strength of the corresponding sections of the British Army in India ?

Mr. G. M. Young : (a) (1), (2) and (3). The strength of the officer establishments of the Artillery, Sapper and Miner and Signal units will be largely determined by the number of candidates who succeed in qualifying for those services. In addition to these units, Indian Engineer officers will be eligible for service in the Military Engineering Services. (4) The officer establishments of an Air Squadron varies from 19 to 22. As previously explained, Government wish to recruit 6 Indian officers forthwith to constitute a Flight, which is a sub-unit of a squadron.

(b) I am afraid it is impossible to calculate so far ahead. It will be nearly 20 years from now, for instance, before an Indian can reach the rank of Battery Commander in the ordinary course. I cannot foretell what the number and strength of the Indianizing units, or the rate of recruitment will be at that time.

(c) In the Artillery, Sappers and Miners and Signals the officer establishment of existing units will be Indianised and no new units will be raised. There is therefore no question of a reduction of corresponding units, as existing British officers establishments will be Indianized. The new Indian Air Unit will be additional to the strength of the Royal Air Force in India, which it is not proposed to reduce.

Pandit Hirday Nath Kunzru : May I ask whether the Indian units of Artillery, Sappers and Miners and Signals that Government propose to create have any fixed establishment of officers ?

Mr. G. M. Young : Of course, Sir, they have a fixed establishment of officers.

Pandit Hirday Nath Kunzru : How is it, then, that the Honourable Member said that the number of officers would depend on the number of candidates that Government could get ? I thought that he said something like that.

Mr. G. M. Young : I said so, because we must know exactly how many officers are going into these respective units.

Pandit Hirday Nath Kunzru : What will be the strength of the establishment of officers in these units ? Would that depend on the number of men who are willing to enter these units ?

Mr. G. M. Young : Until we know how many officers are going into these units, we shall not know the size of the units that we are going to Indianise.

Pandit Hirday Nath Kunzru : Is it a fact that the sizes of the units themselves have not been determined ?

Mr. G. M. Young : Provisionally certain units have been earmarked for Indianisation. Whether those particular units and their officer establishments will be exactly as they are now will depend upon the number of Indian candidates who succeed in qualifying for those arms.

Dr. B. S. Moonje : Do we understand that there is a deficiency in the number of Indian candidates qualifying for officership as required for these units ?

Mr. G. M. Young : The first examination for these services has not yet been held. I cannot possibly say whether there will be a deficiency or not.

Dr. B. S. Moonje : If you know the number of officers required, may I know if we are not getting a sufficient number of Indian students for those posts ?

Mr. G. M. Young : We have not yet got any Indians for these posts. The first examination is going to be held next November.

Dr. B. S. Moonje : That is not my point. If a number of officers are required for these units, are not a sufficient number of Indians coming forward for qualifying for those posts ?

Mr. G. M. Young : I am afraid I have not understood the Honourable Member's question.

Mr. Gaya Prasad Singh : May I know how many officers are required for these units ?

Pandit Hirday Nath Kunzru : Taking the strength as it is, will the Honourable Member tell us how many officers are needed for those units ?

Mr. G. M. Young : I can tell the House what is required for a Mountain Battery which is the first unit of Artillery that we propose to Indianize. It contains 4 British officers and 4 Indian officers. I cannot say exactly what would be the officer establishment of the Signal unit or the Sapper and Miner unit.

Mr. Gaya Prasad Singh : Why cannot you say for the Sappers and Miners ?

Dr. B. S. Moonje : If you know the number of officers required, I want to know whether there is any deficiency of Indian students coming forward for qualifying for those posts for being sent for training to England.

Mr. G. M. Young : I cannot say whether there will be a deficiency or not. I shall not know until the examination has been held,—in fact, we shall not know until the men pass out of Woolwich.

Pandit Hirday Nath Kunzru : Will the Honourable Member say whether all the Mountain Batteries will be Indianised, or only one of them ?

Mr. G. M. Young : The strength of units to be Indianized will depend, as I have said, very largely on the number of candidates who come forward and qualify.

Pandit Hirday Nath Kunzru : What is the number of units which you have already decided to Indianize, leaving future progress apart ?

Mr. G. M. Young : We have already decided to Indianize whatever will be necessary to accommodate the officers who succeed in passing out of Woolwich. In making that calculation, which is purely a provisional one, we have to remember that there are three services which are to be supplied by Woolwich—the Engineers, the Artillery and the Signals. It is conceivable, to take an extreme case, that all six candidates in one year will qualify for Engineers. In that case we should not be able to accommodate them in the scheme that we have at present for the Engineer services, because it is too large a number for the Engineers. We should then have to reconsider the position. It is conceivable similarly that all six cadets might qualify for Artillery. It is conceivable also that all six cadets might fail for Engineers, fail for Artillery, but just succeed in qualifying for Signals. We should then have to reconsider what we propose to have in the way of Signal units. The allotments are purely provisional. They depend on what we think the average is likely to work out between the three arms.

Pandit Hirday Nath Kunzru : Are we to take it that the number of annual recruits sent annually to Woolwich will not go down ?

Mr. G. M. Young : I think I have sufficiently explained already what would happen if there was a plethora of candidates in one arm and a deficiency in another.

Pandit Hirday Nath Kunzru : The Honourable Member has just explained that the number of units will depend on the number of candidates that would qualify every year. Am I to deduce from it that while the number of recruits may increase as the number of units increase, that number will not in any case go down ?

Mr. G. M. Young : No, Sir. I cannot see what reason my Honourable friend has for making that deduction.

Pandit Hirday Nath Kunzru : Is there then a possibility that the number of places now thrown to recruits from India may be decreased ?

Mr. G. M. Young : That possibility is contained in the statement of His Excellency the Commander-in-Chief which my Honourable friend may possibly have read that the maximum number of vacancies which the British Government are prepared to allot at Woolwich is six.

APPROPRIATION TOWARDS MILITARY EXPENDITURE OF THE SAVINGS DUE TO THE RECENT REVISION IN THE PAY OF OFFICERS AND BRITISH SOLDIERS.

905. ***Pandit Hirday Nath Kunzru :** (a) With reference to the replies given by the Army Secretary to starred questions Nos. 120 and 158, are Government aware that the Finance Member stated in his speech in 1926 that the reduction in the established military charges owing to the recent revision in the pay of officers and British soldiers " should amount to 12 lakhs in 1927-28 increasing annually to about 80 lakhs in 1930-31 and about 1½ crores in 1933-34 " ?

(b) Has the Army Department been allowed to appropriate these savings towards military expenditure, or has it been allowed to retain only the savings due to the special economy campaign referred to by the Army Secretary ?

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

(b) It is the intention of the Government of India, for the present, to utilise these savings as well as those effected by the economy campaign, towards meeting other military expenditure.

PROMOTION OF LOCAL TRAFFIC SERVICE OFFICERS TO THE SUPERIOR GRADES ON THE STATE RAILWAYS.

906. ***Pandit Hirday Nath Kunzru :** With reference to the statement made by Mr. Parsons during the Railway Budget debate on the 25th February 1928 that until the question of the organisation of the officers' grades as a whole on the State-managed Railways is settled, "it is not possible to say that anything more can be done for the Local Traffic Service Officers than is done at present, by giving them an opportunity of being promoted to officers' grades under the 20 per cent. regulation" will Government be pleased to state whether they are now in a position to announce what steps they propose to take to promote the Local Traffic Service Officers to the superior grades ?

Mr. A. A. L. Parsons : The opportunity has been taken this year of allocating 33 1/3 per cent of the appointments available for Indian recruitment to the promotion of suitable officers from the Local Traffic Service.

Pandit Hirday Nath Kunzru : Has this question been finally decided, or is the translation of the men from the local to the superior Traffic Service still under consideration ?

Mr. A. A. L. Parsons : The position remains as it did when I dealt with the matter in a budget speech, except that for this year we have decided to give a third of the Indian recruitment to the Local Traffic Service men instead of leaving the Local Traffic Service men to come in with other subordinates in twenty per cent. of the Indian recruitment.

NUMBER OF INDIAN AND EUROPEAN OFFICERS OF THE I. M. S. ENGAGED IN MILITARY AND CIVIL DUTIES.

907. ***Pandit Hirday Nath Kunzru :** Will Government be pleased to state the number of Indian and European I. M. S. officers engaged in (a) military and (b) civil duties ?

Mr. G. M. Young : 207 Indian officers and 184 European officers are engaged in military duties and 85 Indian and 246 European officers are serving on the civil side.

AMALGAMATION OF THE SYLHET AND CACHAR DISTRICTS WITH BENGAL.

908. ***Mr. Bish Chandra Dutta :** (a) With reference to the press communiqué, dated the 16th June, 1926, issued by the Home Department of the Government of India on the subject of transfer of the District of Sylhet to Bengal, will Government be pleased to state if any report on the subject has been received from the Assam Government for submission to the Statutory Commission ?

If so, will Government be pleased to lay a copy thereof on the table ?

(b) Are Government aware that public opinion is strongly in favour of the amalgamation of the District of Sylhet and Cachar with Bengal and the last Surma Valley Political Conference held in July last unanimously adopted resolutions for the amalgamation and that the All-Parties Conference held at Lucknow also recommended the inclusion of the Bengali-speaking Districts in the Province of Bengal ?

(c) In view of the fact that the whole matter will be considered by the Statutory Commission as stated by the Government in the press communiqué referred to above, do Government propose to order a plebiscite to be taken in order to ascertain the true and correct public opinion on the matter of amalgamation of the Sylhet and Cachar Districts with Bengal instead of relying on individual evidence in an important matter like this ?

The Honourable Mr. J. Orerar : (a) The memorandum prepared by the Government of Assam was submitted direct to the Commission, and copies were supplied to the Government of India. The Government of India are not at liberty to lay upon the table a copy of a document addressed, not to themselves, but to the Statutory Commission.

(b) The Government of India are not in possession of the resolutions passed by the Surma Valley Political Conference last July ; but they are aware that a resolution was adopted at the conference recently held at Lucknow in favour of revising the boundaries of Bengal, Assam and other provinces according to certain principles. The Government of India do not understand that public opinion strongly favours the amalgamation of Sylhet and Cachar with Bengal, and a Resolution was recently passed by the Assam Legislative Council recommending that the authorities be informed that the people of Sylhet and Cachar desire to remain in Assam and not be transferred to Bengal.

(c) The answer is in the negative.

Mr. Anwar-ul-Azim : Is it not a fact that the Assam Legislative Council last month decided to recommend to the authorities that Sylhet and Cachar should not be transferred to Bengal ?

Mr. President : Will the Honourable Member repeat his question ?

Mr. Anwar-ul-Azim : Is it not a fact, Sir, that the Assam Legislative Council as late as last month in a Resolution decided to recommend to the authorities that Sylhet and Cachar be not transferred to Bengal ?

The Honourable Mr. J. Orerar : I have already referred to that, Sir, in my reply.

Maulvi Abdul Matin Chaudhury : Is it not also a fact that on two previous occasions the Assam Legislative Council had passed a Resolution in favour of the transfer of Sylhet to Bengal ?

The Honourable Mr. J. Orerar : I think, Sir, that the Honourable Member is correct, but the Legislative Council of Assam, as I said, recently passed a Resolution reversing the Resolution adopted by the same Council in January 1926 to the effect which I have stated.

ASSISTANT COMPILER, INDIAN ARMY LIST.

909. *Maulvi Muhammad Yakub : (1) (a) Is there a post of Assistant Compiler in the Army Department ? If so, when was it created ?

(b) If the answer to the first part of the question is in the affirmative, will Government kindly say whether the son-in-law of the Personal Assistant to the Army Secretary was appointed to hold it from the very beginning ? If so, what period of probation did he undergo before confirmation ?

(2) (a) What is the normal period of probation prescribed by Government for members of the clerical staff of the Secretary ? Did the son-in-law of the Personal Assistant to the Army Secretary complete the prescribed period of probation ? If not, for what special reasons ?

(b) Is it a fact that under rules no one is appointed to a post in the clerical staff of the Secretariat unless he has passed the clerical test ?

(c) Was the son-in-law of the Personal Assistant to the Army Secretary a qualified candidate of the Public Service Commission ? If not, why was an exemption made in his case ?

(d) Have such exceptions been made by Government during the last three years ?

(3) (a) Is the post of Compiler, Indian Army List, considered to be a technical one ? If so, did the son-in-law of the Personal Assistant to the Secretary, Army Department, possess any technical qualifications required for the post and if so, what ?

(b) Is it a fact that the son-in-law of the Personal Assistant to the Army Secretary was reading in a school or college when he was appointed to his present post ?

(c) Is it a fact that the appointment of the son-in-law of the Personal Assistant to the Secretary, Army Department, involved the supersession of a large number of men possessing previous experience of Army List work ?

(d) Is it a fact that there are clerks in the Indian Army List Section who are senior in pay to the son-in-law but junior to him in rank ?

Mr. G. M. Young : (1) (a) The post of Assistant Compiler, Indian Army List, was created in the Army Department in May, 1928.

(b) The reply to the first part is in the affirmative. The period of probation was about two months.

(2) (a) In cadres which have probationary grades the probationary period is generally one year. This was a special post in which there was a permanent vacancy.

(b) and (c). The posts of Compiler and Assistant Compiler are specialised posts ; and the incumbents are not eligible for promotion to other appointments on the regular clerical establishment, and the scale of emoluments of the Assistant Compiler is less than that of first division men. For these reasons, the appointment was not made through the Public Service Commission ; and it was not necessary to exempt the candidate from any prescribed test.

(d) Does not arise.

(3) (a) No technical qualifications are required : but the post demands a relatively high standard of education.

(b) No, Sir. I am informed that he had taken the degree of M. A. a year before his appointment.

(c) No, Sir. There was no clerk with experience of Army List work sufficiently qualified to hold the appointment.

(d) There is one clerk in the section who draws more pay than the Assistant Compiler at present, but he is not sufficiently qualified to hold the appointment of Assistant Compiler.

CONNECTION OF THE SRIMANGAL-MAULVI BAZAR RAILWAY WITH KULAURA JUNCTION ON THE ASSAM BENGAL RAILWAY.

910. ***Mr. Srish Chandra Dutta** : (a) Are the Government aware that a large section of the public in the Maulvi Bazar Sub-division of the Sylhet District want the proposed Srimangal-Maulvi Bazar Railway line to be connected with Kulaura Junction on the Assam Bengal Railway ?

(b) Is it a fact that out of deference to their wishes, the Assam Bengal Railway Advisory Committee have also approved a loop line from Kulaura Junction to Srimangal via Maulavi Bazar ?

(c) Do Government propose to consider the proposal favourably and state what decision, if any, has been arrived at on the matter ?

Mr. A. A. L. Parsons : Government are aware that the Assam Communication Board have recommended the construction of a loop line from Srimangal via Maulvi Bazar to Kulaura. The former section has already been investigated and an estimate of the cost of investigating the latter section is under the consideration of the Railway Board.

Mr. Srish Chandra Dutta : Will Government be pleased to state whether the Srimangal Kulaura construction line via Maulvi Bazar will be started next winter, so that the land acquisition staff and the construction staff now employed on Habiganj-Shaisthaganj Railway line may be transferred to the new railway construction line ?

Mr. A. A. L. Parsons : I am afraid I cannot make any statement as to when and if the construction of this line is likely to be taken up. We must wait till we have finished the investigation.

EXTENSION OF THE SHAISTHAGANJ AND HABIGANJ RAILWAY TO NABIGANJ.

911. ***Mr. Srish Chandra Dutta** : (a) Is it a fact that a memorial has been submitted to the Railway Board by a large number of people in the Habiganj Sub-division of the District of Sylhet, praying for the extension of the newly constructed Shaisthaganj and Habiganj Railway line to Nabiganj in the same Sub-division ?

(b) Was the proposal submitted to the Assam Bengal Railway Advisory Committee for their consideration and opinion ? If so, what is their decision on the matter ? Do Government propose to consider the proposal favourably and thus remove a very keenly-felt want of communication suffered by a large section of the public ?

Mr. A. A. L. Parsons : (a) The answer is in the affirmative.

(b) I cannot discover from the minutes of their proceedings that the proposal has been before the Assam Bengal Railway Advisory Committee, but the Railway Board do not favour the proposed extension. The

country up to Sherpur is liable to heavy flooding and the railway embankment would cross the drainage of the Bibiana which is large at all times and formidable during heavy flood. The line would therefore be costly both to construct and maintain. Moreover the terminus at Sherpur would be only about 4 miles from Manumukh station on the Maulvi Bazar-Manumukh branch of the Srimangal-Maulvi Bazar-Kulaura chord project which has been proposed and has received the approval of the Assam Board of Communication.

CONTROL AND REGULATION OF THE SALE OF TEA SWEEPINGS.

912. ***Mr. Brij Chandra Dutta** : Are the Government aware that the tea sweepings and waste are largely used by small retail dealers for human consumption to the detriment of public health ? Do Government propose to consider the desirability of appointing a Committee to enquire into the whole matter so as to devise measures for the control and regulation of the sale of tea sweepings and other bad teas which are not fit for human consumption ?

Mr. G. S. Bajpai : The Government of India are not aware that the evil is widespread. The matter primarily concerns local Governments, whose attention was drawn to it recently with reference to a question asked by Sir Darcy Lindsay in the Legislative Assembly on the 25th March, 1927. Action has already been taken or is being taken by Local Governments to prescribe under their Food Adulteration Acts a standard quality of tea for sale for human consumption. Government do not consider that any further action is necessary at present.

†913*.

APPOINTMENT OF RATE CLASSIFICATION COMMITTEES ON THE INDIAN RAILWAYS.

914. ***Mr. Mukhtar Singh** : (1) (a) Are there any Rate Classification Committees on the State Railways in India ?

(b) If the answer be in the affirmative will the Government be pleased to state their constitution ?

(c) If the answer be in the negative will the Government be pleased to state why such committees are not appointed ?

(d) How are the rates fixed on the Indian Railways ; how are the interests of Indian commercial people consulted and safeguarded ?

(e) Is there any arrangement to receive the complaints of Indian interests and to enquire into their truth or otherwise besides the Rates Advisory Committee ?

(2) Is there any Industrial Department attached to the Indian Railways ?

(3) Is there any arrangement to know the views of the commercial people, their convenience, difficulties and complaints in connection with the Indian Railways ?

(4) (a) Do Government keep any detailed account as to whether a certain commodity has paid its way at the existing rates on the Indian Railways and if so, how much ?

†For this question, see at the end of the starred questions for the day.

(b) If not, how does the Railway Board calculate and find out whether the existing rates are reasonable ?

Mr. A. A. L. Parsons : (1) (a) Yes.

(b) The Commercial Committee for Interchange is appointed by the Indian Railway Conference Association. The Committee consists of the Chief Commercial Managers of the following Railways :

Eastern Bengal Railway.

Bengal and North Western and Rohilkund and Kumaon Railways

Bengal Nagpur Railway

East Indian Railway

Bombay, Baroda and Central India Railway

North Western Railway

H. E. H. the Nizam's Guaranteed State Railways

Great Indian Peninsula Railway

Madras and Southern Mahratta Railway

and the General Secretary, Indian Railway Conference Association.

(c) Does not arise.

(d) The Government lay down certain fixed maxima and minima rates between which Railways adjust individual rates to the extent which the traffic can bear. It is to the interest of the Commercial Departments of the Railways to see that rates are adjusted to obtain the maximum traffic offering and further the reasonableness of any rate can be entered for discussion at a meeting of the Advisory Committee of Railways.

(e) Yes, complaints regarding rates can be made to the Agent of a Railway and any representations regarding rates are given the most careful consideration by the Commercial Branches. As a general rule, it is not until there has been a failure to reach an agreement between a Railway Administration and an individual trader that a reference is made to the Rates Advisory Committee.

(2) No.

(3) Yes, through the Local Advisory Committees, the various Chambers of Commerce and other representative bodies.

(4) (a) No. It is found in practice that this is not feasible for a given commodity.

(b) The rates on Indian Railways have been fixed after years of experience and if the rate for any particular commodity is unreasonable the traffic would not move and the matter would therefore immediately come to the notice of the Railway Administration.

PERIOD SPENT IN THE HILLS IN SUMMER ON INSPECTION OF RAILWAY OUT-AGENCIES BY MR. WOOD, CHIEF AUDITOR OF THE NORTH WESTERN RAILWAY.

915. ***Kumar Ganganand Sinha :** (a) Are the Government aware that the present Chief Auditor of the North-Western Railway, Mr. Wood, has during each of the last two years spent more than three months during the summer in the hills on the inspection of railway out-agencies ?

(b) Is it a fact that he is accompanied on several of the inspections by the Travelling Auditor and throughout by a Travelling Inspector of Accounts ?

The Honourable Sir Bhupendra Nath Mitra : I propose to reply to questions Nos. 915 and 916 together.

Enquiry is being made, and a reply will be sent to the Honourable Member in due course.

INSPECTION OF OUT-AGENCIES BY MR. WOOD, CHIEF AUDITOR OF THE NORTH WESTERN RAILWAY.

†916. ***Kumar Ganganand Sinha :** (a) Is it a fact that the inspection of small out-agencies is an important part of the Chief Auditor's duties ? Is it a fact that for the discharge of that duty it is necessary for him to absent himself from headquarters for a long time ?

(b) If the answer to (a) be in the negative what steps do Government propose to take to put a stop to such a practice ?

(c) Is it a fact that no previous Chief Auditor on the North Western Railway has been absent for such a long time as Mr. Wood from his headquarters on this work ?

(d) Is it a fact that hitherto the usual procedure has been to divide the out-agencies among the officers and that very junior officers have conducted the inspection of out-agencies without any assistance ?

(e) If the answer to (d) be in the affirmative what action do Government propose to take to put a stop to the waste involved in this system adopted by the present Chief Auditor ?

(f) Do the Government propose to direct the Agent of the Railway to inquire into the matter ?

ALLOWANCES GRANTED TO GOVERNMENT EMPLOYEES UNDER THE SIMLA ALLOWANCE CODE.

917. ***Kumar Ganganand Sinha :** (1) Will the Government lay on the table of the House the correspondence leading to the enactment of the Simla Allowance Code ?

(2) Did the Government grant the allowances mentioned in the Code Book to those officers and employees only who were transferred from Calcutta or also to officers who were recruited locally ?

(3) Will the Government state the number of Government employees who receive benefits under the Simla Allowance Code ? Also will the Government state how many of these were brought up from Calcutta and how many recruited locally ?

(4) (a) Will the Government be pleased to state the grounds on which house rent allowance is granted to officials and clerks employed in the Government of India ?

(b) Was it the ground for granting the allowance that the employees concerned were shifted from Calcutta ? If so, on what ground was this benefit extended to those recruited locally ?

The Honourable Mr. J. Orerar : I would refer the Honourable Member to the reply that I gave on the 20th instant to Maulvi Abdul Mastin Chaudhury's question No. 747 on the same subject.

†For answer to this question, see answer to question No. 915.

CONDUCT OF THE POLICE IN INVESTIGATING THE MURDER OF SAYED MOHAMMED SADIQ, FATHER-IN-LAW OF KHAWAJA HASAN NIZAMI.

918. *Maulvi Muhammad Yakub : (a) Are Government aware that there is a strong feeling in Delhi as regards the conduct of the Police in investigating the murder case of Sayed Mohammed Sadiq, father-in-law of Khawaja Hasan Nizami ?

(b) Are Government aware that investigation of the case was suspended for a week soon after the crime was committed ?

(c) Will Government be pleased to state what, if any, efforts were made by the Police to trace the person who purchased the revolver by which the crime was committed ?

(d) Are Government aware that a mass meeting of the Mussalmans of Delhi was held, under the presidentship of Maulana Ahmed Saeed, the Secretary of the Jamiat-ul-Ulma-i-Hind, to place on record the sense of the Mussalmans of Delhi about the defective investigation of the case and demanding a fresh enquiry ?

(e) Is it a fact that Laila Khawaja Banu, the wife of Khawaja Hasan Nizami, has addressed a letter to some Government officers of high position, praying for a fresh enquiry into the murder case of her father ?

(f) Do Government, under the circumstances, propose to order a fresh investigation of the case by the C. I. D. and make an effort to find out the conspiracy which resulted in the murder of Sayed Mohd. Sadiq in broad daylight, and bring about the punishment of the real accused ?

The Honourable Mr. J. Orerar : I have called for information and will send the Honourable Member a reply to his question as soon as I am in a position to do so.

PROPOSED SEPARATION OF AUDIT FROM ACCOUNTS IN THE EASTERN BENGAL RAILWAY.

919. *Mr. Satyendra Chandra Mitra : (a) Will the Government please say if the proposal for the separation of Audit from Accounts be given effect to in the Eastern Bengal and North-Western Railways, the number of accountants in the Subordinate Railway Accounts Service Staff as sanctioned will remain unchanged ? If not, will the Government please state what steps they propose to take to safeguard the interests of those accountants who have passed the Railway Subordinate Accounts Service Examination and will be left surplus by the adoption of this proposal ?

(b) Will the Government please state whether the Railway Accounts Branch thus formed will recruit their accountants from the passed men who will be thus left surplus ? If not, will the Government be pleased to state why the vested interests of those passed accountants should be overlooked ?

(c) Is it a fact that a move has been made to start a school for training accountants for filling up posts of accountants in the Railway Accounts side ? If so, will the Government please state why new recruits would be taken as accountants in the Accounts side in preference to the passed men who have been working as accountants in the offices of the Chief Auditors, Eastern Bengal and North Western Railways ?

Mr. A. A. L. Parsons : (a) The total number of accountants in the Accounts and the Audit Offices together will, under the separation proposals, be larger than the present number.

(b) and (c). The question of the terms and conditions under which existing subordinate establishments will be transferred to the Accounts Department has been dealt with in Annexure D of my Memorandum on the system of separation of Accounts from Audit. The final rules will be promulgated after further discussion with the Standing Finance Committee for Railways. It is proposed with the concurrence of the Auditor General to start a school temporarily to train men chiefly from the existing staff, to fill the additional posts of accountants required.

MILITARY TRAINING OF INDIAN YOUTHS.

920. ***Dr. B. S. Moonje :** (1) What do Government propose to do towards accelerating and broadcasting the system of military training for Indian youths ?

(2) Do Government propose to take any steps for the establishment of an Indian manufacturing firm for the supply of up-to-date rifles to meet the requirements of the Indian Army ?

Mr. G. M. Young : (1) The policy in regard to the military training of youths, other than those who intend to adopt the army as a profession, is contained in the proposals of the Auxiliary and Territorial Forces Committee relating to the University Training Corps. These proposals have been accepted and are being carried out by Government.

(2) No, Sir. The requirements of the Indian Army in the matter of rifles are fully met by the existing Ordnance establishments.

