

27th March 1929

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume III

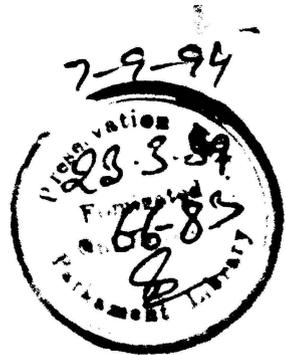
*(21st March to 12th April, 1929)*

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FOURTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1929



DELHI  
GOVERNMENT OF INDIA PRESS  
1929

# Legislative Assembly.

## *President :*

THE HONOURABLE MR. V. J. PATEL.

## *Deputy President :*

MAULVI MUHAMMAD YAKUB, M.L.A.

## *Panel of Chairmen :*

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SIR DARCY LINDRAY, KT., C.B.E., M.L.A.

SIR PURSHOTAMDAS THAKURDAS, KT., C.I.E., M.B.E., M.L.A.

MR. JAMNADAS M. MEHTA, M.L.A.

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MR. S. C. GUPTA, BAR.-AT-LAW.

## *Assistant of the Secretary*

RAI SAHIB D. DUTT.

## *Marshal :*

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

## *Committee of Public Petitions :*

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MR. DHIRENDRA KANTA LAHIRI CHAUDHURY, M.L.A.

NAWAB SIR SAHIBZADA ABDUL QAYUM, K.C.I.E., M.L.A.

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# LEGISLATIVE ASSEMBLY.

Wednesday, 27th March, 1929.

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

## QUESTIONS AND ANSWERS.

### TREATMENT AS PENSIONABLE OF CERTAIN SUBORDINATE APPOINTMENTS IN THE POSTS AND TELEGRAPHS DEPARTMENT.

1218. \*Mr. M. S. Sessa Ayyangar: (a) With reference to the report made by the Standing Finance Committee on the 31st January, 1928, and also with reference to the Government of India, Department of Labour and Industries, letter No. 11-P. T. E., dated the 13th July, 1928, will Government be pleased to state whether the appointments referred to in the references quoted above are treated as pensionable?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether the previous services of the time-keepers before they have been transferred to the new clerical grade, Class III, are considered for granting pension?

(c) Will Government be pleased to state the reason for not transferring to the clerical grade, Class II, the subordinates referred to above, who were drawing Rs. 100 previously, and were getting more pay than the maximum of the new, Class III, grade, namely, Rs. 85 in moffussil places?

Mr. P. G. Rogers: (a) It is presumed that the Honourable Member refers to the appointments the pay of which was revised in Department of Industries and Labour letter No. 11-P. T. E., dated the 13th July, 1928. Some of the appointments are pensionable, while others are non-pensionable.

(b) The appointments of time-keepers are non-pensionable. The question of counting the previous services of time-keepers towards pension does not arise. The question of making these appointments pensionable is under investigation as part of the general question affecting all non-pensionable staff in the Posts and Telegraphs Department.

(c) Government do not consider that their duties justify their being placed in the time-scale of pay as class II clerks.

### ALLOWANCES OF TELEGRAPH EMPLOYEES AT DELHI AND SIMLA.

1219. \*Mr. M. S. Sessa Ayyangar: (a) Will Government be pleased to state whether any members of the Simla-Delhi Telegraph Offices are in receipt of compensatory allowance? If so, will Government be pleased to state the scales, or the percentage on salaries, permissible to such members?

(b) Will Government be pleased to state the rates that are granted to the members of the other Government departments as compensation?

(c) If there is any distinction in the matter of granting compensatory allowance between members of one department and another department, do Government propose to remove such distinction?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Presuming that the Honourable Member refers to the members of the staff moving between Simla and Delhi telegraph offices, compensatory allowances at the following rates are paid to some of them:

	Rs.
Superintendent .. .. .	100 per mensem for the period he remains at Simla.
Clerks and time-keepers on revised scales of pay .. .. .	15 each a month both at Simla and Delhi.
Remington printing machine operators ..	20 each a month both at Simla and Delhi.

(b) Various allowances are payable to the members of the clerical staff of the Departments of the Government of India under the provisions of the Simla Allowances Code, a copy of which is in the Library of the House, or under special orders of a temporary nature. But they afford no real basis of comparison with the allowance paid to members of the Simla-Delhi Telegraph offices.

(c) The reply is in the negative.

#### ORDERS IN REGARD TO THE PRODUCTION OF MEDICAL CERTIFICATES BY THE STAFF OF THE CENTRAL TELEGRAPH OFFICE, NEW DELHI.

1220. **\*Mr. M. S. Seaha Ayyanar:** (a) Will Government be pleased to state whether they are aware of the fact that the Superintendent of the Central Telegraph Office, New Delhi, has issued orders prohibiting members of the staff from producing medical certificates regarding their ill-health from registered medical practitioners?

(b) Will Government be pleased to state whether the above order is in accord with the rules laid down by the Government of India or the Director General, Posts and Telegraphs?

(c) Will Government be pleased to state the reason for the objection to producing medical certificates from registered medical practitioners, who have been duly authorised by Government?

**Mr. P. G. Rogers:** (a) The orders issued were to the effect that leave on medical certificate would be granted only on production of a certificate either from the Civil Surgeon or his assistant.

(b) The orders were not quite in accord with the rules, and the necessary instructions will be given in the matter. The Honourable Member will, however, observe from Supplementary Rule 228 that normally the certificate of the medical attendant of the applicant should be countersigned, either by a Presidency Surgeon, or by the medical officer in chief medical charge of the district. The authority competent to grant the leave can reject the certificate of the applicant's medical attendant if the applicant for leave cannot or will not, if required, get it countersigned.

(c) The order was issued after there had been cases of wilful absence from duty on pleas of ill-health which were not substantiated.

**APPOINTMENT OF THIRD CLASS CLERKS IN THE CENTRAL TELEGRAPH OFFICE, MADRAS.**

1221. \*Mr. M. S. Seshu Ayyangar: (a) Will Government be pleased to state whether the present Superintendent of the Central Telegraph Office, Madras, has powers of appointing third class clerks in his office?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reason for the appointment of these clerks by the Deputy Postmaster General, Madras, from June, 1928, in the Madras Office?

(c) Will Government be pleased to state whether the officers of the First Division, who are in charge of Presidency Offices, have been authorized by the Government to appoint clerks in their offices when there are vacancies?

(d) Will Government be pleased to state the minimum qualifications prescribed for appointment of clerks in the Telegraph Department?

(e) Will Government be pleased to state the reason for appointing unpassed men in the Madras Office when qualified men were available?

(f) Will Government be pleased to state whether they will consider the appointment of qualified men in Telegraph Offices as clerks without putting them through a competitive examination along with unpassed men?

Mr. P. G. Rogers: (a) Yes.

(b) There being a large number of vacancies in the Circle as well as in the Madras Central Telegraph Office, it was arranged that one examination should be held for all the candidates, and the appointments were made by the Deputy Postmaster-General from the joint-list.

(c) Yes.

(d) Ordinarily the matriculation examination of a recognised university, or its equivalent.

(e) Because these men did exceptionally well in the departmental competitive examination and secured places above those with university qualifications.

(f) No.

**PAY OF TASK WORK MESSENGERS AND PERSONNEL AND ALLOWANCES OF LOCAL SERVICE TELEGRAPHISTS.**

1222. \*Mr. M. S. Seshu Ayyangar: (a) With reference to the reply to question No. 177 on the 4th February, 1929, put by Mr. N. M. Joshi, regarding the task work messengers, will Government be pleased to state when the decision is likely to be reached?

(b) With reference to the reply given to question No. 178 (b) asked by Mr. N. M. Joshi on 4th February, 1929, will Government be pleased to furnish (1) the number of Anglo-Indians, and (2) the number of Indians appointed to the Local Service after 1st March, 1918?

(c) Will Government be pleased to state whether Local Service telegraphists appointed after 1st March, 1918, are liable to transfer?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state the reason for not granting house-rent allowance to them, as is granted to General Service telegraphists and to Local Service telegraphists appointed before 1st March 1918, because of liability to transfer?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The question is receiving special attention, and I hope that orders will be issued at an early date.

(b) Accurate information cannot be furnished, as the records have been destroyed in the usual course, but if the Honourable Member wishes to know the number of men still in the Local Service, the answer is, (i) Anglo-Indians, nil, (ii) Indians, 8.

(c) No, except within their respective Circles.

(d) The attention of the Honourable Member is invited to part (b) of the reply given in this House on the 4th February, 1929, to Mr. N. M. Joshi's unstarred question No. 178.

#### EXTENSION OF AGE LIMIT FOR APPOINTMENT OF TELEGRAPHISTS.

1223. \***Mr. M. S. Sessa Ayyangar:** (a) With reference to the reply given on the 4th February 1929 to Question No. 179 (c) put by Mr. N. M. Joshi, will Government be pleased to state whether they propose to consider and extend the age limit to 25 at least for the next recruitment?

(b) If the answer to part (a) be in the negative, will Government be pleased to state whether they propose to consider the grant of such a concession to the sons and relatives of men in the Telegraph Department at least for the next recruitment?

**Mr. P. G. Rogers:** (a) and (b). The answer to both parts of the Honourable Member's question is in the negative.

#### ENQUIRY REGARDING THE CONNECTION, IF ANY, OF MR. D. DIESH, ASSISTANT SURGEON OF THE COMBINED HOSPITAL, NEW DELHI, WITH A WINE BUSINESS.

1224. \***Mr. M. S. Sessa Ayyangar:** (a) Will Government be pleased to state whether Mr. D. Diesh, assistant surgeon attached to the Combined Hospital, New Delhi, is in any way connected, either as proprietor, partner or owner, with the premises and business known as Messrs. J. Diesh and Co., wine merchants, etc., New Delhi?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether they propose to consider the desirability of taking any steps in the matter?

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

(b) Does not arise.

#### LEVY OF TOLLS BY THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY ON VEHICLES CROSSING THE NARBADA BRIDGE AT MOTAK.

1225. \***Mr. Jamnadas M. Mehta:** (a) Is it a fact that the Bombay, Baroda and Central India Railway has been levying tolls of various amounts on vehicles crossing the Narbada Bridge at Motak from the year 1885?

(b) Will Government be pleased to state the cost of building that bridge, and also the amount collected from the tolls till 28th February 1929?

(c) Do Government propose to discontinue the levy of these tolls? If not, will Government state the reason for its continuance?

(d) Are Government aware that a similar tax was levied by the Great Indian Peninsula Railway on the Jamna Bridge at Muttra, and that the same has now been discontinued? If so, will Government state the reason for the discrimination on the Bombay, Baroda and Central India Railway?

**Mr. P. B. Rau:** Save that the Bombay, Baroda and Central India Railway have been levying tolls on vehicles crossing the Narbada Bridge, and that the total cost of building the bridge amounted to about 18½ lakhs, Government have no information. I am making inquiries and will communicate with the Honourable Member further on receipt.

**ALLEGED ISSUE OF INSTRUCTIONS TO CHIEF AUDITORS OF RAILWAYS TO GIVE PRIORITY IN PROMOTION TO MUHAMMADANS OVER HINDUS.**

1226. **\*Mr. Mukhtar Singh:** (a) Is it a fact that the Auditor General has issued a circular to Chief Auditors of Railways and others to the effect that, in the matter of confirmation, priority should be given to Muhammadan employees, even if they are junior in service to Hindu employees, and even if this action causes discontent among the latter?

(b) If any such circular has been issued, will the Honourable the Finance Member please lay a copy of it on the table, and say if it was issued with his approval?

**The Honourable Sir George Schuster:** (a) and (b). I am sending the Honourable Member a copy of the circular to which he refers, together with a copy of the original orders, dated the 5th February, 1926, which the circular is intended to interpret and supplement. The Auditor General's circular, read by itself, is perhaps liable to be misunderstood.

The essential feature of these orders is that heads of Departments are required to consider, in the case of every third vacancy, whether it is desirable that it should go to a member of a minority community. The policy to which these orders are intended to give effect is directed to securing a fair representation of minority communities on the permanent establishment. In giving effect to this policy, it may be necessary to appoint a member of a minority community to a permanent vacancy in preference to a member of a community already well represented on the establishment, who has put in a longer period of temporary employment. Special provision has been made in the interests of any who were holding temporary appointments before the 5th February, 1926.

I had not seen the Auditor General's Circular before, but now that my attention has been drawn to it, I am asking him to send out a more clearly worded circular, showing that the instructions only apply to the extent necessary to give effect to the order, dated the 5th February, 1926.

**AMALGAMATION OF ORIYA-SPEAKING TRACTS.**

1227. **\*Pandit Nilakantha Das:** (a) Has the attention of Government been drawn to the publication in the *Hindustan Times*, Delhi, dated the 14th March, 1929, under the heading "The Government of India's memorandum to the Simonites", written by their political correspondent?

(b) Is it a fact that Government have recommended therein the amalgamation of the Oriya-speaking tracts?

(c) Will Government state the exact recommendation in detail about such amalgamation, and the exact place and character of the amalgamated areas in the coming reorganisations of the Indian provinces?

(d) Apart from the recommendations, what further steps or arrangements, if any, are being taken or contemplated to constitute the Oriya provinces?

(e) Considering the important nature of the question involving very vital consequences to the Oriya race, will Government make a full statement on the subject?

**The Honourable Mr. J. Orarat:** (a) Yes.

(b) and (c). A copy of the memorandum on the subject of the amalgamation of the Oriya-speaking peoples, supplied to the Indian Statutory Commission by the Government of India, has been placed in the Library. The memorandum makes no recommendations.

(d) No immediate steps are contemplated by the Government of India. It is understood that representatives of the Oriyas have expressed their views before the Indian Statutory Commission.

(e) Does not arise.

**RESTRICTIONS TO THE GRANT OF LEAVE TO THE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

1228. **\*Mr. D. K. Lahiri Chaudhary:** (1) Is it a fact:

(a) that grant of privilege leave to the officials of the Office of the Director General of Posts and Telegraphs, except under medical certificate has been stopped by the present Chief Superintendent?

(b) that even when an application for privilege leave from an individual clerk of that office is supported by a medical certificate from a qualified registered medical practitioner, various objections are raised, as a rule, by the present Chief Superintendent?

(c) that the clerk submitting such application for leave is forced by the Chief Superintendent to appear before him personally, before the sanction of the leave, even if the clerk is unfit to come to office owing to his illness?

(d) that the poor clerks are harassed, as above, and subjected to various other maltreatments?

(e) that recently, charge sheets have been framed against two clerks named Messrs. H. C. Dutt and L. M. Chakravarty of that office for keeping themselves away from office due to illness, and even on production of applications supported by medical certificates?

(2) If so, do Government propose to inquire into the matter and take immediate steps in the matter and remove their grievances?

**The Honourable Sir Bhupendra Nath Mitra:** (1). (a), (b), (c) and (d). No.

(e) Messrs. H. C. Dutt and L. M. Chakravartty absented themselves without permission. A charge sheet was framed against the former who was warned. No charge sheet was framed against the latter.

(2) No inquiry is considered necessary into these cases of ordinary office discipline.

**DUTIES OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

1229 \*Mr. D. K. Lahiri Chaudhury: Is it a fact:

- (a) that the present Chief Superintendent of the Office of the Director General, Posts and Telegraphs, although a gazetted officer in a non-gazetted appointment, has got very little to do except to see the opening of the daily daks, whereas all other questions affecting the staff (appointment, leave, etc.), bills and cash work are done by another Assistant Director General? If so, what is the necessity for maintaining such a highly paid officer having no defined duties of his own; and
- (b) that the reduction of this appointment is under consideration of Government for effecting a large saving? If so, when will this be done?

Mr. P. G. Rogers: (a) No. On the contrary the Chief Superintendent has defined and responsible duties.

(b) No.

**OFFICE HOURS OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS AND HIS STAFF.**

1230. \*Mr. D. K. Lahiri Chaudhury: Is it a fact:

- (a) that the present Chief Superintendent of the Office of the Director General, Posts and Telegraphs, as a rule remains in office daily till late at night?
- (b) that the poor chaprasis and other menial staff have been ordered to remain in office with him also till late hours, thus causing a great hardship to them?
- (c) that clerks of that office are very frequently forced to remain in office till he remains, so late as eight, nine or ten at night?

Mr. P. G. Rogers: (a) Yes.

(b) No.

(c) No.

**OFFICE HOURS OF THE STAFF OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

1231. \*Mr. D. K. Lahiri Chaudhury: (a) Will Government be pleased to say whether the Chief Superintendent of the Office of the Director General, Posts and Telegraphs, has any right to insist on the staff remaining in office till late hours without paying them extra remuneration?

(b) Are there any fixed office hours of attendance and for closing of that office? If so, what are they?

(c) Do Government propose to investigate into the matter?

**Mr. P. G. Rogers:** (a) The Chief Superintendent has never asked, much less insisted, on any member of the staff remaining late in office.