Dr. B. S. Moonje : Is there any likelihood of a Central Advisory Committee being formed in connection with this Department ?

Mr. G. M. Young : Sir, I hardly think that question arises, but Government did decide to form a Central Advisory Committee and in fact a provision to that effect was inserted in the Auxiliary and Territorial Forces (Amendment) Bill, which became law on the 1st September.

+921*.

EMPLOYMENT OF TWO CANDIDATES NOT BELONGING TO THE NORTH WEST FRONTIER REVENUE AREA IN CLERICAL APPOINTMENTS IN THE PUNJAB AND NORTH WEST FRONTIER POSTAL CIRCLE.

922. ***Mr. Abdul Matin Chaudhury** (on behalf of Mr. Anwar-ul-Azim) : (a) Is it a fact that Salig Ram one of the two candidates recommended by the Postmaster, Peshawar, to the Postmaster-General, Punjab and North-West Frontier Circle for clerical appointments belongs to Thatta (Rawalpindi District) ?

(b) Is it a fact that Salig Ram, one of the two candidates, was a temporary clerk in the office of Controller of Military Accounts, Peshawar where he gave his residence as stated in question (a) above ?

*For this question, see at the end of the starred questions for the day.

(c) Is it a fact that the second candidate recommended by the Postmaster, Peshawar, in August 1928, was Krishan Chandra, son of Jodha Ram, Accountant, Post Office, Peshawar ?

(d) Is it a fact that Jodha Ram, Accountant, is resident of Jhelum District ?

(e) Is it a fact that according to the orders of Government only those candidates who belong to North-West Frontier Province Revenue Area can be taken in the North-West Frontier Province ?

(f) If replies to the above be in the affirmative, do Government propose to take suitable action against the Postmaster, Peshawar, who employed these candidates deliberately and to remove the candidates so taken ?

The Honourable Mr. A. G. McWatters : Government have no information.

EMPLOYMENT OF TWO BROTHERS AS CLERKS IN THE PESHAWAR HEAD POST OFFICE.

923. *Mr. Abdul Matin Chaudhury (on behalf of Mr. Anwar-ul-Azim) : (a) Is it a fact that according to the orders of the Postal Department no two relatives can be employed in one and the same office ?

(b) Is it a fact that Sham Singh and Kartar Singh two real brothers are employed as clerks in the Peshawar Head Post Office ?

(c) Is it a fact that the father of Krishan Chandra, nominated clerk of Peshawar, is employed as Accountant in the Peshawar Head Post Office ?

(d) If the replies to the above be in the affirmative, do Government propose to take suitable action against these irregular postings ?

Mr. P. G. Rogers : (a) The reply is in the negative.

The other parts do not arise.

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

REVERSION OF TOWN INSPECTORS OF POST OFFICES IN BOMBAY TO THE RANK FROM WHICH THEY WERE ORIGINALLY RECRUITED.

†899. *Mr. Fasal Ibrahim Rahimtalla : Will the Government be pleased to say :

(a) whether it is a fact that, prior to the introduction of the time scale of pay, the grade of Rs. 100 was reserved for the postal Town Inspectorship in Bombay Presidency Town ?

(b) whether it is a fact that the Town Inspectors in the Bombay Town were recruited from the clerks by means of the Presidency Postmaster's selection, irrespective of the seniority of the official so selected, or of the pay drawn by the selected official or of his passing the departmental examination ?

(c) whether the overseer postmen and the sorting postmen were also similarly appointed by means of selection from amongst suitable postmen ?

†For answer to this question, see answer to question No. 896.

- (d) whether it is a fact that for the recent revision of pay, the permanent overseer postmen and the sorting postmen were not replaced by the postmen on the ground of seniority or suitability? If the reply to the above 4 items are in the affirmative, will the Government be pleased to say why the Town Inspectors of the Bombay town who were recruited from the clerks and appointed substantively in the appointment of Town Inspector should be reverted to the rank from which they were originally recruited?

REVISED SCALES OF PAY FOR SORTING POSTMEN IN THE PUNJAB CIRCLE.

900. *Mr. Fasal Ibrahim Rahimtulla : Is it a fact that the sorting postmen of the Punjab Circle were on the same scale of pay as the postmen of that Circle? If so, did the postmen who rendered more years' service than the sorting postmen claim the posts of sorting postmen in the revised scale on the ground of seniority or suitability or the junior postmen with better qualifications?

The Honourable Mr. A. C. McWatters : Prior to the introduction of the revised scales of pay, sorting postmen in the Punjab Circle were in the same time-scale of pay as ordinary postmen, but in addition they received special pay of Rs. 7-8-0 per mensem. This was withdrawn when the new scales were introduced. With regard to the second part of the question, Government have no information.

REVERSION OF TOWN INSPECTORS OF POST OFFICES IN BOMBAY, ETC.

†901. *Mr. Fasal Ibrahim Rahimtulla : (a) Are Government aware that different principles have been applied by the Postmaster-General Bombay for the removal of the permanent holders of the Town Inspector's posts, viz., one for the Bombay Presidency town and another principle for the First class head Post Offices in the Bombay Circle?

(b) Are Government aware of the loss of emoluments in respect of the officials' loss of permanent appointments through no fault of theirs? If so, what steps have been taken to decide their case?

(c) Have the Government received the appeals from the reverted officials who were permanently holding the Town Inspector's posts and considered the points raised in the appeals? If so, with what result?

REVERSION TO THE CLERICAL LINE OF TOWN INSPECTORS OF POST OFFICES.

†902. *Mr. Fasal Ibrahim Rahimtulla : Will the Government be pleased to lay on the table :

- (a) a list showing the names of the reverted officials showing against each the length of his permanent service as a Town Inspector prior to the date of his reversion to the clerical line and the period of work, in the revised post, and
- (b) a list of the newly appointed officials who have replaced the permanent Town Inspectors showing against each the length of his permanent service as Town Inspector prior to his new appointment in May 1928?

†For answer to this question, see answer to question No. 903.

REVISION OF THE PAY AND PROSPECTS OF ASSISTANT DIRECTORS-GENERAL AND OTHER GAZETTED OFFICERS OF THE POST OFFICE.

913. *Pandit Nilakantha Das : (a) Is it a fact that the Assistant Directors-General and other gazetted officers of the Post Office waited in a deputation on the Honourable Member in charge of the Department of Industries and Labour at Calcutta in December 1925 or so in connection with their revision of pay and prospects ?

(b) If so, will the Government be pleased to lay on the table a copy of the proceedings of the deputation ?

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

(b) Government are not prepared to disclose the particulars of their departmental discussions.

EXPENDITURE INCURRED ON THE ENQUIRY BY THE TARIFF BOARD INTO THE QUESTION OF THE GRANT OF PROTECTION TO THE OIL INDUSTRY.

921. *Mr. Srich Chandra Dutta : (a) What are the total costs incurred in the investigation by the Tariff Board of the question of the grant of protection to the oil industry of India ?

(b) In view of the fact that the applicant companies who were members of the Kerosine Pool suppressed a very important fact in their representation to the Government of India that the Royal Dutch Shell Group had recognised their claim to compensation for losses suffered as a result of the price war, which, as admitted by the Government of India in their Resolution dated the 12th September 1926, [No. 141-T. (48) Government of India, Department of Commerce], was material to the issue whether there was a *prima facie* case for an enquiry or not, do Government propose to take steps to recover the entire costs of the enquiry by the Tariff Board from those companies ?

The Honourable Sir George Rainy : (a) The Honourable Member is referred to the reply given to the second part of question No. 369 asked by Mr. Gaya Prasad Singh on the 11th September last.

(b) No.

UNSTARRED QUESTIONS AND ANSWERS.

RECOGNITION OF THE UNIONS OF RAILWAY EMPLOYEES BY THE AGENTS OF RAILWAYS.

492. **Mr. Amar Nath Dutt :** With reference to the reply given on the 1st February, 1928, to starred question No. 42 by Mr. N. M. Joshi, will Government be pleased to state whether they have completed consideration of the question of the recognition of the Unions of railway employees by the Agents of the Railways ? If so, what is the decision ?

Mr. A. A. L. Parsons : The Honourable Member is referred to the reply given to the unstarred question No. 67 of Khan Bahadur Sarfaraz Hussain Khan on 4th September, 1928.

IGNORING BY THE EAST INDIAN RAILWAY AUTHORITIES OF REPRESENTATIONS MADE BY THE UNION ABOUT THE GRIEVANCES OF THE STAFF.

493. **Mr. Amar Nath Dutt** : Is it a fact that the authorities of the East Indian Railway do not give any reply to the representations about the grievances of the staff made by the Union from time to time ? If so, what are the reasons for not giving any reply to such representation ?

Mr. A. A. L. Parsons : The Honourable Member has not mentioned the name of the particular Union to which he refers, but the question, whether replies would be sent to representations, depends on whether the Agent has accepted it as representing the interests of its members and their views.

DIFFERENCE IN SCALES OF PAY AND ALLOWANCES PREVAILING ON THE OUDH AND ROHILKHAND SECTION AND THE EAST INDIAN SECTION OF THE EAST INDIAN RAILWAY.

494. **Mr. Amar Nath Dutt** : With reference to my question No. 183 (a) and (b) in the last Session of the Assembly, will Government be pleased to state what steps have been taken to remove the difference in scales of pay and allowances prevailing on the Oudh and Rohilkhand section and East Indian section of the East Indian Railway ? When do the Government expect to remove the differences ?

Mr. A. A. L. Parsons : Revised scales of pay have been authorised for the East Indian Railway, but the existing permanent staff will continue, if willing, on the old scales.

GRANT OF A WEEKLY REST DAY TO THE STAFF OF RAILWAYS.

495. **Mr. Amar Nath Dutt** : With reference to my question No. 182 (a) and (b) in the last Session of the Assembly, will Government be pleased to state what steps have been taken to grant a day's rest in a week to the railway staff or an allowance in lieu thereof ?

Mr. A. A. L. Parsons : The Honourable Member is referred to the reply given to the unstarred question No. 55 of Khan Bahadur Sarfaraz Hussain Khan on 4th September, 1928.

NUMBER OF INDIAN GUARDS IN " A " GRADE AND ANGLO-INDIAN AND EUROPEAN GUARDS IN " B " GRADE ON THE EAST INDIAN RAILWAY.

496. **Mr. Amar Nath Dutt** : Will Government please lay on the table a statement showing the number of Indian guards in ' A ' grade and Anglo-Indian and European guards in ' B ' grade on the East Indian Railway ?

Mr. A. A. L. Parsons : Government regret that for reasons previously explained they are not prepared to furnish figures of communal representation in individual offices or branches of the services.

PROMOTION OF INDIANS TO " A " GRADE GUARDS ON THE EAST INDIAN RAILWAY.

497. **Mr. Amar Nath Dutt** : (a) Is it a fact that, in view of the assurance given by the Government in the last Session of the Assembly to

the effect that racial discrimination had been eliminated from the East Indian Railway, the ' B ' grade Indian guards of Dinapur Division applied to the Agent for promotion to ' A ' grade, and that the Agent replied that promotion from ' B ' grade to ' A ' grade would be made by selection only ?

(b) If the answer be in the affirmative, will Government please state the reasons why Europeans and Anglo-Indians are appointed direct to ' A ' grade ? Will Government please state the educational qualifications of these Europeans and Anglo-Indians ?

(c) Is it a fact that some Indian graduates have been appointed as guards in ' B ' grade ? If so, will Government be pleased to state why these graduates have not been appointed in ' A ' grade ?

(d) With reference to my question No. 179 (a) and (b) in the last Session of the Assembly, will Government please state what steps have been taken to stop the appointment of outsiders as ' A ' grade guards unless and until the ' B ' grade guards who have completed the grade are promoted to ' A ' grade ?

(e) Is it a fact that a large number of qualified employees of the East Indian Railway who have passed the guards duties and other departmental examinations applied for appointment as guards, but their applications were not considered and unpassed outsiders were appointed as guards ? If so, will Government please state the reasons why unpassed outsiders are given preference over passed hands ?

Mr. A. A. L. Parsons : The Honourable Member's questions have been referred to the Agent of the East Indian Railway, and I will communicate with the Honourable Member on the receipt of the Agent's reply.

ABSORPTION IN THE PERMANENT ESTABLISHMENT OF SUPERNUMERARY HANDS OF THE EAST INDIAN RAILWAY.

498. **Mr. Amar Nath Dutt :** Is it a fact that a large number of employees of the East Indian Railway are in the supernumerary list, and that outsiders are being permanently appointed in supersession of the claims of supernumerary hands ? If so, do Government propose to stop the appointment of outsiders permanently until the supernumerary hands have been absorbed in the permanent establishment ? If not, why not ?

Mr. A. A. L. Parsons : Enquiries are being made, and I will let the Honourable Member know the result.

CURTAILMENT OF HOLIDAYS IN THE DINAPUR DIVISION OF THE EAST INDIAN RAILWAY.

499. **Mr. Amar Nath Dutt :** Is it a fact that in the Dinapur Division of the East Indian Railway the number of gazetted holidays has been curtailed ? If so, was there any representation by the staff against such curtailment of holidays and what action was taken on the same ? Do the Government propose to issue instructions to the Agent to grant all holidays sanctioned by the Government of India ?

Mr. A. A. L. Parsons : Government have no information. It rests with the Agent of the Railway to decide what number of holidays

should be given, and the Government of India do not propose to interfere in the matter.

REFUSAL OF CASUAL LEAVE TO THE STAFF OF THE EAST INDIAN RAILWAY.

500. **Mr. Amar Nath Dutt :** (a) Is it a fact that casual leave is refused to the staff for want of sufficient number of relieving hands and privilege leave is delayed for months after sanction for the same reason ?

(b) Will Government be pleased to state the number of relieving hands in each Division and their proportion to the permanent hands ? Is the proportion adequate to enable the staff to avail themselves of the privilege to which they are entitled ?

(c) Is it a fact that no relief is sent in time for employees at roadside stations reporting sick and the staff have to perform double duties for want of relief ?

Mr. A. A. L. Parsons : Government have no information, but have sent a copy of the Honourable Member's question to the Agent of the East Indian Railway in order that he may consider whether any action is necessary.

NUMBER OF USUAL WORKING HOURS OF CERTAIN CLASSES OF EMPLOYEES ON THE EAST INDIAN RAILWAY.

501. **Mr. Amar Nath Dutt :** Will Government please state the number of usual working hours of (1) Station Masters, (2) Assistant Station Masters, (3) Booking Clerks, (4) Parcel Clerks, (5) Goods Clerks, (6) Checking Clerks, (7) Train Clerks, (8) Number Takers, (9) Transhipment Clerks, (10) Station Masters Clerks, and (11) Signallers, on the East Indian Railway ?

Mr. A. A. L. Parsons : The working hours of these classes of employees varies at different stations, and Government are not prepared to undertake the detailed investigation which would be required to answer the Honourable Member's question.

SERVICE AGREEMENTS WITH THE STAFF OF THE EAST INDIAN RAILWAY.

502. **Mr. Amar Nath Dutt :** Is it a fact that there is a clause in the agreement of the staff of the East Indian Railway that their services can be dispensed with without assigning any reasons ? If so, do Government propose to issue instructions to the Agent that no permanent employee should be discharged from service unless the reasons are clearly stated ? If not, will Government be pleased to state reasons ?

Mr. A. A. L. Parsons : The service agreement contains a provision that an employee's services can be terminated at any time after one month's notice on either side, or on payment by Government of one month's pay in lieu of notice. It is not usual to give reasons in cases of discharge, and it is for the railway authorities to decide whether reasons should be given or not. Government do not propose to issue instructions fettering the discretion of railway administrations in this matter, for the nature of railway service makes it necessary to engage employees on terms which will allow of their discharge, if their services are no longer needed.

NUMBER OF INDIAN, ANGLO-INDIAN AND EUROPEAN EMPLOYEES OF THE EAST INDIAN RAILWAY DISCHARGED DURING THE YEAR 1927.

503. Mr. Amar Nath Dutt : Will Government please lay on the table a statement showing the number of Indian, Anglo-Indian and European employees of the East Indian Railway discharged from service during the year 1927 giving reasons for discharge ?

Mr. A. A. L. Parsons : Government regret that they are not willing to undertake the preparation of such a statement.

CLASSES OF EMPLOYEES OF THE EAST INDIAN RAILWAY ENTITLED TO RENT-FREE QUARTERS.

504. Mr. Amar Nath Dutt : (a) Will Government please state which classes of workers of East Indian Railway are entitled to rent-free quarters ?

(b) Are all employees who are entitled to rent-free quarters provided with quarters ? If the answer be in the negative, will Government please state the number of employees who have not been provided with quarters ?

(c) Is it a fact that the employees who have not been provided with rent-free quarters are given a house allowance in lieu of quarters ? If so, what is the rate of such allowance ?

(d) Is it a fact that some employees who are not entitled to rent-free quarters under the existing rules, but have been provided with quarters have to pay rent at the rate of one-ninth of their pay ?

(e) Is there any difference between the rate of house allowance paid to the staff who are entitled to rent-free quarters and the house rent deducted from those who are not entitled to rent-free quarters but have been provided with quarters ? If so, will Government please state the reasons for such difference ?

Mr. A. A. L. Parsons : Government regret that they are not prepared to undertake the enquiries in the detail which an answer to the Honourable Member's question will entail.

APPOINTMENT OF ANGLO-INDIAN GUARDS TO OFFICIATE AS STATION MASTERS AT CERTAIN STATIONS ON THE EAST INDIAN RAILWAY.

505. Mr. Amar Nath Dutt : Is it a fact that at Patna Junction, Jha Jha, Mokameh, Kiul and other important stations whenever the station masters have gone on leave Anglo-Indian guards from outside have been sent to work as station masters there in supercession of the claims of the senior assistant station masters of the station ? If so, will the Government be pleased to state the reasons for not complying with the statement contained in their letter No. 6164, dated the 22nd May 1928 ?

Mr. A. A. L. Parsons : Government are not aware of the detailed arrangements which may have been made at these particular stations in the past. I must point out that senior assistant station masters at these or other stations have no claim to officiate. There is nothing in the letter mentioned by the Honourable Member suggesting that they have any such claim.

PAY OF STATION MASTERS AND ASSISTANT STATION MASTERS ON THE EAST INDIAN RAILWAY.

506. **Mr. Amar Nath Dutt :** (a) Will Government please state the maximum pay of Indian station masters and assistant station masters, and the minimum pay of European and Anglo-Indian station masters and assistant station masters on the East Indian Railway ? If there be any difference, will Government be pleased to state the reasons ?

(b) In view of the assurance of the Government that racial discrimination has been eliminated from the East Indian Railway, do Government propose to raise the pay of Indian station masters and assistant station masters to the level of the European and Anglo-Indian station masters and assistant station masters ?

Mr. A. A. L. Parsons : (a) A statement showing the rates of pay of station masters and assistant station masters on the East Indian Railway is being sent to the Honourable Member. These apply equally to all employees of whatever race.

(b) Does not arise.

PAY OF JUNIOR CLERKS OF THE INSPECTORS' OFFICES OF THE ENGINEERING DEPARTMENT, EAST INDIAN RAILWAY.

507. **Mr. Amar Nath Dutt :** Is it a fact that the junior clerks of the Inspectors' offices of the Engineering Department who are all in grade V, are blocked at Rs. 60 ? Is it a fact that the maximum of grade V is Rs. 80 ? If so, will the Government state the reasons for withholding the maximum pay of the grade from these junior clerks of the Engineering Department ?

Mr. A. A. L. Parsons : Government have no information, but have sent a copy of the Honourable Member's question to the Agent of the East Indian Railway in order that he may consider whether any action is necessary.

EXPENDITURE INCURRED BY THE EAST INDIAN RAILWAY ON THE CREW DEPARTMENT AND TRAVELLING TICKET INSPECTORS.

508. **Mr. Amar Nath Dutt :** (a) Will Government please state the amount spent by the East Indian Railway in each Division for making payment of salary and allowances to staff and officers and other expenses in connection with the Crew Department during the year ending 31st March, 1928 ?

(b) Will Government please state the expenditure incurred for payment of salary and allowances to the Travelling Ticket Inspectors in the year 1927-28 in each Division ?

(c) Will Government please lay on the table a statement showing the amount realised by the (1) Crew Department and (2) Travelling Ticket Inspectors as fares from passengers travelling without tickets during the year 1927-28 in each Division ?

Mr. A. A. L. Parsons : Information is being collected and will be supplied to the Honourable Member in due course.

TRANSFER OF TRAVELLING TICKET INSPECTORS TO INFERIOR POSITIONS IN THE CREW DEPARTMENT OF THE EAST INDIAN RAILWAY.

509. **Mr. Amar Nath Dutt :** Is it a fact that the old Travelling Ticket Inspectors and station Ticket Collectors have been temporarily

transferred to the Crew Department where they hold inferior positions and that outsiders have been appointed as Crew Inspectors and Crew-in-charges on higher pay ? If so, why ?

Mr. A. A. L. Parsons : The position was, and is, that the old employees to whom the Honourable Member refers were not qualified to discharge the duties of the higher grade posts, and that in preference to discharging them they were transferred to lower posts the duties of which it was considered they could perform satisfactorily.

REPRESENTATION OF THE TRAVELLING TICKET INSPECTORS OF THE DINAPUR DIVISION, EAST INDIAN RAILWAY.

510. **Mr. Amar Nath Dutt :** Is it a fact that the Travelling Ticket Inspectors of the Dinapur Division submitted a representation to the railway authorities protesting against the unfair treatment accorded to them ? If so, what action has been taken on the same ?

Mr. A. A. L. Parsons : Government have no information and regret that they cannot undertake to enquire into cases which are entirely within the competence of the Agent of the Railway.

APPOINTMENT OF CREW OFFICERS IN EACH DIVISION OF THE EAST INDIAN RAILWAY.

511. **Mr. Amar Nath Dutt :** (a) Is it a fact that high-salaried Crew officers have been appointed in each Division ? Is it a fact that there are a sufficient number of officers in all the Divisions since the introduction of divisional system of work ? What objection, if any, have Government to entrust these officers with the work of the Crew Department instead of appointing additional officers for the purpose ?

(b) Is it a fact that the work of the Crew Department can be managed by the Divisional Officers, Ticket Inspectors and station masters more efficiently and economically than by the newly appointed officers and station inspectors and Night men-in-charge of the Crew Department ?

(c) Is it a fact that since the introduction of the Crew Department it has been a close preserve for outsiders and the old Travelling Ticket Inspectors and Ticket Collectors are rigidly excluded from higher posts of the Department ?

(d) Is it a fact that the new Crew-in-Charges and Inspectors are allowed to issue excess fare tickets although they have not furnished any cash security ? If so, what security have Government in cases of misappropriation ?

Mr. A. A. L. Parsons : (a) An additional junior scale officer has been appointed in charge of the crew organisation on those divisions of the East Indian Railway on which the crew system operates. The crew system was a new activity over which supervision is necessary, but that supervision could not be carried out by officers who already had their time fully occupied with other duties.

(b) Certainly not.

(c) No.

(d) The answer to the first part of the question is in the affirmative. The sums in the hands of the crew-in-charges and the Inspectors at any one time are not so large as to require a security deposit.

TRANSFER OF TRAVELLING TICKET INSPECTORS TO THE CREW DEPARTMENT ON THE EAST INDIAN RAILWAY.

512. **Mr. Amar Nath Dutt** : Will the Government please lay on the table a copy of the minutes of a meeting of the officers of the East Indian Railway held on 3rd May, 1927, in connection with the transfer of the Travelling Ticket Inspectors to the Crew Department, a copy of the representation submitted by the Travelling Ticket Inspectors to the Divisional Superintendent of Howrah on the subject and the reply thereto, dated 22nd November, 1927 ?

Mr. A. A. L. Parsons : Government are not prepared to lay these departmental papers on the table.

DAILY ALLOWANCE OF MEMBERS OF THE CENTRAL LEGISLATURE.

513. **Mr. Fasal Ibrahim Rahimtulla** : (a) Are the Government aware that the allowance of Rs. 20 per day is not sufficient for the Members coming up to Simla ?

(b) If so, do Government propose to consider the advisability of increasing it ?

Mr. L. Graham : (a) The reply is in the negative.

(b) Does not arise.

GENERAL ELECTIONS OF THE LEGISLATIVE ASSEMBLY AND THE COUNCIL OF STATE.

514. **Kumar Rananjaya Singh** : Will Government be pleased to state when the general elections of the Legislative Assembly and the Council of State are going to be held ? Is it a fact that these elections are going to be held after the report of the Simon Commission and the passing of the new Government of India Act ?

Mr. L. Graham : Power to extend the life of the Assembly and the Council of State is vested in the Governor General under section 63D of the Government of India Act. Government have no information on either part of the question.

TOTAL NUMBER OF POLITICAL PRISONERS IN INDIA

515. **Kumar Rananjaya Singh** : What is the total number of political prisoners all over India and how many of them are Hindus and how many Muhammadans ?

The Honourable Mr. J. Orerar : If the Honourable Member will explain precisely what he means by political prisoners, I will see whether the information can be supplied.

TOTAL NUMBER OF DAFTARIES, PEONS, FARASHES AND OTHER MENIALS EMPLOYED IN THE INDIAN STORES DEPARTMENT, ETC.

516. **Haji Chaudhury Mohammad Ismail Khan** : (a) What is the total number of daftaries, peons, farashes and other menials working in the

Indian Stores Department, and how many of them are Muslims? What procedure is adopted by this Department in recruiting suitable men for these posts?

(b) Are the Government aware that a considerable section of the ministerial staff of this Department are dissatisfied with this office and prefer to be transferred to other Departments of the Government of India, including attached offices, and that of late difficulties are being put in their way to get jobs in other offices for one reason or another?

The Honourable Mr. A. C. McWatters : (a) The total number of daftaries, peons and farashes employed in the office of the Chief Controller of Stores, Indian Stores Department, is 58, of whom 3 are Muslims. Candidates are selected from among those applying for appointments.

(b) No. I understand that one typist was recently prevented from transferring his services temporarily to another office, but I am not aware of any general discontent.

TOTAL STRENGTH OF THE CLERICAL AND MENIAL ESTABLISHMENTS OF THE BOMBAY PURCHASE CIRCLE.

517. **Haji Chaudhury Mohammad Ismail Khan :** Will the Government kindly state the total number of clerical and menial staff employed in the Bombay Purchase Circle of this Department, and the number of Muslims in each class? What steps have been taken in the past by this Circle to secure communal adjustment of the staff?

The Honourable Mr. A. C. McWatters : The total strengths of the clerical and menial establishments of the Bombay Purchase Circle are 16 and 9, respectively. Of these one, a menial, is a Muslim. The necessity for securing adequate communal representation in his staff has been impressed on the Officer in charge of the Circle, who reports that this consideration is kept in view when effecting recruitment.

INADEQUACY OF THE SCALES OF PAY OF THE SUBORDINATE STAFF EMPLOYED ON THE BENGAL AND NORTH WESTERN RAILWAY.

518. **Mr. Amar Nath Dutt :** Will the Government be pleased to state if of late there was any correspondence between the Railway Board at Simla and the Agent, Bengal and North-Western Railway, regarding the scales of pay of the Indian subordinate staff working on this Railway and whether the Railway Board pointed out to the Agent, Bengal and North-Western Railway, the inadequacy of its scales and their vast difference from those prevailing on other Indian Railways?

(i) If the answer is in the affirmative will the Government be pleased to place the correspondence before the House?

(ii) If the answer is in the negative do the Government propose to ask the Bengal and North-Western Railway to increase its scales?

Mr. A. A. L. Parsons : There has been no such correspondence and Government do not propose to take up the matter with the Agent.

OVERWORKED STAFF IN THE TRAFFIC AND LOCOMOTIVE DEPARTMENTS ON THE BENGAL AND NORTH WESTERN RAILWAY.

519. **Mr. Amar Nath Dutt** : (i) Is it a fact that the staff employed in the Traffic and Locomotive Departments on the Bengal and North-Western Railway are overworked ?

(ii) Do some of them work for 12 hours a day and some for 24 hours ?

(iii) Is it a fact that the train staff have no limit to their working ?

(iv) If the reply be in affirmative do the Government propose to ask the Bengal and North-Western Railway to reduce the working hours ?

Mr. A. A. L. Parsons : I propose with your permission, Sir, to reply to questions Nos. 519, 521, 524, 525, 526 and 527 together. Enquiries are being made from the Railway Administration and I will communicate with the Honourable Member in due course.

CASUALTIES IN THE ACCIDENT BETWEEN HAYAGHAT AND KISHANPUR STATIONS ON THE BENGAL AND NORTH WESTERN RAILWAY.

520. **Mr. Amar Nath Dutt** : (1) (a) Will the Government be pleased to state the number of casualties and wounded in the accident of train partition and collision which took place between Hayaghat and Kishanpur stations on the B. and N.-W. Railway ?

(b) What was the cause on the night of 22nd January last of the accident ?

(c) Who was responsible for it ?

(d) What action has been taken against the party at fault ?

(2) (a) Is it a fact that the driver and other crew of the above-mentioned wrecked train were continuously on duty for about 19 hours when the accident took place ?

(b) Was she running without a vacuum brake ?

(c) Is it a fact that most of the trains on this Railway do run without vacuum brakes ?

(d) Was an enquiry held into this accident ? (i) If so, by whom, and (ii) was the fact of over-work of the Engine crew taken into consideration by the enquiring officer in submitting his report to the higher authorities ?

Mr. A. A. L. Parsons : (1) (a) 8 persons were killed and 15 were injured.

(b) In the opinion of the Senior Government Inspector who made an enquiry, the cause of the accident was the derailment of an empty road van attached next to the engine.

(c) and (d). No one is responsible ; the occurrence was purely accidental.

(2) (a) There is nothing to show that this was so, but I am enquiring from the Agent of the Railway.

(b) Yes.

(c) No. Over 68 per cent. of the coaching vehicles (including brake vans used exclusively on passenger trains) on the Bengal and North Western Railway are vacuum braked.

(d) An enquiry was held by the Senior Government Inspector of Railways and by the District Magistrate, Darbhanga, but neither of their reports suggests that the engine crew had been over-worked.

EMPLOYMENT OF MARKERS OF THE BENGAL AND NORTH WESTERN RAILWAY AS CLERKS, ASSISTANT GOODS CLERKS AND GOODS CLERKS AT SOME OF THE ROADSIDE AND JUNCTION STATIONS.

†521. Mr. Amar Nath Dutt : (a) Is it a fact that on the Bengal and North-Western Railway, markers are appointed at some of the roadside and junction stations for the purpose of working as clerks, assistant goods clerks or goods clerks ?

(b) Is it a fact that they get a starting salary of Rs. 10 or 12 per mensem and there are only a few who get Ra. 16 per mensem ?

(c) Is it a fact that they are reckoned as menials and though their services are retained permanently they are kept in temporary scales and are deprived of all the privileges to which other servants of the same Railway are entitled ?

(d) If the reply be in the affirmative do the Government propose to take action to have this undesirable practice discontinued ?

(e) If not, why ?

EMPLOYMENT WITHOUT EXTRA REMUNERATION OF ASSISTANT GUARDS AND SHUNTERS AS GUARDS AND DRIVERS, RESPECTIVELY, ON THE BENGAL AND NORTH WESTERN RAILWAY.

522. Mr. Amar Nath Dutt : (a) Is it a fact that (i) the assistant guards and shunters drawing salaries from Ra. 12 to 18 and Ra. 19 to 24 per mensem, whether qualified or not, are continuously made to work as guards and drivers respectively on the Bengal and North-Western Railway ?

(ii) Are they paid an extra allowance for working as guards and drivers ?

(iii) Are they held responsible and punished for any irregularity or error the same as guards and drivers ?

(b) Do the Government propose to take steps, so that such a practice may cease ?

(c) If not, why ?

Mr. A. A. L. Parsons : The Honourable Member is referred to the reply given to Mr. Joshi's starred question No. 274 on the 8th September.

A copy of the Honourable Member's question has been sent to the Agent.

†For answer to this question, see answer to question No. 519.

PAY OF SIGNALLERS EMPLOYED AT STATIONS ON THE BENGAL AND NORTH WESTERN RAILWAY.

523. **Mr. Amar Nath Dutt :** (a) Will the Government be pleased to state the difference of responsibilities and duties between signallers employed in the Government telegraph offices and at stations on the Bengal and North-Western Railway ?

(b) Is it a fact that the responsibility of signallers on this Railway is much more than the signallers in the Government telegraph offices and concerns the safety of the travelling public ?

(c) Is it a fact that the signallers in this Railway at wayside stations get salaries between Rs. 20 and Rs. 30 only and at junction stations between Rs. 30 and 50 ?

Mr. A. A. L. Parsons : (a) and (b). It is not practicable to make a fair comparison between the responsibilities and duties of signallers employed in Government telegraph offices and of signallers employed on the Bengal and North Western or any other Railway. The technical and general educational qualifications required of a Government telegraph signaller are higher than those of a railway signaller, as the methods adopted for sending and receiving messages in Government telegraph offices are complicated while those required in railway working are simple. And further the signalling work in a Government telegraph office is of a far more concentrated and arduous nature than it is in an ordinary wayside or junction station.

(c) Enquiries are being made from the Railway Administration and I will communicate with the Honourable Member in due course.

PAY OF INDIAN GUARDS ON THE BENGAL AND NORTH WESTERN RAILWAY.

†524. **Mr. Amar Nath Dutt :** (a) Is it a fact that the Indian guards on the Bengal and North-Western Railway receive the minimum remuneration of Rs. 20 per mensem and there are only four or five who receive at most Rs. 60 per mensem ?

(b) Is it a fact that the Indian guards used to get Rs. 21 as their minimum remuneration up to year 1923, but that in the revision of scales of their salary and allowance their minimum salary was reduced to Rs. 20 per month ?

(c) Is it a fact that there are several classes of guards on this Railway ?

(d) What are the differences of duties of guards in the various classes ?

(e) Is it a fact that the scales of pay and allowance of guards on this Railway provide that promotion from one class to another cannot be claimed as a right but will be made according to vacancies and qualifications ?

(f) Is it a fact that guards on this Railway in any class are qualified and actually work all description of trains ?

(g) Is the remuneration of guards adequate on the Bengal and North-Western Railway ?

† For answer to this question, see answer to question No. 519.

(k) If not, what action do Government propose to take to ensure an adequate salary to the guards on the Bengal and North-Western Railway ?

PAY OF STATION MASTERS OF THE FIVE CLASSES OF STATIONS ON THE BENGAL AND NORTH WESTERN RAILWAY.

†525. Mr. Amar Nath Dutt : (a) Is it a fact that there are five classes of stations on the Bengal and North-Western Railway ?

(b) Is it a fact that most of the stations are classed as " C " ?

(c) Is it a fact that station masters of " C " class stations receive a fixed salary of Rs. 50 while the salaries of the station masters of other classes are increased gradually ?

(d) If reply to question (c) be in the affirmative, will the Government be pleased to state the principle on which the salary of the various classes of station masters is fixed ?

PAY OF CERTAIN SPECIFIED CLASSES OF EMPLOYEES ON THE BENGAL AND NORTH WESTERN RAILWAY.

†526. Mr. Amar Nath Dutt : (a) Is it a fact that the following salaries are provided in the current budget and establishment roll of the Bengal and North-Western Railway for :

				Lowest.	Highest.
Drivers .. .. .	..	..	{ European ..	120	300
			{ Indian	25	75
Shunters .. .. .	..	..	{ European ..	60	80
			{ Indian	19	24
Firemen .. .. .	..	..	{ European ..	35	80
			{ Indian	12	18
Fitter .. .. .	..	..	{ European ..	50	300
			{ Indian	15	40
Carriage Examiner..	..	..	{ European ..	100	300
			{ Indian	30	70

(b) If reply be in the affirmative, will Government be pleased to state the reasons for observance of distinction in payment of remuneration to public servants of equal responsibilities and between Indians and Europeans ?

†For answer to this question, see answer to question No. 519.

GRANT OF CONCESSIONS AND OTHER FACILITIES BY THE AUTHORITIES OF THE BALRAMPUR HOSPITAL, LUCKNOW, TO THE INDIAN EMPLOYEES OF THE BENGAL AND NORTH WESTERN RAILWAY.

527. **Mr. Amar Nath Dutt :** (a) Is it a fact that the Bengal and North-Western Railway annually contributes a sum of Rs. 600 to the funds of the Balrampur Hospital at Lucknow and in lieu of this the hospital authorities grant concessions and afford other facilities to European and Anglo-Indian employees of the said Railway ?

(b) Are any such contributions made by the Bengal and North-Western Railway for facilities to be afforded and concessions to be granted to its Indian employees in the Balarampur or any efficient hospital ? If so, how much and to which hospital ? If not, why ?

NUMBER OF INDIAN OFFICERS EMPLOYED ON THE BENGAL AND NORTH WESTERN RAILWAY.

528. **Mr. Amar Nath Dutt :** (a) Will the Government be pleased to state :

(i) The number of officers on the Bengal and North-Western Railway ?

(ii) How many out of them are Indians ?

(iii) Amount of salaries paid to them per mensem for the last three years ?

(iv) How much to Indian officers ?

(v) Number of upper subordinates ?

(vi) How many out of them are Europeans, Anglo-Indians and how many Indians ?

(vii) Amount of salaries paid to them ?

(viii) How much to Indian upper subordinates ?

(b) (i) Is it a fact that none of the District Officers and Heads of Department, and even of the Foremen of Running Sheds and Workshops is an Indian ?

(ii) If not, why ?

Mr. A. A. L. Parsons : (a) (i), (ii), (v) and (vi). The Honourable Member is referred to Appendix F of the Report by the Railway Board on Indian Railways, copies of which are in the Library.

(a) (iii), (iv), (vii) and (viii). Government have no information and they do not think that the labour involved in collecting it will serve any useful purpose.

(b) (i) and (ii). A communication on these points will be sent to the Honourable Member in due course.

INADEQUATE PAY OF THE STAFF OF THE BENGAL AND NORTH WESTERN RAILWAY.

529 **Mr. Amar Nath Dutt :** (a) (i) Is it a fact that the employees on the Bengal and North-Western Railway are generally low paid ?

†For answer to this question, see answer to question No. 519.

(ii) Is it a fact that the Agent, Bengal and North-Western Railway, wrote to the President of Bengal and North-Western Railwaymen's Association saying that his Railway is unable to maintain a staff of the same qualifications as in the Oudh and Rohilkund Railway and the East Indian Railway ?

(iii) What qualifications do railway servants possess ?

(iv) Does the Agent, Bengal and North-Western Railway, mean to say that the staff of his Railway are not qualified or efficient as the railway servants must be ?

(b) Will the Government be pleased to state :

(i) The effects and results of services of semi-qualified staff on Railways ?

(ii) Whether the meagre profit of the said Railway is one of the causes of inadequate salaries paid to its staff ?

(iii) The percentage of declared dividend to its shareholders during the year ending 30th September 1927 ?

(iv) Whether it was 18 per cent.

(v) Is it not sufficient to maintain sufficiently a qualified staff or to pay them adequately ?

(c) (i) Do Government propose to direct the administration of the said Railway to pay its staff sufficiently ?

(ii) If not, why ?

Mr. A. A. L. Parsons : (a) (i) It is not understood what the Honourable Member means by " low paid ". Government understand that the cost of living is lower in the areas served by the Bengal and North-Western Railway than in other parts of India, and it is not, therefore, necessary to pay as high salaries to certain classes of railway employees there as elsewhere.

(ii) Government have no information.

(iii) Such qualifications as are required for the performance of the various classes of duties required of them.

(iv) Government feel sure that the Agent of the Railway has never committed himself to any statement of this kind.

(b) A dividend of 18 per cent. was declared for the year ending 30th September, 1927. Government do not agree with the assumptions underlying the remaining parts of the Honourable Member's question.

(c) (i). Government do not propose to do so.

(ii) Because Government do not accept the assumption on which the Honourable Member asks for such instructions to be issued.

CHARGES FOR LOADING AND UNLOADING OF GOODS ON THE BENGAL AND NORTH WESTERN RAILWAY.

530. **Mr. Amar Nath Dutt :** (a) (i) Is it a fact that the Bengal and North Western Railway does not pay for the charges of loading and unloading of goods in and out of wagons but engages the services of an insufficient number of porters for the purpose and compels the station

masters to have loading and unloading done with the labour of merchants despatching and receiving goods through it ?

(ii) How much did this Railway pay on this account and at what rate last year and how much for the 10 years before last ?

Mr. A. A. L. Parsons : (i) A complaint received about a year ago by the Railway Board suggests that there is some dissatisfaction on this score.

(ii) I am afraid the figures are not procurable, but I am sending a copy of the Honourable Member's question to the Agent of the Railway in order that he may see whether action still requires to be taken.

DETECTION OF BASE COINS AND FORGED CURRENCY NOTES ON THE BENGAL AND NORTH WESTERN RAILWAY.

531. Mr. Amar Nath Dutt : Will the Government be pleased to state :

- (i) whether station masters or other responsible clerks of stations on the Bengal and North Western Railway are made to pay for all base coins and forged Government currency notes received in the treasury of the said Railway along with the cash remittance of stations ?
- (ii) what is the procedure for detecting base coins and forged notes in the said treasury ?
- (iii) what training is imparted to the staff at stations on the said Railway to make them capable of detecting base coins and forged notes while they receive an unlimited number of coins and notes from the public in a very short time in lieu of freights and fares ?

Mr. A. A. L. Parsons : I am not aware of the exact procedure on the Bengal and North-Western Railway, but will make enquiries and inform the Honourable Member of the result.

REFUSAL OF THE AGENT TO RECOGNISE THE BENGAL AND NORTH WESTERN RAILWAYMEN'S ASSOCIATION.

532. Mr. Amar Nath Dutt : (a) Will the Government be pleased to state :

- (i) Is there an Association of employees of the Bengal and North Western Railway entitled the " Bengal and North Western Railwaymen's Association " ?
- (ii) Is it a registered union under the Trade Unions Act, XVI of 1926 ?
- (iii) If so is the Agent of said Railway not prepared to recognise the registered association of his employees ?
- (iv) If not, why not ?

(b) Is it a fact that the Agent of the Bengal and North Western Railway wrote to the General Secretary of the Association of employees of that Railway as follows :

"As you are aware this Railway does not recognize the Bengal and North Western Railwaymen's Association and I now beg to inform you that in future any communication received by me or any of the officers of this Railway from you or from members of the Association will not be read, but will be immediately torn up and put in the waste paper basket."

(c) Is it a fact that since then the said Agent does not reply to any communications of that Association ?

(d) Will the Government be pleased to state what are the reasons for taking such drastic action, seriously offending the entire Association and its honorary and paid office-bearers ?

Mr. A. A. L. Parsons : (a) to (d). Enquiries are being made from the Railway administration and I will communicate with the Honourable Member in due course.

COMMUNICATION IN WRITING OF THE REASONS FOR DISMISSAL OR DISCHARGE OF AN EMPLOYEE ON THE BENGAL AND NORTH WESTERN RAILWAY.

533. Mr. Amar Nath Dutt : (i) Is it a fact that reasons for dismissal and discharge of an employee on the Bengal and North-Western Railway are not communicated to him in writing ?

(ii) Is it a fact that no mention is made of such reasons in the service certificates granted to the employees and sometimes no remark is even made regarding character although space is provided for the purpose but that such space is either left blank or dashed ?

(iii) Is it also a fact that only one copy of the agreement bond of employment is filled in and signed by the executing employee but that a copy of it signed by the employers is not given to the executors ?

Mr. A. A. L. Parsons : (i) and (ii). The Honourable Member is referred to the reply given to Mr. Joshi's question No. 706 of 20th September, 1928.

(iii) I would refer the Honourable Member to the reply given to Mr. Joshi's starred question No. 707 on the 20th September, 1928.

TIME TAKEN BY FIRST DIVISION CLERKS OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS TO REACH THE MAXIMUM OF THEIR TIME SCALE OF PAY.

534. Pandit Nilakantha Das : (a) Is it a fact that, in the clerical time-scales of pay introduced in the Postal Department throughout India and Burma the maximum of the scale can ordinarily be reached in 21 years or so ?

(b) Is it a fact that the same time is taken in reaching the maximum in the time-scale of pay sanctioned for the upper division assistants in the Government of India Secretariat ?

(c) Is it a fact that the same time-limit is not observed in respect of the first division clerks of the office of the Director-General, Posts and Telegraphs, and that they have to take 25 years or so in reaching the maximum of their scale ?

(d) If so, will the Government be pleased to state the reasons for this anomaly and do Government propose to take steps to remove the same ?

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

(b) Yes.

(c) Yes.

(d) The scale of pay for the first division clerks of the Director-General's office has been fixed with reference to that sanctioned for clerks of similar status in the attached offices of the Government of India where the maximum is attainable in the 25th year.

REDUCTION IN THE RATE OF INCREMENTS OF FIRST DIVISION CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

535. Pandit Nilakantha Das : (a) Is it a fact that, prior to 1st March 1921, the rate of increment in the then grades of Rs. 100—150 and Rs. 150—200 for the first division (then A class) clerks in the office of the Director-General, Posts and Telegraphs, was Rs. 10 per annum ?

(b) If so, will the Government be pleased to state the reasons for decreasing the rate of increment

- (1) between the Rs. 100—150 stage from Rs. 10 to Rs. 5 in the time-scale of Rs. 80—80—100—5—150—10—250 introduced for the first division (then A class) clerks of the office from 1st March, 1921, and again
- (2) between the Rs. 150—160 stage from Rs. 10 to Rs. 6 in the revised time-scale of Rs. 100—6—160—10—300 introduced from the 1st August 1927 ?

(c) If the reduction in the rate of increment is due to an increase in the minimum pay, will the Government be pleased to state why any similar reduction has not been made in case of the Superintendents (then Head Assistants) of the Office of the Director-General, Posts and Telegraphs, the minimum of whose pay has been raised by Rs. 100 and the maximum by Rs. 200 since 1921 ?

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

(b) (1) because a separate Departmental Committee recommended that the three former grades of Rs. 50—5—100, Rs. 100—10—150 and Rs. 150—10—200 should be replaced by a single time-scale of Rs. 80—80—100—5—150—10—250.

(2) because on the 1st August, 1927, the transfer of the office from Calcutta to New Delhi was completed, and from that date the above time-scale of pay was raised to Rs. 100—6—160—10—300 as against Rs. 120—8—160—10—350 sanctioned for the first division clerks in the attached offices of the Government of India.

(c) In view of the reply to part (b) above, this part of the question does not arise.

SUPERSESSION BY TWO SOLDIER CLERKS OF SEVERAL OFFICIATING FIRST DIVISION ASSISTANTS IN THE OFFICE OF THE MASTER GENERAL OF SUPPLY.

536. Pandit Nilakantha Das : 1. With reference to the reply given in this House on 27th March 1928 to parts (a) and (b) of unstarred question No. 481, will Government please state :

- (a) the criterion by which the " greater merit and suitability " of the two soldier clerks was determined compared to the civilian officiating first division clerks ?

(b) how, when and by whom were their relative merits tested ?

2. Will Government please state the academic qualifications and the length of service in the clerical line of the two soldier clerks in question and the other civilian clerks superseded by them ?

Mr. G. M. Young : 1. (a) The question is not understood. The selection of the two soldier clerks was, no doubt, the result of a comparison of the work of all the clerks concerned.

(b) The tests rested on reports made by their superior officers. The tests were applied at the time of confirmation and by the head of the office.

2.	<i>Soldier clerks.</i>	<i>Civilian clerks.</i>
Academic qualifications	.. 1st Class Army School Certificate of Education.	1 M.A. 2 B.As. 2 Intermediates.
Length of service at Army Headquarters at date.	Between 1 and 2 years (excluding their Army service).	Between 3 and 6 years.

ARTICLE IN THE *Mazdoor* OF THE 21ST JULY, 1928, ENTITLED "GUARDS' REST IN DINAPUR DIVISION" (EAST INDIAN RAILWAY).

537. **Mr. Amar Nath Dutt :** (a) Has the attention of the Government been drawn to an article headed "Guards' rest in Dinapur Division" in the *Mazdoor* of the 21st July, 1928 ? If so, will the Government be pleased to state what action, if any, has been taken against insufficient rest of the guards of the East Indian Railway ?

(b) Is it a fact that there are many vacancies in the guards' list which have not yet been filled up ? If so, will Government please state why the appointment of guards has not been made in spite of 'under rest' and shortage of guards ?

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

(b) They have no information as to the number of vacancies in the guards' list on the East Indian Railway, which is in any case purely a matter for the local authorities to deal with.

WAGES OF SKILLED AND UNSKILLED WORKMEN OF THE LILLOOAH WORKSHOPS, EAST INDIAN RAILWAY.

538. **Mr. Amar Nath Dutt :** (a) Is it a fact that the rates of wages of skilled and unskilled workmen of the Lillooah workshops are much less than those of the workmen of the Jamalpur and Lucknow workshops ? If so, will Government be pleased to state the reasons for such difference in wages of the employees of one and the same Railway ?

(b) Is it a fact that the workmen of Lillooah are given daily wages unlike the workmen of Jamalpur and Lucknow ? If so, will Government be pleased to state the reasons for such differential treatment ?

Mr. A. A. L. Parsons : (a) No comparison has been made of the rates of wages of workmen at Lillooah and Jamalpur, but in connection with the demands of the men at Lillooah the Agent made an investigation of the

rates at Lillooah and at Lucknow, and he found that, though there were naturally some differences in the rates prevailing in places so far apart owing to the entirely different conditions ruling at the two places, the general level of the rates of pay at Lillooah did not compare unfavourably with the general level of the rates at Lucknow, particularly when it is borne in mind that at Lillooah the staff only work for 42½ hours a week, whereas at Lucknow they work for 48 hours a week.

(b) They are making enquiries from the Agent whether there is any difference in this respect between Lillooah, Jamalpur, and Lucknow, and will let the Honourable Member know in due course.

PROVISION OF QUARTERS FOR THE WORKMEN OF LILLOOAH, EAST INDIAN RAILWAY.

539. **Mr. Amar Nath Dutt** : Is it a fact that there is no arrangement for house accommodation for the workmen of Lillooah ? If so, will Government please state what steps have been taken to provide the workmen with quarters ?

Mr. A. A. L. Parsons : It is proposed shortly to carry out an investigation into the housing conditions of the workshop staff at Lillooah.

SECURITY OF SERVICE FOR THE WORKMEN EMPLOYED AT LILLOOAH, EAST INDIAN RAILWAY.

540. **Mr. Amar Nath Dutt** : (a) Is it a fact that there is no security of service for the workmen of Lillooah, and that their services are dispensed with by the foremen without any enquiry by the higher officers of the workshops ?

(b) Will Government please lay on the table a statement showing the number of workmen dismissed and discharged from service and the number of new men engaged in their place during the year 1927 ?

Mr. A. A. L. Parsons : (a) This is not so. Where the services of a workman at Lillooah are dispensed with, a full enquiry is made by a Special Establishment Officer. In no case can services of a workman be dispensed with by the foreman.

(b) Government regret they are not prepared to undertake the enquiry which the answer to the Honourable Member's question will entail.

CHARGES OF BRIBERY AND CORRUPTION AGAINST THE FOREMEN EMPLOYED IN THE LILLOOAH WORKSHOPS OF THE EAST INDIAN RAILWAY.

541. **Mr. Amar Nath Dutt** : (a) Is it a fact that the workmen of Lillooah constantly reported to the authorities about bribery and corruption amongst the foremen ? If so, what action has been taken to enquire into the truth or otherwise of the reports ?

(b) Is it a fact that the workmen of Lillooah produced documentary evidence of bribery against some of the subordinate officers of the workshops and that some of the officers complained against were granted leave to go out of India ? If so, will Government please state if any enquiry was made before granting leave and whether any prosecution was ordered in cases where bribery was proved ? If not, why not ?

Mr. A. A. L. Parsons : Government are not aware that any such complaints were made by the Lillooah workmen. They are asking the Agent for his remarks on the allegations contained in the Honourable Member's question, and for that purpose I shall be obliged if the Honourable Member will put me in possession of the documentary evidence on which the allegations are based.

ALLEGED BRIBERY AND CORRUPTION AMONGST THE SUBORDINATE OFFICERS EMPLOYED IN RAILWAY WORKSHOPS.

542. Mr. Amar Nath Dutt : (a) Has the attention of the Government been drawn to an article in the *Mazdoor*, dated 25th January 1928, under the heading "An open challenge" ? If so, what action has been taken on it ?

(b) Is it a fact that the prevalence of corrupt practices in the workshops is due to lack of supervision of the higher officers of the Railway ? If so, will Government please state what action they propose to take against these officers ?

(c) Are the Government aware that on several occasions attempts were made to penalise the workmen who produced documents to prove bribery and corruption amongst the subordinate officers ? Do the Government propose to put a stop to such attempts ?

Mr. A. A. L. Parsons : Government have not seen the article mentioned by the Honourable Member, and do not admit there is a prevalence of corrupt practices in railway workshops or lack of adequate supervision by the higher officers of the Railway. They are not aware of any such attempts to penalise workmen as are suggested in the last part of the Honourable Member's question.