(b) Yes, the ordinary hours are 10-30 A.M. to 4-30 P.M.

(c) Does not arise.

**PAY OF CERTAIN JUNIOR CLERKS IN THE MEDAL SECTION OF THE ARMY DEPARTMENT.**

1232. **\*Mr. S. C. Mitra:** (a) With reference to parts (c) and (e) of my starred question No. 840 of the 4th March, 1929, will Government be pleased to state what is the minimum pay of a routine clerk in the Secretariat?

(b) What is the pay of the register-keeper of the Medal Section?

(c) What is the pay of the typist of the Medal Section?

(d) Why was Mr. Ganguli not paid any allowances or honorarium for his additional work in the General Section?

**Mr. G. M. Young:** (a), (b) and (c). Rs. 75 per mensem.

(d) The clerk in question did no additional work.

**EMPLOYMENT IN THE GENERAL SECTION OF INDUSTRIAL WORKERS IN THE MEDAL SECTION OF THE ARMY DEPARTMENT.**

1233. **\*Mr. S. C. Mitra:** (a) With reference to part (d) of my starred question No. 840 of the 4th March, 1929, is it not a fact that the following men of the Industrial Section worked in the General Section:

- (1) Mr. A. K. Ghose—did the same work in the B. W. M. sub-section, for which he was originally brought to Delhi on Rs. 75.
  - (2) Mr. B. Ganguli—issuing the India General Service medals, register-keeper.
  - (3) Mr. Sardar Mohammed—typing the issue letters.
  - (4) Mr. K. C. Das—typing the issue letters, indexing, entering the outward numbers and dates of issue letters in proper files.
  - (5) Mr. S. Chatterjee—in addition to the work of checker had to type issue letters, enter outward numbers and dates of issue letters in proper files, and other work of the General Section.
  - (6) Mr. M. L. Chatterjee—typing the ordinary letters, notes, etc., in place of Mr. Iqbal Mohammed Khan (who was a routine division clerk on Rs. 75.)
  - (7) Mr. B. Banerjee—indexing, in addition to the work of puncher?
- (b) If so, how is the answer of the Honourable Member accurate?

**Mr. G. M. Young:** (a) and (b). It was not the practice to employ the industrial staff on routine clerks' duties. But occasionally routine clerks, whose time was not fully occupied in the Industrial Sub-Section, were utilized also as routine clerks in the General Section as instanced by the Honourable Member.

**DUTIES AND ALLOWANCE OF THE SUPERINTENDENT, MEDAL SECTION,  
ARMY DEPARTMENT.**

1234. \*Mr. S. C. Mitra: (a) With regard to the reply to part (a) of my starred question No. 842 of the 4th March, 1929, is it not a fact that the Assistant in charge, Medal Section, used to sign as Superintendent, Medal Section? Is it not a fact that all letters issued from the Medal Section are franked embossed as "P. K. Sett, Superintendent, Medal Section"? Does the Assistant in charge actually check the inscription on medals?

(b) With regard to my question No. 842 (b), how can Government justify an allowance of Rs. 80 only for checking inscriptions on medals? Cannot the puncher or the clerk be held responsible for any wrong inscription? What is the daily outturn of the work?

Mr. G. M. Young: (a) The answers to all three portions of this question are in the affirmative, but the post in question carries neither the status nor the pay of a Superintendent and the designation on the rubber stamp, to which the Honourable Member refers, was to that extent incorrect.

(b) I am not prepared to enter into a public argument on these points. Government are satisfied that the work justifies the grant of an allowance,

**APPOINTMENT IN THE CENTRAL PRINTING OFFICE OF MR. ANARUL RAHMAN,  
AN EMPLOYEE OF THE ARMY CANTEN BOARD.**

1235. \*Mr. S. C. Mitra: (a) Is it a fact that some of the men of the Army Canteen Board have been provided for, after an examination by the Establishment Officer of the Army Department? If so, why? Is the Canteen Board a secretariat?

(b) Is it a fact that one, Mr. Anarul Rahman of the Canteen Board, has been provided for in the Central Printing Office, having been certified by the Public Service Commission as, "Tested by Canteen Board"? If so, why? Is the Public Service Commission prepared to grant the same privilege to the retrenched men of other departments? If not, why not?

Mr. G. M. Young: (a) Some ex-employees of the Army Canteen Board have been given temporary posts at Army Headquarters, for which they were suitable. The Army Canteen Board, when it existed, was not classed as a Secretariat, nor are Army Headquarters.

(b) A clerk, of a different name from that given by the Honourable Member, has been appointed to the Central Printing Office on the recommendation of the Public Service Commission, presumably, because the Commission considered him suitable. The latter parts of this question are hypothetical, but I have no doubt that the Public Service Commission do what they can to help deserving cases of this nature, where permanent employees are retrenched through no fault of their own.

**APPOINTMENT OF RETRENCHED MEN OF THE MEDAL SECTION TO  
APPOINTMENTS EXEMPT FROM PUBLIC SERVICE COMMISSION TESTS.**

1236. \*Mr. S. C. Mitra: (a) Are Government aware that some men of the Central Printing Office were granted exemption from the Public Service Commission? If so, on what grounds?

(b) Is it a fact that the Contracts Directorate is not under the scope of the Public Service Commission, and they recruited several men during the last Simla season? Is the establishment of the Contracts Directorate under the control of the Establishment Officer? If so, why were the retrenched men of the Medal Section not given first preference?

(c) Do Government propose to keep a list of the retrenched men and try to provide them in the offices which are not under the scope of the Public Service Commission, for example, the Contracts Directorate?

**Mr. G. M. Young:** (a) I am informed that some men were exempted in consideration of their age and past service, after consultation with the Public Service Commission.

(b) The clerks of the Contracts Directorate are required to possess special commercial training and aptitude. Recruitment for that Directorate is effected by the Director of Contracts, subject to the approval of the Master General of Supply and the Army Department. The retrenched temporary personnel of the Medal Section were not in any way qualified for posts in the Directorate of Contracts.

(c) Government were prepared to assist these men, as far as they could, to obtain employment for which they were suitable. Government are still prepared to do so. I can give no further undertaking than this.

#### PRINCIPLE FOLLOWED IN THE RETRENCHMENT OF THE STAFF OF THE MEDAL SECTION OF THE ARMY DEPARTMENT.

1237. **\*Mr. S. O. Mitra:** (a) With reference to part (b) of my starred question No. 841 of the 4th March, 1929, could not even Mr. Das do the work of the register keeper, despatcher, issue clerk or assistant stockholder? If not, why was he not retrenched earlier when some of the graduates were retrenched?

(b) Is it a fact that retrenchment in the Medal Section was made in accordance with the whims of the officer in charge, sometimes in order of seniority, while on other occasions in order of merit and efficiency, as it suited his purpose?

(c) If not, what principle does he follow in matters of retrenchment of officers?

**Mr. G. M. Young:** (a) I have not been able to follow the question, but as already stated, the clerk was discharged because the establishment was being reduced and he was at that time the least efficient member of it.

(b) No.

(c) Both seniority and efficiency are taken into account.

#### WITHHOLDING OF TELEGRAMS ADDRESSED TO SECRETARIES OF BRANCH CONGRESS COMMITTEES REGARDING THE ARREST OF MAHATMA GANDHI AND MR. K. S. ROY.

1238. **\*Mr. S. O. Mitra:** (a) Is the statement in the *Amrita Bazar Patrika*, dated the 8th March, correct that "the following telegram

addressed to the Secretaries of different district and branch Congress committees on Tuesday morning was withheld by the Telegraph Office :

'Mahatma Gandhi, Kiran Sankar Roy arrested for burning foreign cloth. Arrange protest meetings immediately. Start foreign cloth boycott propaganda and burn foreign cloth—Subhas Bose' ?

(b) If so, will Government please explain the reason for withholding the message?

(c) Under what provision of law was the telegraphic message withheld and under whose orders?

**The Honourable Mr. J. Crerar:** The telegram in question was referred by the Telegraph Office, under Rule 13 of the Indian Telegraph Rules, to the Local Government, who, considering that its transmission was calculated, in the absence of full details, to produce disturbances or create unfounded public alarm, in exercise of the powers conferred by section 5 of the Indian Telegraph Act, ordered that it should not be transmitted.

**Diwan Chaman Lall:** May I ask the Honourable Member whether, in view of the fact that the statements made therein were perfectly correct, he will take the first opportunity to tender an apology to the sender of the telegram?

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

**Diwan Chaman Lall:** What action does the Honourable Member intend to take in view of the infringement of the right of a member of the public to use the telegraph lines to send a telegraphic message concerning certain facts?

**The Honourable Mr. J. Crerar:** That is entirely within the discretion of the Local Government and the Government of India do not intend to intervene in that.

**Mr. Gaya Prasad Singh:** May I know, Sir, what is the attitude of the Government with regard to the burning of foreign cloth by the people?

**The Honourable Mr. J. Crerar:** That does not arise.

**Diwan Chaman Lall:** May I ask the Honourable Member whether the real reason was that the official concerned stopped this telegram, not being aware of the full facts?

**The Honourable Mr. J. Crerar:** The real reason was that which I communicated in my reply to the question.

**Diwan Chaman Lall:** Will the Honourable Member make himself perfectly clear, because the real reasons are not apparent from the reply given by him just now?

**The Honourable Mr. J. Crerar:** I think the reply is clear.

**Diwan Chaman Lall:** May I ask the Honourable Member as to what the real reason is? Was it or was it not, firstly that he was not aware of the full facts, and secondly that the transmission of this telegram was likely to create agitation in the country?

**The Honourable Mr. J. Orerar:** I have nothing to add to what I have said on the subject.

#### RESERVATION OF THIRD CLASS COMPARTMENTS FOR EUROPEANS ON INDIAN RAILWAYS.

1239. **\*Mr. M. S. Aney:** (a) Has the attention of the Government been drawn to the letter published in the issue of *Leader* of 6th March, under the signature of Chandra Dutta Pande, Professor, Kashi Vidyapeetha of Benares?

(b) Will Government be pleased to state whether the Railway Board or any of the superior officers of the East Indian Railway, have issued instructions to maintain a third class compartment reserved for Europeans on the trains they run and to admit into the compartment only those who are dressed in European garments, irrespective of their nationality?

(c) Will Government be pleased to state whether they have issued definite and unambiguous instructions to the railway authorities at all the stations not to reserve any third class compartment for Europeans, and not to observe any racial or sartorial discrimination in admitting passengers to any such compartment in any train?

(d) If the allegations in the letter mentioned in part (a) are true, will Government be pleased to state what steps they have taken or propose to take against the Station Master at Benares Cantonment Station?

**Mr. P. B. Rau:** I would invite the Honourable Member's attention to the reply I gave on the 22nd March to a similar question (No. 1175) put by my Honourable friend Maulvi Muhammad Yakub.

#### REVERSION OF TELEGRAPHIST B. C. DE FROM THE WHEATSTONE WIRELESS STATION, RANGOON.

1240. **\*Mr. M. S. Sessa Ayyangar:** (a) With reference to the reply given to the question put by U. Tok Kyi in the Assembly on the 18th September, 1928, regarding the reversion of telegraphist B. C. De, from the Wheatstone wireless station, Rangoon, will Government be pleased to state on whose report he was found unsuitable?

(b) Will Government be pleased to state whether it is not a fact that there was no report of such unsuitability from the officer in charge by whom he was trained?

(c) Was he found unsuitable as the result of any examination?

(d) Are Government aware of the fact that De's reversion took place, not while he was under training, but after he had been examined and had passed the test?

(e) Is it a fact that his reversion took place while he was working as a qualified operator?

(f) Is it not a fact that the reversion order had been passed by the Director, Wireless, before the fact of telegraphist De having been examined and having passed the test was communicated to him?

**Mr. P. G. Rogers:** With your permission, Sir, I will answer questions 1240 and 1241 together.

In view of further facts which have come to light since the reply given to U. Tok Kyi's starred question No. 1058 of the 12th March, 1929, the whole case regarding Mr. De's reversion is being re-examined and the Honourable Member will be apprised of the result in due course.

**PREVIOUS PAYMENT TO MR. B. C. DE OF THE ALLOWANCE OF A QUALIFIED WIRELESS OPERATOR.**

†1241. \***Mr. M. S. Sessa Ayyangar**: (a) Will Government be pleased to state whether it is a fact that wireless allowances in the Wheatstone wireless experimental stations are granted to operators only after they have passed the test for retaining them as operators?

(b) Is it a fact that telegraphist De has received this allowance for the period he worked as an operator after qualifying himself at the test?

**CUSTOMS TARIFF RATES RECOMMENDED BY THE INDIAN TAXATION INQUIRY COMMITTEE.**

1242. \***Mr. Mukhtar Singh**: (a) Have Government appointed any committee of experts to scrutinise the customs tariff rates, as recommended by the Indian Taxation Inquiry Committee?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state if any report of that Committee has been received? If the answer be in the negative, will Government be pleased to state the action taken on the aforesaid recommendation?

**The Honourable Sir George Rainy**: (a) No.

(b) No action has as yet been taken on this recommendation.

**INQUIRY INTO THE LOSS OF REVENUE IN COLLECTING CUSTOMS DUTIES.**

1243. \***Mr. Mukhtar Singh**: As recommended by the Indian Taxation Inquiry Committee, has any inquiry been made into the causes of loss of revenue in collecting custom duties? If so, with what results?

**The Honourable Sir George Schuster**: An inquiry was made, as recommended by the Indian Taxation Inquiry Committee. The result of the inquiry has been that, so far as the sea-borne traffic is concerned, the existing arrangements are, on the whole, satisfactory, and that there has been very little loss of revenue. As regards land frontiers, particularly round Pondicherry and Karikal, it has always been recognized that effective preventive arrangements are difficult. Substantial additions to the land frontier staff have been made in recent years, both before the appointment of the Taxation Inquiry Committee and after, and it is believed that smuggling on the land frontiers is being held in as complete check as is possible without altogether disproportionate expense and harassment of local traffic.

**LEAD POISONING OF WORKERS IN GOVERNMENT OF INDIA PRESSES.**

1244. \***Diwan Chaman Lal**: (a) Will Government be pleased to state if it is a fact that a large number of casters, compositors and distributors suffer from lead poisoning in the Government of India Presses?

(b) What measures are adopted for the prevention of the disease?

† For answer to this question, see answer to question No. 1240.

(c) Is any compensation paid under the Workmen's Compensation Act to the workers who are incapacitated for further service due to lead poisoning?

(d) Is soap supplied to the workers for washing their hands and nails at regular intervals?

(e) Does not lead poisoning fall under occupational diseases as defined in the said Act?

**The Honourable Sir Bhupendra Nath Mitra:** With your permission, Sir, I propose to answer questions Nos. 1244 and 1245 together. Inquiries are being made and the result will be communicated to the Honourable Member in due course.

#### GRANT OF COMPENSATION TO COMPOSITORS INVALIDED DUE TO LEAD POISONING.

†1245. **\*Diwan Ohaman Lall:** (a) Will Government be pleased to state if it is a fact that two compositors named Preombada Chuckerbutty and Mahabir Prosad employed in the Government Press, Delhi, were invalided due to lead poisoning?

(b) Was any compensation given to the two compositors under the Workmen's Compensation Act?

(c) Is it a fact that compositor Preombada Chuckerbutty interviewed the Manager at his bungalow in connection with the compensation but the Manager refused to entertain any claim in this respect?

(d) Is it a fact that the said compositor suffered from colic and paralysis of the extensor muscles of the forearms due to lead poisoning and subsequently died at Calcutta? If so, why was no compensation given to him?

#### HONORARIUM GRANTED TO THE MANAGER AND ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS FOR PRINTING BUDGET PAPERS.

1246. **\*Diwan Ohaman Lall:** (a) Will Government be pleased to state if it is a fact that an honorarium is granted to the Manager and the Assistant Manager of the Government of India Press, Delhi, every year for printing budget papers?

(b) What are the reasons for incurring recurring expenditure of this description every year?

(c) Does not the printing of the budget form part of the ordinary duties of the said officers? If not, why is an honorarium not granted to the General Foreman and the staff who actually do the work?

(d) Is it a fact that an honorarium is granted for work of an exceptional merit and peculiar nature? If so, why is an honorarium sanctioned for work which is performed every year?

(e) Is any honorarium granted to the Managers and other staff in the provincial presses for printing budget work?

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

(b) The work is considered to be of such an arduous nature as to justify a special reward.

† For answer to this question, see answer to question No. 1244.

(c) The printing of the budget is part of the ordinary duties of the Manager and Assistant Manager, but it involves a very heavy strain on both these officers. The General Foreman and the staff are paid over-time allowance and are not therefore granted an honorarium.

(d) An honorarium may also be sanctioned for work which is of such an arduous nature as to justify a special reward. The grant of an honorarium for the prompt and efficient printing of the budget is admissible under the rules and in the opinion of the Government of India it is fully justified.