DISCONTENT AMONG THE WORKMEN EMPLOYED IN THE LILLOOAH WORKSHOPS OF THE EAST INDIAN RAILWAY.

543. Mr. Amar Nath Dutt : (a) Is it a fact that there is grave discontent amongst the workmen of Lillooah on account of (1) low wages, (2) want of house accommodation, (3) heavy fines, (4) dismissal, and (5) bribery ? Do the Government propose to institute an enquiry into the causes of discontent ?

(b) Is it a fact that the authorities of the Lillooah workshops tried to obtain the thumb impressions of the workmen on blank paper through a habitual criminal, named Fazil Mistry ? Is it a fact that the General Secretary of the East Indian Railway Union which has been organised and registered under the Trade Unions Act sent a wire to the Agent of the East Indian Railway as well as to the Railway Board on the subject ? If so, will Government please state what action was taken in the matter ? Is it a fact that there was a short-lived strike in this connection which was settled by Mr. Strachey, Deputy Agent, in the absence of the Agent, Mr. Colvin, and the workers were also assured that their other grievances would be favourably considered ?

Mr. A. A. L. Parsons : (a) Representations were received from the workmen of Lillooah complaining of low wages and want of accommodation, but not of heavy fines, dismissal or bribery. Their complaints have

already been investigated by the Agent of the East Indian Railway and action has been taken where they were considered to be well founded.

(b) A telegram to the effect mentioned in the Honourable Member's question was sent by the General Secretary of the East Indian Railway Union (Khagaul) to the Secretary of the Railway Board on the 23rd January, 1928. Owing to complaints which were made against mistry. Fazil, the men had stopped work for half a day on the 23rd January, but came back to work the next day. No general assurances were made by the Deputy Agent, nor is it correct that the authorities of the Lillooah workshops tried to obtain the thumb impressions of the workmen on blank paper through the mistry mentioned.

REDRESS OF THE GRIEVANCES OF THE WORKMEN EMPLOYED IN THE LILLOOAH WORKSHOPS OF THE EAST INDIAN RAILWAY.

544. **Mr. Amar Nath Dutt** : Is it a fact that the workmen of Lillooah submitted a representation to the Agent in February last for redressing their grievances, and the Agent promised to make enquiries ? Will the Government be pleased to state the result of such enquiries ?

Mr. A. A. L. Parsons : A representation was submitted to the Agent last March. The Agent has made enquiries into the matters brought to notice in the representation, and as a result, the pay of certain of the lower classes of workmen has been increased, and an enquiry is being made into the housing conditions at Lillooah.

CAUSE OF THE STRIKE AT LILLOOAH ON THE EAST INDIAN RAILWAY.

545. **Mr. Amar Nath Dutt** : (a) Is it a fact that two workmen were suspended and two were discharged from service in February last on the report of a gate-keeper to the effect that they were fighting amongst themselves outside the workshops ? Is it a fact that such charges were denied and no enquiry was made ? Is it a fact that owing to the dismissal of the men and refusal to hold an enquiry the workmen downed their tools on the 5th March last and a telegram was sent by the General Secretary of the Union to the Honourable the Commerce Member for information and settlement of the dispute ? If so, will Government please state what action was taken by the Government to settle the dispute in its early stage ?

(b) Was any reply given to the telegram sent by the Secretary of the Union ? Is it a fact that the strike was prolonged for five months on account of prompt steps not being taken ?

(c) Is it a fact that the Agent of the East Indian Railway abruptly closed the workshops and declared a lock-out without making any attempt at an amicable settlement ? If so, what were the reasons for declaring the lock-out without notice and what attempt, if any, was made to arrive at an amicable settlement ?

Mr. A. A. L. Parsons : (a) After an enquiry, two men were discharged on the 16th of February for fighting with each other inside the workshops about some private matter, and four men were suspended for two days for idling on 2nd March, 1928. As regards the causes of the strike the Honourable Member's attention is invited to the reply given to part (b) of the Honourable Mr. Ghuznavi's question No. 197 on the 4th September, 1928.

(b) The answer to the first part of the question is in the negative. Government do not agree that the strike was prolonged for this reason.

(c) This is not a fact. In a communiqué of the 6th March, 1928, the Agent reviewed the men's demands and gave his reasons for rejecting those which he could not accept. At the same time he informed the men that an investigation was being made whether the wages earned by any class or classes of the staff at Lillooah were lower than those that could be earned under similar conditions in other workshops in Calcutta or its immediate vicinity, and undertook to make the necessary enhancement in such rates, if it was found that the Lillooah rates of pay in any particular instances were lower than those obtaining elsewhere in Calcutta or its vicinity. The Agent closed the shops on the 7th March and again on the 31st July after he was clearly convinced that the men had no intention of doing any work.

MEMORIALS TO THE SECRETARY OF STATE FOR INDIA BY THE CLERICAL STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

546. **Mr. Srish Chandra Dutta :** (a) Is it a fact that the clerical staff of the office of the Director-General, Posts and Telegraphs, have submitted a memorial to His Majesty's Secretary of State for India, London, in July 1928 or so ?

(b) Is it not required by the memorial rules that the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting authority, (i.e., the Government of India) beyond a month after the receipt of the memorial ?

(c) Have the memorials been transmitted to the Secretary of State by this time ?

The Honourable Mr. A. C. McWatters : (a) Government understand that memorials addressed to His Majesty's Secretary of State for India have lately been submitted by the clerical staff of the office of the Director General, Posts and Telegraphs, and that these are under examination by the Director General.

(b) Not exactly. There is a rule under which ordinarily the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after receipt of the memorial. The Honourable Member is doubtless aware that transmission of memorials may be withheld in various circumstances, or may be unavoidably delayed.

(c) No.

FILLING UP OF POSTS OF ASSISTANT DIRECTORS-GENERAL OF THE POST OFFICE.

547. **Mr. Srish Chandra Dutta :** Is it a fact that the posts of Assistant Secretaries in the Government of India Secretariat are generally filled up by promotion from the ranks ? If so, why is not at least a certain percentage of Assistant Directors-General of the Post Office also filled up from the office staff ?

The Honourable Mr. A. C. McWatters : The answer to the first part of the question is in the affirmative.

Assistant Directors-General of the Post Office must, for the adequate performance of their duties, be officers of technical knowledge and practical experience of Post Office work. For this reason they are selected from the cadre of Superintendents of Post Offices.

REVISED SCALES OF PAY RECOMMENDED BY THE BOOTH COMMITTEE FOR THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

548. Mr. **Prish Chandra Dutta** : (a) Will the Government be pleased to state the revised scales of pay recommended by the Booth Committee of 1920-21, for the Office of the Director-General, Posts and Telegraphs ?

(b) What were their recommendations about benefit of length of service and date of effect ?

(c) Were the recommendations of the Booth Committee supported by the then Director-General, Posts and Telegraphs, Sir (then Mr.) G. R. Clarke ? If not what were his recommendations as regards scales of pay, service benefit and date of effect ?

(d) What office did he take as a suitable parallel in respect of work and status ?

(e) Were the recommendations of the Director-General, Posts and Telegraphs, accepted by the Government of India ? If not, why not ?

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

	Rs.
Office Superintendent	500—25—700
Assistant Superintendent and Chief Clerk..	400—20—500
Head Assistant	300—20—400
' A ' Class clerks	80—80—100—
	5—150—10—250
' B ' Class clerks	50—50—60—
	3—120—4—140—
	5—150
with 2 selection posts on	150—10—200

(b) The recommendations generally were that the revision should take effect from the 1st December, 1919, and that in bringing the staff on to the revised scales of pay full benefit of length of service in the particular cadre to which they belonged should be allowed, subject to a maximum of 50 per cent. above the pay and allowances drawn on the date of revision.

(c). (d) and (e). Government are not prepared to disclose the particulars of their departmental discussions. After considering carefully the recommendations of the Committee, Government issued final orders in September, 1921, introducing revised scales of pay from the 1st March, 1921, and specifying the methods for bringing the staff on to those scales.

MINOR REVISIONS MADE IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS IN 1918 AND 1919.

549. Mr. **Prish Chandra Dutta** : (a) Is it a fact that some minor revisions in the shape of revised grading were sanctioned in the Office of the Director-General, Posts and Telegraphs, in 1918 and 1919 ?

(b) If so, will Government be pleased to state what were those revisions, how many men benefited by each revision and what was the cost involved in each case ?

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

(b) Government do not consider that any useful purpose will now be served by collecting information regarding minor changes made ten years ago.

PRESENT STRENGTH OF THE CLERICAL STAFF AND OF OFFICERS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

550. **Mr. Sriah Chandra Dutta :** (a) What was the clerical staff in the Office of the Director-General, Posts and Telegraphs, including probationers in January, 1921 ?

(b) What was the number of officers on that date in the office ?

(c) What is the present clerical staff of the office and what is the number of officers ?

(d) If there be any increase or decrease, will Government please state the reasons in each case ?

The Honourable Mr. A. C. McWatters : (a) 239 permanent clerks and 49 probationers.

(b) 25.

(c) 226 permanent clerks and 23 officers.

(d) The decrease of 2 posts in the cadre of officers and of 13 in the permanent clerical cadre is due to various re-organisations carried out since 1921.

DEPUTATION OF MR. A. J. GONET, A SUPERINTENDENT OF POST OFFICES, TO WORK IN THE PLACE OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

551. **Mr. Sriah Chandra Dutta :** (a) Is it a fact that the Chief Superintendent of the Office of the Director-General, Posts and Telegraphs, has taken leave since the last week of June or so ?

(b) Is it a fact that no arrangement has been made in his place as yet and the post is being held in abeyance ?

(c) Is it a fact that an outsider from the gazetted rank of Superintendent of Post Offices is being deputed to the Office of the Director-General, Posts and Telegraphs, to work in place of the Chief Superintendent ? If so, who is he and was he not refused the post once before ?

(d) Has the attention of Government been drawn to the reply given by the Director-General on the 4th March, 1925, in the Legislative Assembly in which he stated that the posts of Superintendent in the Director-General's Office and Postal Circle Offices are, ordinarily, filled by promotion of the senior fit officials in the offices, a practice which Government did not propose to change ?

(e) Will the Government be pleased to state what *extraordinary* circumstances happened leading them to bring in an outsider superseding the legitimate claims of senior fit officials and without giving them a trial ?

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

(b) No ; one of the senior Superintendents is officiating as Chief Superintendent.

(c) Yes, as a temporary measure for one year. The officer deputed is Mr. A. J. Gonet, Superintendent of Post Offices, North Calcutta Division. He was once refused the post some years ago.

(d) Yes.

(e) The attention of the Honourable Member is drawn to the reply given to Mr. Satyendra Chandra Mitra's starred question No. 653 in the current session of the Legislative Assembly.

REORGANISATION OF THE OFFICE OF THE CONTROLLER OF PRINTING AND STATIONERY.

552. **Mr. K. C. Neogy :** (a) With reference to the answer to clauses (d) and (e) of starred question No. 72 of the 1st February 1928, will Government be pleased to state whether any decision has been arrived at in the matter ; and if so, to what effect ?

(b) Is it a fact that a scheme for the reorganisation of the office of the Controller of Printing, Stationery and Stamps, has been submitted by the Controller ; if so, what is likely to be the financial effect thereof, and to what extent is the subject matter of the memorial submitted in February 1927, referred to in starred question mentioned above, covered by this reorganisation scheme ?

The Honourable Mr. A. C. McWatters : (a) The memorial has been received from the Controller and is under consideration.

(b) No scheme for the reorganisation of the office of the Controller of Printing and Stationery has been received by Government. The Controller has submitted proposals for the reorganisation of the Central Stationery Office, Calcutta, but his proposals are not directly related to the subject matter of the memorial referred to in (a) above.

PROMOTION OF SUB-ASSISTANTS TO OFFICIATE AS ASSISTANT SUPERINTENDENTS IN THE GEOLOGICAL SURVEY OF INDIA.

553. **Mr. K. C. Neogy :** (a) What are the considerations that determine the number and salary of Assistant Superintendents and Sub-Assistants, respectively, in the Geological Survey of India ?

(b) Is the difference between the initial salary of these two grades more or less than such difference between corresponding grades in the sister Scientific Departments under the Government of India ?

(c) Is it a fact that the Sub-Assistants in the Geological Survey of India are not generally permitted to officiate for Assistant Superintendents in temporary vacancies ? If so, why ?

(d) Who carry on the work of Assistant Superintendents, when they proceed on leave or during their absence ; and what is the average number of such absentees in the officers' list in the Geological Survey of India, during each of the last five years ?

(e) Is it a fact that the Sub-Assistants who have been promoted to the grade of Assistant Superintendents have been discharging their duties successfully without having any previous opportunity for officiating as Assistant Superintendents in leave vacancies ?

The Honourable Mr. A. C. McWatters : (a) The needs of the public service.

(b) Grades in the various Scientific Departments do not correspond exactly and it is not possible to give a precise answer to the question.

(c) Yes, because the cadre of Assistant Superintendents includes provision for a leave reserve.

(d) The existence of the leave reserve enables a number of Assistant Superintendents to be on leave at any one time without officiating arrangements being necessary. The average number of Assistant Superintendents absent on leave during the last 5 years is 3.

(e) Yes.

EMPLOYMENT OF OORIAS IN THE GOVERNMENT OF INDIA OFFICES.

554. Pandit Nilakantha Das : (a) Will the Government be pleased to state whether there are any men from Orissa, a Division of the Province of Bihar and Orissa, serving either as clerks or as officers in the Central Government's offices, recruited through the Public Service Commission? If so, what is their proportion as compared with the men from Bihar, the other Division of the Province, and also with those from the other Divisions of India? If not, what action, if any, are Government going to take to remedy the same?

(b) Will the Government be pleased to state how many candidates from Orissa have applied in the last year as well as in the current year for service in the Central Government's offices, not recruited for by the Public Service Commission? If so, will the Government be pleased to state what action has been taken about it?

The Honourable Mr. J. Crerar : (a) None as clerks. Officers have not hitherto generally been appointed on the advice of the Public Service Commission. The second part of the question does not arise. As regards the last part, candidates from Orissa have equal opportunities with those of other provinces of securing these posts and it is not proposed to take any special action in the matter.

(b) Three. The applications were received in certain subordinate offices, clerical appointments to which are made by the heads of the offices concerned, and Government have no detailed information on the subject.

EMPLOYMENT OF OORIAS IN THE OFFICE OF THE AUDITOR GENERAL.

555. Pandit Nilakantha Das : (a) Is it a fact that there is a rule in the Auditor General's office that no one from the Province of Bihar and Orissa is to be taken into service in that office? If so, will the Government be pleased to state the reasons therefor?

(b) Will the Government be pleased to state how many men from Orissa are serving at present in the Auditor General's office and what is their proportion to the total number of employees in that office from other parts of India? If not, what action, if any, are Government going to take to remedy the same?

The Honourable Sir Bhupendra Nath Mitra : I would invite the attention of the Honourable Member to the replies, which will be found in the Library of the House, to starred question No. 367 and unstarred question No. 373 asked on the 7th and 12th March, 1928, respectively, on the same subject.

EMPLOYMENT OF OORIYAS IN THE OFFICES OF THE ACCOUNTANT GENERAL, RAILWAYS, RAILWAY BOARD, ETC.

556. **Pandit Nilakantha Das :** 1. Is it a fact that there is not a single Oriya in any of the Central Government's offices which are outside the scope of the Public Service Commission, viz. :—(a) Accountant General, Railways. (b) Railway Board. (c) Director General, Posts and Telegraphs. (d) Audit Officer, Indian Stores Department ? If so, what action do Government propose to take to remedy the same ?

2. Will the Government be pleased to state what should be a candidate's minimum qualifications, to secure a job in the Departments named in (1) above ?

The Honourable Sir Bhupendra Nath Mitra : The information required by the Honourable Member is being collected and will be furnished to him in due course.

EMPLOYMENT OF OORIYAS IN THE GOVERNMENT OF INDIA OFFICES.

557. **Pandit Nilakantha Das :** (a) If it is a fact that there is no Oriya in any of the offices of the Central Government, and will Government be pleased to state whether this is the case on policy, or whether it is for any other reason that Oriyas have not so long been employed in the services of the Central Government ?

(b) If it is on policy, will the Government be pleased to state what are the grounds for such a policy ?

(c) If for any other reasons, will the Government be pleased to state what they are ?

The Honourable Mr. J. Orerar : There is no policy having that intention. Oriyas have the same opportunities of securing appointments as inhabitants of the other provinces, and the facts suggest either that they are not anxious for such employment or that they have so far been unable to compete successfully.

EMPLOYMENT OF OORIYAS IN THE GOVERNMENT OF INDIA OFFICES.

558. **Pandit Nilakantha Das :** (a) Will the Government be pleased to state how many vacancies occurred in the various Departments of the Central Government in the last year as well as in the current year which are outside the scope of the Public Service Commission and what were their proportions of allotment to the different Provinces of India ?

(b) Was the question of appointing Oriyas in the services of the Central Government considered ? If not, will the Government be pleased to state the reasons therefor ?

The Honourable Mr. J. Orerar : The Honourable Member's question shows some misunderstanding of the position. Vacancies are not allotted

by provinces, but are given to those candidates, irrespective of their province of origin, who appear to be best qualified. The question of appointing Oriyas as such does not therefore arise. I have not the figures asked for, but from what is stated above, the Honourable Member will see that they would serve no useful purpose.

FILLING UP OF VACANCIES IN THE OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES.

559. **Pandit Nilakantha Das** : With reference to the unstarred question No. 375 put by Mr. Amar Nath Dutt, in the Delhi Session (1928) of the Assembly, are the Government in a position now to give a satisfactory reply to the same ?

The Honourable Sir Bhupendra Nath Mitra : I presume that the Honourable Member is referring to the complete reply to Mr. Amar Nath Dutt's unstarred question No. 375 which was sent to him demi-officially and copies of which are available in the Library of the House. I am afraid it is not clear to me in what respects that reply was not satisfactory. If the Honourable Member will kindly make his question more explicit, I shall be glad to examine the matter further, if necessary.

NUMBER AND PAY OF GAZETTED OFFICERS IN THE PRINTING AND STATIONERY DEPARTMENT.

560. **Mr. Satyendra Chandra Mitra** : Will Government be pleased to lay on the table a statement showing how many gazetted officers were employed in the Printing and Stationery Department before the findings of the Retrenchment Committee (1922) and how many there are at present, and what are their pays including allowances now as compared with that in 1914 ?

The Honourable Mr. A. C. McWatters : The Inchcape Committee's findings were announced in 1923. A statement will be sent to the Honourable Member giving the required information for the end of 1922 and the present time.

INCREASE IN THE CLERICAL ESTABLISHMENT OF THE CENTRAL PUBLICATION BRANCH, CALCUTTA.

561. **Mr. Satyendra Chandra Mitra** : Will Government be pleased to place on the table a statement of additional men sanctioned temporarily for the Calcutta offices for increased work since 1926-27 ? Is it a fact that the Central Publication Branch, working as a commercial concern from April last, has additional work thrown on it, but the question of additional staff has not been settled as yet ? How many times did the Controller inspect the office to find out the actual requirements and for how many days, and why has no relief, even temporary, been given as yet ?

The Honourable Mr. A. C. McWatters : The Honourable Member presumably desires to have information regarding the additional clerical staff temporarily sanctioned from time to time in the Branches of the

Stationery and Printing Department located at Calcutta. The details are as given below :

Government of India Press, Calcutta	..	Nil.
Central Publication Branch	.. ..	6
Central Stationery Office	.. ..	53
Central Forms Store	.. ..	15

During the period from March 1927 to August 1928 the Controller of Printing inspected the Central Publication Branch thrice and spent 19 days on the inspection. As a result of the last inspection, the Controller has submitted a proposal for an increase in the clerical establishment of the Central Publication Branch ; this is under the consideration of Government.

MEMORIAL OF THE CLERICAL STAFF OF THE STATIONERY AND PRINTING DEPARTMENT FOR INCREASED PAY.

562. Mr. Satyendra Chandra Mitra : (a) Will Government be pleased to state what action has been taken on the memorial of the clerical staff of the Calcutta offices under the Stationery and Printing Department submitted in February, 1927, for increased pay ? Is it a fact that the Government of Bengal has lately accepted a grade of Rs. 50—175—300 for the clerical grade, almost similar to that adopted by the Postal Department ?

(b) Do Government propose to enquire if the Controller is issuing circulars not to send memorials or advance copies to Government ?

(c) Will Government be pleased to lay a statement on the table showing the number of petitions and memorials withheld by the present Controller, and how many he has yet under consideration with the dates of their receipt in his office ?

The Honourable Mr. A. C. McWatters : (a) The memorial is under the consideration of the Government of India. They have no information with regard to the scale of pay accepted by the Government of Bengal for their clerical staff.

(b) In accordance with the instructions of Government the Controller has merely drawn attention to the irregular practice of submitting memorials direct to Government and not through the proper channel.

(c) The information is being collected and will be supplied to the Honourable Member in due course.

DISMISSAL AND SUBSEQUENT RE-INSTALEMENT OF TWO ASSISTANTS OF THE STATIONERY OFFICE.

563. Mr. Satyendra Chandra Mitra : (a) Are Government prepared to enquire if Mr. Coombs dismissed in writing two Assistants of the Stationery Office—one an M.Sc. and another a B.A.—without obtaining their explanation and drawing up charges against them and reinstated them after a time ?

(b) Will Government please state if the men were allowed to count the period they were off duty towards leave and pension and granted pay ?

The Honourable Mr. A. C. McWatters : (a) and (b). Enquiries are being made and the result will be communicated to the Honourable Member in due course.

NUMBER OF CLERKS DISMISSED BY MR. GOLDER, WHILE MANAGER OF THE CENTRAL PUBLICATION BRANCH.

564. **Mr. Satyendra Chandra Mitra** : How many clerks, did Mr. Golder dismiss, and how many died of pthisis due to overwork, during the time Mr. Golder was Manager, Central Publication Branch ?

The Honourable Mr. A. C. McWatters : Government have received no intimation of any clerk having died of pthisis on account of overwork. They are ascertaining the number of clerks dismissed by Mr. Golder and will furnish the number to the Honourable Member.

MEMORIAL OF NAGENDRA NATH GHOSH.

565. **Mr. Satyendra Chandra Mitra** : Will Government be pleased to state the result of the memorial to Government of one Nagendra Nath Ghosh, a clerk of over 10 years' service, dismissed for alleged loss of an unofficial file, which was found later on mixed up with other papers, in the Central Publication Branch ?

The Honourable Mr. A. C. McWatters : The memorial was submitted more than 6 months after the orders passed by the Controller and was accordingly withheld by the latter under the memorial rules.

PAY OF MR. J. H. GOLDER.

566. **Mr. Satyendra Chandra Mitra** : Will Government be pleased to state when and on what pay Mr. Golder was appointed to Government service ? What is he drawing now ?

The Honourable Mr. A. C. McWatters : Mr. J. H. Golder was appointed to Government service in March, 1923, on a pay of Rs. 550 per mensem. He is at present drawing Rs. 900 per mensem.

DISCHARGE OF BABU BATTÀ KRISHNA DUTTA, A CLERK IN THE CENTRAL FORMS STORE.

567. **Mr. Satyendra Chandra Mitra** : Will Government be pleased to state how a clerk Babu Batta Krishna Dutta recruited in the Central Forms Store in 1925 has been discharged in August 1928 as unfit for Government service for having myopia ? Why was he not sent for medical examination on recruitment, as is usual and as ordered by Mr. Ascoli as Controller ?

The Honourable Mr. A. C. McWatters : An enquiry is being made and the result will be communicated to the Honourable Member in due course.

TEMPORARY CLERKS IN THE CENTRAL PRINTING AND STATIONERY OFFICE, CALCUTTA.

568. **Mr. Satyendra Chandra Mitra** : (a) Will Government be pleased to state if there are some clerks recruited in 1925, who, having approved service, are yet on the temporary grade, while others coming after them have been confirmed in permanent service ? How does the Headquarters office of the Controller deal with establishment cases when all the Calcutta offices have a common roster with no published gradation list ?

(b) Do Government propose to enquire if certain officers recruited as expert accounts clerks have been posted as Head Assistants in administrative posts ?

The Honourable Mr. A. C. McWatters : (a) and (b). An enquiry is being made and the result will be communicated to the Honourable Member.

STATEMENT BY MR. PRESIDENT RE RECENT ATMOSPHERE OF SUSPICION AND DISTRUST IN THE HOUSE.

Mr. President : The House will at this stage permit me to make the statement which I promised when we met last. I frankly confess that I was not prepared for the speeches that I heard on Saturday last from the Leaders of Parties and they came upon me as an agreeable surprise. I was indeed so touched by those speeches that for the moment I found myself unable to find words to express my thanks. (Applause.) For this human weakness in your President I make a humble apology to the House. When I was hearing those speeches I was reminded of the scene on the 20th January 1927 on the occasion of my unanimous re-election to this Chair. I am sincerely grateful to the House, to every section and to every Member thereof, for the generosity and large-heartedness in overlooking my many shortcomings and for once again expressing their unanimous confidence in me. I am conscious of my weakness and my failings, and I desire to assure you that I shall make every endeavour to justify to some extent the confidence you have been pleased to repose in me. I know that it is very difficult for the President to appear impartial on all occasions and to all sections of the House. I have often roused feelings of resentment of soreness among Members whose conduct I sometimes felt it my duty strongly to disapprove of and who were placed at times at a disadvantage in carrying out their Party engagements on account of my rulings. But it is a matter of sincere gratification to me to find that the feeling has been but brief and transient, and when those speeches were being delivered on Saturday last I was wondering within myself whether I had really impressed the House generally with a belief in the impartiality of my rulings and with a conviction that my one concern was to discharge my duties as guardian of the House and that I had not intentionally lent myself to be an instrument in the hands of official or non-official Leaders in this House. I now come to the statement of the Honourable the Home Member. His previous statement adopting on behalf of the Government an attitude of complete detachment in regard to the attacks in the Press and elsewhere on the President of the Assembly had come as a painful surprise from one in his responsible position and was the subject of strong comment by several Members. But the readiness with which on Saturday last he hastened to put matters right must raise the Honourable Member in the estimation of every one who heard his statement. (Applause.) I congratulate him and also the Government on whose behalf that statement was made. (Applause.)

May I be allowed at this stage to say a word in reference to the attitude of certain official Members which has recently been the subject-matter of a good deal of comment ? In the heat of party feeling when men's passions are aroused, I can understand words escaping Honourable gentlemen, or their doing something which, in their cooler

moments, they themselves would regret. I take it that the words of the Honourable Members referred to in the statement of the Leader of the House were not premeditated or deliberate. I desire to assure Honourable Members that it has been, and will be, my constant endeavour in this Chair to allay feelings of party bitterness as much as I can and to prevent undue excitement and passion in this House. (Applause.) I shall say no more on this occasion, because it is my earnest wish to eradicate all personal feeling that has unfortunately found its way recently into this Chamber. I will only add that I shall always be content to leave my conduct in the Chair to the judgment of this House and of every fair, impartial and honourable man outside it. With that end in view, I accept without any reservation the unqualified expression of regret made by the Leader of the House on behalf of himself and the officials concerned in the same generous spirit in which it has been made (Applause), and I appeal to every Member of this House to forget the incidents which have been responsible for the atmosphere of distrust and suspicion calculated to lower the dignity and prestige of this House, which must be the primary concern of every Honourable Member. In these circumstances and in accordance with the general wish of the House expressed in no uncertain terms on Saturday last, I propose to say nothing more.

This statement thus disposes of that part of the case in which I promised to make an enquiry and give my conclusions, leaving the other part regarding the conduct of the two press correspondents untouched.

I once again thank the Honourable Members for their confidence in me. (Applause.)

THE PUBLIC SAFETY (REMOVAL FROM INDIA) BILL.

The Honourable Mr. J. Orerar (Home Member) : Mr. President, I move.

Mr. Vidya Sagar Pandya (Madras : Indian Commerce) : On a point of order, Sir. I rise to a point of order and to lodge a protest against the procedure of the House in certain matters recently. I object to the motion that the Honourable the Home Member is going to make. The Leader of the House is going to move that the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India, as reported by the Select Committee, be taken into consideration. I beg to submit that the motion cannot be taken up under Standing Order 44, if any Member of the Assembly objects to its being so taken up, if a copy of the Report has not been made available to Members for seven days, and such objection shall prevail, unless, I note, the President in exercise of his powers suspends the Standing Order and allows the Report to be taken into consideration. As such I would raise the point that the House can take up the Bill at the earliest on the 28th instant only ; and if you will kindly permit me, Sir, I have to protest against certain action of a certain part of the House in depriving Members who represent special constituencies.

Mr. President : Order, order. This is not the occasion to raise that question. The Honourable Member has taken objection to the Home Member moving this particular motion and he must confine himself to it.

The Honourable Mr. J. Orerar : Mr. President, I proposed to move this motion, because I was under the impression that, in view of the fact that the Report of the Select Committee was laid on the table on Thursday and that Honourable Members have since had ample opportunity of studying the document, which, though important is brief and concise, it would meet the general wish of the House if the debate should proceed to-day. I trust that my impression on that point was correct, and in view of it I would ask you, Sir, to suspend the Standing Order.

Mr. President : Which Standing Order ?

The Honourable Mr. J. Orerar : 44 (1) (a).

Mr. President : Order, order. I do not know if there is a large section of the House in support of the objection raised by the Honourable Mr. Vidya Sagar Pandya. I should like those who are in favour of his objection to rise in their seats. (Two or three Honourable Members rose in their places). I am afraid I must suspend the Standing Orders and allow the Honourable Member to make the motion. (Applause).

Mr. T. Prakasam (East Godavari and West Godavari cum Kistna : Non-Muhammadan Rural) : May I say a word with regard to the ruling that you have just now given ? If the Standing Order says that on the objection of any one Member the point of order should prevail, I must point out to you, Sir, that your ruling is not correct.

Mr. President : The Standing Order also provides that the Chair has the discretion to suspend or not to suspend the Standing Orders. In view of the fact that only two or three Members are in support of the objection raised, I exercise my discretion in favour of the majority.

Mr. Amar Nath Dutt (Burdwan Division : Non-Muhammadan Rural) : On a point of information, Sir, if Members simply desire that the Standing Order should be suspended without giving any adequate reasons, can it be suspended ?

Mr. President : Is not that questioning the ruling of the Chair ?

Mr. Amar Nath Dutt : No, Sir. (Laughter). I desire to have the information for our future guidance.

Mr. President : Order, order.

The Honourable Mr. J. Orerar : Mr. President, I move that the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India, as reported by the Select Committee, be taken into consideration.

When I moved the first motion in respect of this measure, I endeavoured to the best of my ability to lay before the House the circumstances, events and the developments which had resulted, as the Government of India came to the conclusion, in a state of affairs which required their prompt attention and the attention of the Legislature. I indicated the nature of the measures which the Government of India considered necessary to deal with one aspect of the problem, the principle of which is embodied in the Bill. By their vote on the 15th instant, the House has accepted the justification for, and approved of the principle of, the Bill. It is therefore not my present purpose to retrace ground which has already been so exhaustively explored, nor shall I set out to reaffirm propositions which the House has already generally endorsed. My present

purpose will be to explain the changes which have taken place in the Bill on its return from the Select Committee. It will be manifest to the House that the Select Committee have subjected the Bill to a very strict and severe scrutiny. Though the essential principle of the Bill, as approved by the House, remains, some very important provisions for safeguarding its operation have been inserted by the Select Committee. I submit that these go very far towards meeting such of the objections originally advanced against the Bill as were not fundamentally inconsistent with its essential purpose, and which would not tend either to weaken seriously or to destroy its efficacy with regard to the object in view. The operation of the Bill, in consequence, undoubtedly becomes more restricted and complicated, but I am prepared to acquiesce in these consequences if the House will recognise the great importance of the changes made, and will accept the Bill in its revised form.

Honourable Members will see that the more important of the alterations made are as follows. The category of persons, in the first instance, who are exempted entirely from the operations of the Bill, has been very materially extended. In the Bill as originally introduced in the House, the intention was to exclude Indian British subjects and subjects of any State in India. That was inherent in the very principle of the Bill, because it was apparent that it would be an impossible proposition that in a measure of this kind we should endeavour to persuade this Legislature to adopt the principle that the Executive Government should be empowered to expel Indians from India. That was obviously an impossible proposition, and the Bill as originally drawn was directed to make that perfectly clear. But in the course of discussion, both in this House and in the Select Committee, it appeared desirable to extend the exemption in certain material directions. The case which first came to notice was based on the suggestion of an Honourable Member who spoke on behalf of the European Group. It was represented that European British subjects, who have been for a considerable time regularly resident in India, ought not in any circumstances to come within the purview of this Bill, and that objection found an echo in the speech of some Honourable Members opposite. These suggestions received their due weight in the consideration of the Bill by the Select Committee, who have gone even further than the particular objections I have referred to would extend. For any British subject who has acquired a domicile or a definite stake in the country, or who has been for a period of five years continuously resident in India, Subject to certain explanations, the Bill now provides total exclusion the new category would include, for example, a non-Indian Asiatic subject of His Majesty who had so acquired a domicile or stake or interest in India of a durable character. The House will admit that that is a very important modification of the Bill and meets the objections which have been taken in several parts of the House.

Then we come to clause 2 of the Bill which prescribes the nature of the activities against which the Bill is directed. These, Honourable Members will observe, have been very considerably restricted. In the original Bill in sub-clause (a) of clause 2 there appear the words "or the promotion of enmity or hatred between different classes of His Majesty's subjects." The Select Committee in their Report made the following observations on that clause :

" In clause (a) of the definition of a person to whom the Act applies, we propose the omission of the words ' or the promotion of enmity or hatred between different

[Mr. J. Crerar.]

classes of His Majesty's subjects' and the insertion of the word 'unlawful' before the words 'destruction of property.' As regards the first of these amendments, although we realize that it is an essential feature of Communist propaganda to set class against class, we consider that a person preaching that doctrine would almost inevitably bring himself under some other provision of this clause whilst the retention of the words might result in action being taken against persons other than those against whom the Bill is primarily directed."

I am myself of opinion that this passage in the clause might be extremely valuable in circumstances which might very probably arise, but I was prepared to defer to the views expressed by the members of the Select Committee, and I therefore agreed to the excision of that phrase. Similarly, in clause (b), the Select Committee criticise the words "the authority of law" as being words of a somewhat vague character and possibly difficult, in certain circumstances, of sufficiently precise interpretation. At any rate the members of the Select Committee considered that the essential purpose of the Bill could be retained and that no serious detriment would be sustained by the omission of those words. In that view, also, I was prepared to concur. Lastly, so far as this clause is concerned, the Select Committee consider that the words "or is associated with", after the words "is a member of" might possibly be difficult to interpret, and might give a wider extension to the clause than was consistent with its definite and precise application. On that point also, after some careful examination—not, I admit, without some misgivings—I was prepared to agree, and the Bill now stands with those words omitted.

However, the most important change in the Bill made by the Select Committee was that which is embodied in clause 7 which provides for an appeal to a Bench of three Judges against the removal order. I think the House will generally agree that that is a very important new feature of the Bill, and that in agreeing to it Government shows a very sincere desire to meet the objections to the Bill which were based on the ground that it gave too untrammelled a discretion to the Executive Government. Any person against whom a removal order has been made is to be given an opportunity to show cause why the order should not be made. He will be allowed to show cause before a Bench of three Judges, and what is of very great importance is this, that in the event of the three Judges reporting against the removal, the Executive Government will not be permitted to make that order. That, I venture to say, is a very important and a very substantial safeguard. The same clause provides that the Judges dealing with this matter shall be required to keep confidential the information communicated to them by the Executive Government. Now, Sir, I must frankly express to the House that I regard that provision as absolutely necessary. It must be evident that in many such cases, the information on which the Government proceed must be drawn from very secret sources which could not be divulged without very grave detriment to the public interest. That really is in the nature of the case, and I must emphasise once more that the action contemplated by the Bill is essentially an executive action. Though we have gone as far as we can in providing safeguards to ensure that the power conferred upon the Government by the Bill as it now stands shall not be improperly or arbitrarily exercised, nevertheless the essential facts of the situation remain. I make no attempt to disguise that position. It is in the very nature of the powers which the Bill confers on the Executive Government that the public interest must in that respect be protected. It has been suggested that the tribunal before whom the person affected should be allowed to appear should

consist of Judges of the High Courts. Let me explain quite candidly why I consider such an expedient to be undesirable. The High Courts are the highest judicial tribunals in the land. I think that Honourable Members will admit that it is of the utmost importance that their complete impartiality, their complete detachment, in all matters which may have a political complexion, should be rigorously and sedulously preserved. (Hear, hear.)

Mr. Jannadas M. Mehta (Bombay City : Non-Muhammadan Urban) : What about other Judges ?

The Honourable Mr. J. Orerar : The High Courts have a very special position. We have therefore gone as far as we possibly can in providing this safeguard that any person against whom action is proposed to be taken under the Bill shall have ample opportunity either in person or by pleader to show cause against the order being made against him.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Without knowing the allegations against him ?

The Honourable Mr. J. Orerar : Further provision has been made to ensure that any person who claims to be an excepted person shall be permitted to appear on that point before the High Court, and, in the event of the High Court finding his claim to be a true one, no further action can of course be taken against him.

Lastly, provision has been made for the limitation of the Bill to a term of five years. I am not myself satisfied that such a provision is desirable or expedient. I cannot contemplate that the dangers against which the Bill is intended to safeguard the country are likely to be at an end in the period of five years. Nevertheless the period of five years is a substantial period, and I hope that either we shall have made progress in the efforts which Government propose to take and which we invite the House to assist them in taking against the dangers which I have indicated, either that will be so, or if it is not so, then I trust that the Legislature will be prepared to revive in this or in some similar form the powers which this Bill proposes to confer. Those, Sir, are the principal features of the changes made by the Select Committee in the Bill. I venture to repeat once more that Honourable Members who are prepared to regard the Bill as it has emerged in a strictly impartial spirit, having due regard to the grounds which induced the majority of this House to send the Bill to the Select Committee, will agree that the measure is now one which the House ought to pass.

In conclusion, Sir, I wish to say that, when I last addressed this House on this measure, I asked Honourable Members to recognise that though the primary responsibility rests directly and immediately on Government, they are entitled to require, in a position like the present, the active support and assistance of every element and interest in the country, not only from the point of view of self-interest, but also from the point of view of public duty. The obligations and the responsibilities of a Legislature far transcend those of private citizens. I submit that Government are entitled to look to this House in this matter not only for legislative sanction, but also for moral support. The majority of the House has already recorded its conclusion that there is a good justification for this Bill and that its principle should be accepted. More than that, the speeches of more than one Honourable Member opposite indicated, and indeed expressed, an opinion in favour of its justification, though they demurred on grounds which I would urge are of subsidiary importance in relation to this vital and central fact. With the assistance, and indeed I may say on the insistence of the

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Select Committee I have endeavoured to meet the criticisms and objections which are not destructive, and I think Honourable Members will admit that we have gone very far in that direction. I now appeal to the House to take a broad view of the case, a view not merely critical and negative, but a view which is prepared to face the actual facts of the case and its consequent necessities, a view which is prepared to unite them in a practical and constructive solution. I have done my best, however inadequately, to discharge my duty in the matter, and I now ask the House to discharge theirs by voting for this motion. (Applause.)

Mr. President : Motion moved :

“ That the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India as reported by the Select Committee, be taken into consideration.”

Mr. Vidya Sagar Pandya : Sir, I rise to a point of order : Standing Order 44 (1) states :

“ After the presentation of the final report of a select committee on a Bill, the member in charge may move.....”

I need not read the first part, but the second part to which I wish to draw the attention of the House says :

“ If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed or re-circulated for the purpose of obtaining further opinion thereon.”

Therefore, I say, that the Bill should be re-circulated and should not be taken up for consideration.

Mr. President : This is not a point of order. No member has questioned the right of any Member of this House to move a motion which he can make according to the Standing Orders.

Mr. O. Duraiswamy Aiyangar (Madras ceded Districts and Chittoor : Non-Muhammadan Rural) : Sir, I rise to oppose the motion made by the Honourable the Home Member. There was a time, Sir, and that was when the Bill was first published, when I had a great desire to support the Bill as it originally stood. Sir, if I desired to support the Bill it was not in appreciation of the magnificent principles involved in it but for my own purposes, which will certainly not be palatable to the propounders of this Bill. Sir, at first I could not trust my own eyes when I found that a repressive measure like this would exclude from its operation Indian subjects. If ever repressive legislation is conceived by this Government their first aim, I know, would be against Indian subjects and not others. So great was my surprise that I over and over again read the Bill to see whether it was after all the printer's devil or the Secretariat devil that was responsible for this. Now after seeing that, I made certain that they did in some uncautious moment conceive a Bill of this kind, and I thought the Members of this House should take advantage of the imprudence and the unwisdom of the Government. For over a century we have had on the Statute-book that most antiquated, moth-eaten Regulation of Bengal, the Regulation of Bombay and the Regulation of Madras, under which some of our Indian brethren, patriots who have sacrificed their lives for the country, were all spirited away without notice and we were not even told in what condition they all were during their detention. But, Sir, I thought that an occasion arose when even white men could be deported without trial, without notice, and if that should

be on the Statute-book of our country, I thought no more propaganda was necessary outside the country than the propaganda of the deportees under this Bill. Sir, for six years Lokmanya Tilak suffered incarceration and yet we did not see any agitation anywhere. Barely for six months, perhaps even less, Dr. Besant and Mr. Arundel were interned. Interned where? Interned in Ootacamund and Coimbatore. And yet, Sir, the agitation was so much, the impression created outside as to the form of administration in this country was so great, that within six months they were released from their internment. I therefore thought if only the Government were to choose subjects like Dr. Besant, Mr. Horniman or Mr. Andrews, any of these sympathisers of our country for deportation, then the salvation of the Bengal Regulation is ready to hand. But these are not to be interned here or imprisoned here. The wiser policy adopted by the Government was to set them at large outside the Bombay port to go wherever they please and make propaganda as to the form of administration that the Government in this country is carrying on. Here, therefore, I thought was a god-send. But after all these feelings prompted as they are by the brute in man do not last long. The higher instincts prevail and when once we see that some one, whether it is a European or an Indian, is to be deported without trial, to be condemned without any enquiry, then our souls revolt against a measure of this kind. And if it is intended to keep this as a legacy for us when Swaraj is attained, let me assure you that we will tear it up the moment we obtain Swaraj and not retain it for a century as you have retained these Regulations of Bengal, Bombay and Madras.

Sir, on the last occasion I noticed one principal feature in the speeches both of the Honourable the Home Member and of other speakers who followed him. I found, Sir, leaving alone the matters explained in the Statement of Objects and Reasons, leaving alone the provisions made in the Bill, the Honourable the Home Member thought fit to address the House upon the probability, upon the probable danger to our religion and culture if the Communists were to be allowed to go at large in this country. That I thought, Sir, was a tactical move which the Honourable the Home Member was making by appealing to some weak points at least in some of us. Personally I confess it is a weak point with me, and if only the Communists were to come into this country and try to destroy my religion and culture I would care for it much more than I would care for the overthrow of this Government. Therefore I thought the Honourable the Home Member adopted the policy of addressing us as though he were addressing a mass meeting, appealing to the Hindus on this side and the Muhammadans on that side, repeating the dangers of a Communist invasion of this country. And he was followed by the Honourable Sir Denys Bray, who I am sorry to see is still unable to be here. In his own characteristic, solemn, arresting and seductive speech he emphasised also the same point much more than any other point involved in the propaganda of the Communists. He incidentally and parenthetically paid a high compliment to our ancient religion and culture. I thought therefore that that was a great point for me to consider and I stood up, Sir, nearly a dozen times or more during those three days of discussion, but I could not catch your eye. I got up and sat down nearly twelve times or more. It put me in mind of my classroom when I had forgotten to prepare my lesson. Then I thought I would take the only chance of asking the Honourable the Home Member by way of a

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question what was most prominent in my mind. When I put that sharp question to him the Home Member treated it with such lightheartedness that it looked as if he was not addressing you, Sir, but the gallery.

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

Mr. C. Duraiswamy Aiyangar : At any rate, if he was serious in his answer, he made no attempt in Select Committee to include religious disturbances by the Communists as also a grave danger to the country. I have not seen any mention of it here, nor did it appear from the Honourable the Home Member's opening speech to-day that it was considered and rejected by the Committee.

Now, Sir, coming to the Bill as reported by the Select Committee, I should think that it is much worse than the Bill as it originally stood. I say, Sir, that it is much worse than the Bill as it originally stood. As the Bill originally stood in its naked barbarity, these deportees would go out without a trial, without any enquiry, without anything whatever. But what is it that my Honourable friend Sir Hari Singh Gour did to oblige this Government? He drew a veil over the whole thing, so that when these men are deported, a story will accompany them that they were given a fair trial. I shall presently show what that fair trial is. The Honourable the Home Member has addressed this House on several of the redeeming features, several of the amendments to which he consented when the Bill was in the Select Committee. Even in the case of an ordinary Bill, Sir, we used to have at least 15 or 20 members on the Select Committee, but this Select Committee consisted of barely seven members, of whom my Honourable friend Sir Hari Singh Gour will perhaps take the greatest credit for having brought about these amendments. Sir, the first provision to which prominence is given is that in the definition of the persons who will come under this Bill. He created a class of persons called "excepted persons" as we call "excepted temples" in the Hindu Religious Endowments Act of Madras. Now who are they? Persons who have come here and have been domiciled for five years. I ask, what does it matter whether they are domiciled for four, or five or ten years? If they have become Communists, why should you not deport them also? I really fail to see the point in having made a provision that persons who have come here as birds of passage should be exempted because they have sat longer on one tree than on others. I therefore think that that has not improved the Bill absolutely in any manner.

One of the most important points that is urged in the recommendation of the Select Committee is that three District Judges or Sessions Judges will be appointed as Judges whenever a deportee prefers an appeal to His Excellency the Governor General. Now, without meaning any disparagement or offence to the Sessions Judges who have been doing their duty very honestly, carefully and impartially in matters which do not affect the Government, I ask, what is the special efficacy in your having a Bench of three District Judges instead of having at least one permanent High Court Judge to whom the matter can be referred? The answer is plain if I only refer to a previous occasion like this. That was with reference to the Bengal Ordinance. I have quoted it on a former occasion. At page 397 of Volume V, Part 1, His Excellency the Governor of Bengal stated why preference is given to the District or Sessions Judge

and the High Courts are not approached in matters like these. His Excellency then stated :

“ We cannot use the High Court except in its judicial capacity. The service of unwillingness to consult them but their unwillingness to serve in this capacity which service which cannot be performed by the Judges of the High Court. It is not our unwillingness to consult them but their unwillingness to serve in this capacity which precludes us from resorting to the Judges of the High Court.”

Therefore, Sir, the matter is very clear. You do not want it to be anything more than an executive act on the part of three Sessions Judges, though you call it an appeal. If it is the object of the propounders of this Bill that the Sessions Judges should serve not as Judges but only as ministers of the Crown in an executive capacity, then what is the meaning of all this boast that you have now given a chance of appeal ? Yet, Sir, with this my Honourable friend, Sir Hari Singh Gour, is satisfied.

Next, Sir, what is their function when they are sitting as a Bench ? They have to sit at such time and at such places and adopt such procedure as His Excellency the Governor General may direct in each case. Should not a Bench of Judges sitting be guided by the general principles of law and procedure ? Should they not be guided by the procedure which is usually adopted in the Criminal Procedure Code in the matter of making inquiries ? Why should the Governor General from time to time in each case prescribe the procedure which the Bench should adopt ? And yet, Sir, to this also my Honourable friend, Sir Hari Singh Gour, is a party.....

Mr. Jannadas M. Mehta : He will agree to anything.

Mr. C. Duraiswamy Aiyangar : Moreover, Sir, the Benches will be supplied with confidential papers and those papers should not be available to the person who prefers the appeal, the person aggrieved. Is that not treating the deportee worse than a criminal under section 162 of the Criminal Procedure Code is treated ? Under that section the police investigation can be made available to the accused if he demands it. Here these confidential papers are not available to them and my Honourable friend, Dr. Gour, rising from his position as a lawyer to that of an administrator perhaps, has consented to a provision being made that these papers shall not be available to the person preferring the appeal. Now, Sir, what is this confidential paper which these Benches will receive and which the accused person cannot even look at ? Supposing a policeman, a constable, reports that three days or two days before his report he saw a Communist directly descending from Russia into the Mall Bazar here and speaking to half a dozen people there and asking them to take violent action to overthrow this Government. That police constable's report is the confidential paper on which the Sessions Judges have to act. What else can the Sessions Judges do under those circumstances than to say “ If this report is true, the accused must be deported. ” ? Who is to see whether the report is true or not ? There is absolutely no chance of this Bench even using the ordinary procedure by which the truth, of it, the veracity of it, can be tested. Yet, Sir, Sir Hari Singh Gour with his long experience as a lawyer has given his consent to it. I am not referring to the other members of the Committee—I am referring specially to him out of my regard for him. If he is to continue to be a party to legislation like this, Sir, it is a thousand pities that we the practitioners

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have been investing lots of money over his criminal law. At every cycle of three or four years he has been attracting money from every legal practitioner, and we are quoting his authority, and this is the authoritative position he holds to-day in the framing of this Bill.

Now, Sir, I am convinced without going into further details of this amended Bill, that it is not a Bill upon which the Honourable the Home Member can congratulate himself or invite Members of this House to cooperate with him in making it a Statute.

Then, Sir, on general principles. What is the justification for a measure of this kind at a time when the country is peaceful? It is not in a state of rebellion; it is not in a state of war. The truth is that unfortunately this Government have been running amok. This Government have always had a nightmare sitting over them, that the Government can be overthrown at any time. If a single action of a single man with a single stick can overthrow this Government, may God help us in getting rid of this Government at once. Is it to be such a timid Government as this? I, Sir, will at once say that a tyrannical but courageous Government is much better than a timid and benevolent Government. I say, Sir, that this is not a measure which they should introduce at a time when the country is peaceful and quiet, when the ordinary courts are open, and when the ordinary procedure can be adopted. Now, Sir, in this connection with your permission I should like to read to the House a short passage from the judgment in the famous *ex-parte*. Milligan case in the United States. Sir, I quote only a short passage from the judgment of Justice Davis:

"No graver question was ever considered by this Court nor one which more nearly concerns the rights of the whole people; for it is the birthright of every American citizen when charged with crime to be tried and punished according to law.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour and to have the assistance of counsel for his defence.

No doctrine, involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of Government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the government, within the constitution, has all the powers granted to it which are necessary to preserve its existence.

If, in foreign invasion or civil war, the courts are actually closed, and it is impossible to administer criminal justice according to law, then, on the theatre of active military operations, where war really prevails, there is a necessity to furnish a substitute for the civil authority thus overthrown, to preserve the safety of the Army and the society... Martial rule can never exist where the courts are open and in the proper and unobstructed exercise of their jurisdiction. It is also confined to the locality of the actual war."

Now, I ask the Government Benches to say in what state of rebellion are we? How many Communists have come across to this country in order to spread their propaganda? For my part, Sir, I have never so far come across any Communist, nor did I really understand the Communist propaganda so well as when it was explained to us by the Honourable the Home Member the other day. Only then I came to know what were the systems of the Communist propaganda. Now, Sir, I ask, is it really the case that a large number of Communists have come to this country

and to deport whom this Bill is brought in with all its emergency, with all its plea of urgency? I must ask the Honourable the Home Member that question now. With a view to ascertain the *bona fides* of the Government in this matter, I sent a few short notice questions to the Honourable the Home Member seven days ago. I never asked him to disclose any details. I never asked him to disclose any confidential matter. I never even wanted to know the name or names of the Communists who in their view deserve to be deported. Sir, my questions were :

“(a) Will the Government be pleased to state how many Bolsheviks or Communists (non-Indian) are to the best of their knowledge carrying on their propaganda in this country ?

(b) Will the Government be pleased to state what control they have been exercising over such activities pending the passage of the Public Safety Bill into a Statute ?

(c) Will the Government be pleased to state what violent speeches or writings have been discovered in which violence has been advocated by the non-Indian Communists for the overthrow of the Government ?

(d) Will the Government be pleased to state when they discovered that one of the main objects of the Communists is to destroy ancient religions and culture ?

(e) Will the Government be pleased to state the number of persons they have in view for deportation the moment the Public Safety Bill is passed into law ?”

Sir, these are questions which ought to be answered at a moment's notice by the Honourable the Home Member who is for the time thinking of these Communists, who in fact must have brought these Communists in his own Chamber if by that their activities could be stopped, and yet, Sir, he expresses his inability to answer these questions at short notice, and I got this reply from his office :

“I am directed to forward the enclosed copy of your question and to state that the Honourable the Home Member is not prepared to accept short notice of the question. I am to add, however, that the question is in time for the meeting of the 27th and will be set down for reply on that date if there be any meeting on that date.”