(e) The Government of India have no information.

**Mr. Gaya Prasad Singh:** May I know what is the amount of the honorarium which was paid to the Manager and the Assistant Manager?

**The Honourable Sir Bhupendra Nath Mitra:** I am sorry, Sir, I have not got the information with me now; and I must ask my Honourable friend to put down a question on the paper on the point.

APPOINTMENT OF A QUALIFIED MECHANIC FOR MONOTYPE MACHINES IN THE GOVERNMENT OF INDIA PRESS, DELHI.

1247. **\*Diwan Ohaman Lall:** (a) Will Government be pleased to state if it is a fact that there is no qualified Mono-mechanic in the Government Press, Delhi? If so, is it a fact that great hardship is caused to operators by having to adjust their machines?

(b) Is it a fact that one mono-keyboard, transferred from the Calcutta Press has been lying idle for the last six months as there is no qualified mechanic to put it in working order?

(c) Is it a fact that the undernoted new mono-machinery was burnt out or broke down soon after its installation in 1927-28 owing to the carelessness or inefficiency of the men in charge;

(i) Five electric mono-heaters costing Rs. 5,000,

(ii) Mono-motor attached to compressor costing Rs. 1,500,

(iii) Mono compressor costing Rs. 2,000?

(d) If the reply to part (c) be in the affirmative, what steps do Government propose to take to safeguard expensive machinery being spoilt or broken owing to lack of supervision?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The answer is in the negative. The latter part of the question does not arise.

(b) No.

(c) No.

(d) Does not arise.

GRANT TO WORKERS IN THE GOVERNMENT PRESS, DELHI, OF COPIES OF ORDERS INFLECTING PUNISHMENT ON THEM.

1248. **\*Diwan Ohaman Lall:** (a) Will Government be pleased to state if it is a fact that copies of orders inflicting punishments on workers are not given to the men concerned by the Manager, Government Press, Delhi, and the Controller of Printing, for the purpose of filing appeals to higher authorities? If so, why?

(b) Is it a fact that Press workers are not very educated and that they have to rely on educated men to write appeals for them?

(c) Are there any Government orders against copies of punishment orders being given to the men concerned when they ask for them?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Copies of the orders are not given to the workers concerned, but the orders are communicated to them by the head of the Branch concerned.

(b) Government have no information.

(c) No.

**Diwan Chaman Lal:** May I ask the Honourable Member, Sir, whether he intends to revise the practice, and to issue orders accordingly?

**The Honourable Sir Bhupendra Nath Mitra:** I shall have that point looked into, but I cannot give the Honourable Member any assurance.

#### USE OF PHYSICAL VIOLENCE BY SECTION-HOLDER A. AZIM, AGAINST CO-WORKERS IN THE GOVERNMENT PRESS, DELHI.

1249. **\*Diwan Chaman Lal:** (a) Will Government be pleased to state if it is a fact that officiating section-holder, Mr. A. Azim, in the Delhi Press, is in the habit of using physical violence against workers?

(b) Is it a fact that the said section-holder threatened operator Biru Ram with sticks and slaps in the presence of the Assistant Manager, but no disciplinary action was taken against the section-holder, but the operator was punished instead by his promotion having been stopped?

(c) Is it a fact that the said section-holder last month caught Malku, compositor, by the neck and kicked and slapped him in the presence of the Manager, who took no action against the section-holder?

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

(b) A quarrel occurred between the section-holder and the operator. The matter was investigated by the Works Committee, and disciplinary action was taken against both of them.

(c) No.

#### PROMOTIONS TO SENIOR GRADES IN THE READING BRANCH OF THE GOVERNMENT PRESS, DELHI.

1250. **\*Diwan Chaman Lal:** (a) Will Government be pleased to state if it is a fact that a large number of promotions in the senior grades have been made in the reading branch of the Delhi Press without the knowledge and approval of the Controller of Printing?

(b) Is it a fact that the claims of senior readers have been overlooked in promotions and a number of juniors promoted to higher grades?

(c) Is it a fact that men who were copy-holders of Mr. Hafizulla have been promoted as senior readers whereas Mr. Hafizulla, who was appointed as a reader nearly 15 years back, before all the men so promoted, is still kept in the junior scale?

(d) Is it a fact that a junior reader, who was lately in the Rs. 110 grade, has been appointed as a head reader on Rs. 350 per mensem?

(e) Is it a fact that the said head reader is unable to write or speak English correctly? If so, is it proposed to fill the appointment permanently with a better qualified senior reader by transfer either from the Calcutta or the Simla Press?

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

(b) No.

(c) I am making inquiries and will communicate the result to the Honourable Member in due course.

(d) No.

(e) No; the second part of the question does not arise.

**UNEVEN DISTRIBUTION OF WORK TO PIECE-WORKERS IN THE GOVERNMENT PRESS, DELHI.**

1251. \***Diwan Chaman Lall:** (a) Is it a fact that in the Delhi Press much favouritism and petty oppression prevails in the distribution of work by section-holders to piece-workers?

(b) Is it a fact that profitable work is given by section-holders to their own favourites and the other men are kept on starvation wages by the withholding of profitable work from them?

**The Honourable Sir Bhupendra Nath Mitra:** (a) and (b). The answer is in the negative.

**CHECKING OF TIME-WORK DONE BY PIECE-COMPOSITORS IN THE GOVERNMENT PRESS, DELHI.**

1252. \***Diwan Chaman Lall:** (a) Is it a fact that the time allowed by correction-checkers to piece-compositors for time-work is neither checked by the Manager nor the Assistant Manager of the Delhi Press with the files?

(b) If so, why is no check exercised?

(c) Are not correction charges checked by the Assistant Manager and the case room overseers in the Calcutta Press?

**The Honourable Sir Bhupendra Nath Mitra:** (a) No. It is a part of the duties of the Assistant Manager to check a portion of the time memoranda.

(b) Does not arise.

(c) It is the duty of the Overseers to check a portion of the correction charges checked by correction checkers.

**APPOINTMENT TO THE GOVERNMENT OF INDIA PRESS, DELHI, OF RELATIVES OF THE ASSISTANT MANAGER.**

1253. \***Diwan Chaman Lall:** (a) Is it a fact that a large number of vacancies in the clerical and reading branches of the Government of India Press, Delhi, are filled by the relatives of the Assistant Manager?

(b) Is it a fact that two brothers-in-law and two nephews of the Assistant Manager are already employed in the Press?

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

(b) I am informed by the Controller that only one brother-in-law of the Assistant Manager is employed in the Press. (Laughter.)

**ALLEGED SALE OF INJURIOUS DRUGS IN THE TIFFIN ROOM OF THE GOVERNMENT PRESS, DELHI.**

1254. **\*Diwan Chaman Lall:** Is it a fact that opium and *ganja* are freely sold and indulged in by a large number of the employees in the tiffin rooms of the Delhi Press? If so, why no action is taken by the Manager to stop the sale of injurious drugs in the Press?

**The Honourable Sir Bhupendra Nath Mitra:** The drugs in question are not freely sold in the tiffin rooms of the Delhi Press, and Government have no information as to whether they are freely indulged in by a large number of employees in the Press. The second part of the question does not therefore arise.

**Diwan Chaman Lall:** May I ask the Honourable Member whether he will make inquiries and find out whether these two drugs are being consumed in large quantities?

**The Honourable Sir Bhupendra Nath Mitra:** I am afraid it is not possible for me to make inquiries whether any employees in the Press, or how many of them, or whether a large number of them, are in the habit of taking drugs or not.

**Diwan Chaman Lall:** But the question is, Sir, whether these drugs are being sold in the premises of the Press?

**The Honourable Sir Bhupendra Nath Mitra:** I have already answered that part of the question, Sir.

**MEMORIALS TO THE AGENT AND DIVISIONAL SUPERINTENDENT, NORTH WESTERN RAILWAY, BY THE STAFF OF THE DELHI AREA OF THAT RAILWAY.**

1255. **\*Diwan Chaman Lall:** (a) Will Government be pleased to state whether they are aware of the memorials sent by the "Staff Delhi area" to (1) the Divisional Superintendent, North Western Railway, Delhi (2) the Agent, North Western Railway, Lahore, representing certain grievances to be redressed?

(b) If so, what action is being taken on these memorials?

(c) If not, do Government propose to take immediate steps to remove the grievances?

**Mr. P. R. Rau:** Government have no information, but it would appear that the matters referred to are such as the Agent has full powers to deal with. A copy of the Honourable Member's question is being sent to the Agent.

**Diwan Chaman Lall:** May I ask the Honourable Member whether it is the considered policy of the Government or the Railway Board that all matters referred to in questions put on the floor of the House should be referred merely to the Agent, and no satisfactory reply given on the floor of this House?

**Mr. P. B. Rau:** These are matters for the local administration and the memorials have been sent to the Divisional Superintendent and the Agent. If the staff are dissatisfied with any of the replies given by these officers, and have a right of appeal, I presume they will address the Railway Board themselves.

**COMPLETION OF THE BETALA-BEAS RAILWAY.**

1256. \***Diwan Chaman Lal:** (a) Is it a fact that, though the construction of the Betala-Beas Railway was sanctioned a year ago, only a portion thereof up to Qadian has since been opened for traffic?

(b) Is it a fact that, though the complete line has been surveyed, land acquired and earth-work completed, further work on the line, up to Beas, is being suspended? If so, why?

(c) Is it a fact that station buildings up to Srigobindpur—about 11 miles from Qadian—have practically been completed and tracklaying only remains?

(d) Do Government propose to order the immediate construction of the line at least up to Ghoman Station?

**Mr. P. B. Rau:** (a) Yes.

(b) Yes. Work on the portion beyond Qadian was temporarily suspended in order that the funds available should be devoted to more important works.

● (c) This statement is correct, but I may add that the number of stations involved is only two.

(d) Government recognise the desirability of going on with this line at an early opportunity.

**Diwan Chaman Lal:** May I ask the Honourable Member what the other particular works are on which these funds were employed?

**Mr. P. B. Rau:** The information is contained in the budget statement which was placed before this House recently.

**ISSUE BY RAI SAHIB GANGA RAM, ASSISTANT, DEPARTMENT OF EDUCATION, HEALTH AND LANDS, OF A NOTICE OF THREATENED STRIKE BY SWEEPERS AGAINST MUSLIMS IN SIMLA.**

1257. \***Mr. Anwar-ul-Azim:** (a) Is it a fact that there is one Rai Sahib Ganga Ram employed as an Assistant in the Department of Education, Health and Lands?

(b) If the answer to part (a) is in the affirmative, are Government aware that he is the President of the Balmaki Sabha (Sweepers' Association), Simla?

(c) Are Government aware that a notice was recently issued over his signature to the Muslim community of Simla that the local sweepers would go on strike as far as the Muslim community alone was concerned if a certain sweeper woman, alleged to have been abducted by a local Muslim, was not returned by a certain date?

(d) Are Government also aware that the said sweeper woman had embraced Islam of her own free will and was not abducted by a Muslim, as alleged by the said Rai Sahib Ganga Ram?

(e) Are Government also aware that the Muslim community of Simla, as a whole, protested against this action of the said Rai Sahib Ganga Ram?

(f) Are Government aware that the Deputy Commissioner, Simla, warned the said Rai Sahib Ganga Ram against this action of his?

(g) If the answers to the above questions are in the affirmative, what disciplinary action was taken by Government against the said Rai Sahib Ganga Ram under the Government Servants' Conduct Rules? If none was taken, why not?

**Mr. G. S. Bajpai:** (a) Yes.

(b) to (f). Government have no information beyond what has already appeared in the Press.

(g) The case is not covered by the Government Servants' Conduct Rules, but Mr. Ganga Ram was warned.

#### REJECTION ON MEDICAL GROUNDS OF CANDIDATES FOR THE I. C. S. AND INDIAN FINANCE DEPARTMENT EXAMINATIONS.

1258. \***Mr. Amar Nath Dutt:** (1) Is it a fact that Babu Panchanan Chakravarty who passed the B.A. examination of the Calcutta University, securing first place in the examination, was not allowed by the Bengal Government to appear at the I. C. S. examination in 1927 on the ground of a slight narrowness in the chest?

(2) Is it a fact that he was not allowed in 1928 to compete at the all-India Finance Examination, though he stood first in the M.A. examination, on the ground that he suffered from a slight ring-worm in the waist?

(3) Is it a fact that another candidate was not allowed by the Bengal Government to appear at the 1928 Indian Police Service examination on the ground of his having a slight tendency towards hydrocele?

(4) If the answer to the above questions be in the negative, will Government state on what medical grounds they were not allowed to sit at these examinations?

(5) Is it a fact that Mr. Fazlur Rahman Khondokar was allowed by the Bengal Government to sit at the Indian Police Service examination in 1928, even though he was declared by the Medical Board to have been suffering from hernia?

(6) If so, will Government state why the two candidates referred to in parts (1), (2) and (3) have been debarred from examination while the candidate referred to in part (5) has been allowed to sit at the examination?

(7) Will Government please place on the table any other facts which led the Government of Bengal or the Public Service Commission to justify the differential treatment in the case of these candidates?

**The Honourable Mr. J. Orerar:** The attention of the Honourable Member is invited to the reply given by me to Mr. S. C. Mitra's question on the same subject on the 15th instant.

#### LACK OF UNIFORMITY IN ROBES WORN BY ADVOCATES OF THE CALCUTTA HIGH COURT.

1259. \***Mr. Amar Nath Dutt:** (a) Is it a fact that the robes to be worn by Advocates of the Calcutta High Court are not uniform?

(b) Do Government propose to take steps in the direction of the creation of an Indian Bar, as foreshadowed in the speech of the Honourable the Home Member in connection with the Indian Bar Councils Act in 1926?

(c) If so, will Government be pleased to state what steps they propose to take to bring about uniformity in the matter of robes of the Advocates of the Calcutta High Court?

**The Honourable Sir Brojendra Mitter:** (a) The matter is being considered by the Judges of the High Court.

(b) The Bar Councils Act, which was stated by Sir Alexander Muddiman to be a step in the direction of the creation of an Indian Bar, has been in operation for less than a year. As at present advised, Government do not propose to take any further steps.

(c) The matter of the robes of Advocates of the Calcutta High Court rests entirely with the High Court, and Government do not propose to interfere.

**Mr. K. Ahmed:** Are Government aware that a Resolution has already been passed in the Bar Council, Calcutta, that the question of dress should not be a question of their objection, because on behalf of the Vakils Mr. Rangachariar, an ex-M. L. A. and Mr. K. C. Neogy, now in the Assembly, admitted, at the time when the Bill was under discussion, that it was not a question of their objection, and they were quite satisfied with the Vakils' dress which they used to robe themselves with?

**The Honourable Sir Brojendra Mitter:** The whole of this matter, Sir, is being considered by the Calcutta High Court.

**Mr. Amar Nath Dutt:** May I ask the Honourable Member whether it is a fact that the Barrister Advocates are in the majority in the Bar Council and that they are bent upon having a distinction as Barrister Advocates?

**The Honourable Sir Brojendra Mitter:** If the Honourable Member is referring to the Calcutta Bar Council, then the constitution of the Calcutta Bar Council is half Barristers and half non-Barristers, and the Advocate-General is the ex-officio Chairman.

**Mr. K. Ahmed:** Is it a fact that the Government of India, in the Home Department, received a memorial from members of the Bar Council in England that their robes should not be worn by the present Advocates under the Bar Councils Act, and that they were the robes of the Barristers from England, Scotland and Ireland, which could not legally be interfered with?

**The Honourable Sir Brojendra Mitter:** That again is a subject which is now being considered by the Judges of the High Court. I may inform Honourable Members that a sub-committee of the Judges of the Calcutta High Court has been appointed to go into the whole matter.

**Maulvi Muhammad Yakub:** May I know what will be the position of the Barristers who cannot put two sentences together in the Bar Council?

**Mr. K. Ahmed:** Exactly in the same category.

**Mr. President:** Order, order. Mr. Neogy.

**Mr. K. C. Neogy:** May I take it, Sir, that the Honourable the Home Member has nothing to do with this question, and that the administrative control of the High Court has been made over to the portfolio of the Honourable the Law Member?

**The Honourable Mr. J. Crerar:** The Honourable the Law Member kindly consented to answer this question, because he has special cognizance of it.

**Mr. K. C. Neogy:** May I take it that, in answering this question, the Honourable the Law Member has not been influenced by the fact that he has been the Chairman of the Calcutta Bar Council for some time?

**The Honourable Sir Brojendra Mitter:** Not in the least.

**Mr. K. C. Neogy:** Will the Honourable Member be then pleased to state whether it is a fact that, whenever there was a conflict between the Barristers and the non-Barristers, the Barristers have always been able to carry the day by defeating the non-Barristers either by the ordinary vote of the Chairman or by his casting vote?