Now, Sir, I ask him once again,—at any rate, after I put him these questions he must have come prepared to answer them to-day. I ask him now, Sir, how many Communists are there in this country or is it a fact that there is not one in their contemplation at present? Now, the difficulty of answering this question, I know, will lead him to another difficulty. Supposing he admits that there are some Communists—one, two, three or four—my next question is, what steps have Government taken in order to place their propaganda under control, under arrest, until this Bill is passed into a Statute. The other day the Honourable Sir Bhupendra Nath Mitra took up an analogy which he did not use properly. I use it now, Sir. Supposing this House is on fire, and supposing there are 300 tubs of water here and the Honourable the Home Member sends for a fire engine from Chota Simla. Will he sit quiet until the fire engine arrives or will he go on suppressing the fire by the tubs of water available here? If the latter be the course which he would adopt, I ask you, what steps have you taken to arrest, to control the propaganda of these Communists until this Bill becomes a Statute? If he does not answer this question, Sir, I can positively say that there is not a single Communist to be deported immediately. In fact, the title of the Bill is very modest. The title Anti-Bolshevist Bill is given more by newspaper posters for advertising purposes rather than by Government. Government evidently have some other persons in view and not Communists or Bolsheviks in bringing forward this measure. Some

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Honourable Members on that side of the House observed the other day—“ Oh, what does it matter ; if there are no Communists, it is all well and good ; but if there are, then this Bill will be useful. Why not allow this Bill to go into the Statute-book ? ”. I ask, Sir, are we here assembled as legislators to pass any law for the time being whether or not there is any necessity for it ? Are we not, as responsible men, to see the emergency of the occasion before making laws ? Supposing the Government brings forward a Bill to-morrow saying whoever attempts to overthrow this Government by removing its strongest barrier and attempts to level the Himalayas to the ground shall be punished with imprisonment for seven years. Now, are we to pass such a measure when we know that it is an impossible task ? Though there is absolutely no meaning whatever in such a statement, are we to give our support to such a measure ? I ask, Sir, is there any apprehension of the Communists gaining ground in this country ? If there is any, if there are any Communists who are carrying on their nefarious propaganda, then I am prepared to vote with the Honourable the Home Member. He does not answer my questions ; he cannot give the number of the Communists in this country, not to mention the names or details of those persons. Therefore, Sir, it is quite clear that the Government have not convinced this House of the necessity of a measure like this being passed in such undue haste, nor have the Government shown any urgency for the measure. The Government have not also accepted the motion for circulation of the Bill for eliciting public opinion thereon. It was asked what purpose would it serve by sending up the Bill for circulation ? Certainly it will serve a very useful purpose. If the public are apprised of the contents of this Bill, the first thing they will state is that they are surprised that there should be a Bill like this, because nobody has so far come across a Communist.

Now, Sir, ever since this bogey of Communism or Bolshevism has been set afloat, every possible strike, every violence in the strike, is attributed to it. So far as I am personally aware,—I have been watching the railway strikes on the South Indian Railway and I have myself condemned the violent actions taken by the railway employees, and I have even condemned the action of some of the leaders in not regulating the strike into the path of non-violence—I have never even heard whispers that these strikes had anything to do with Communism or Bolshevism. All these strikes are hunger strikes. They are not due to Communist or Swarajist influences ; but they are all hunger strikes. Therefore, I have no hesitation in saying that this Bill is absolutely unnecessary. And what is it that the Government do ? It is a strange coincidence. Every time a repressive measure is brought here, it is preceded by a letter from Mr. M. N. Roy. He seems to be a reservoir for them to draw upon every time they wish to bring a measure of this kind. When the Bengal Ordinance was passed the same story was afloat ; there was a letter from Mr. M. N. Roy. This Bill is brought here, and there is the same story. Mr. M. N. Roy, who wanted to conceal the authorship, typed the letter and in order that there might be a possibility of finding out the author made one or two interlineations here and there, and probably also he sent his admitted signatures in order that the letter might be sent to a handwriting expert ! What about the mentality of a man who wanted to conceal his authorship, putting in one or two interlineations ; he might as well have retyped the whole thing which is not a matter of difficulty.

Sir, I do not want to go into all these details. As I have said, on a former occasion, at the time of the Bengal Ordinance the same story was set afloat and my Honourable friend, Colonel Crawford, made the best of that story on that occasion. Then my reply was :

“ Then he says that there is Bolshevik influence here and mentioned the name of Manabendra Nath Roy. About this I only wish to point out that in the memorial submitted by two State prisoners, a portion of which was already read out to the House by my Honourable friend, Pandit Motilal Nehru, it is stated thus :

‘ We are not yet certain if this Manabendra Nath Roy is not the man from the moon and we have even less knowledge about his Indian agents. We have always differed from the views appearing in the press of this so-called Bolshevik. As for letters and papers supposed to be coming from this man, if there is really a man of that description and if the whole thing is not the creation of some interested party as in the case of more serious things related hereafter in course of this statement, then we can say so much that this man has not spared a single address he has come across, not even the English Premier’s excepted and no one can be responsible for coming into contact with an accidental addressee of such a correspondent ’.”

Now, Sir, it is nothing more than this. The Government Benches are seized with a mania that the overthrow of Government is always contemplated in every nook and corner of this country. I wish to tell my Honourable friend that this soil is not so fertile for Communist movements as he imagines. Eight years ago we heard of this Communist movement. During these years we have not heard of its growth—not a root, not the trunk, not a branch is traced. Once again we have got the same seed attempted to be sown here by Mr. M. N. Roy : I submit that Government are unhappily running amok. How many repressive measures have they been thinking of forging from day to day ? The Bengal Ordinance, the Criminal Law Amendment Act, the Public Safety Bill, amendment of section 505 of the Indian Penal Code—day after day they are thinking of something or other to suppress the Press, suppress the people, and suppress everything so that they may feel happy. Sir, it is nothing more than this kind of mania that is always troubling them. There is section 491 of the Criminal Procedure Code, and section 491-A, also which extends to the High Courts some powers over territories outside their ordinary original jurisdiction. In this Bill we see only section 491 is contemplated, and it is said that that section does not apply to persons who are deported by an act of the Governor General. Now, Sir, it seems to me highly doubtful—but I do not go into that question at length—whether it is possible to deprive the High Courts of the privilege which they enjoy of issuing a writ of habeas corpus by any legislation of this kind. It is a similar doubt which on a previous occasion I raised, but my Honourable friend, Mr. Jinnah, then said, “ Let them go to court, and test it. Why bother ourselves with jurisdiction at present ? ” I leave it at the same stage once again, but I am surprised that a valuable right which the citizen must enjoy, a valuable power which every High Court must enjoy, is sought to be taken away on any reasonable ground save presumably that, I should say, of absolute distrust in their own High Courts. Sir, they are not prepared to refer the matter to their own High Courts to consider the matter and say whether a writ of habeas corpus should be issued or not : It is not complimentary to the Government that they should distrust their own Judges of the High Courts. I should have been glad, as I said, if instead of this Bench of three Sessions Judges the matter was entrusted to at least one permanent High Court Judge. That is what I said in my notice of amendment. Sir, persons depending upon

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the Government for their promotion and favour, persons who think that their whole future is in the hands of this Government, are the least fitted to act as Judges ; and after all I am only stating the case a little over much because the Bill as amended by the Select Committee does not give the Sessions Judges the position of a Judge. It converts them into some thing like a Commission, to make a report to His Excellency the Governor General. There the matter ends. That is their position. Sir, I do feel that the Bill as amended by the Select Committee has made the Bill much worse than the Bill as it originally stood, and both the Bills deserve to be rejected on the floor of the House. Sir, I may inform you that I am not moving the amendment of which I gave notice for the circulation of this Bill for eliciting public opinion as advised by my Party leader.

Mr. T. Prakasam : Sir, I rise (applause) to oppose the motion. I see some slight change—(*Honourable Members :* “Speak up.”) I am sorry, you complain that I have a weak voice ; you will soon find that I have a very big voice.—I see some change, Sir, in the Government represented by the Honourable the Home Member inasmuch as it has evinced some anxiety to meet the criticisms that were offered on the floor of this House to the original Bill ; and I also feel that the Honourable Mr. Crerar possibly would have been ready to agree to something more if my Honourable friend, Sir Hari Singh Gour, had been courageous enough to give his advice a little more frankly to the Select Committee. Sir, the only lawyer on the Select Committee was my friend, Sir Hari Singh Gour, an author of a big volume of criminal law that is intended to be read throughout the country and digested by all the lawyers, and the principles of which are to be applied in the courts of law ; but, Sir, I am sorry that this friend of mine has become the victim of the Government and been led to give advice like this with regard to the recommendations made in the Select Committee's Report. I am unable to understand, Sir, that Sir Hari Singh Gour could have made bold to advise the Select Committee to dispense with the publication of every piece of evidence that might be placed by the Government, and that such evidence should be kept secret even from the arrested person. It is unthinkable that one in his position should have thought of giving advice like that in a case of this nature. However he has done it.

Now, what is the position so far as this Bill is concerned ? Against whom is it directed ? Take sub-clause (ii) (b) of clause 2,—the definition section. It says :

“ who seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting organised government in British India or with any object the attainment of which is intended to conduce to that result ; ”

Note those words, “ seeks to foment or utilise industrial or agrarian disputes or disputes of a like nature.” What are the disputes which are contemplated by this definition ? The agricultural population in India is suffering the worst, at present, in the whole world. The agriculturists of India have a debt of over 1,000 crores of rupees according to the Government books, and the Government has got its own debt of over 1,000 crores of rupees on which the people of India have to pay interest. The agriculturists of India have to borrow money even for cultivation purposes at a high rate of interest, in some provinces at as high a rate as 75 per cent. The least rate is that which they are able to get from a few co-operative banks which are in existence. While the agricultural population of India

has been borrowing at such a heavy rate, this Government has been keeping its reserves in London, lending money at 3½ and 4½ per cent. to the people of England in the London market. Now, if the dispute relates to a matter like this between the Government and the agriculturists of India, and if there are foreigners—good foreigners—here who advocate the cause of the cultivators and carry on a propaganda here, are they to be deported? The Soviet Government has recently published their loan manifesto. They have stated in that communiqué that the loan was being raised by that Government for the redemption of the agricultural population of their own country. You have floated a loan recently here, Sir. Have you stated for what purpose you are raising the loan? Have you stated what you are going to do with that loan? Have you stated how the agriculturists and labourers will be benefited by that loan? Or how they have been benefited by all the loans you have been raising in this country from time to time? Is the agitation on these lines of the Soviet Government or even of Communism a bad one? My friend Mr. Duraiswamy Aiyangar has been talking in an apologetic tone, as if Communism were a crime on this earth. Communism has never advocated murder; Communism has never advocated the overthrowing of other Governments with violence. (*An Honourable Member*: "Of course it has.") An interruption comes from there. I give you a challenge. I shall show you that there are murderers in every community; I shall show you that there are murderers in every society; there are murderers among lawyers; there are murderers among the biggest merchants; there are murderers among the best of people. And, Sir, would you say that because there are some murderers in all grades and classes of society that all classes of society should be dealt with in this particular manner? Will those who have dared to challenge me point out any instance of a Communist organization which has publicly advocated violence and murder and the overthrowing of other Governments with violence and murder? Surely not.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Point out one Communist who has not.

Mr. T. Prakasam. Sir Hari Singh Gour's knowledge, I am very sorry to see, is limited. Here, I say, I challenge you and say that I am a Communist. I tell you that. (Laughter and applause.)

Is there anything wrong in being a Communist? Certainly not.

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): A Red Communist? Third International?

Mr. T. Prakasam: Red Communist, redder than Sir Victor Sassoon. So, Sir, I say that so far as Bolshevism and Communism are concerned they are not crimes by themselves. You have seen, Sir, in China how certain Communists or certain people who are said to have been Bolsheviki committed murders and the Soviet Government was called upon to explain. The Soviet Government disowned them; they said that they were not sent by them for committing such crimes. What is the good of ignoring facts. You have to take good where it is, and you have to reject the bad. If the Soviet Government or the Bolsheviki advocate murder, advocate violence, with a view to overthrow the organised government in India, I will be the first and everyone in this House and everyone outside also will be the first to attack them.

Sir Hari Singh Gour: That is just what they do.

Mr. T. Prakasam : I am sorry for the ignorance of my friend. (Laughter.) There is something wrong with him. (Laughter.) Let us take clause 2 (b). It is stated here "with the direct object of subverting organised government in British India." This is a very large claim that is made in 1928, September 24th by the Government of India that this is an organised government here. Is it an organised government, Sir? I shall show that it is not by quoting to you an instance, a recent instance, in which they never wanted any Regulation to deport a person in this country. My friend Duraiswamy Aiyangar was referring to the Bengal Regulation, Madras Regulation and Bombay Regulation and so on. There are at least Regulations which they pretended to apply in those cases; but I shall show you a case in which no Regulation was needed to deport and it was not in the case of an ordinary man in the street. They laid their hand upon the Maharaja of Nabha and under no Regulation. (*An Honourable Member:* "Nabha?") I know the prejudice that is in the minds of several people when the word "Nabha" is mentioned. I take it that he is one of the worst criminals. Is he not entitled to the protection of law? Is he not entitled to the ordinary relief which ordinary men are entitled to? I take it that the Maharaja of Nabha is a murderer of the worst kind.

Mr. B. Das (Orissa Division : Non-Muhammadan) : Who says that?

Mr. T. Prakasam : The Maharaja of Nabha has been deported under no Regulation. The question could not be raised here in this House. There was your ruling with regard to the matter on a point raised by the Government. I had had the audacity to go straight to the Maharaja of Nabha who was confined at Kodaikanal and had an interview with him. I asked him for the order under which he was taken away. There was no Regulation, no rule, no section, under which he was taken and could have been taken. But Regulation III of 1818, which could never apply to him, was quoted in the order as the one under which he was arrested. From there I came over here and a question was raised with reference to the same matter and you were good enough to ask Sir Denys Bray whether it was true that he was deported under Regulation III of 1818 and he replied "Yes." Does the Regulation of 1818 apply to the Maharaja of Nabha? Admittedly it cannot; it can never be applied to the Maharaja of Nabha. Yet he was taken away. Where is the organised government in this land? How many people have been taken away without trial and how many have been imprisoned? Here is one of those friends of mine who has just come after being detained for three years, Mr. Satyendra Chandra Mitra, the Whip of our Party. Where is any honest Government in this land? Who is to hear and who is to decide justice? There is no honest organised government in the land. As regards the agrarian disputes, I am telling you, Sir, and every Member in this House that the freedom of this country can be secured only through agriculturists and labourers. The independence of India that is advocated by Mr. Srinivasa Iyengar, the Deputy Leader of our Party, can only be secured through the help of the agricultural population and the labouring population of India. Now the aim of this Government has been somehow or other to do everything that lies in their power to prevent the growth of nationalism in the labour and agricultural movements. I can understand the real anxiety of this Government to give protection to India. This Government cannot always protect India with machine guns and aeroplanes alone. They will have to protect and govern the people of this country with their consent. By attempting to

prevent the spreading of nationalism and ideas and ideals through such legislation, the Government is only working against itself.

Now, Sir, coming to the new clauses 7 and 8, introduced in the Bill by the Select Committee, the Honourable the Home Member was telling us that the High Court also had been brought into this Bill with a view to give relief to the accused. The High Court is introduced in clause 8 and that only for the purpose of setting aside the order on the ground that the aggrieved person is an excepted person and not on other grounds. The first definition in clause 2 is about excepted persons, and in sub-clause (2) the definition is about the person to whom the Bill applies. All those clauses (a), (b) and (c) which define the particular offence cannot be brought before the High Courts, and Sir Hari Singh Gour satisfied himself that that was a great relief given to the deported persons. Omit clause 7, if you are a consistent lawyer, and if you claim to be an authority in law by writing books. Remove clause 7 and alter clause 8 in such a way that the High Court is invested with the power to go into the whole matter and deal with the man, judicially.

Sir Hari Singh Gour : Make an amendment. Why do you criticise ?

Mr. T. Prakasam : Amendments, there are ; I hope you will have the good sense to agree to them when they come up. Appointing a Bench of three Judges ! Who are they ? Sessions Judges. And how are they appointed ? They are appointed by the Governor General in Council for this particular purpose. Not in their ordinary course of business while they are sitting as Sessions Judges to hear cases that come before them, but they will be taken out of their ordinary duties and be specially appointed by the Governor General in Council with the direction that they should hear this case on certain information that will be placed before them by the Government and dispose of it without telling the accused what the information was. Why this sham, this farce ? It is more honourable and straightforward to say, " We do not care for the law, we do not care for reason or judgment. We shall simply deport the man because it pleases us." That is the more straightforward thing to do than this sham and this fraud.

Why are Sessions Judges appointed ? May I know from the Honourable the Home Member, who is in charge of the Bill, whether the High Court Judges have been approached in regard to this matter, whether they had been asked if they were willing to become tools in the hands of Government and hear cases like these in camera with evidence placed before them only on one side and without giving an opportunity to the man concerned to rebut that evidence. Have those Judges declined to give their support to a Bill like this ? I would like to know whether the Government made any attempt, before they omitted to include the names of judges of High Courts in clause 7, to ascertain the views of the various High Court Judges. Why have the Government taken a fancy for Sessions Judges, when there are the High Courts ? The High Court is the one court which has got power to release persons when they have been arrested without any notice and without any enquiry. Habeas corpus is granted by them. What is the special reason for your choosing Sessions Judges ? The Honourable the Home Member has given the

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reason that the High Court is the highest court in the land and that they, as impartial tribunals, should not be drawn into party politics. If that is really so, that is one reason which should have prompted the Government to fix only the High Court as the most competent court before which any trial of this nature could be had. The Select Committee in dealing with clause 2 says :

“ As regards the first of these amendments, although we realise that it is an essential feature of Communist propaganda to set class against class, we consider that a person preaching that doctrine would almost inevitably bring himself under some other provision of this clause whilst the retention of the words might result in action being taken against persons other than those against whom the Bill is primarily directed.”

Well, Sir, the words, “ essential feature of Communist propaganda ”, are very wide. Anything done in India by anybody can be brought under that clause for which we have already got provision in the criminal law. Anything done by any community in regard to any special claim might be brought under the existing criminal law of the land. But all those sections have been dead letters until now when during the last seven or eight years actual communal riots have been going on in this country.

Sir, I wish to say only one thing before I sit down. This attempt on the part of the Government to prevent the spread of nationalism, to prevent the spread of real genuine Communist ideas, or even Bolshevik ideas or ideas of Soviet Government—the good and virtuous parts of those ideas—will be a disastrous failure. Ideas can never be prevented from germinating. That was once tried by the ancestors of the British when they were losing ground every inch, day after day in the great American War of Independence. For every inch of ground that they lost in that great war, they fortified themselves here in India by building up the so-called Indian Empire, by annexation or some other so-called conquests. But for that consolidation of your power by annexation or so-called conquest of India during that period, there would have been no Indian Empire, there would have been no British Empire in India or anywhere. It is only India which you can call to-day as the British Empire upon which the British people are prospering. What did the ancestors of the British people do in America when they were defeated there? What did they do when the Americans chased them from post to post and from ground to ground. After losing ground everywhere and meeting with disastrous defeats in that great war, the British had had recourse to the checking of the spread of nationalism to the neighbouring colonies. At that time, there was a big belt of wild forests that separated the different colonies from America. By preventing the removal of these forests, and the colonisation of these lands even by their own countrymen and by allowing these forests to grow thicker the British thereby thought that they would be able to stem the tide of nationalism and prevent its spreading all over the Colonies. Did they succeed in their attempt? They failed miserably. Probably that method of trying to check the spread of nationalism would have been all right at that time, but to-day after so much experience and after so much knowledge that we have gained, the Government cannot entertain the idea that with the Trade Disputes Bill on the one side and the Bolshevik Bill on the other, with arrests on one side and with deportations on the other, and with everything that

they can possibly do they could kill the spirit of the people and then march the Simon Commission throughout the land and have their report.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

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

Mr. S. Srinivasa Iyengar (Madras City : Non-Muhammadan Urban) : Mr. President, the claim has been made by the Honourable the Home Member that very material improvements have been effected in Select Committee in the Bill that was originally introduced by the Government and therefore that the Bill is entitled to the support of the House.

Now, Sir, I propose in the first instance to examine the improvements which are alleged to have been made before dealing with any general aspect of the Bill. In the first place, the provision which is made in clause 8 of the Bill enabling the High Court on the application of an "excepted person" to set aside the order on the ground that such person is an excepted person is really not an improvement for the very simple reason that even if you strike out the whole of that, the High Court would have the jurisdiction to do it. The Bill applies only to certain classes of persons and persons to whom the Bill does not apply will, whether this Bill says so or not, have a right to apply to the High Court for a writ of *certiorari*, on the ground that the Governor General, in a case beyond his jurisdiction, usurped it. It is therefore not a concession. There are numerous authorities in the courts that decide that without any such provision an aggrieved person can move High Courts where action which is *ultra vires* of legislation of similar descriptions is taken.

In the second place, I want to examine the provisions of clause 7. Sir, I do not know whether the Honourable the Home Member made a slip—probably he did—when he contended that the impartiality of Judges of the High Court should be beyond cavil in political matters and that therefore they were not made the Judges at this review which has been given to three Sessions Judges. I do not take advantage of what I consider really an argument of despair. I would not press that into my service. I think the real reason why the Sessions Judges have been preferred to the High Court Judges is that which was maintained by Mr. Duraiswamy Aiyangar. For, Sessions Judges in political matters must be quite as impartial as High Court Judges, if anything they should appear to be still more impartial. I do not lay too much stress upon whether they should be High Court Judges or Sessions Judges, though personally I should prefer that the High Court should have jurisdiction over this matter. But it must be a judicial enquiry. Now that is the whole gist of any amendment which should have been made in the Select Committee if the view was that the Bill should be improved in Select Committee. Is there a judicial enquiry? The primary condition of a judicial enquiry is that charges should be framed and the accused person should have notice of those charges and should hear the evidence upon which those charges have been framed. Now it is perfectly obvious that clause 5 does neither. The clause says :

"Neither he (that is, the appellant) nor any pleader appearing on his behalf shall be entitled to be made acquainted with any details or particulars of the facts or circumstances laid before the Bench by the Governor General in Council."

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If it had stopped at that it would have been objectionable enough. But it might be said even though the appellant or his pleader may not have the right to ask the court to give him information, the court in its discretion might have had the power to give him that information. But that is also prohibited by the second part of the sub-clause which says :

“ The Bench shall treat all such facts and circumstances as *absolutely confidential in every particular.* ”

Now, if it had been confined only to this, that the names of the persons who gave evidence or information to the Governor General in Council must be kept secret, which is the usual excuse put forward in legislation of this description, there would be something to be said in favour of that ; but that is not the only protection Government get ; the protection that they get is that no details or particulars of facts or circumstances shall be disclosed. It means excluding all evidence. At what meeting did the appellant speak ? At what place did he speak ? On what day did the person directly or indirectly advocate by force or violence the overthrow of the British Government or of all forms of government ? At what hour did he do so ? And who were the persons present ? What was the speech that he made ? Or, if it was not a speech, was it a mere conversation ? Nothing of the kind can be divulged to him. If this is going to be the case, I really cannot understand how the appellant or his pleader is to meet anything of the charges upon which the Governor General in the first instance came to the conclusion that he was an undesirable person whose removal was proper, and how in the second place, these three judicial advisers or assessors are to arrive at a similar conclusion. Therefore, I submit that this making every fact connected with this review by the three Judges absolutely confidential makes it a perfectly futile proceeding. Nor can it be contended that there is any very serious difficulty in disclosing that information. The Honourable Mr. Creer said that the facts could not be divulged without grave detriment to the public interest. Again he made the remark that public interest must be protected. Now, Sir, the expression public interest is a very convenient phrase to use. Of course public interest simply means “ my opinion ” ; it means nothing more than that ; everybody uses this expression without really understanding what it involves. Public interest does involve that there should be a judicial inquiry, if a person is charged with some serious offence of this description, if the man's reputation is to be taken away and his freedom of movement is to be restricted. And what public interest is it that requires that a man who is accused of committing an offence should not have the information ? Public interest, Sir, requires that it should also be made public to other persons, for it is only by example, and the example set by open inquiry, that other persons and members of the public can at all be deterred from doing similar acts, assuming of course that the things which are complained of are offences of a very serious description which the Government claims them to be. Therefore, Sir, whatever view is taken, one of the foundations of all justice, whether it is justice of the full dress order or justice of the summary expeditious order, whether it conforms to all forms of judicial procedure or whether it has only the minimum forms of judicial procedure, it is quite obvious that the person who is put upon an inquiry for a certain offence must be plainly told what are the offences which he has committed, what is the evidence upon which the prosecution or what is equivalent to the prosecution relies, what were the place, time and other circumstances.

He must be told or hear all that ; if he is not given all that, what the appellant or his pleader is going to do, except to throw themselves on the mercy of these three Judges, I cannot really understand. Is it contended that though these are made absolutely confidential, still the three Judges will hold a sort of conversation, a testable talk with the appellant and his pleader and just give him a hint as to what the things alleged against him are and therefore that ought to be enough ? Really I cannot understand this attempt at eye-wash, which is really what this so called improvement is. The Select Committee and the Government say they are bound to give some sort of inquiry ; they are bound to have some revising authority after the order of the Governor General in Council. It is usually contended that the appellant should be heard. It is usually contended that a pleader should be allowed to represent him. All right, let him have some Judges and be represented by a pleader. But the gist of my complaint consists in whether he can represent his case, whether he will take the course which he can, because he will not have the information given to him upon which he alone can act. Therefore, Sir, I say this is really not an honest procedure ; it is not a fair procedure. I do not suppose my Honourable friend Sir Hari Singh Gour will really defend this and if he does defend this I should be surprised and I can only permit myself some condolences after that. It is quite obvious that nobody as a lawyer, nobody having any idea of the difficulties which an appellant or his pleader will have in explaining his case to a court will at all agree that if all the circumstances and facts are not disclosed to him he will still be in a position to defend himself somehow and show that there was no just and lawful cause upon which the Governor General in Council made the order. Therefore, Sir, I submit on that short ground that this Bill has to be opposed purely from the aspect of ordinary justice, and from the point of view of every constitutional and other propriety.

Then, Sir, it is said that the duration of this Bill has been fixed for a period of five years. Now, I do not know, when the objection is to the principle of the measure itself, when the objection is to the repressive machinery and the unusual machinery which is set up by this Bill, if you can get over that by saying " Oh, it is only for five years." No difference between a bad law and a good law can be maintained by saying that a bad law is for a period of five years and a good law is for a period of two years. A bad law is a bad law whether it is for two years or five years or fifty years. And the Honourable the Home Member did not leave it very much in doubt when he told us frankly—and I would ask the attention of the Honourable Members through you, Sir, to that admission which he made—that he does not expect that in five years the trouble will be over and that he would have to come to this Assembly or its successor, whichever it may be, for a renewal of powers of the same or of a similar nature in order to tackle this very grave problem with which the administration of this country is confronted at the present moment. Now, Sir, I submit that this is really an idle excuse which is given on the other side. Five years should not delude any of my non-official friends. Every one has got to make up his mind on this independently of any Government obligations. They should see that five years is no concession whatever. Whether it is five years or 50 years, it is a bad law and he should sternly set his face against it. I really have no sympathy with amendments of the description which say it should be reduced to two or three years and should not be for five years. Nor do I see

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that very material changes have been made in the principal clauses of the Bill. Clause 2 of the Bill keeps the old vague and hazy language in defining the action, which is sought to be remedied by recourse to this new procedure for which legislative sanction is asked. Now, Sir, you will find it says that the person to whom this Act applies,

“ means any person who directly or indirectly advocates the overthrow by force or violence of the government established by law in British India, or the abolition of all forms of law or organised government.... ”

Now, it is not in an ordinary court of law. What will the Governor General and the three assessors do without any arguments? How they can make up their minds without hearing the other side, how they can say that it is an indirect advocacy, or is not an indirect advocacy, I am unable to understand. This expression “ indirect advocacy ” lets in a whole mass of prejudice by which any man can be easily deported. Then, Sir, “ abolition of all forms of law or organised government ”—these are rhetorical phrases. I can understand the Government established by law in British India, but “ the abolition of all forms of law or organised government ” will be very difficult indeed to interpret. It will be hard to say how all forms of government are destroyed or attempted to be destroyed by an indirect advocacy of this description. Therefore, the speeches which are made or the writings which are published by a person who is charged with such advocacy will have to be carefully examined by the counsel and Judges before you can show that all forms of law are set at nought or organised government brought into peril. Then again, we have got sub-clause (b) of that clause which says—

“ seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting organised government in British India or with any object the attainment of which is intended to conduce to that result. ”

The latter part of that sub-clause is very wide indeed and it is impossible to understand what cannot be “ an object the attainment of which is intended to conduce to that result ”, viz., subverting organised government. If the clause had stated merely “ with the direct object of subverting organised government in British India ” it would be intelligible, but this padding which has been put in, which has no sense whatever and under which any kind of thing can be brought in, will make this Bill, if it is not worked by a court of law and by an ordinary court of justice, an instrument of monstrous oppression in the hands of a secret authority, because it all means that a man, without any arguments or any right of reply, being told that his object is indirectly to subvert the organised government of British India. The object may be far removed from the object of subverting the organised system of government, but, Sir, any object can be brought in. And I am in entire agreement with my Honourable friend Mr. Prakasam who pointed out that sub-clause (b) is very dangerous because it really, under the guise of preventing agrarian disputes or industrial disputes or other disputes of a like nature, prevents the orderly progress of agrarian reform and progress and the industrial welfare of this country. I submit, Sir, that it is inevitable that many movements, agrarian and industrial, must take place in this country and people must be tolerant enough of these things unless they are attended with violence. Unless people feel that their present condition is very unsatisfactory they are not likely to undertake any movement. But if the present position is unsatisfactory, movements of this description, agrarian or industrial, cannot be put down in this way. For it is repressive not only of the European

British subject and the Asiatic British subject, of the Asiatic foreigner and the European foreigner, but, Mr. President, it is really an attempt made by the Government, by means of this Bill, to suppress all wholesome and orderly movements which will necessarily involve some industrial unrest, some industrial disputes, some agrarian disputes. For instance, supposing the untouchable classes, who are represented by my friend from Madras, are not given lands to cultivate, surely there will be some agrarian disputes between the untouchable classes and others. And is it to be said that the untouchables are to be put down because there is agrarian discontent on the part of these labourers or coolies in certain agricultural districts? Anything can be an industrial dispute: wages, hours, maternity benefits, the failure to recognise a union, any dispute between a capitalist and a labour union or even between different labour unions can be called an industrial dispute.

The object of this Bill, I say most advisedly, is not really to deport Bolsheviks or Communists or anything of that kind. The object of this Bill is really to put down all kinds of movements in this country, agrarian or industrial, which are intended for the purpose of relieving poverty and unemployment and for the purpose of getting an advance in wages and material conditions of labouring classes. I say this is the real object of this Bill; otherwise, it would have been perfectly made clear in this Bill that it is only against Communists that it is intended. I do not see why the expression "Communist" itself should not be used in this Bill. Everybody knows what a Communist is in international literature; everybody knows what Communism is, what Socialism is. There are numbers of books, good, bad and indifferent, written upon it. One would use the expression "Communism or Communist" if that were the object of this Bill. I say it is not the object. The plain object of this Bill is to remove Englishmen and other persons coming to the help of the Swaraj Party, or the Nationalist Party, or any Party in India which fights for the freedom of this country and which fights for reforms—that is, under clause (a). (Cheers.) The object of clause (b) is not to fight Communists but to put down agrarian and other disputes. It is not really intended in favour of Indian capitalists. They may vote now with Government, but they should know perfectly well how the Bill will be worked. I therefore submit that the whole of this mischievous clause remains intact. Generosity is exhibited by saying that a certain provision is omitted, *viz.*, the clause which repeated section 153-A of the Indian Penal Code. But the thing which remains is really the more offending thing. I do not know that I have any objection to the retention of those clauses if the Bill is otherwise good. The retention of that clause would mean that communal riots and disturbances would also be put down. Therefore that clause which relates to communal and class quarrels is alone omitted; at any rate, that is a fair comment on my part when you omit only that portion of it without omitting the rest of the section.

My main objection is to arming the Governor General in Council with this authority. I have already stated on the last occasion my detailed objections to that proposal, how the Governor General in Council means merely that administrative link which makes itself felt and which tightens up the chain throughout its length. But whatever they may be, I submit that it is not right that the Governor General in Council should be brought into this arena of international politics. For what will be the result? If the Governor General in Council is to be made responsible

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for the purpose of deporting a Frenchman, a German, a Russian, an Italian or a Chinaman, surely the Governor General in Council will have a feeling against him in the countries from which those people come, and my anxiety is, and the anxiety of the Treasury Benches should be, to remove the Governor General in Council from the arena of controversy and leave them in a safe dignified isolation. The only way in which this should be dealt with is by leaving it to an impartial court of justice. Whether he be a German, a Frenchman, a Russian or anybody else, he understands that he has had his case tried by a court of law and therefore his Government will not be upset, his newspapers will not be upset, unfriendly relations between the Indian people and foreign peoples will not be created, and hostile feeling between this Government and the Governments of their respective countries will not be generated. Therefore, if I were in charge of the Government—of course, I will not be, I am sure—if I were in charge of the Government I would certainly leave it to a fully trained judicial tribunal and avoid the executive responsibility for thereby I bring upon myself the odium of all the foreign countries and of their Press. I really cannot understand how public interest is served by bringing in the Governor General in Council again and again into this arena, as I said, of a very violent and bitter controversy. Therefore, Sir, that is a point of view which ought to commend itself to experienced administrators on the other side ; but of course they are past talking to.

Then there is one other matter which I have got to mention. It is said that this anti-Communist legislation is necessary. We have, however, explained on this side in a variety of ways how it is *not* necessary. That argument has not been met at all : and to the extent to which it is now conceded that some inquiry is necessary, it is quite clear that the Government agree with us that the ordinary law will suffice. Therefore, Sir, what is really the point is that they do not want the ordinary tribunal to interfere ; they want an extraordinary tribunal constituted by the Governor General in Council. It was perfectly true in the days of the East Indian Company, long before the Government of India came into the hands of the Crown, that the Governor General in Council was the legislature, he was the judge and he was everything, but those were the old primitive methods of administration : and I am astonished that this Bill could have been sanctioned at all—I suppose it must have been to some extent administratively or departmentally sanctioned by the Secretary of State—I really cannot understand how that was done at all ; but any way my complaint remains that no advance has been made by the Select Committee on the question of judicial inquiry. Sir, there is no judicial inquiry provided, and let every Member be aware of it. It is not a matter of rhetoric ; it is a matter of plain, honest truth when I say that there is no judicial inquiry : and if you give your adhesion to this Bill, why, then, any man who gives it must realize that there is no judicial inquiry, and therefore let him really search his conscience and let him give his vote with a very full realization of that fact.

So far as the High Court is concerned, I have dealt with the matter and I do not propose to deal with other aspects. Mr. President, I will conclude by saying that all the parties in the country met at Lucknow ; they have drawn up a constitution and made a very generous gesture and offered to co-operate in the way in which that constitution is meant to work—for to some extent that means co-operation. I may not agree to all parts of the

constitution, but there is not the slightest doubt that it is a very generous gesture ; and now for the Government to persist in this line of action, takes my breath away. I cannot understand where a generous response to this generous gesture is to be found. Of course I understand perfectly well what the Government is after—I do not blame them for the time they take, because they know perfectly well that so long as this Assembly is not wholly elected, they can carry some of the measures in the way in which they have done ; but that is all the more reason when they themselves want the co-operation of Indians in various ways, Government should permit every Member in this Assembly to regard himself as an elected Member and not as a nominated Member, and why, the Members of the Government should also regard themselves as really elected Members holding their seats only by the confidence of the Indian leaders if they can. That is the only proper way because we have been told that conventions were going to be established : and I know that for ten years the convention is being established that we are not to take anything into account except declared necessity,—because to-day we are not told what is the necessity for this Bill,—how many Communists there are, how many speeches have been made, what acts of violence have been carried on, did they set the Ganges or the Hooghly or the Cooum on fire ? And what is it that they have set on fire that nobody knows anything about it ? But in that secretive way, characteristic of British administration in India, we are told that if we are responsible men, we ought to take whatever they say for granted and to vote whatever powers they want. We are at liberty to criticise them occasionally and say a thing here and a thing there. But they say, when Sir Hari Singh Gour is on the Select Committee, how can any responsible man and lawyer get up in this Assembly and oppose this Bill ? I, Sir, with all the temerity that I am capable of, I do oppose it, and most strongly : notwithstanding all the legal and other talent that was upon this Select Committee, and notwithstanding this production of theirs. It reminds me, Sir, of that classic quotation about the labouring mountains producing a ridiculous mouse. I think that this Bill is one which deserves the severest condemnation from every section of the House, not only from my side of the House but also from the nominated Members. I cannot understand how the nominated Members can claim to vote with the Government on such a measure as this which affects vitally international relations. I can understand nominated Members differing from the elected Members on the question of political reforms in this country. But it is the duty of every nominated Member, whatever community he represents or does not represent, to look at this Bill in the only way in which such a Bill as this should be looked at. It is a Bill aimed at the suppression of ideals and ideas ; it is a Bill aimed at the suppression of movements which are perfectly legitimate, movements which have enabled other countries to reach their full stature and to reach a state of material and moral prosperity which they had never reached before. The whole object of this Bill is to suppress those movements, to suppress the empire of ideas. Whether this Assembly passes this Bill or not, I give you this warning, that no ideas of the description against which it is supposed that this Bill is aimed can be prevented from travelling all over the country and from taking root in India or in any other country if the ideas themselves are sound. It is a question of the soundness of the ideas. If the Communist ideas are unsound then the best remedy that you can adopt is to allow those ideas to blow away like a wind, leaving no harm behind. But if the Communist ideas are wrong I am perfectly certain that they will

[Mr. S. Srinivasa Iyengar.]

be suppressed by the people themselves and it is not necessary therefore for this Assembly to arm the Government with these extraordinary powers which it claims that it should have. Therefore, Sir, I oppose this Bill.

Sir Victor Sassoon : Mr. President, I do not propose to take up the time of the House as long as I did on the previous occasion of the second reading. I do not propose to attempt to convert those Members, like my Honourable friend Mr. Srinivasa Iyengar, who have decided to vote against the Government on principle whenever it is proposed to give that Government summary powers, irrespective of the merits of any measure that may be placed before the House. I do not even propose to attempt to convert those Members who, in spite of the detailed account I gave of the situation in China, still rock themselves in the sweet belief that Bolshevism and Red Communism can never take root in India. I shall confine my remarks to those Members of this House who have not given their consciences and their judgments to their Party Whips and who are prepared to use their intelligence and their intellects to the best of their ability and are also prepared to give their vote according to their own considered judgment.

Mr. President, however, defective, however lacking in safeguards, this Bill was in its first stage of appearance before the House. I venture to affirm that as it now comes to the House it is a Bill that is by no means a bad Bill, that it is a reasonable Bill and it does provide sufficient safeguards to render it innocuous to those to whom it is not intended to apply. (Applause). I should like, Sir, here to offer a word of appreciation to the Honourable the Home Member for the accommodating spirit in which he met the criticisms of the non-official members of the Select Committee (Applause) and in spite of the fact that he was very doubtful as to whether the Government was not giving too much away he certainly did, wherever he could, allow us to put in the safeguards which we thought were necessary. I do not say that this Bill is a perfect Bill or that it cannot be improved by amendment. I think my Honourable friend Mr. Srinivasa Iyengar did make a point on the procedure before the three Sessions Judges, and I have this morning tabled an amendment, which will no doubt come before the House in due course, on clause 7, which is intended to temper the wind to the shorn lamb. But, Sir, I do ask this House to approve the Bill as a whole, that is to say, to throw out any wrecking amendments that may be brought forward. After all, let us examine the Bill from the opposite point of view, let us assume that this so-called Satanic Government misuses these summary powers. What form of monstrous oppression could it afford the individual? Let us take an individual who has got a stake in the country, who has by remaining in this country for many years, by carrying on his business interwoven his own economic interests with the economic fabric of this country. To him a sentence of deportation will be a very serious hardship. But this individual under the safeguards of this Bill is exempt and he may, if he wishes, like my friends on the Benches here, become as ardent a Bolshevik or arch-Communist as even Mr. Prakasam without coming within the scope of this Bill. The only person who is dealt with by this Bill is the casual visitor and even to him it would only mean the inconvenience of not being able to go over India and see its sights. In fact, the only monstrous oppression that could take place with such an individual is that he would be

debarred seeing the Taj Mahal by moon-light, but on the other hand there is nothing to prevent him from going further afield and visiting the ruins of Ankor in Cambodia, then to China to see the Temple of Heaven in Peking and so on to that most picturesque country, Japan. That, Sir, is the monstrous oppression which is going to affect anybody who comes within the purview of this Bill.

Now, let us take the case of India. What is India going to lose if a man is deported under this clause? We will still assume that the Government is misusing its powers and that the individual who has been deported by the so-called Satanic Government is one who has merely come to India to help the Swaraj Party to gain Swaraj, the Nationalist Party to gain nationalism and the Independent Party to gain independence. (Applause). Sir, do Honourable Members here consider that Swaraj is unattainable without outside help? Looking as we do on the brilliant intellects on the Benches opposite, do their own followers under-estimate the abilities of their leaders that they feel that there is no hope of the speedy attainment of Swaraj without the help of foreign advisers? Is that really what Honourable Members think? (*Feeble cries of "No."*) I hear cries of "No", but they are not very strong cries, in fact they seem rather attenuated cries. I am glad my Honourable friend, Mr. Prakasam, does not believe that we must rely on foreign help if we are going to get Swaraj. Well, if so, then if this House believes that Government will misuse its powers, there will be only one cook the less to spoil the broth, so that the loss to India even in that event will be nil.

So much for the debit side. Now let us take the credit side. Admittedly the Red elements in this country are uneducated, disorganised and have not the benefit of the intelligentsia of India to help them. As far as I understand, at any rate in this House, there is no one here who is willing to help Bolshevism or Red Communism, with the honourable exception of Mr. Prakasam. Therefore if the counsel and advice of trained propagandists and organisers from outside is taken away, we shall at any rate be delaying the development of Bolshevism and Red Communism in India. That is the main point, that is what this Bill is trying to do. It is trying to delay the development of the Red menace in India. If these Red organisers get in, in spite of the Bill, we are not worse off than we would be if there were no Bill. Once they come in, however, and are given time, it does not matter to them whether you send them away or not. Their work is done. It is no use sending them away once they have organised the destructive forces of the country and after they have worked up a revolution, not only against the present Government but against the majority of the Members of this House, or at any rate the classes which they represent. That is the reason of the urgency of this Bill. It presents the same sort of difficulty that this House was in when the first brick fell down near the Commander-in-Chief. The House did not say, "Let a few more bricks fall down," but they took action at once to prevent more bricks falling down.

Mr. M. E. Jayakar (Bombay City : Non-Muhammadan Urban) : We saw the brick fall, and were not asked to take it on trust.

Sir Victor Sassoon : I am surprised at Mr. Jayakar. He is one of those who will believe nothing in this world unless they see it for themselves. If that is so, may I ask Mr. Jayakar why he believes in Swaraj in India because he certainly has not seen it here. (Laughter).

[Sir Victor Sassoon.]

So it boils down to this. We are enabled by this Bill to delay the development of Red Communism, not ordinary Communism, peaceful Communism, but Red Communism. We are getting something and losing nothing. If in spite of this Bill Red Communism gets into the country, we are no worse off than if this Bill was not on the Statute-book. Something to nothing. Surely that appeals to the sporting instincts of my friends opposite.

But there is one other point. It is said by some that if this Bill were passed, it would create a precedent. I think that is true. Mr. President, the precedent that the passing of this Bill would create is the precedent that the elected legislators of this country are prepared for the sake of their country to sink all party feelings. (Cheers.) They are prepared even to support an irresponsible Government and so prove to the world at large that they can be statesmen as well as politicians. (Cheers.) But if this Bill is thrown out, what will the world's opinion be? That the elected legislators of this country are so wrapt up with their small, petty political party considerations, that they are not only prepared to cut their noses to spite their faces, but that they are prepared even to risk doing damage to their country, merely to enable them to use the slogan, "We have defeated the Government once more."

Sir, I commend this Bill to the Members of this House, who boast a little commonsense and who are prepared to use it.

Mr. N. C. Kelkar (Bombay Central Division : Non-Muhammadan Rural) : Sir, I am glad that I have been able to take part at least in the final stages of the discussion of this Bill, and I say so because I really think, in all conscience, that it is a bad Bill and I do want to turn it down if I can do so by my vote if not by my argument. At one time I had hoped that the Bill would come back from the Select Committee improved materially. But that hope has been frustrated. I find the Bill comes back absolutely untempered in its absurdity and unshorn of its evil features. I have a double quarrel, one with the Bill itself and the other with the Government who have introduced this Bill. I have a quarrel with the Bill for a number of reasons. In the first place it gives arbitrary powers to Government and in the second place it condemns the accused person unheard. Then the procedure, even as it is amended in the Select Committee, is simply funny because the Governor General comes at the wrong end instead of at the right end. The proceedings should really have commenced with a notice to the accused person to show cause why he should not be proceeded with under this Bill. But here the Governor General begins the operation by his actually issuing an order, so that all further hope of his prerogative being used in favour of the accused, if necessary, is lost. Then, we see that the materials of the charge are to be kept secret, and absolutely no opportunity is to be given either to the accused or to his pleader to rebut the charges brought against him. The scope of the offence is absolutely vague and uncertain. Lastly, I quarrel with the Bill because it penalises even tendencies and doctrines and dogmas instead of actual action. Now, on that point, I would just like to draw the attention of the House to a passage in Viscount Morley's Book on "Compromise." He says that even for a Member of Parliament who has taken actually the oath of allegiance, it is not

illegal or treasonable to actually preach that the Crown should be put into the melting pot. That is allowed because it is only a doctrine ; but Government would step in and take action against him only when he begins action, that is, only when he tries to bring his ideas into actual operation, either by taking up arms or fighting against the Crown. I have therefore a quarrel with this Bill on all these grounds.

Next, I will place before this House my ground for quarrel with the Government who have introduced this Bill. First of all they have shown in this Bill an absolutely morbid craving for new powers. I compare them in my own mind to the chivalrous knight of the fable of old who, as I have read in the book, wanted to so complete his armour of defence that he ultimately covered his own eyes so that he could not see where he was hitting or against whom he was hitting. Like Don Quixote, the Government are going at full speed and tilting at a wind mill, but just as Don Quixote suffered in that battle, I am absolutely certain that whatever laws may be passed by this Assembly, they will all come to ruin, if the Government do not take Communism seriously and deal with it as it deserves really and not in the present fashion. Then, Sir, I want to make this point that no satisfactory reply has been given to the charge that Government have been unnecessarily taking new powers to themselves when they have ample powers already under the existing law. There is the Penal Code, and apart from punishing the offender in any manner you like and awarding any term of imprisonment—apart from that—it gives the man into your own power without letting him loose over other parts of the world. Then you have got the Regulations, and under those Regulations you can confine a man for as long a period as you like. And, lastly, I see no reply has been given to the point made by the Honourable the Burma Member. I think he stressed very rightly the fact that the practical purposes of Government in this matter would be satisfied by the Foreigners' Act. I have not seen any reply to that argument that action taken under the Foreigners' Act would absolutely serve the purpose of Government in this respect. It can be said, I think, that a trial under the Penal Code is a better method of dealing with these people. It is more efficacious. But it has been said that our jails are not commodious enough to accommodate these people. But after all how many such people are in question ? At any time only a few persons of this kind can come into India and be in India to be dealt with ; and certainly our jails are spacious enough to accommodate these people. Why, I go further than that and I say our jails are spacious enough to accommodate even certain Members of the Government on the Benches opposite, only we have not the right to impeach them for maladministration.

My next point is that the Indian Legislature is being unnecessarily asked to take upon itself a responsibility which is really due to Parliament. Now, who is the sort of man who will come under this Bill in India ? I take it that he is a propagandist ; but nobody will be sent to India for this object unless he is a tried and experienced hand. That assumes that he must have made up his mind, he must have learnt his doctrines and he must have made speeches and learnt to organise in this matter in England itself in the first place or in other countries. It is not as if he becomes a full-blown Communist only after he comes to India. Now let us assume that this propagandist has declared his views when in England. Then the next question is, why should not England herself deal with this man rather than leave him to be dealt with by this Bill

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here ? It was said by a philosopher that the best furnace is that which consumes its own smoke ; and if this Communist propaganda is a nuisance like smoke, why should not the furnace of England consume its own smoke rather than pass it on to India to deal with here ? Why is the British Parliament asking the Indian Legislature to do this ? There is an adage in Marathi, my own language, which says that the wily host often tries to kill the serpent by the hand of his guest. The meaning and the significance of that is obvious. If the serpent is killed by that means, you get rid of the serpent ; but if instead of the serpent the guest is killed, an unwelcome guest is by that means also got rid of !

I will now turn to certain special objections which I have got to urge against this Bill. Now this Bill I suppose aims at one of three things. First of all, it is aimed against the Soviet. Then it is aimed against the doctrines of Communism, and thirdly, it is aimed against the propagandists of Communism. First let us take the Soviet. I suppose we are not at war with the Soviet. I do not know whether actual diplomatic relations exist between the British Empire and the Soviet, but I do know that something which is better than diplomatic relations does exist, namely, exchange of commercial goods. They may have broken off diplomatic relations, but they have not broken off commercial relations. My friend, Mr. Belvi, has very clearly proved to this House by a number of quotations—he might have read further—that the Soviet is not the monster that it is depicted to be by interested parties. (*An Honourable Member* : " Question. ").

Now, Sir, with regard to the theory of Communism, it is after all only a theory, only a doctrine, a dogma at best. All new theories and all new ideas are like children. We know what a child is ; it is full of animalism ; it has got abundance of energy and a little tendency towards mischief at times. So this new idea of Communism has got all these three attributes : it is full of animal spirits ; it has got abundant energy because it is concentrated on one point ; and also it has a little mischief. But what I wish to say is this : there is nothing unusual with this particular doctrine of Communism. It has been the case with all doctrines and theories, and therefore we should be able to treat this dogma or doctrine as we have treated other doctrines in politics or economics. Take the case of the French Revolution. The original doctrine of Equality, Liberty and Fraternity must have been looked upon as very dangerous at one time ; and with some plausible reason because, as we know, the French Revolution began its career with red ruin. But after a time this mischievous tendency, this energy, this animalism spent itself and ultimately we see a peaceful and well organised republic was established in France and indeed in many other countries in the world. Therefore what looked at one time monstrous and very dangerous was ultimately found to be very useful and serviceable to society and is now acclaimed and welcomed by all the world.....

Sir Victor Sassoon : In their own country.

Mr. N. C. Kelkar : Even outside. What is Communism again ? It is only an advanced doctrine, slightly advanced upon Socialism. In the previous stages of the debate Mr. Gavin-Jones pointed out that there was a difference between Socialism and Communism and I admit that there is a difference ; but it is very slight. In England, for instance, we see

Socialists and Communists fairly mixed up together. (*An Honourable Member* : "No".) No one knows who is a Socialist and who is a Communist because there is a very thin line of difference between the two.

An Honourable Member : There is a world of difference.

Mr. N. C. Kelkar : Therefore, if Socialism which has been accepted thoroughly by England is not dangerous, I do not see why it should be pretended that Communism which is only the next advanced step should be debarred as dangerous. As *Mr. Aney* says, it is after all a question of time ; and howsoever rudely you may deal with new ideas and doctrines, ultimately they assert themselves and triumph, and I am absolutely certain that this doctrine of Communism also, of course, so far as my wish goes, in its best elements only, will ultimately triumph and prevail in the world.....

Mr. T. Gavin-Jones (United Provinces : European) : Does the Honourable Member support the Third International ?

Mr. N. C. Kelkar : That has nothing to do with this.

I wish to advert to another point, Sir. It has been represented to us in the first speech of the Honourable the Home Member that Communism is something which is entirely against the Indian religion and Indian culture. Now, let us see how far that is true. He says :

"The other items included in this programme are the overthrow of the feudal relations of the nationalisation of large enterprises, the confiscation from landlords of church and monastrial lands, and nationalisation of all lands."

In the first place, I do not think that the Honourable the Home Member has fairly represented the doctrine of Communism. It does not go as far as that. But taking things bit by bit, let us first come to the feudal relations. Now, Communism, it is said, deals very badly with feudal relations. But what about capitalism itself ? I will just quote to the House a passage to show how Capitalism dealt with feudal relations. I am quoting from "Religion and the Rise of Capitalism" by Tawney. This is what he says :

"In a famous passage of the *Communist Manifesto*, Marx observes that the bourgeoisie, wherever it got the upper hand, put an end to all feudal, patriarchal, idyllic relations, pitilessly tore asunder the motley feudal ties that bound man to his 'natural superiors', and left remaining no other bond between man and man than naked self-interest and callous cash payment."

That is the verdict of this author upon Capitalism. Now, what reason is there for the Honourable the Home Member to say that Communism will come into India and deal injuriously with feudal relations ? Capitalism has already done that in other countries, and it has done the same thing in this country also.....