**The Honourable Sir Brojendra Mitter:** I am not in a position to agree with the Honourable Member.

**Mr. K. C. Neogy:** Will the Honourable Member kindly brush up his memory and tell us whether it has not been his own experience?

**The Honourable Sir Brojendra Mitter:** When the Barristers have won, they have won by the inherent merit of their case.

**Mr. K. C. Neogy:** May I know, Sir, whether it is not a fact that, on occasion, they were helped to win with the aid of the casting vote of the Chairman?

**The Honourable Sir Brojendra Mitter:** I am not aware of it. Certainly that was not the case when I was Chairman of the Bar Council.

**Mr. K. C. Neogy:** Do Government propose to inquire and satisfy themselves how far the spirit in which this measure was conceived, is being carried out in actual operation in Calcutta?

**The Honourable Sir Brojendra Mitter:** The Bar Councils Act has, in Calcutta, been in operation, I believe, since last July. The Council holds one meeting and sometimes more meetings every month, and it is in close touch with the Judges of the High Court. This is a domestic matter of the High Court's with which the Government of India do not propose to interfere.

**Mr. K. C. Neogy:** Is it not a fact that the Calcutta High Court stands on a different footing from other High Courts in regard to the constitution of the Bar Councils?

**The Honourable Sir Brojendra Mitter:** The constitution of the Bar Councils of Calcutta and Bombay stand on a different footing from the constitution of the Bar Councils in other Provinces. That is regulated by the Bar Councils Act.

**Mr. K. C. Neogy:** Is the Honourable Member aware that, when this measure was under discussion, apprehensions were expressed by non-official Members that this distinction in the case of the Calcutta High Court might operate to the prejudice of Vakils?

**The Honourable Sir Brojendra Mitter:** Sir, I am sorry I was not in the Assembly at the time, so I am not aware of what was said on that occasion.

**Mr. K. O. Neogy:** Is it not to be expected that the Honourable Member should read up the debates before he takes upon himself the duty of answering questions in this House?

**INTRODUCTION OF UNIFORMITY IN ROBES WORN BY ADVOCATES OF THE CALCUTTA HIGH COURT.**

1260. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that in some High Courts there is uniformity of robes of all Advocates?

(b) If so, will Government be pleased to state if they propose to take steps to bring about uniformity of robes of Advocates of the Calcutta High Court?

**The Honourable Sir Brojendra Mitter:** (a) Government have no definite information.

(b) No.

**TIMING OF NO. 88 DOWN LOCAL TRAIN ON THE EAST INDIAN RAILWAY.**

1261. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that the timing of the 88 down local train of the East Indian Railway has been changed since September last?

(b) Was there any complaint to the Agent by the daily passengers about the altered timing?

(c) If so, will Government be pleased to state what action, if any, has been taken to restore the former timing?

**Mr. P. E. Rau:** With your permission, Sir, I will reply to this and the next question together. Government have no information on the matters raised in these questions and I am sure the Honourable Member will recognise that it is impossible for them to take any direct part in the preparation of time-tables. A copy of these questions will be sent to the Agent of the East Indian Railway to consider whether any action is necessary.

**PAUCITY OF LOCAL TRAINS ON SUNDAY ON THE EAST INDIAN RAILWAY.**

†1262. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that the daily passengers of the East Indian Railway experience great difficulty on Sundays for want of any train for more than five hours after the 89 up?

(b) Was there any complaint about it to the Agent? If so, what action has been taken on it?

**DISCONTENT OF SENIOR MEN IN GOVERNMENT SERVICE SUPERSEDED UNDER A RECENT HOME DEPARTMENT CIRCULAR.**

1263. **\*Mr. Amar Nath Dutt:** Are Government aware that the Home Department Circular No. F.-176/25-Est., dated 5th February, 1926, has caused great hardship and discontent amongst the senior men who have been superseded by juniors? If so, will the Government state the reasons for such special treatment?

† For answer to this question, see answer to question No 1261.

**The Honourable Mr. J. Orerar:** The reply is in the negative. I am not sure what the Honourable Member has in mind, but the orders to which he refers state expressly that they relate to fresh recruitment only and not to departmental promotions.

**PAY OF SHUNTING TINDALS IN THE HOWRAH DIVISION, EAST INDIAN RAILWAY.**

1264. \***Mr. Amar Nath Dutt:** (a) Is it a fact that the grade of shunting tindals of Howrah Division was fixed at Rs. 20—2—32?

(b) Is it a fact that the pay of shunting tindals of Howrah goods has been reduced to Rs. 20? If so, why?

**Mr. P. B. Rau:** Government have no information.

**RE-APPOINTMENT OF STRIKERS DISMISSED AT ONDAL AND ASANSOL, EAST INDIAN RAILWAY.**

1265. \***Mr. Amar Nath Dutt:** (a) Has the attention of the Government been drawn to the leading newspapers of Calcutta of the 7th of August, 1928, in connection with the East Indian Railway Agent's notification to the Lillooah staff regarding the reappointment of the Ondal and Asansol strikers?

(b) If so, will Government be pleased to state why the strikers of Ondal and Asansol have not been provided as yet?

(c) Is it fact that their posts have been filled up by new recruits? Do Government propose to take steps to reappoint those dismissed persons to their former posts?

**Mr. P. B. Rau:** (a) Yes.

(b) and (c). The Agent's undertaking was that the men who were dismissed at Ondal and Asansol would be re-engaged as vacancies occurred, and Government have no reason to believe that this is not being given effect to. I am sending a copy of the question and the reply to the Agent.

**LEAVE RULES OF THE STAFF OF THE EAST INDIAN RAILWAY WORKSHOPS AT LILLOOAH.**

1266. \***Mr. Amar Nath Dutt:** Will Government be pleased to state whether the leave rules and other privileges which are now in force in Lillooah power house, clerical staff, supervising staff of Lillooah and Jamalpore are allowed to the Lillooah workshop men? If not, why not?

**Mr. P. B. Rau:** I am making inquiries from the East Indian Railway and will communicate further with the Honourable Member on receipt of a reply.

**PAYMENT OF MONTHLY WAGES TO THE WORKMEN IN THE LILLOOAH WORKSHOPS.**

1267. \***Mr. Amar Nath Dutt:** (a) Is it a fact that the Jamalpore workshop men are monthly paid servants of the Railway?

(b) If so, will Government be pleased to state whether the Lillooah workshop men are daily wagers?

(c) Do Government propose to make them monthly paid servants? If not, why?

**Mr. P. E. Rau:** (a) Yes.

(b) They are daily, rated but paid monthly.

(c) The matter is under consideration.

**NEGATIVE APPELLATION USED TO DESCRIBE CONSTITUENCIES OF MEMBERS OF THE LEGISLATURE.**

1268. **\*Mr. Amar Nath Dutt:** (a) Will Government state the reasons for adopting a negative description for the general constituencies of the Legislatures and describing special constituencies according to race or religion?

(b) Are Government aware that Indians belonging to general constituencies resent their description by a negative appellation with reference to a particular religion?

(c) Do Government propose to retain such description of general constituencies in the coming elections? If so, why?

(d) Are Government aware that such description is considered by those to whom it is applied, as an insult? If so, will Government be pleased to state whether it is deliberate?

**The Honourable Mr. J. Orerar:** (a), (b), (c) and (d). The attention of the Honourable Member is invited to the replies to his questions Nos. 522 and 748 which were given on the 26th February, 1924, and the 7th March, 1927, and the reply given to Mr. Ranga Iyer's question No. 92 on the 26th August, 1925. Government are not aware of the feeling of resentment referred to by the Honourable Member, and I think I need hardly assure him that no disparagement is intended. I am unable to say anything at present as regards the nomenclature which may be adopted for the various constituencies of the Legislature on any revision of the electoral roll.

**NON-TRANSFER OF BABU NEPAL CHANDRA BANERJEE, ASSISTANT ACCOUNTANT, CALCUTTA GENERAL POST OFFICE.**

1269. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that the Director General, Posts and Telegraphs, issued an order to the effect that all head clerks or clerks whose duty involved handling of cash and valuables and appointments should not be kept in that charge for more than three months?

(b) If so, will Government state the duties of the accountant and the assistant accountant of the Calcutta General Post Office so far as appointments are concerned?

(c) Will Government state for how long Babu Nepal Chandra Banerjee, assistant accountant, Calcutta General Post Office, has been working as such, or as an accountant in the accounts branch?

(d) Is it a fact that he was transferred by Mr. Wrenick, late Postmaster General, Bengal and Assam, in pursuance of the Director General's orders referred to above?

(e) Is it a fact that the order of transfer was subsequently cancelled? If so, why?

**Mr. P. G. Rogers:** (a) No.

(b) Does not arise.

(c) For four years and eight months.

(d) He was transferred under Mr. Wrenick's orders in the interests of the service.

(e) No; it was merely held in abeyance for administrative convenience.

**TRANSFER OF BABU J. C. BOSE, OF THE CALCUTTA CADRE OF THE POSTAL DEPARTMENT, TO JESSORE.**

1270. **\*Mr. Amar Nath Dutt:** (a) Is it a fact that Babu J. C. Bose of Calcutta cadre, though a senior official, has been transferred to Jessore and not Babu Charu Chandra Majumdar who is a much junior officer?

(b) If so, will Government be pleased to state the reasons for transferring a senior officer instead of a junior officer?

(c) Has Babu Charu Chandra Majumdar ever worked in a post office, doing actual post office work? If so, for how long? What is his duty now?

**Mr. P. G. Rogers:** (a) Babu J. C. Bose has been transferred to Khulna on promotion.

(b) There are no rules according to which junior officers are transferred in preference to senior officers.

(c) Yes, for over twelve and a half years; he is now one of the Assistant Postmasters of the Calcutta General Post Office.

**SHORT HOURS OF WORK OF CLERKS ATTACHED TO THE GENERAL CORRESPONDENCE DEPARTMENT OF THE GENERAL POST OFFICE.**

1271. **\*Mr. Amar Nath Dutt:** (a) How many clerks are attached to the general correspondence department of the General Post Office? What are the hours of attendance? Is it less than that of the Post Office clerks? If so, what are the reasons for such difference?

(b) Have the curtailed hours of attendance of the clerks attached to the correspondence department been authorised under the time test? If so, will Government please state the standard on which the present staff of the correspondence branch of the Calcutta General Post Office has been fixed?

(c) Is it a fact that the clerks attached to the correspondence department have got lighter work while the post office staff are overworked? Wherefrom is the major portion of clerks drafted in when extra staff is found necessary to do extra work on overtime payment?

**Mr. P. G. Rogers:** Government have no information. Inquiries are being made and the result will be communicated to the Honourable Member in due course.

**ISSUE OF NOTICES FOR TENDERS FOR INDIAN ARMY SERVICE CORPS CONTRACTS.**

1272. **\*Mr. Muhammad Ismail Khan:** (a) Is it a fact that notices and tenders for India Army Service Corps contracts are issued only to the approved contractors, whose financial status and antecedents are verified and reported satisfactory by the civil authorities?

(b) Is it a fact that contracts for the supply of firewood, charcoal, limequick and onions for the Delhi Independent Brigade Area have been given to a contractor at comparatively more enhanced rates than those offered by other contractors, ultimately resulting in a heavy loss to Government?

(c) Will Government be pleased to inquire into the matter and to state the extent of loss that Government will suffer through such a course?

(d) Is it a fact that notices and tenders for supply of firewood have not been issued by the Deputy Assistant Director of Supply and Transport, Delhi Independent Brigade Area, Delhi, to those contractors who are holding contracts for the supply of firewood up to the 31st March, 1929?

(e) If the facts stated above are correct, do Government propose to inquire into the matter and to take action against the officer concerned?

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

(b) The contract for onions has not yet been given out. The tenders accepted for the other contracts were not higher than the market rates.

(c) For the reason given in my answer to part (b), Government will suffer no loss.

(d) Two such contractors have not received notices, because they have at various times supplied inferior articles with consequent loss to Government and detriment to the supply services.

(e) Does not arise.

#### EDUCATION OF MUHAMMADANS IN BALUCHISTAN AND THE NORTH-WEST FRONTIER PROVINCE.

1273.\***Mr. Muhammad Ismail Khan:** (a) With reference to the announcement of the Education Secretary to the Government of India, made in the Legislative Assembly on the 18th September, 1928, regarding the appointment of a committee to inquire into the existing facilities for primary education for boys and girls and for untouchables in the areas under the direct control of the Government of India, will Government be pleased to state when the committee will begin to function and which areas the committee will tour?

(b) Will Government be pleased to state what is the percentage of literacy in Baluchistan and the North-West Frontier Province and how does this percentage compare with the more advanced provinces of Bangalore and Coorg and the areas of Delhi and Ajmer-Merwara? Is it a fact that while Muhammadans predominate in the former, non-Muhammadans predominate in the latter?

(c) Will Government be pleased to state what action, if any, they are taking to bring the education of Muhammadans in Baluchistan and the North-West Frontier Province in line with the more advanced areas under the direct control of the Government of India like Bangalore?

(d) Will Government be pleased to state if the Education Secretary's announcement, referred to in part (a), includes an inquiry into the conditions of education of backward classes, that is, Muhammadans, in the areas directly under the control of the Government of India like the North-West Frontier Province and Baluchistan, and will the committee suggest and provide special facilities for their education?

**Mr. G. S. Bajpai:** (a) It is hoped that the Committee will start work early in the new financial year. It will tour in the North-West Frontier Province, Ajmer-Merwara and Delhi.

(b) A statement giving the information asked for in the first part of the question is laid on the table. It is true that, in Baluchistan and the North-West Frontier Province, Muhammadans preponderate; in the other areas mentioned by the Honourable Member non-Muslims form the majority.

(c) As the Honourable Member is probably aware, a five-year programme was introduced in 1927-28 for the expansion of education in the territories directly administered by the Government of India. The total additional expenditure provided in this programme for Baluchistan and the North-West Frontier Province amounts to Rs. 18,57,890 non-recurring and Rs. 1,87,986 in the first year rising to Rs. 5,15,468 in the fifth year recurring, as compared with Rs. 8,41,351 and Rs. 1,52,038 rising to Rs. 4,37,238 recurring for the other areas mentioned by the Honourable Member. As the population of Baluchistan and the North-West Frontier Province is largely Muhammadan, it is hoped that the five-year programme will benefit Muhammadans materially.

(d) The Committee will inquire into the conditions of primary education of all classes of the population in the three areas mentioned in (a) above and will make recommendations. Baluchistan is to be excluded from the scope of the proposed inquiry because of the nomadic character of its population.

*Comparative statement showing the percentage of literacy in certain administered areas.*

Area.	Male.	Female.	Total (males and females).
Baluchistan .. .. .	10.9	1.5	7.2
North-West Frontier Province .. .. .	6.3	0.9	3.9
Bangalore .. .. .	35.7	14.8	25.6
Coorg .. .. .	18.9	5.0	12.6
Delhi .. .. .	16.1	3.4	10.7
Ajmer-Merwara .. .. .	16.6	2.3	10.0

**REPORTED REDISTRIBUTION OF PROVINCES RECOMMENDED IN A MEMORANDUM OF THE GOVERNMENT OF INDIA TO THE SIMON COMMISSION.**

1274. \***Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to a report published in the *Hindustan Times*, dated the 14th March, 1929, regarding the memorandum of the Government of India before the Simon Commission?

(b) Is the outline of the policy regarding the redistribution of provinces mentioned in the Report substantially correct?

(c) Will Government be pleased to lay a copy of the memorandum on the table?

**The Honourable Mr. J. Orerar:** (a) Yes.

(b) and (c). A copy of the introductory note on claims which have been made to redistributions of provincial territories on a racial or linguistic basis supplied to the Indian Statutory Commission by the Government of India has been placed in the Library, and the Honourable Member will be able to acquaint himself at first-hand with its contents.

**HIGH TELEPHONE CHARGES IN CALCUTTA.**

1275. **\*Mr. K. O. Neogy:** (a) Have Government received any complaint regarding telephone charges in Calcutta? If so, do Government propose to take any action to bring about a reduction?

(b) Are Government aware that the telephone charges in Calcutta are higher than those in London?

(c) Are Government aware that, since the introduction of the message rate system, some business houses are paying as much as Rs. 1,000 per line per annum?

(d) Did the Bombay Telephone Company at any time propose the introduction of the message rate system in Bombay? Was this proposal turned down by the Government of India? If so, why?

(e) Are Government aware that the Bengal Telephone Corporation is virtually paying 22½ per cent. dividend on its original ordinary capital, after setting aside a good sum for depreciation, reserve fund and a sinking fund for its debenture loan?

(f) Are Government prepared to consider the advisability of taking over the concern as soon as the present agreement with the Company expires?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Yes. The matter has been carefully considered by the Government of Bengal, by whom it has been explained to the Telephone Subscribers' League, Calcutta, that no compulsory reduction of the charges levied by the Bengal Telephone Corporation, Limited, is feasible. The Government of India do not propose at present to take any action in the matter.

(b) Yes.

(c) Government are not in possession of particulars of individual bills the amounts of which depend on the use made of the service.

(d) Yes. The charges proposed by the Bombay Telephone Company were not introduced. The proposal was examined by a Committee appointed to investigate the matter, and it was found that there was no agreement between the commercial community of Bombay, the Bombay Telephone Company and the Government of Bombay. A modified scale of charges suggested by the Chairman of the Committee, with the concurrence of the other official members, was not acceptable to the Bombay Telephone Company, and the Government of Bombay decided that the proposal of the Company should, for the present, remain in abeyance. The Government of India endorsed this decision.

(e) An examination of the latest balance sheet of the Bengal Telephone Corporation, Limited, by the Government of Bengal, shows that the dividends paid by the Company have not exceeded 7½ per cent. in any year between 1922-23 and 1926-27.

(f) Government are unable to make any statement on the subject at this stage.

**Lieut.-Colonel H. A. J. Gidney:** Is the Honourable Member aware of the fact that there is universal discontent in Calcutta, at the exorbitant rates charged by the Bengal Telephone Company, and that the residents of Calcutta and other places are at times most exorbitantly and unfairly taxed for their telephones?

**The Honourable Sir Bhupendra Nath Mitra:** Apparently there is some grievance on the subject; that is the reason why the Telephone Subscribers' League addressed the Bengal Government in the matter.

**Mr. K. C. Neogy:** With reference to the answer to clause (e) of my question, will the Honourable Member kindly examine the balance sheet himself?

**The Honourable Sir Bhupendra Nath Mitra:** I shall try to do so, Sir. But I can only act on the information disclosed by the balance sheet, and not on any inside information which may be in the possession of my Honourable friend.

**Mr. K. C. Neogy:** Will the Honourable Member kindly make inquiries and find out whether it is not a fact that bonus share scrips have actually been distributed to the original share-holders without any payment, with the result that the dividend works out at a less figure than it actually is?

**The Honourable Sir Bhupendra Nath Mitra:** The Honourable Member apparently possesses more information than I have been able to get so far.

#### NUMBER OF INDIANS HOLDING TEMPORARY COMMISSIONS IN THE INDIAN MEDICAL SERVICE.

1276. **\*Mr. K. C. Neogy:** (a) What is the present number of officers holding temporary commissions in the Indian Medical Service, and what proportion do they constitute of the total number of officers in the Indian Medical Service working in the Army? How many of these temporary officers are Indians?

(b) For how many years has this temporary cadre been in existence and how long is it likely to continue?

(c) What are the terms and conditions on which these temporary officers are employed, and how do these terms and conditions differ from those governing the employment of permanent officers, and officers who are recruited in England on special short term contracts for the Indian Medical Service?

(d) Is any maximum period fixed for the employment of temporary officers in the Indian Medical Service? If so, what, and for what reasons?

(e) Do these temporary officers get any gratuity or bonus or provident fund benefits when they have served the maximum period permissible and are discharged? If not, why not?

(f) What bonus or gratuity or provident fund benefits are permanent officers and British short term officers in the Indian Medical Service entitled to on retirement after serving for short periods? When were these gratuity benefits extended to permanent officers in the Indian Medical Service, and for what reasons?

**Mr. G. M. Young:** (a) 116 or roughly 30 per cent. All are Indians.  
 (b) Since October 1914. It is likely to continue until the full strength of permanent officers has been recruited.

(c), (d), (e) and (f). The Honourable Member is referred to the answer which I gave on the 2nd September, 1927, to Diwan Chaman Lall's question No. 806 and to supplementary questions. Also to Mr. Gaya Prasad Singh's unstarred question No. 108, dated the 16th February, 1928. I should, however, repeat that there are no special contract terms granted to British candidates for the Indian Medical Service, but all officers, whether British or Indian, appointed permanently to the Indian Medical Service have the option of retiring on gratuity after 6 or 12 years' service instead of serving on for pension.

**Lieut.-Colonel H. A. J. Gidney:** Will the Honourable Member state whether he is prepared to apply the same terms of service and bonus to Indian temporary I. M. S. officers? To explain myself better, will the Honourable Member consider favourably the suggestion that Indian temporary I. M. S. officers be allowed the option of continuing their service or getting a bonus at the end of six years' service, instead of terminating their service after five years or so?

**Mr. G. M. Young:** I do not think I have altogether followed that proposal. Temporary I. M. S. officers serve on yearly contracts, which are renewed from year to year. There is no question of their services being terminated, as these permanent officers' services can be terminated, at their option on a gratuity.

**Lieut.-Colonel H. A. J. Gidney:** With reference to that answer, Sir, and considering the fact that the temporary I. M. S. has been in existence for fifteen years, and also the fact that permanent I. M. S. officers come on a six years' contract, will the Government consider recruiting temporary I. M. S. officers not on yearly contracts, renewable from year to year, but on similar terms of six years' service?

**Mr. G. M. Young:** Government do not propose to do so, Sir, for the simple reason that these temporary officers do not possess the same high qualifications as officers recruited to the permanent service.

**Lieut.-Colonel H. A. J. Gidney:** Do these temporary officers do the same professional services as those of the permanent service? And do their annual confidential reports convey the impression that they do their work as efficiently? If so, will the Government re-consider their refusal of equal treatment.

**Mr. G. M. Young:** If the Honourable Member will wait till my answer to the next question, he will get his answer.

#### QUALIFICATIONS FOR PROMOTION TO PERMANENT COMMISSIONS OF TEMPORARY INDIAN OFFICERS IN THE INDIAN MEDICAL SERVICE.

1277. **\*Mr. K. C. Neogy:** (a) What opportunities have the temporary Indian officers in the Indian Medical Service, for being granted permanent commissions, and what considerations and qualifications determine their selection for permanent commissions?

(b) Do British educational qualifications in these temporary officers in the Indian Medical Service constitute a preferential claim for being made permanent?

(c) Are the temporary officers in the Indian Medical Service granted any leave for going to England for further study?

(d) Is it a fact that temporary officers of the Indian Army are granted leave very much like regular officers? Are temporary officers in the Indian Medical Service treated differently from temporary officers of the Indian Army? If so, in what respects and for what reasons?

(e) Is it a fact that Indian temporary officers in the Indian Medical Service with Indian educational qualifications, are given command and second in command appointments of military hospitals, and generally discharge their duties in these capacities satisfactorily?

**Mr. G. M. Young:** (a) Temporary officers are eligible for permanent commissions in the Indian Medical Service if they are within the age limit of 32 and possess the necessary qualifications. For the latter portion of this question and part (b) the Honourable Member is referred to the answer which I gave on the 1st September 1927 to Mr. B. Das's starred question No. 761, and the supplementary question.

(c) No, Sir.

(d) There are no temporary officers of the Indian Army.

(e) The officers referred to occasionally hold charge of smaller hospitals. They have not the seniority to hold charge of the larger ones. I am informed that, on the whole, these temporary officers perform duties which are required of them satisfactorily.

#### NUMBER OF NON-INDIANS RECRUITED FROM ENGLAND ON SHORT TERM CONTRACTS FOR THE INDIAN MEDICAL SERVICE.

1278. **\*Mr. K. O. Neogy:** (a) How many non-Indians have been recruited from England on short term contracts for the Indian Medical Service, up-to-date, and on what terms? What tests do the authorities employ for finding out their competence before appointment?

(b) Are they given regular commissions though they serve for a short period? If so, why?

(c) Are they eligible for re-employment in the Indian Medical Service after completing their period of contract? If so, on what terms? How many have been so re-employed?

(d) How many have been recruited in England as permanent officers in the Indian Medical Service since July 1915, and what tests had they to satisfy as to their competence before such recruitment?

**Mr. G. M. Young:** (a), (b) and (c). As I have already explained several times in this House, no officer is engaged on a short-term contract, but all officers, European or Indian, now appointed to permanent commissions in the Indian Medical Service, have the option of terminating their service after 6 or 12 years, in which case they receive a gratuity instead of a pension.

(d) The number of permanent officers recruited in England since July 1915 is 199. British officers appointed since 1922 and Indian officers appointed since 1926 have the option of retiring on gratuities. The qualifications and tests required are contained in the memorandum regarding the appointment to and conditions of service in His Majesty's Indian Medical Service. Copies of this memorandum will be placed in the Library.

**Lieut.-Colonel H. A. J. Gidney:** In view of the difficulty in obtaining permanent I. M. S. officers from England, will the Government consider favourably the desirability of restoring recruiting into the Indian Medical Service by open competition again?

**Mr. G. M. Young:** Sir, the question of restoring open competition is one which is always before the Government of India.

**Lieut.-Colonel H. A. J. Gidney:** How long will this continue to remain before the Government of India, Sir, considering that this state of affairs has been going on since 1914?

**Mr. G. M. Young:** I wish, Sir, I could answer that question.

**DIFFERENCE IN RULES FOR DAILY ALLOWANCE OF MEMBERS OF THE COUNCIL OF STATE AND LEGISLATIVE ASSEMBLY.**

1279. **\*Lieut.-Colonel H. A. J. Gidney:** Will Government be pleased to state why there is a difference in the number of days of residence for which daily allowance is permissible in New Delhi before the commencement of the Session in the case of the Council of State and the Legislative Assembly?

**The Honourable Mr. J. Orerar:** The difference is due to a self-denying decision reached by the Assembly in 1923.

**RECOGNITION OF INSTRUCTION GIVEN IN THE MACLAGAN ENGINEERING COLLEGE, LAHORE, FOR THE PURPOSE OF APPOINTMENTS IN GOVERNMENT SERVICES.**

1280. **\*Lieut.-Colonel H. A. J. Gidney:** Will Government be pleased to state if the MacLagan Engineering College, Lahore, is recognised by the Government and the Public Service Commission as sufficiently instructive for purposes of electrical and mechanical engineers' appointments in Government services? If not, why not?

**The Honourable Sir Bhupendra Nath Mitra:** If the Honourable Member is referring to the higher gazetted appointments, the answer is in the negative. The qualification usually required for such appointments is the Associate Membership of the Institution of Engineers (India) and that Institution has not yet recognised the examinations of the MacLagan Engineering College, Lahore, as exempting candidates from the Associate Membership examination.

**Lieut.-Colonel H. A. J. Gidney:** In view of the fact, Sir, that the College in Lahore is also officered by a very high standard of efficient professors, will Government consider the advisability of raising the standard of instruction so that this institution can produce officers of the type required for these superior services?

**The Honourable Sir Bhupendra Nath Mitra:** The College itself is not under the control of the Government of India.

**Lieut.-Colonel H. A. J. Gidney:** I know it is under Provincial Government control; but it supplies candidates for certain Government of India Services. In view of this fact, will Government consider the advisability

of suggesting to the Provincial Government that they should raise its standard so that its students will be recognised for all Government of India Engineering Departments.

**The Honourable Sir Bhupendra Nath Mitra:** No, Sir. The Government of India see no reason to interfere in the matter.

#### RECOMMENDATIONS OF THE HARTOG COMMITTEE.

1281. **\*Mr. Gaya Prasad Singh:** (a) Is it a fact that the Hartog Committee's Report as published in the *Hindustan Times*, dated the 16th March, 1929, has been signed and is ready, and is its forecast substantially correct as published in the *Hindustan Times*?

(b) Is it correct that the Report recommends separate communal reservation of seats in educational institutions, in the separate hostels, and appointment of teachers on a communal basis?

**The Honourable Mr. J. Orerar:** (a) and (b). Government do not know whether the Report has been signed, and have no knowledge of its contents.

#### COST OF MILITARY ECCLESIASTICAL ESTABLISHMENTS.

1282. **\*Mr. Siddheswar Prasad Sinha:** (a) What is the cost of maintaining the military ecclesiastical establishment in the Military Department?

(b) Is any Pandit, Mullah or religious man kept by the Military Department for the discharge of religious duties of soldiers of any other faith except Christians? If not, why not?

**Mr. G. M. Young:** (a) The Honourable Member is referred to the answer given by Sir George Rainy on the 28th January to parts (c) and (d) of starred question No. 57.

(b) I would invite the attention of the Honourable Member to the reply which I gave on the 22nd March, 1927, to starred question No. 1106.

#### PRINCIPLE OF ALLOCATION OF FUNDS TO PROVINCIAL GOVERNMENTS ON ACCOUNT OF ADMINISTRATION OF AGENCY SUBJECTS.

1283. **\*Mr. B. Das:** (a) Will Government be pleased to state the principles that govern and guide allocation of funds to Provincial Governments on account of administration of Agency subjects?

(b) Will Government be pleased to state which of the provinces at present administer Agency subjects on behalf of the Central Government?

**The Honourable Sir George Schuster:** (a) The Honourable Member is referred to rules 47 and 48 of the Devolution Rules.

(b) All the provinces.

#### EXPENDITURE INCURRED BY THE GOVERNMENT OF BIHAR AND ORISSA ON THE ADMINISTRATION OF CERTAIN AGENCY TRACTS AND NATIVE STATES.

1284. **\*Mr. B. Das:** (a) Is it not a fact that the Government of Bihar and Orissa administer Agency tracts such as Angul and Khendmal and the Santal Pargannas on behalf of the Government of India?

(b) Is it not a fact that the Government of Bihar and Orissa administer, through their Secretariat, certain Indian States on behalf of the Political Department of the Central Government?

(c) Will Government be pleased to state the amount of expenditure incurred by the Government of Bihar and Orissa annually on these two heads?

(d) Did the Government of Bihar and Orissa put in their claims for reimbursement of this expenditure up to date at any time?

**The Honourable Mr. J. Crerar:** (a) No, Sir. The Districts of Angul and the Santhal Parganas are being administered as "backward tracts" under sub-section (2) of section 52A of the Government of India Act, and in this connection I would refer the Honourable Member to the Reforms Office notification No. 4-G., dated the 3rd January, 1921, which is printed at pages 261-263 of the publication entitled "The Government of India Act, with Rules and notifications thereunder."

(b) Yes.

(c) and (d). The revenue and expenditure of the "Backward tracts" referred to in (a) of my reply are provincial, and the question of reimbursement of expenditure to the Government of Bihar and Orissa does not arise.

The expenditure on account of the Political Agents, Orissa Feudatory States, and their establishments, etc., is borne by the Central Government. A provision of Rs. 1,18,000 has been made in the budget estimate for 1929-1930 on this account, *vide* page 791 of the book of Demands for Grants for 1929-1930. The amount debitable to the Central Government for the work done by the provincial establishments on this account is negligible, and the Bihar and Orissa Government have, therefore, not put in any claim on this account.

**Diwan Chaman Lall:** May I ask, Sir, if the Government have any intention of giving effect to the Resolution passed by this House regarding the administration of the Santhal Parganas?

**The Honourable Mr. J. Crerar:** Will the Honourable Member be good enough to repeat his question?

**Diwan Chaman Lall:** Has Government any intention of giving effect to the Resolution passed by this House regarding the administration of Santhal Parganas?

**The Honourable Mr. J. Crerar:** I do not think that that arises out of this question.

**PAYMENT TO PROVINCIAL GOVERNMENTS OF EXPENDITURE INCURRED BY THEM ON BEHALF OF THE GOVERNMENT OF INDIA.**

1285. \***Mr. B. Das:** (a) Will Government be pleased to state if they have any existing machinery—something like the Clearing House of the railways—by which the Central Government pay up voluntarily any expenditure incurred by a Provincial Government on their behalf?

(b) If the reply to part (a) be in the negative, do Government propose to make a beginning in that direction?

**The Honourable Sir George Schuster:** (a) There is no special machinery such as the Honourable Member appears to have in mind.

(b) Government do not consider that any such special machinery is necessary. Provincial Governments cannot be allowed to incur expenditure on account of the Central Government without the authorisation of the latter, and the existing arrangements for the liquidation of acknowledged liabilities work satisfactorily and have, so far as I am aware, given rise to no complaint.

**Sir Darcy Lindsay:** Sir, I have received a letter from Mr. Arthur Moore authorising me to put his question No. 1287.

**Mr. President:** I cannot allow the Honourable Member to put the Question unless his turn comes.

#### PROVISION OF MATERNITY HOMES AND WOMEN'S HOSPITALS IN COAL-FIELDS.

1286. **\*Mr. B. Das:** (a) Will Government be pleased to state how many maternity homes and women's hospitals at present exist in the different coalfields in India?

(b) Is it not a fact that one of the decisions of the International Conference of Labour at Geneva was that each national Government should provide hospitals and maternity homes in the coalfield zones for women workers?

(c) Will Government be pleased to state what steps they are taking to compel the Provincial Governments concerned and the employers of women labour to establish such women's hospitals and maternity homes in the different coal zones?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The information available regarding maternity benefit schemes in the coalfields will be found on pages 8—11 of Bulletin No. 32 of Indian Industries and Labour, a copy of which will be found in the Library of the House.