Sir Victor Sassoon : By what methods ?

An Honourable Member : By money.

Mr. N. C. Kelkar : With regard to the other point raised in the Honourable Mr. Crerar's speech, I mean the nationalisation of large enterprises, I ask in all earnestness, what is wrong about it ? Are we not already talking of nationalisation of large enterprises ? Take the Railways, for instance. Why did you go in for taking the Railways into your own hands and running them as your own industrial enterprise ? Why were you not content to leave the administration to the railway companies ? That is nationalisation of one of the biggest industries in the

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country, and once you have begun with that, I do not see why you should stop at other things within reasonable limits.

Then with regard to the question of the confiscation of lands from landlords, I do not think that Communism preaches confiscation of lands from landlords.....

Mr. T. Gavin-Jones : Of course, it does.

Mr. N. C. Kelkar : It does not. It only provides for common administration for particular pieces of land under a particular system, for tilling by different tenants grouped together. It does nothing beyond that. Then come the church and monastrial lands. Don't we see that already there is a tendency, an accepted tendency, an acknowledged tendency, and an accomplished tendency also, to establish, if I may say so, disestablishment between the Church and the State, a tendency to make the State and politics secular instead of being mixed up with religion ? And if we have to make politics and the State secular instead of mixing them up with religion, we have actually to bring into operation the separation of the churches and monasteries from politics and achieve disestablishment of their property, the church and the monastrial lands.

Then with regard to charity, even in India, which is of course a conservative country so far as public charity is concerned, don't we see that the face of charity is actually turned by this time, and instead of endowing monasteries and temples, charities have taken a new course providing for only social service rather than those old methods of practical religion ? Therefore, I say that the points made against Communism by the Honourable Mr. Crerar do not hold any water at all. Government have simply been hypocritical in putting forward those points, and in telling us, "Oh, Communism is such a bad thing that we are going to give you protection against yourself so far as Communism is concerned". We have never asked for this protection. Why should protection be thrust upon us ? Sir, Communism we all know is not exactly a new theory but it is as old as the hills. It is to be found in a form in Plato's Republic, in Sir Thomas More's Utopia, and later on coming to the Corn Law League days, we find many rhymes about these Communists :

"What is a Communist ? One that hath yearnings
For equal division of unequal earnings.
Idler or burglar, or both, he is willing
To fork out his penny and pocket your shilling."
(The Corn-law Rhymer's lines.)

That was the idea held about a Communist at that time. But in course of time, by the march of time, Communism has triumphed and it has ultimately commended itself to the world at large. Communism is now coming into its own and is an accomplished fact. Now, Communism, we know, the Communists in Russia, for instance, show a new feature. They show discipline, they show self-restraint. They show self-denying ordinances. In my mind I can compare them with the Puritans under Cromwell of old, who would impose self-denying ordinances upon his followers. Now, take the case of these Communists. I have read in a book that Lenin, the President of the Russian Soviet, actually lived upon £22 a month. Now, if that be a fact, does it not prove that these Communist people have got a lining of spiritualism and religiousness in their

minds and that they are not as sordid as they are represented to be ? (*An Honourable Member* : "Anti all other religions.") Then, again, the Communists are not "irreligious" in their intentions, and in regard to that I will just read out a passage to you from another book :

"Thus, while the Communist Party opposes religion and inculcates its own philosophy of Historical Materialism, it preaches the religion of Social Service, and lives up to it with a more than religious fervour, and with a discipline which is higher than that imposed by any Church in the world upon its members."

Now if that be a fact, would you call Communism irreligious as it is said to be ? Then, with regard to its political tendencies, it is always represented that, like the French Republic of old, the Soviet is going to make war upon the whole world. In that respect, I shall read a passage from a book about Russia :

"All over Russia I found a great apprehension of war, and a passionate wish for peace which the Russians think will be denied them."

You will see from this that it is the other nations that are forcing war upon Russia, not Russia which is forcing war upon other countries, and that the intentions of the Soviet are therefore peaceful. After all, what is Communism ? It is only aimed against Capitalism and not against capital. You can easily make the distinction between capital itself and Capitalism. Even in Russia I think Lenin or his companions were not so foolish as to suppose that nations could live without wealth and economic goods, or that economic goods and wealth could be produced without capital. Therefore, you cannot suppose that in Russia they do not want capital : what they do not want is this vicious system of Capitalism. And with regard to the viciousness of Capitalism as a system I will just quote to you a very high authority, than whom there is no greater,—Professor Keynes. This is what he says about the capitalist system :

"Modern capitalism is absolutely irreligious, without internal union, without much public spirit, often, though not always, a mere coageries of possessors and pursuers."

Look at that description of Capitalism and let us see why it is wrong to preach against Capitalism, why it is wrong for Communists to preach their doctrines against Capitalism as such and not capital.

Then there is one last point which I wish to make and then I will sit down. That is a special point. That point is that apart from other evils this Bill offends against the Indian sense of hospitality ! I tell you why. I have good reasons for it. What does this Bill want to do ? It wants to penalise at our own hands visitors coming to India and teaching us new ideas. May I ask the House whether India has definitely and finally for ever set its face against the learning of new ideas, and why should we not show hospitality to those people who, with a broader outlook than ourselves, with a broader vision and ampler knowledge than ourselves, come to India and teach new ideas ? This Bill wants to penalise such people at our own hands. Therefore it offends against our sense of hospitality. But what is the tradition of England itself in this respect ? Go to the history of the 19th century and what do you find there ? England has given not only asylum but a hospitable home to republicans and revolutionaries of the word (*An Honourable Member* : "To anarchists.")—Mazzini, Garibaldi, Louis Kosuth, Karl Marx, and Prince Kropotkin ! These people were avowed republicans and revolutionaries who had achieved something in their own countries and then they went to seek protection and asylum in England. England was a monarchical country

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then, and if it did not want to spoil its monarchical ideas it should certainly have closed its doors against those people. But far from doing so, England received those people, welcomed those people, and even lionised those people. And here by this Bill you want to shut our gates against preachers of new ideas and thrust protection upon us when we are not asking it ourselves. Now, take the case of even the present day England. Do not Communists live and flourish there? Is there any law passed in England even now against Communists as such? Who is Mr. Saklatvala who is a Member of Parliament? I do not know whether he is called a brown, yellow, red or green Communist, but he is a Communist all the same, though he may be called by any of the colours of the rainbow.

Now, we have been told by the Honourable the Home Member that trade unions are trying to purge themselves of Communism. It may be true, but by what method—that is the question. Trade unions are perfectly at liberty to discuss the merits and demerits of Communism and reject Communism if they like, but the method is not by the passing of a Bill like this. Therefore, my objection is, leave us to our own common sense, and if we find anything that is good in Communism we will accept it; if we find that Communism is objectionable, of course, we will let it down; we will not accept it. But here you are thrusting protection upon us and that we resent as an insult to the intelligence of the custodians of national common sense and discretion. You must leave that to us. Let the visitors come, let them teach us any doctrines or dogmas that they like. It is for us and not for the Government to sift and see which is to our good and which is not. So long as we are not asking for protection ourselves, it is an insult to our intelligence that this protection should be thrust upon us, as if we were children who had no discerning intellect to see what was wrong and what was right. But what is really at the bottom of all this is that Communism runs counter to Imperialism. And with regard to Imperialism I will ask the House, are we in favour of Imperialism? (*Cries of "No, no" from the Swarajist and Nationalist benches.*) We may hold allegiance to the Crown in a way—I say in a way; but are we really "Imperial", and enthusiastic about holding up Imperialism? (*Some Honourable Members: "No, no."*) We are for breaking up that sort of Empire because the latest word in world politics to-day is "Commonwealth", not "Imperialism". Therefore, let that commonwealth be established in this country, let us be friends with England and the Colonies and.....

Mr. President: Order, order. If the Honourable Member is going to be long, he might continue to-morrow.

Mr. N. C. Kelkar: I will just finish, Sir, by drawing your attention to one small quotation: that is a kind of warning which Government must hold before their eyes.

An Honourable Member: How many quotations will you give us?

Mr. N. C. Kelkar: Any scheme of Communism is regarded as devilish and Satanic, but here is what this author says:

"The Prince of Darkness has a right to a courteous hearing and a fair trial,"

—even a Prince of Darkness, I say—

"and those who will not give him his due are wont to find that, in the long run, he turns the tables by taking his due and something over. Common sense and a respect for realities are not less graces of the spirit than moral zeal. The paroxysms of virtuous fury, with which the children of light denounced each new victory of economic

enterprise as yet another stratagem of Mammon, disabled them for the staff-work of their campaign, which needs a cool head as well as a stout heart. Their obstinate refusal to revise old formulæ in the light of new facts exposed them helpless to a counter-attack, in which the whole fabric of their philosophy, truth and fantasy alike, was overwhelmed together. They despised knowledge, and knowledge destroyed them."

This is from "Religion and the Rise of Capitalism", by Tawney. I would draw attention to the concluding words, "They despised knowledge, and knowledge destroyed them".

Several Honourable Members : I move that the question be now put.

Colonel J. D. Crawford (Bengal : European) : Sir, it is with some diffidence that I rise after listening to the arguments of my old friend, the Honourable Mr. Kelkar, whose lecture made me feel I was back in his little room at Poona discussing and arguing on military problems. My Honourable friend has been loud in his praise of Communism. I asked my Honourable friend, Mr. Srinivasa Iyengar, the other day how long he had been in Russia in order to enable me to judge how long he had had to make up his mind regarding the benefits of Communism. It may interest the House to know that I myself actually held at one time a temporary commission in the Red Caucasian Army and I also filled the role of Food Controller to the Russian Government at Baku along with my friend, Monsieur Roklin, who had been in Siberia for 20 years. Now these Communist leaders are admirable men but idealists; but, exactly as my Honourable friend Pandit Madan Mohan Malaviya said the other day, their theories are impracticable. Sir, it is not possible to make every man equal in health, culture and physical strength. These are matters that are beyond the reach of mere legislation. I remember, Sir, as an example of how unpractical their ideals were, that one of the points raised was that the physical beauty of Russian ladies should not be entirely at the disposal of the upper privileged classes but that it should equally be placed at the disposal of the proletariat; the necessary law was passed. However, there was a feminist movement which said that what was sauce for the gander was sauce for the goose; and they said, why should not we, old and perhaps not pleasant looking ladies, be entitled to have our selection of the men? Needless to say, the law was immediately rescinded. But really the crux of the matter is, how do these men hope to arrive at their ideal goal of Communism? And they told me. Time and time again they said, "Colonel Crawford, the only way to build up a new world is to destroy the old, to destroy all the civilizations that exist in the world and restart again." And that is what they did in Russia. They destroyed their religious institutions and they destroyed many thousands of lives. And that is what they would do in every country before they started to build up again. And after all that horror my Honourable friend Mr. Srinivasa Iyengar comes back from Russia and tells us, they have at last possibly arrived at a measure of political and religious freedom very far behind what we have in this country to-day. (*An Honourable Member* : "What year were you in Russia?") In 1918. But the point is that their idea of getting to their goal is to destroy all that exists. They are fanatics and idealists. You may go and talk to them and find them very pleasant men. But they are not practical men; they are dangerous fanatics who would destroy the existing system of society. There are many people in this House who cannot read the writing on the wall; yet for the last six months I think any man with intellect and

[Colonel J. D. Crawford.]

a knowledge of India would have said to himself, "What is at the bottom of all this trouble going on?" It is unlike Indians. You are all non-violent, and yet there has been violence, a great deal of violence and unrest amongst the labouring classes. What is underneath all that? Men who have been in touch with it say that there are behind this movement Red Communists in India, men whose sole desire is to prolong strikes, to create and develop unrest wherever they can, and those are the men you have to watch.

Another argument brought forward by the Opposition Benches is one that appeals to me—it is that Government have already powers to deal with this menace. Now I suggest that the very nature of the Bill shows that the powers that exist, with the exception of Regulation III, are not adequate to deal with the problem.

Mr. Jehangir K. Munshi (Burma : Non-European) : What about the Foreigners' Act?

Colonel J. D. Crawford : The Foreigners' Act equally does not meet the actual position. What does Government come to you and say? They say, "If we had the evidence that we could lay before a court, that would be the natural course for us to adopt". We have had this argument out on the floor of this House before. If you have any knowledge of the sources of information which rest in your hands—information as to what is going on in the secret world—everybody must, I think, realize that if you handle that information badly you expose your sources of information.

Mr. Jehangir K. Munshi : Have you read the Foreigners' Act?

Colonel J. D. Crawford : I heard the Honourable Member expound the Foreigners' Act the other day. The point is that you are not in a position to place your evidence before a court of law. If you do so, you expose your sources of information. But the answer always comes from that side that the sources of information which the Government have are tainted and unreliable. Now, Sir, if any gentleman in this House had had any experience of intelligence work he would know that an intelligence officer gets a bit of information from one source but he does not immediately accept that as fact. He places it on record as an interesting item, and it is not until that particular item has been confirmed from other sources entirely unconnected is he prepared to say that that is a fact. And surely the Judges that you are now providing for in the Bill will be able to tell whether those sources of information which Government has are such as to confirm the fact or whether they are tainted and therefore unreliable. Surely you cannot expect that those sources of information should be disclosed to Members here. My friend Mr. Joshi appears to have no particular reason for voting against this Bill; his real reason appears to me to be one.....

Mr. N. M. Joshi (Nominated : Labour Interests) : Where did you learn this?

Colonel J. D. Crawford : I am giving you my appreciation of your position. It appears to me to be considered mainly with the funds coming to India from Russia and he would very much like to have those

funds available to him for the very excellent work which he is doing on behalf of labour. Were he to declare himself on the floor of this House that he is definitely frightened of the Red agents now working with him, naturally the funds from Russia would dry up ; and I quite appreciate his position. Unfortunately that is so. But there is the point. You have to-day a menace in India which, from what Sir Victor Sassoon has told us of China, is an insidious disease. There you had the old system of ancestor worship which many believed could resist this menace of Bolshevism. China used the Communists for their own ends but have found that they have destroyed a good deal of their country and that they had to destroy very many lives to check the movement ; and even to-day the movement has not stopped. The same may happen in India and I think will happen unless we take the necessary steps to remove those whose sole idea is to create unrest and to destroy the existing structure in order to build a new world out of the ruins.

There is only one point and that is one made by Sir Purshotamdas Thakurdas with which I am in sympathy. He said that the European British Communists are only a portion of the menace. You have already Indian Communists in India. He asked what Government was going to do with them. That is a reasonable argument. Don't deal with it half-heartedly ; deal with the whole of it ; and I would like very much to know what Government are proposing to do with the Indian section of Communists. But because Government are not bringing their detailed scheme of that portion in front of us, it appears to me no reason why we should turn down the half that is there which is not oppressive. It will go a long way to save India from very real trouble in the future. If these men come here from England let us tell them to go and conduct their propaganda in countries where it is more acceptable and let us then deal with Indian Communists inside India.

I therefore trust, now that adequate safeguards have been added to the Bill, that the House will accept the Bill.

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

Mr. Anwar-ul-Azim (Chittagong Division : Muhammadan Rural) : Sir, I confess that it is not possible for me at this late stage to reply seriatim to the speeches of my Honourable friends opposite ; and I feel, Sir, however right and logical they might appear to me from a certain standpoint they perhaps will not fit in with the ideas and ideals of my friends, and as such I shall not quarrel with them on that account. It seems to me, Sir, that what has been troubling my friends opposite is sheer *stid*. I personally have great respect for many gentlemen sitting on the opposite side and I feel at times that they must have some soft corner for the good of their country in their heart. The Honourable the Leader of the Swaraj Party opined that they are fighting this Bill on principle. But the Honourable Pandit very conveniently forgets that when the question of " Moslem and other minority representation " comes in, his principles fly out by the back-door. He is not fighting for any principle but for paving the way for revolution in this country with " outside " help. I am certain any responsible Government will take notice of this threat. He at times behaves like a child, and we feel absolutely bewildered at it. Perhaps this might be due to my young age that I feel so. I find him talking like a child on very vital and important matters at times.

[Mr. Anwar-ul-Azim.]

Some of us who have followed the debates here calmly and dispassionately feel that the passage of this Bill by the Legislative Assembly will not in any way injure our prestige or complicate our relations with anybody in this world. An Honourable gentleman on the opposite side has just said that if we stop this sort of hospitality by legislation, perhaps our friendly relations with others in this world might be jeopardised. Of course I am not a believer in that kind of thing. If, as you say, Sir, that we are the inheritors of great traditions, if the time comes, perhaps as the result of peaceful evolution, we shall be able to come to our own. But to bring arguments in a childish manner as is being done by some of our friends opposite passes my comprehension, and my respect for them diminishes in that proportion.

Mr. Duraiswamy Aiyangar calls this measure a very repressive one. Whom does it repress? I do not know what love, what ideas he has of other places beyond the frontiers of India. I am certain he has not taken the trouble, on account of his caste prejudice, to cross the *kala pani*. If he had an idea of the things prevailing after the European war all over the Continent of Europe and other parts of Asia he would not have called this measure repressive. Pray may I ask him, whom does it affect? Here we have been listening *ad nauseam* to the speeches on this Bill, which provides that it will stop the coming into this country of people who are not the inhabitants of this land and are hostile to its peaceful evolution. Evidently the Government of India have in their possession information which they, for reasons of State, cannot bring forward for the public gaze— cogent reasons which have caused them to bring in a measure of this nature.

Mr. Srinivasa Iyengar has very great objection with regard to clause 8, or some other clause, in which the offender has the privilege of being tried before three Sessions Judges, and later on on questions of law and fact before the High Court. Of course I do not know if he, as an eminent lawyer, had taken this plea before a trying court, what would have been the result of it. He is of opinion that the District Judges are recruited by the Government of India and being a subordinate agency will not be in a position to give impartial verdicts on a question of this dimension. I would refer him to the "Lost Dominion" where the author opines that Indianisation of the higher services "have run mad" and as such politically minded Indian agitators should not fear for the decisions of political cases by them in the future.

One Honourable Member has called the Government timid. I think I agree with him there absolutely. To my mind these measures are overdue. (Ironical Cheers from the Opposition Benches). If this Bill had been on the Statute-book six or seven months before, I can assure you, Sir, there would not have been any instance of the sabotage that is going on in Southern India and in my part of the country. Thousands have lost their lives, and Mr. Joshi brags that he had money from Moscow in connection with these labour troubles. Sir, certainly any sensible man would blame the Government of India on this score. It does not pay, Sir, to have hunger and strikes at one and the same time.

Mr. Kefkar in the last part of his speech said that it will violate the canons of Indian hospitality if some of the undesirable foreigners are kept

off from their mischievous activities in this country. Of course, as one who has seen a little bit of this world, I can assure you, Sir, that really Mr. Kelkar did not have that idea in his mind at all. On the whole what seems to me is this, that my Honourable friends have not got the courage of their convictions to stand on their feet and say we defy you. It is simply camouflage all round. They bring in all sorts of absurdities by way of arguments which would carry no conviction to any unbiassed mind. They have no courage to say that they can do without the British.

Mr. Jammadas M. Mehta : Do not teach courage to these Benches ; learn it yourself.

Mr. Anwar-ul-Azim : The Honourable gentleman, Mr. Kelkar, tried his best to give us a nice picture of that demon which is known as Communism. Though it is a nice picture, it will not deceive anybody in the House ; perhaps it has deceived Mr. Kelkar himself. We here, fortunately or unfortunately, have got to live. If most illogically and in season and out of season you go on quarrelling with the Government established by law, I do not know what will be our position in the years to come.

Some gentlemen have also questioned the necessity of this Bill in the public interest. They do not know even from their own standpoint what the public interest is. May I not ask the Opposition whether it is not the duty of a Government to see that life and property are saved, to see that property is not looted and burnt and that there is no danger to life.

Mr. Jammadas M. Mehta : Can property be legally burnt and lives taken away ?

Mr. Anwar-ul-Azim : If this is the mentality which my Honourable friends opposite are obsessed with and if they continue in this obsession, then this country of ours will go to rack and ruin, and I wish them luck.

Mr. Jammadas M. Mehta : I move that the question be now put.

Mr. President : I had allowed Honourable Members to discuss this Bill for four days on the motion for reference to the Select Committee and the House has discussed this motion for the whole day. It is time now that the House should come to a decision. The question is :

“ That the question be now put.”

The motion was adopted.

The Honourable Mr. J. Orerar : Mr. President, as you, Sir, pointed out, the debate has already been very prolonged and at this stage it is not my intention to prolong it further to a very considerable extent. I have a very few observations to make, which before the House proceeds to vote, I would ask it to take into very grave consideration.

It appears to me that the criticisms which have been made upon the motion which I moved to-day fall, broadly speaking, into two categories. First of all there is the category of criticisms which, in my humble judgment, is unwilling to face the facts. The other category of criticism is that which attacks the Bill because it is not what it does not purport to be. With regard to the first of these two categories of objections I have the following observations to make. The Honourable and learned gentleman from Madras alleged that the Bill had the effect of penalising ideas

[Mr. J. Crerar.]

and ideals which are perfectly legitimate. Well, Sir, in the first instance, I have to point out that the Bill does not penalise ideas or ideals at all. There are certain ideas underlying the activities defined in clause 2 of the Bill. There are no doubt ideas underlying those movements and those activities; but if the definition which is attached to each of these clauses is carefully considered I venture to say there is no Honourable Member in the House who can return a fair verdict that those ideas are legitimate. Moreover, what the Bill is intended to check is not mere propagation of doctrines but also the attempt to put them into active operation. It is idle to say, as I think was the burden of Mr. Kelkar's argument, that Communism is all a matter of theory. On the contrary it has been over and over again avowed by its advocates that it sets out on perfectly definite lines to produce perfectly definite results commonly expressed in the phrase: "The destruction of the bourgeois State and the dictatorship of the Proletariat". Those, Sir, are perfectly definite designs. They are accompanied by perfectly definite activities and they are intended to arrive at a perfectly definite end which is by no means compatible with the rosy views expressed by some of the Honourable Members opposite.

Now, Sir, as regards the nature of the measure itself I have been criticised on the ground that I represent that this simple and restrictive measure is going to have consequences out of all proportion to its provisions, that this simple and restricted measure is going to be a complete panacea for all the dangers which I pointed out at greater length in my opening speech. It is not intended to be a panacea. It sets out to deal with a certain limited aspect of the question. That aspect of the question is one of immediate and pressing importance. It has been objected to the Bill that it does not set out a regular judicial procedure. As I have already pointed out, and as has been pointed out by several Honourable Members who have spoken very ably in support of my motion, the Bill relates quite definitely, quite avowedly, to a form of executive action and although the Select Committee imported certain safeguards against the summary or misguided exercise of those powers, the Bill in its essence is a measure giving the Executive Government certain executive powers; and the criticism that it does not follow all the regular methods of judicial procedure really is an entirely irrelevant criticism.

Sir, I will not detain the House any further. I ask all Honourable Members to look at this question in a strictly and severely practical spirit. I ask them to weigh the arguments and evidence I have laid before them to prove the existence of a state of affairs which is dangerous in itself and which contains even graver potentialities for the future. That part of my position, I submit, has not really been effectively controverted. Nor indeed do I consider that the criticism which, as I said, has been to a large extent irrelevant, is such as to disturb the views which the Government after the greatest deliberation have ventured to lay before the House in regard to the nature of the powers which are essential to deal with the position. I ask Honourable Members to give the greatest weight to those practical considerations and to vote for the motion which I have moved.

Mr. President : The question is :

“ That the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India, as reported by the Select Committee, be taken into consideration.”

The Assembly divided :

(After the division papers had been handed in to the Secretary of the Assembly and while they were being scrutinised by him, Sir James Simpson came into the Chamber through the ante-door behind the President's Chair and approached the Secretary's table.)

Mr. President : It is very wrong for the Honourable Member to come into this Chamber in this way. I think the Government should see to this. It is entirely wrong for Honourable Members to come through another door after the lobby doors have been closed.

AYES—81.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmed, Khan Bahadur
 Nawabzada Saiyid.
 Bajpai, Mr. G. S.
 Bharucha, Mr. S. M.
 Bhuto, Mr. W. W. Pihabekah.
 Bower, Mr. F. H. M.
 Bray, Sir Denys.
 Chalmers, Mr. T. A.
 Chatterjee, The Revd. J. G.
 Coatsman, Mr. J.
 Cooke, Mr. H. G.
 Crawford, Colonel J. D.
 Creer, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Dalal, Sardar Sir Romanji.
 Gavin Jones, Mr. T.
 Ghazanfar Ali Khan, Mr.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Gour, Sir Hari Singh.
 Graham, Mr. L.
 Hanlett, Mr. J.
 Hira Singh, Brar, Sardar Bahadur,
 Honorary Captain.
 Hyder, Dr. L. K.
 Ismail Khan, Mr.

Jawahir Singh, Sardar Bahadur Sardar.
 King, Mr. C. M.
 McWatters, The Honourable Mr. A. C.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Muhammad Nawaz Khan, Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rafique, Mr. Muhammad.
 Raghavayya Pantulu Garu, Diwan Baha-
 dur T.
 Rahimtulla, Mr. Fasal Ibrahim.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. H. Shankar.
 Rogers, Mr. P. G.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Roy, Rai Bahadur Tarit Bhawan.
 Sassoon, Sir Victor.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Singh, Rai Bahadur S. N.
 Singh, Raja Raghunandan Prasad.
 Stewart, Mr. J. A.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Webb, Mr. M.
 Yakub, Manvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

NOES—61.

Abdul Matin Chaudhury, Maulvi.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sesha.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birkh, Mr. Ghanashyam Das.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Farookhi, Mr. Abdul Latif Sahab.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. G.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Bai, Lala.
 Lalchand Navalrai, Mr.

Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jannadas M.
 Misra, Mr. Dwarika Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Munshi, Mr. J. K.
 Murtaza Sahab Bahadur, Maulvi Saiyyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. Bhabendra Chandra.
 Sardar Bai Sahib Harbilas.
 Shafce, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Ramanajaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Gangamand.
 Sinha, Mr. Rajivaranjan Prasad.
 Sinha, Mr. Siddheswar.
 Tirlaki Nath, Lala.
 Tok Kyi, U.
 Yusuf Imam, Mr.

Mr. President : There is an equality of votes : 61 against 61. My own opinion is that, if any Party or any individual Member seeks to put such an extraordinary measure on the Statute-book, he must persuade the House and get a majority in his own favour. The Honourable the Home Member has failed to secure a clear majority in his favour and cannot expect the Chair to give its casting vote in favour of the motion. I therefore give my casting vote for the "Noes" and declare :

AYES—61.

NOES—62.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 25th September, 1928.