(b) The answer is in the negative.

(c) The Government of India do not propose to interfere in the matter which is primarily the concern of Local Governments.

#### PROVISION OF PARACHUTES FOR THE ROYAL AIR FORCE IN INDIA.

1287. **\*Sir Darcy Lindsay** (on behalf of Mr. Arthur Moore): Are Government aware that:

(a) It is an order in the Royal Air Force that no pilot shall go up without a parachute?

(b) That parachutes are not ordinarily provided for the Royal Air Force whilst serving in India?

**Mr. G. M. Young:** (a) The order referred to by the Honourable Member is as follows:

"All occupants of aircraft in which facility is afforded for the use of parachutes will wear them at all times when flying".

(b) Four squadrons are equipped with aeroplanes which carry parachutes and four are not. These squadrons are, however, being re-equipped with modern aircraft designed to provide accommodation for parachutes.

**PAYMENT OF TRAVELLING ALLOWANCE AND HOUSE-RENT TO THE CLERICAL STAFF OF THE MEERUT DISTRICT MILITARY HEADQUARTERS.**

1288. \***Mr. B. Das:** (a) Is it a fact that the clerical staff of the Meerut District Military Headquarters and other military offices is taken to Ranikhet every year by a special military tour train? If so, does this not contravene the Civil Service Regulations on that point? Is not travelling allowance allowed to the clerical staff for the journey?

(b) What accommodation have Government made for the lodging of the Indian clerical staff at Ranikhet? Has this staff to shift for itself for lodging accommodation on the hill? Do Government give this staff any special or hill allowance to enable them to cover the extra expenditure incurred in their sojourn at Ranikhet?

(c) Is it a fact that Ranikhet, being a hill station, is a more costly place than Meerut? Is it not a fact that, at Ranikhet, temporary lodgers like this clerical staff have to pay house-rent for the whole year? Is it not a fact that it is an extra burden on them to pay rent for the whole year at Ranikhet as well as Meerut?

**Mr. G. M. Young:** (a) As a measure of economy I understand that the clerical staff was sent part of the way by troop train last year. For the rest of the journey they drew the ordinary travelling allowance. This does not contravene any rule in the Civil Service Regulations.

(b) Government provide no accommodation for the clerks in question either at Meerut or Ranikhet, nor are any hill allowances admissible under rule.

(c) Any hill station is more expensive than a plain station and the rents charged during the hot weather are generally assessed on the value of the house for the full year. Such disadvantages are, however, balanced by the amenities of a hill station. The personnel in question were presumably aware of the conditions before they accepted their appointments.

**APPROXIMATE AGES OF COWS AND BULLS SLAUGHTERED FOR MILITARY FOOD.**

1289. \***Mr. Siddheswar Prasad Sinha:** (a) With reference to the speech delivered by H. E. the Commander-in-Chief in the Council of State on the 25th February last, will Government be pleased to state what is meant by "Not a milch cow"? Is it a dry cow or a barren cow?

(b) Are Government aware that, in big cities like Calcutta, Bombay, etc., cows, though capable of bearing calves, are sold very cheap when dry?

(c) How do Government vouchsafe that the class of cows mentioned in part (b) are not slaughtered for supply of beef to the Commissariat?

(d) Will Government be pleased to state the approximate age of cows and bulls slaughtered for military food in any one year?

**Mr. G. M. Young:** (a) The term "milch cow" strictly means only a cow which is in calf or has young at heel. But the point of argument in the speech referred to by the Honourable Member is that practically no cows,

capable of bearing calves and giving milk, are tendered for slaughter in military butcheries for the simple reason that such cows are, as a rule, too valuable to be sold for beef.

(b) No, Sir.

(c) Government cannot absolutely prevent the slaughter of such cows, as the officers who buy for the slaughter house cannot test the cows for barrenness. But the number of such cows sold at the butcheries must be very small.

(d) The information is not available, but no bulls whatever are slaughtered. Cows are purchased approximately between the ages of 3 and 9 years.

#### OPINION OF MEDICAL AUTHORITIES ON THE SUITABILITY OF BEEF AS FOOD FOR TROOPS.

1290. \***Mr. Siddheswar Prasad Sinha:** With regard to the statement of H. E. the Commander-in-Chief that "Not only is it essential food but is the food which the medical authorities have decided is the most suitable to him" will Government be pleased to lay on the table of the House the opinions referred to?

**Mr. G. M. Young:** The answer is in the negative. It is however a fact that the medical authorities of the Army consider beef an essential diet for the British soldier. This opinion is based partly upon experience and partly on tests carried out at the Military Food Laboratory, Kasauli, where beef has been shown on analysis to have a higher nutritive value than mutton.

#### COST WHICH WOULD BE INCURRED BY IMPORTING FULL REQUIREMENTS OF BEEF FOR MILITARY PURPOSES.

1291. \***Mr. Siddheswar Prasad Sinha:** (a) If all the requirements of beef are met from imported beef, will Government be pleased to state the initial and recurring cost of cold storage plants that would be required to preserve it?

(b) What would be the total difference in cost between imported beef and country beef?

(c) How is imported beef preserved at present?

(d) Will Government be pleased to place Lord Rawlinson's scheme for importing beef from Australia in the Library of the House?

**Mr. G. M. Young:** (a) The extra cost of establishing cold storage warehouses at the ports and in every cantonment in which there are British troops, together with the cost of special refrigerator railway cars has not been worked out. It would, however, obviously be prohibitive.

(b) The Honourable Member is referred to the answer I gave on the 19th March to his starred question No. 1135.

(c) The only beef imported at present is a small quantity of tinned beef.

(d) Lord Rawlinson, so far as I am aware, had no such scheme.

SHORT NOTICE QUESTION AND ANSWER.

DEMOLITION OF A TEMPLE AT SARADHNA ROAD ON THE NORTH WESTERN RAILWAY.

**Mr. Mukhtar Singh:** (a) Is it a fact that there is a Hindu temple which has been in existence for a very long time at Saradhna Road (Danrala), Meerut District, on the North Western Railway?

(b) Is it a fact that the Railway has decided to demolish this temple, but on account of the interference of the District Magistrate, the demolition was stopped and the matter was referred to the Railway authorities?

(c) Is it a fact that the Railway authorities have again decided that the temple be demolished?

(d) Is it a fact that, in accordance with the recent orders, the temple is going to be demolished very soon?

(e) Is it a fact that the Hindus of Saradhna Road and of the adjoining villages are very much perturbed, and there is a likelihood of a breach of the peace on account of these orders?

**The Honourable Sir George Rainy:** (a) No; but it appears there is a praying platform about eighteen inches high, which appears to have been built since 1919.

(b) If the Honourable Member refers to this platform, the answer is in the affirmative.

(c) and (d). I understand no final decision has been arrived at.

(e) Government have no information, but in view of the explanation given above, this seems unlikely.

**Mr. Mukhtar Singh:** Is it a fact, Sir, that there was an inquiry made some 20 years back, and it was found that the temple existed there long before and it was accordingly decided not to demolish it?

**The Honourable Sir George Rainy:** No, Sir; it is not a temple. It is only a praying platform, and our information is that it has been erected there since 1919.

**Mr. Mukhtar Singh:** Is it a fact that the Government made an inquiry some 20 years back and it was found that the temple had remained there for a very long time?

**The Honourable Sir George Rainy:** That, Sir, is not in accordance with my information.

**Mr. Mukhtar Singh:** Is it a fact that the map kept in the office of the Railway shows this to be a temple and it has always been shown as such in the map prepared under the direct authority of the Railway?

**The Honourable Sir George Rainy:** I have no information which would confirm that, Sir.

**Mr. Mukhtar Singh:** Will the Honourable Member kindly inquire into the matter and see whether the map shows it as a temple?

**The Honourable Sir George Rainy:** The information I have received is at variance with the information which the Honourable Member has, but I will certainly make inquiries and see if there is any possibility of a mistake.

### UNSTARRED QUESTIONS AND ANSWERS.

#### RULES FOR RESIDENCE IN CONNECTION WITH THE GRANT OF LAND IN CANAL COLONIES TO EX-MILITARY MEN.

**373. Mr. Abdul Hays:** (a) Are Government aware that soldiers and ex-military men who have been granted land in the canal colonies of the Punjab are required to reside permanently in the *chak* in which land is allotted to them?

(b) Are Government aware that this condition is being insisted upon very strictly to the great hardship and inconvenience of the military grantees who have also interests and commitments elsewhere?

(c) Were the Government of India and the military authorities consulted in this matter and was this condition imposed after their approval and concurrence?

(d) Is it a fact that the land usually allotted to a grantee is either one square or half of a square only? In the case of such small grants why is the condition about permanent residence imposed and insisted upon?

**Mr. G. M. Young:** (a) Ex-soldiers are required to reside permanently on their grants, but soldiers who are still serving are, of course, not required to do so.

(b) The condition was accepted by the grantees before they were given the land, and Government see no reason why it should cause hardship, or why it should not be enforced. No grantee is obliged to retain possession on conditions that he does not like, and I can assure the Honourable Member that there are plenty of men who would be willing to accept land on any conditions.

(c) Yes.

(d) Indian officers were allotted  $1\frac{1}{2}$  squares, and other ranks 1 square. The condition of residence was imposed by the Local Government in the interests of colonization, and was accepted by the Government of India for the same reason.

#### GRIEVANCES OF THIRD CLASS RAILWAY PASSENGERS.

**374. Mr. Jamnadas M. Mehta:** (a) Is it a fact that the Railway Board invited the opinion of the Great Indian Peninsula Railway Administration on the subject of removing the grievances of the third class passengers?

(b) Is it true that the Chief Traffic Manager of the Railway, before dealing with the subject, had invited Mr. Jivraj G. Nensey and Khan Bahadur P. E. Ghamat, Honorary Joint Secretaries of the Passengers' and Traffic Relief Association, Bombay, to offer suggestions in the matter?

(c) Will Government be pleased to state whether those recommendations have been received by them, and, if so, what action do the Railway Board propose to take and, when?

(d) Have the Railway Board likewise called for suggestions from other Railway Administrations, and Local Advisory Committees thereof? If so, will Government be pleased to name them, and state how far their recommendations could be met?

(e) Will Government be pleased to state whether the views of the Passengers' Associations in Bombay, Belgaum, Calcutta and Madras were called for by the Railway Board? If not, why not?

**Mr. P. B. Rau:** I would refer the Honourable Member to the reply given to an identical starred question No. 1081 put by my Honourable friend, Mr. Birla, on the 18th March, 1929.

#### INTRODUCTION OF A BILL FOR THE PROTECTION OF THE PLYWOOD INDUSTRY.

375. **Mr. T. A. Chalmers:** (a) Do Government propose to proceed with the Plywood Industry (Protection) Bill during the life of this Assembly?

(b) If so, will Government publish or lay on the table a copy of the Evidence Volume referred to on pages 25 and 28 of the Tariff Board Report on this subject?

**The Honourable Sir George Eainy:** (a) Before proceeding further with the Bill, Government considered it desirable to investigate fully the question whether it was possible to give the assistance required for the manufacture of plywood tea chests in India without imposing an additional burden on the tea industry. It was found that certain practical difficulties would have to be faced, but these, it is hoped, can be overcome. Government will address the Indian Tea Association on the subject at an early date, and their final decision will depend on the answer they receive.

(d) The Evidence Volume was published on the 5th September, 1928, and copies were, as usual, placed at the time in the Council Library.

#### REFUND BY RAILWAY AUTHORITIES OF THE SURCHARGE TAX LEVIED ON COTTON SEED AND OIL-CAKE.

376. **Pandit Thakur Das Bhargava:** (a) Is it a fact that some merchants of Southern India sued the South Indian Railway and the Secretary of State for India for refund of surcharge tax levied on cotton seed in Sattur Court and got a decree in September, 1923?

(b) Is it a fact that after that decree was passed, many merchants filed suits and the Railway Board, applying Article 96 of the Indian Limitation Act, ordered refunds without contesting these cases (for reference please see letter No. 877, dated 20th June, 1925)?

(c) Is it a fact that the Government of India ordered the Great Indian Peninsula Railway also in 1926 to refund monies illegally received as surcharge tax on cotton seed and oilcake intended to be used as fodder, and several lakhs of rupees were refunded even in 1927 and the Article of the Limitation Act even then applied was 96?

(d) Is it a fact that the Government of India also instructed the North-Western Railway authorities to refund the surcharge-tax illegally levied on cotton seed and oilcake intended to be used as fodder in 1926, and also went to the length of arranging inquiries from merchants and providing establishment for purposes of making such refund?

(e) Is it a fact that subsequent to this Government were legally advised to resist such cases on the score of limitation and the Railway administration practically refused to refund monies illegally levied, under the cover of the plea of limitation?

(f) Is it a fact that there was a conflict of opinion between the legal advisers, one set insisting that Article 96 applied, and the other maintaining that Article 2 applied?

**Mr. P. B. Rau:** (a) and (b). Yes.

(c) and (d). It is a fact that the Great Indian Peninsula and North Western Railways refunded considerable amounts on account of certain surcharge taxes, taking special steps to make inquiries from merchants.

(e) Subsequently Government were legally advised to resist all claims for a refund of these surcharge taxes.

(f) Yes. The Madras High Court have, however, since ruled, in the case of *A. M. Appavoo Chettiar vs. the South Indian Railway*, that the plaintiff is not entitled to a refund of the surcharge taxes collected.

**REFUND BY THE RAILWAYS OF THE SURCHARGE TAX LEVIED ON COTTON SEED AND OIL-CAKE USED AS FODDER.**

**377. Pandit Thakur Das Bhargava:** (a) Is it a fact that claims to the extent of more than 15 lakhs were preferred to the Bombay, Baroda and Central India Railway, North Western Railway, Jodhpur Railway, Bikaner Railway, and the Saharanpur-Shahadra Railway administrations by the Punjab merchants and merchants of other places?

(b) Is it a fact that the Saharanpur-Shahadra Railway and the Jodhpur Railway authorities inspected the account books of the merchants in 1927, sent them railway passes to come forward to prove their claims and wrote as late as 1928 also to the merchants that they were waiting for results of test cases against the North-Western Railway?

(c) Have any test cases been brought by merchants and has any ultimate decision been given by any High Court on the point of limitation involved?

(d) Have Government arrived at any final decision regarding the monies which Government said were retained by them in reply to Question No. 742 asked in the Assembly on the 7th March, 1927, by Sardar Kartar Singh?

(e) Are Government aware that a great feeling of discontent and uneasiness exists in the public mind on account of Government not refunding the money (illegally recovered) under the plea of limitation?

(f) Is it a fact that at the time the surcharge tax was levied, the Railway Board did not define fodder as including oilcake and cotton seed and merchants could not know if such commodities were included in the word 'fodder' and this mistake was not discovered by the merchants before 1927?

(g) Is it a fact that the practice of Government in such cases has been one of leniency and fair-dealing and Government have compromised suits when the plea of limitation was open to them and even now the instructions to certain Railways in such matters are based on the consideration that limitation plea, though available, should not be availed of by Government and public bodies to defeat just claims?

(h) Do Government propose to apply the above-mentioned principle to the case for refund of surcharge tax?

**Mr. P. R. Rau:** (a) Claims were received by these Railways, but Government are not aware of the exact amount.

(b) Government have no information.

(c) Yes. The Madras High Court decided, in the case of A. M. Appavoo Chettiar *vs.* the South Indian Railway, that the plaintiff was not entitled to a refund of the surcharge taxes collected.

(d) Government have decided to make no refunds of the surcharge taxes collected.

(e) Government are not aware of any feeling of discontent or uneasiness in the public mind on account of the refunds not having been made.

(f) At the time the surtax was levied, railways advertised which commodities came under the head of fodder, and these did not include oilcake and cotton seed.

(g) The practice of Government in such cases depends upon the facts, and each case is considered independently.

(h) Government propose to act in these cases according to the latest decision given in the Madras High Court.

PUBLICATION OF INFORMATION SUPPLIED TO MEMBERS IN FULFILMENT OF PROMISES MADE IN REPLY TO QUESTIONS IN THE ASSEMBLY.

378. **Pandit Thakur Das Bhargava:** (a) Are the replies promised to be given by Government members to the questions of the Members of the Assembly supplied to all the Members or only to the Member putting the question?

(b) Are such replies made available to the public at large by publication by way of appendix or addenda to the Assembly Debates?

(c) If the answer be in the negative, do Government propose to take steps to publish the replies and the information subsequently supplied to the Member putting the question?

**The Honourable Mr. J. Orerar:** (a) If replies are promised to individual Members, they are supplied to such Members only.

(b) and (c). The reply is in the negative.

PROVISION OF LATRINES IN SERVANTS' COMPARTMENTS ON STATE RAILWAYS.

379. **Pandit Thakur Das Bhargava:** (a) Are Government aware of the great inconvenience caused to the servants, specially maid servants of the 1st and 2nd class travellers on all the railway lines on account of the absence of latrines in the servants' compartments?

(b) Do Government propose to provide such latrines?

**Mr. P. R. Rau:** (a) and (b). Government are aware of the inconvenience, and steps to mitigate it are under consideration.

## CONSTRUCTION OF THE BHIWANI-ROHTAK RAILWAY.

**380. Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state why they have postponed the construction of the Bhiwani-Rohtak line and revised their previous decisions as disclosed in reply to question No. 450 asked by me on the 26th March, 1928?

(b) By what time do Government now hope to complete the construction of the said line?

**Mr. P. R. Rau:** (a) In pursuance of the policy of concentrating efforts on the completion of constructions already commenced, instead of scattering the available funds over a large number of constructions, Government have found it necessary to postpone the commencement of this line.

(b) I would refer the Honourable Member to the diagram attached to the Pink Book of the North Western Railway, from which it will be seen that the Railway Administration hopes at present to commence construction in 1930-31, and complete the line in 1931-32.

## CONSTRUCTION OF A RAILWAY BETWEEN JIND STATE AND HANSI.

**381. Pandit Thakur Das Bhargava:** (a) Do Government propose to consider the advisability of opening a railway line between Jind State and Hansi (Hissar District in the Punjab) via Narnarind (Hissar District)?

(b) In reply to question No. 360 asked by me on the 17th September, 1928, Government were pleased to say that the matter was under investigation. Will Government be pleased to state now if the project has been sanctioned? If not, by what time is the investigation of the question likely to be finished?

**Mr. P. R. Rau:** (a) The project has not hitherto been considered.

(b) A traffic survey was sanctioned in September, 1928, but the report thereon has not yet been received by the Railway Board.

## APPOINTMENT OF MUSLIMS IN THE LUDHIANA DIVISION OF THE POSTAL SERVICE.

**382. Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state the total number of vacancies in the clerical cadre that occurred in the Ludhiana Postal Division from 1st August, 1927, to 28th February, 1929? How many were given to Muslims and non-Muslims, respectively?

(b) Will Government be pleased to state as to how many Muslims and non-Muslims were stopped increments of pay since the present Superintendent of Post Offices took charge of the Ludhiana Division?

**Mr. P. G. Rogers:** (a) Out of a total of 22 vacancies, 13 were given to Muslims and the remainder to non-Muslims.

(b) The increments of nine non-Muslims were stopped, but four of these were restored on appeal. No increments were stopped in the case of Muslims.

## TRIAL OF PROSECUTIONS INSTITUTED BY CANTONMENT BOARDS.

**383. Pandit Thakur Das Bhargava:** Will Government be pleased to state if it is a fact that in several cantonments prosecutions launched under the Cantonments Act by the Cantonment Board came up for trial before a Magistrate Member of that Board?

**Mr. G. M. Young:** Government have no information. The matter is within the discretion of the Local Government.

**PROVISION OF NON-SMOKING COMPARTMENTS FOR THIRD AND INTERMEDIATE CLASS PASSENGERS ON STATE RAILWAYS.**

**384. Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state if there are any non-smoking carriages provided for third and inter-class passengers on any railway line?

(b) Are Government aware that the third and inter-class non-smoking passengers are put to great inconvenience and trouble by the restrictions against smoking not being strictly enforced?

(c) Will Government be pleased kindly to lay on the table a statement showing the number of cases instituted each year against passengers for non-observance of the rules against smoking for the last ten years on all the Government railways in India?

(d) Do Government propose to issue instructions to enforce the rules against smoking more strictly in future?

**Mr. P. E. Rau:** (a) I believe not.

(b) No.

(c) The Railway Board have no record of any such cases having been instituted.

(d) No.

**APPOINTMENT OF INDIANS IN THE SENIOR SUBORDINATE ESTABLISHMENT IN THE NORTH-WESTERN RAILWAY WORKSHOPS, ETC.**

**385. Pandit Thakur Das Bhargava:** (a) Will Government be pleased to lay on the table a statement showing the various posts of the pay of more than Rs. 400 in the Senior Subordinate Establishment in the Railway Workshop of the North-Western Railway in the various Departments including Power House, Carriage and Wagon Shops and Loco. Shops?

(b) How many of these posts are occupied by Europeans, Anglo-Indians and Indians, respectively?

(c) By what time do Government expect that 75 per cent. of these posts will be occupied by Indians?

(d) Is it a fact that out of 67 such posts as many as 66 are occupied by Anglo-Indians and Europeans?

(e) Is it a fact that in the place of the only Indian Foreman Rai Sahib Dev Datta Mal who lately retired from service an Anglo-Indian has been appointed?

(f) Are there any Indian apprentices under training or in junior service for any of these posts? If so, how many?

**Mr. P. E. Rau:** (a), (b) and (d). The information can be obtained from the Classified List of subordinate staff of the North Western Railway in receipt of Rs. 250 per month and over, a copy of which is in the Library.

(c) Government are unable to make a forecast.

(e) Government have no information.

(f) I understand the number of literate apprentices at present undergoing training in the Moghalpura workshops is 243, of whom 209 are Indians and 34 Europeans and Anglo-Indians.

SALE OF ELECTRIC POWER BY THE GOVERNMENT OF INDIA TO THE DELHI LIGHTING AND TRACTION COMPANY.

**386. Pandit Thakur Das Bhargava:** (a) Has any agreement been entered into between the Delhi Lighting and Traction Co. Ltd., Delhi, and the Government of India for the purchase of electric power by the former from the latter? If so, will Government be pleased to lay the agreement or a copy of it on the table?

(b) Is it a fact that the Delhi Joint Water Board purchases electricity for its use from the said Delhi Lighting and Traction Co. Ltd., Delhi?

(c) Will Government be pleased to state the rate per unit at which it has sold electric power to the said Company and the rate at which the said Company supplies electricity to the Delhi Joint Water Board?

(d) Is it a fact that the Municipality of Delhi purchases its supply of electric power from the said Company at a rate about six times the rate at which Government have agreed to supply the said Company with electric power?

(e) Will Government be pleased to state:

(i) who are the Directors of the said Company;

(ii) what amount of capital of that Company is non-Indian?

**The Honourable Sir Bhupendra Nath Mitra:** (a) An Agreement has been entered into between the Delhi Electric Supply and Traction Company Limited (as it is now designated) and the Government. A copy of the Agreement is laid on the table.

(b) Yes, for works within the licensed area of the Delhi Electric Supply and Traction Company Limited.

(c) The price charged by Government for the bulk supply of electricity to the Company is given in clause (2) of the Agreement. It will be observed that it does not consist of a flat rate per unit, but is based upon the compound system, usually adopted for bulk supplies in all electricity undertakings, of an annual charge on the maximum demand to cover capital charges on the power station, together with a component at a rate per unit to cover running charges. Provision is also made for a minimum annual charge as for 1 million Board of Trade units and 300 kilowatts of maximum demand, even though the actual consumption may be less than these figures. The electricity is delivered to the Company at the bus bars at the Government Power Station, and the Company is responsible for all expenditure connected with the transmission, conversion and distribution of the current.

It is understood that the Company charges to the Delhi Joint Water Board its ordinary rates to the public for current for lights and fans, while the power supplied for an electric motor is charged at three annas per unit, subject to a discount, which at present works out to about 15 per cent., taken on the annual consumption.

(d) The answer is in the negative. It is understood that the Company charges the Municipality the ordinary rates for current for lights and fans and 2·9 annas per unit for the current for street lighting. It is believed that the last-mentioned charge covers, not only the maintenance of the lines, but also the ordinary replacement of the street lamps.

(e) (i) According to the Company's balance sheet for the year 1927-28, the Directors are:

Mr. A. W. Tait, C.B.E., Chairman.

Mr. R. Carrol Pearman, Deputy Chairman.

Colonel Sir Buchanan Scott, K.C.I.E.

Mr. A. W. R. Lovering.

(ii) Government have no information.

*Copy of an Agreement entered into between the Delhi Electric Supply and Traction Co., Ltd., and the Government.*

THIS AGREEMENT is made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and twenty \_\_\_\_\_ BETWEEN THE SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as the supplier or the Government which expression shall include his and their successors and assigns where the context so admits) of the one part and the DELHI ELECTRIC TRAMWAYS AND LIGHTING COMPANY LIMITED a Company registered under the British Companies Acts, 1862 to 1900 and having its registered office at Basildon House of Moorgate, London, (hereinafter referred to as the Company) of the other part.

WHEREAS the supplier has agreed to supply to the Company and the Company has agreed to take from the supplier electric energy in bulk for the period and upon the terms and conditions hereinafter mentioned, NOW IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:

*Nature of Supply.*

1. The Supplier shall supply and the Company shall take from four months from the signing hereof during the continuance of this agreement and subject to the provision thereof a supply of electric energy in Bulk up to but not exceeding excepting with the express permission of the supplier 600 Kilo-Watts in maximum demand at the Government Power Station Bus Bars, Delhi. The supply shall be three phase alternating current, 50 periods 6,600 volts between phases.

*Charge for energy.*

2. The Company shall pay to the supplier at the following rates:

0·8 annas per 1 Board of Trade unit for the total units supplied per annum plus an annual charge of Rs. 75 per Kilo-Watt of actual maximum demand during the year calculated according to the provisions of clauses 4 and 5 hereof PROVIDED ALWAYS that payments shall be made at the price aforesaid and at the rate of not less than 1,000,000 Board of Trade units in twelve months in respect of units and for not less than 300 Kilo-watts of maximum demand in respect of the additional charge based on the maximum demand even if less than that quantity is supplied. In order to enable the payments to be made monthly the Company shall, within 15 days of the presentation of accounts each month, pay to the suppliers as follows:—

0·8 annas per unit for the total units supplied during the previous month plus a fixed amount of Rs.  $\frac{75 \times 300}{12}$  = Rs. 1,875 in respect of the additional charge for the maximum demand. Any adjustment as regards the minimum payment to be made for the whole year shall be made during the first week of February in every year.

2. (a) Subject to the supply up to 600 Kilo-watts from the supplier being at all times regular and reliable the Company shall take all its excess requirements up to 600 Kilo-watts over and above the present capacity of its existing plant (say 2200-K. W.) from the supplier. The maximum demand of the Company upon the supplier measured as aforesaid, shall in no case excepting at the sole discretion and specific sanction of the Supplier exceed 600 Kilo-watts.

*Revision of charges on account of alteration in the price of coal.*

3. Either party may at the end of each consecutive period of four years from the commencement of supply under this agreement demand that an investigation be made for a revision in the said charge of 0·8 annas per Board of Trade unit during the next four years on account of there then being a large alteration in the price of steam coal of a quality suitable for generating steam in the supplier's power station. Where such investigation shows that the cost of coal, as described below, has varied by not less than one rupee per ton, a revision shall be made (up or down as the case may be) in the said charge of 0·8 annas at the rate of 0·27 annas for each and every rupee per ton by which the price of coal has varied. Such revision shall be based solely upon the difference between the market rates at colliery and railway freight to Delhi Main Station for best quality Indian steam coal of the class suitable for the supplier's purposes at the commencement of the period and the rates and freight for the same class and quality of coal at the end of the period under review. Should the parties fail to agree as to the rates of coal on which the revision is to be based or otherwise on the question of revision under this clause, the question shall be referred to an arbitrator to be appointed by the Bengal Chamber of Commerce whose decision shall be final and binding on the parties.

*Method of measurement of bulk supply energy.*

4. Measurement of energy sold to the Company shall be made in such manner as may be agreed upon by the parties from time to time in writing or failing agreement shall be effected by two single phase meters on each line or phase of the bus bars which give a supply to the Company's Feeders.

*Method of measurement of Maximum Demand.*

5. Measurement of maximum demand made by the Company upon the Government Power Station shall be effected by averaging meters of a type to be approved by both parties, and so set and calibrated as to record the average load in Kilo-watts demanded in each successive period of ten minutes. The annual charge of Rs. 75 per Kilo-watt of Maximum Demand shall be made on the highest average load recorded as above by the maximum demand meters during any period of ten minutes in each complete year, during which this agreement remains in force PROVIDED ALWAYS that the records of the maximum demand indicators shall for calculating bills against the Company be disregarded in respect of demands made by the Company during such portions of any day and year as from time to time fall within any of the respective limits set forth below, i.e.,

- (a) Between 11 P.M. on any day from the First day of October in any year to the last day in the month of February next following, and 5 P.M. on the next following day during such period.
- (b) Between 11 P.M. on any day from the 1st day of March in any year to the last day in the month of September next following, and 7 P.M. on the next following day during such period.
- (c) For any period during the 24 hours for not more than seven days in each year in respect of which days the Company shall have forwarded to the supplier not less than five nor more than ten clear days' notice in writing.
- (d) For such additional period, if any, as may from time to time be mutually agreed upon between the parties.

*Supply, pricing and sealing of meters.*

6. Each party shall provide one set of energy and maximum demand meters as aforesaid. All meters shall be fixed by the supplier, but shall be sealed by both parties, and no meter may be adjusted or interfered with or have its registrations changed by either party except with the consent and in the presence of an approved representative of the other party.

*Incorrect meters.*

7. Subject always to the minimum charge provided for by clause 2 hereof the charge for supply of energy under this agreement shall be based and paid upon the mean of the readings of the said meters of the respective parties. PROVIDED ALWAYS that where either party doubts the accuracy of any meter, such meter shall, on the application of that party, be tested in the presence of approved representatives of both parties (or if either party fail to nominate or send a Representative, the other party can do so for him) and if found to have greater error than 3 per cent. at the average load taken by the Company during the period since the last settlement of accounts than the readings of such meter shall be disregarded for that period and until such time as the meter has been correctly adjusted or replaced, and the readings of the other party's meter on that circuit shall be used for the purpose unless that meter also shows a greater error than 3 per cent. as aforesaid in which case the average readings for the 3 months previous to the last settlement of accounts shall be used for the purpose of calculating the amount due. Readings of the meters shall be taken by the supplier's agents daily and the readings of the meters shall be entered by him in a book to be attached to such meters and to be open for the inspection of the Company.

*Method of user.*

8. The Electrical energy supplied under this agreement shall not be utilised by the Company in any exceptional way prejudicial to the supplier. The Company shall also adopt efficient means for protecting any portion of the Extra High Tension transmission lines situated in such a position as to be liable to injury from lightning and will also provide efficient devices for protecting the supplier's plant and appliances from an injury to which they are liable on account of excessive overloads, short circuits, etc., which may occur on the Company's system.

PROVIDED however that the supplier shall fix in his power station as part of his equipment and maintain in proper working order suitable devices to protect his system against any excessive overloads which may occur owing to internal faults arising on the said transmission lines connected with his switch gear.

*Switch gear.*

9. The supplier shall provide a separate Feeder panel for each Feeder provided by the Company and shall further provide accommodation, if required, for any Discriminating Feeder Protection gear provided by the Company.

*Changes in methods of generating.*

10. Should the Supplier adopt any method of generating electrical energy or purchase a bulk supply which results in a reduction of more than 10 per cent. in his average cost per unit at the bus bars allowing interest at 6 per cent., on the total capital expenditure incurred on his power station as compared with such average cost and interest for the 24 months, prior to the adoption of the different method of generating, the Company shall receive an immediate *pro rata* reduction in the said charge of 0.8 annas a unit, such reduction being on the basis of the reduced total cost per unit to the supplier as aforesaid, excluding the first 10 per cent. of such reduction. PROVIDED ALWAYS that this Clause shall not except as hereinafter otherwise expressly provided apply to any reduction in cost per unit resulting from increased output or economies effected under the present method of generation and that accounts settled shall not be reopened by reason of this provision.

*Government charges in its own area for energy supplied to small industrial users.*

11. The supplier shall not except with the consent of the Company supply energy to small industrial users situated in the Supplier's area of supply at a less rate than the average aggregate rate for the previous financial year charged to the Company for supply under this agreement plus the cost per unit to the Supplier of distributing and converting (including the maintenance of the Supplier's distribution system and 5 per cent. on the cost of the system) plus 10 per cent. profit. A small industrial user shall be deemed to be one whose installation is 50 Horse Power or less.

*Revision of cost of account of new large consumer in Government area of supply.*

12. If the Supplier gives a supply of over 2,50,000 B. O. T. units a year to any other individual or corporate body within his area of supply and his total generating costs per unit are thereby reduced, then the charge of 0·8 annas per unit made to the Company shall be reduced by an amount equal to 90 per cent. of the reduction effected in the average generating cost per unit as a result of the supply to such consumer. PROVIDED ALWAYS that accounts settled shall not be reopened by reason of this provision.

*Additional Bulk Supply by Government.*

13 During the period of this agreement the Supplier shall not except with the consent of the Company give or sell or arrange to sell any electric energy to any other party than the Company under such conditions as shall enable the said other party receiving for use or re-sale the energy so supplied or any portion thereof within the Company's area of supply at a cheaper rate than that at which the Company supplies for similar purposes without giving the Company previous notice of at least one month in writing of the Supplier's intention to do so. Should the supplier give such notice then at any time after receipt of such notice or should the supplier give or sell or arrange to give or sell without such notice than at any time after the Company has notice of the said giving or selling or of the said intention to give or sell the Company may determine this agreement by 18 months' notice to the Supplier and in such event may at their option require the Supplier to take over such of their wires, cables, lines, poles, equipments and all such things and works as the Company may have reasonably provided and the Supplier sanctioned in writing in order to receive the energy taken from the Supplier under this agreement at a price to be fixed on the basis of the original cost of the said cables, poles, equipments and works minus such depreciation as may be mutually calculated or failing that fixed by the Arbitrator up to the date when the determination of this agreement takes effect but the Company shall be entitled to no other compensation on account of such determination.

*Supplier not to compete in Company's area.*

14. During the period of this agreement the Supplier shall not except with the express written consent of the Company give a supply to any Government or other buildings within the Company's area of supply without giving previous notice of at least one month in writing of his intention to do so. Should the Supplier give such notice then at any time after the expiration of the said notice and should the Supplier give such a supply without notice, then at any time after the date on which the Company receives notice or information of the said giving the Company may determine this agreement by 18 months' notice and may at their option require the Supplier to take over such of their wires, cables, lines, poles, equipments and all such things and works as the Company may have reasonably provided in order to receive the energy taken from the Supplier under this agreement at a price to be fixed on the basis of the original cost of the said cables, poles, equipments and works minus depreciation up to the date when the determination of this contract takes effect but the Company shall not be entitled to any other compensation on account of such determination of this agreement.

*Definition of Company's Area.*

15. The "Company's area of Supply" as referred to in this agreement shall be taken to be the area at present administered by the Delhi Municipal and Notified Area Committee to the North of the red line shown on the map attached hereto and signed by the parties. This excludes the Cantonment Area and the Fort.

*Lines, etc., to be handed over by Government.*

16. In consideration of the premises the Company agrees to supply and the Supplier agrees to take at the applicable rate specified in Schedule A hereto, all energy required by the Government in the Government buildings in the Notified Area as set forth in Schedule B and now supplied by the Government and the Company agrees to supply all energy required by other persons in the said area. PROVIDED ALWAYS that Government shall only be responsible for supplies numbered I and II in the said Schedule B as recorded by a correct meter. The Government will on or before

the commencement of supply by the Company to the Government under this agreement hand over to the Company at the rates in Schedule C hereto such portions of its Distributing Mains, Service Lines and Equipment in the Notified Area as may be required by the Company for the purpose of giving supply to the Buildings as set forth in Schedule B. The price of such mains and of the first 100 ft. of all service lines *plus* interest at the rate of 5 per cent. per annum from the commencement of supply under this agreement on the amount for the time being unpaid will be paid by the Company to the Supplier in twenty-two equal six-monthly instalments, the first instalment being paid within seven days of the commencement of supply hereunder. The Supplier reserves the right to require the Company at any time to alter the position of the said distributing mains and services, and nothing herein contained shall give the Company any ownership or other right over the land on which the wires and equipment are or may be fixed other than the rights or access which pertain to them as Licensees under the Indian Electricity Acts.

*Street Lighting Supply.*

17. Simultaneously with the signing of this agreement the Company shall enter into an agreement with the Notified Area Committee for the supply of energy for street lighting at 3 annas a Unit.

*Monthly Bills for Energy supplied by the Company.*

18. For all energy supplied to Government servants premises and to buildings supplied with electric energy by the Company and for which Government has to pay in compliance with clause 16 hereof the Company shall prepare and present monthly bills at the proper rates according to Schedule A hereof. If any increase is made by the Supplier in charges to Government servants and Buildings in the New City Area, the Company will or after due notice make a corresponding increase in their rates for consumers shown in the attached Schedule B. The additional revenue so recovered by the Company will be credited to Government.

*Adjustment and Payment of Current Accounts.*

19. The total amount of all bills referred to in clause 18 above which are payable by Government shall be set off *pro tanto* against the total amount of all bills submitted by the Supplier to the Company under clause 2 hereof subject to a quarterly adjustment being made and calculated as follows:—

The supplier shall be debited only with an amount represented by the total number of units included in the said bills for the quarter under review calculated (subject to clause 20 hereof) according to the rate specified in schedule A hereto *plus* meter rents at the rate of Re. 1 per mensem per D. C. meter and annas 8 per mensem per A. C. meter supplied and the difference between the total so arrived at and the totals of bills submitted under clause 2 hereof during that quarter shall be paid by the party from whom such amount is shewn to be due, within one month of a bill for the said difference being received by that party, provided however, that if any of the monthly bills as referred to in clause 18 above shall have been paid and settled with the Company the amount of such payments received by the Company for energy supplied shall be credited in full to the supplier. A further annual adjustment shall be made on the same basis in the month of February each year, and at the annual adjustment the supplier shall be debited with all amounts due for energy supplied under clause 16 above, at the proper schedule rate for the total consumption.

*Revision of Company's Charges.*

20. If any alteration in the charge of 0.8 annas per unit to the Company is made under the provisions hereinbefore contained the same alterations shall from such date be made by the Company in the charges to the supplier.

*Payment of Account.*

21. Each party shall effect settlement of any balance due from them to the other party as shown by the said quarterly and annual adjustments of accounts within one month of any such adjustment. Failing such settlement interest at the rate of 6 per cent. per annum shall be payable by the defaulting party to the other party from the date the amount should have been paid.

*Security Deposit.*

22. The Company shall deposit Government securities to the value of rupees 3,000 as security for the payment of the amount due by them to the supplier for energy supplied. In the event of any amount exceeding the sum of Rs. 3,000 being due by the Company to the Supplier exceeding 1 month from date of presentation of the bill interest at 5 per cent. will be paid and if for a period exceeding three months the supply of energy will be liable to be cut off without notice and without compensation on the expiry of such three months till such time as the amount due is paid or the Supplier may terminate the agreement on account of such breach without payment of any compensation.

*Sub-station Site.*

23. The Supplier will provide the site shown on the attached plan and measuring sq. yds. on which the Company may erect a Sub-Station, of a design approved by Government and this site shall be leased to the Company at a rental of Re. 1 per annum.

*Supply to be subject to God, etc.*

24. The Supplier undertakes that the supply of energy shall be available continuously up to the output herein specified and agreed PROVIDED ALWAYS that in the event of the Supplier's generating plant being put out of action altogether owing to an Act of God, rebellion, riot or by any cause beyond the control of the Supplier this agreement shall be in abeyance until the damage is rectified but if the plant is only damaged to such an extent that the Supplier's remaining plant available for use is insufficient to meet the total normal demands of the Company for the time being then the maximum supply of 600-K.-W. available for the Company shall be reduced but not in greater proportion than the reduction effected in the supply capacity of the Supplier's plant. If the Company is refused supply for the reasons aforesaid the minimum referred to in clause 2 hereof shall be reduced proportionately.

*Facilities for inspection of Meter Books and Records, etc.*

25. The Company shall at all reasonable times afford facilities to the Supplier's agents to check the Company's records and figures which are or may be factors to be taken into consideration under clause 19 above, and that the Supplier will similarly give facilities to the Company for checking all Records and figures which are or may be factors to be taken into consideration under the provisions of clauses 10, 11 and 24. This shall not apply in any way to Government State Buildings.

*Not to Assign.*

26. The Company shall not be entitled to transfer their rights and liabilities under this agreement to any other person or firm without the written consent of the supplier.

*Indemnity.*

27. The company hereby indemnifies the Supplier against all third party claims and demands in any way arising out of the supply hereby agreed upon and not due to any default of the Supplier and the Supplier hereby acknowledges that the supply shall be given under the terms and obligation of the Indian Electricity Act for the time being in force and applicable to this agreement.

*Marginal Notes.*

28. The marginal notes to this agreement are not in any way to control this Agreement.

*Electricity Act.*

29. Matters in connection with the supply under this agreement and not expressly provided for under the terms thereof shall be governed by the Indian Electricity Act for the time being in force.

*Termination of Agreement.*

29. Subject to the provisions herein contained for termination of the agreement by special notice, this agreement shall continue in force until the (1st day of April 1938) and thereafter until the expiration of 24 months' notice of termination which either party shall be entitled to give on (1st April 1936) or at any time thereafter.

*Arbitration.*

30. In case of any difference arising between the parties hereto as to the interpretation or construction of any clause hereof or as to the rights of the parties hereunder or in anywise relating to or connected with the premises the settlement of which is not otherwise provided for the same shall be referred to the award of two arbitrators, one to be nominated by the Supplier and the other to be nominated by the Company, or in the case of the said arbitrators not agreeing, then the award of an umpire to be appointed by the arbitrators in writing before proceeding on the reference and the decision of the arbitrators or in the event of their not agreeing, of the umpire appointed by them shall be final and conclusive and binding on the parties and any such reference shall be governed by the provisions of the Indian Arbitration Act for the time being in force.

In witness whereof Secretary to the Government of India in the Department of Industries by the order and direction of the Governor General in Council acting in the premises for and on behalf of the Secretary of State for India in Council has hereunto set his hand and the seal of the Company has been fixed the day and year above written.

Signed by

Secretary to the Government of India  
in the Department of Industries in the presence of

The seal of the Company was hereunto  
affixed in the presence of

(1) Director.

(2) Secretary.

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SCHEDULE "A".

Annas.

I. (a) Works and power purposes (Public Works Department) ..	2 per unit.
(b) Works and power purposes (other Departments) ..	2 " "
II. Viceregal Estates and Public Service Departments :—	
(i) For 1 to 249 units in any given month .. ..	6 per cent.
(ii) 250 to 449 units .. ..	5 " "
(iii) 500 units and over .. ..	4 " "
III. Government servants occupying Government-owned Buildings in old Delhi which are now supplied with electric energy from the Government Power Station .. ..	3 " "

## SCHEDULE "B".

## I. (a) Works and power purposes (Public Works Department)—

- (1) Electric Motor Pump at Metcalfe House.
- (2) Rajpur Nursery Motor Pump No. 1.
- (3) Rajpur Nursery Motor Pump No. 2.
- (4) Motor Pump at Balak Ram's Hospital.
- (5) Motor Pump at Hindu Rao's Hospital.

## (b) Works and power purposes (other Government Departments)—

- (1) Electric Motor for Ice Plant (Viceregal Estates).
- (2) Delhi Fort Sub-Station (Electric).
- (3) Government Printing Press (Motors, etc.).

## II. (a) Viceregal Estates including Bungalows and Quarters attached thereto—

- (1) Viceregal Lodge or Circuit House.
- (2) Ball Room.
- (3) Lodge Grounds.
- (4) Kitchen Meter.
- (5) Stables.
- (6) Rajpur Quarters (Nos. 1 to 4).
- (7) Viceregal Estate Quarters No. 12.
- (8) Viceregal Estate Quarters No. 15.
- (9) Sub-Assistant Surgeon's Quarter.
- (10) Cavalry Road Bungalows Nos. 1-2 and 5 to 10.

## (b) Public Service Departments :—

- (1) Temporary Imperial Secretariat Buildings.
- (2) Hindu Rao Hospital and quarters.
- (3) Balak Ram's Hospital and quarters.
- (4) Government Printing Press.
- (5) Kingsway Railway Station.
- (6) Police Barracks.
- (7) Police Station.
- (8) Infectious Hospital No. 1.
- (9) Infectious Hospital No. 2.
- (10) Posts and Telegraph Buildings used as offices :—
  - (i) Posts and Telegraph Buildings, Telegraph side.
  - (ii) Posts and Telegraph Buildings Charging Room.
  - (iii) Main Building Telephone side.
  - (iv) Telephone charging motor.
  - (v) Telegraph Camp, Bela Road (two connections).
  - (vi) Telegraph Building, Post Office side.
  - (vii) Post Office, Kingsway.
  - (viii) Post Office, Cavalry Line.
  - (ix) Post Office, Timarpur.
- (11) Metcalfe House Main Building.
- (12) Military Standing Camps at Kingsway.

III. Government Servants occupying Government owned Buildings in Old Delhi which are supplied with Electric energy from the Government Power Station.

- (1) 10, Probyn Road.
- (2) 80-1 The Mall.
- (3) 80-2 The Mall.
- (4) 80-3 The Mall.
- (5) 80-4 The Mall.
- (6) Assistant Surgeon's Quarters at Hindu Rao Hospital.
- (7) 1st Sub-Assistant Surgeon's Quarters at Hindu Rao's Hospital.
- (8) 2nd Sub-Assistant Surgeon's Quarters at Hindu Rao's Hospital.
- (9) Residence for the Manager, Government of India Press near Temporary Imperial Secretariats.
- (10) 1-D-Press Block.
- (11) Superintendent's Quarter, Government Power House, Kingsway.
- (12) Gymkhana Club Quarters, 1 to 6.
- (13) Police Sub-Inspector's Quarter Civil Lines.
- (14) 2 Compounders' quarters Balak Ram's Hospital.
- (15) Metcalfe House (Residential quarters).
- (16) Alipore House.
- (17) 53 Unorthodox Clerks' Quarters.
- (18) 62 Orthodox Clerks' Quarters (Timarpur).
- (19) Gymkhana Club, Kingsway.
- (20) 6 Blocks of Unorthodox Clerks' Chummeries on Lancers Road.
- (21) Caretaker's Quarter P. W. D. (behind Temporary Secretariat).
- (22) 6-F Type Press Workers' quarters (Unorthodox).
- (23) Posts and Telegraph Buildings used as quarters :—
  - (1) Sub-Postmaster's Quarter.
  - (2) D. S. I. and T. T. M.'s Quarter.
  - (3) D. S. II. and T. T. M.'s Quarter.
  - (4) Telegraph Married Quarters No. 1 and 2.
  - (5) Telegraph Reading Room and Mess.
  - (6) Residence of Postmaster, Secretariat Post Office.
  - (7) Telegraph Bachelor's Quarter, North Block.
  - (8) Telegraph Bachelor's Quarter, South Block.
  - (9) Telegraph Bachelor's Quarter No. 1 to No. 16.

## SCHEDULE "C".

	Present stock rate.
	Rs. a. p.
Copper wire of different sizes at annas 7 per lb.	.. 0 6 0 per lb.
Lattice poles at Rs. 30 each .. ..	.. 35 0 0 each.
Hamilton poles B. C. D. at Rs. 50 each .. ..	.. 77 0 0 "
"    "    C. D. E. at Rs. 60 each .. ..	.. ..
"    "    B. C. D. E. at Rs. 80 each .. ..	.. 51 0 0 "
"    "    C. D. E. F. at Rs. 100 each .. ..	.. 100 0 0 "
" B " Brackets at Rs. 6 per pair .. ..	.. 6 0 0 per pair.
Pin Insulators, large, at Rs. 9 per dozen .. ..	.. ..
Pin Insulators, small, at Rs. 6 per dozen .. ..	.. ..
Shackle Insulators, large, complete, at Rs. 15 per dozen .. ..	.. 2 14 0 each.

**DISPLACEMENT OF LOCAL DHOBIES, BARBERS, ETC., IN THE SIMLA DISTRICT BY SERVANTS IMPORTED WITH REGIMENTAL UNITS FROM THE PLAINS.**

**387. Pandit Thakur Das Bhargava:** (a) Is it a fact that in Sabathu and other hill stations there are dhobies, barbers, tailors and shoe-makers living since the foundation of the Cantonments in those places and maintaining themselves mainly on regimental jobs of the British units during the period of their stay at those stations?

(b) Is it a fact that from some time past the followers of the units from the plains have been given the jobs which were previously enjoyed by the local dhobies, shoe-makers, barbers and tailors?

(c) Did the residents of Sabathu and other places make a representation to the military authorities that the practice of importing strangers in these hill stations as followers with the units is ruinous to them and deprives them of legitimate employment of which they were in enjoyment since generations past?

(d) Will Government be pleased to state how many persons are affected in the Simla District by this practice of importing followers from the plains with the British units?

(e) Do Government propose to issue instructions to the authorities concerned to consider favourably the claims of these artisans and labourers?

**Mr. G. M. Young:** The Peace Establishment of British units provide for certain kinds of followers, for example, tailors and shoemakers, who are enrolled and who accompany the unit to the hills during the hot weather. Barbers and dhobies are private servants and all arrangements concerning them are in the hands of Commanding Officers. Government see no reason to interfere in this matter. A petition was received last year from certain dhobies, barbers, tailors and others residing in Sabathu, complaining that British units arriving at that station brought their own regimental followers. In reply, these men were informed that they should address the local military authorities, who were competent to deal with this question. Government have no further information on the points raised by the Honourable Member.

**ISSUE OF REVISED RULES FOR THE RESERVATION OF SEATS ON STATE RAILWAYS.**

**388. Mr. T. A. Chalmers:** Referring to the regrettable incident mentioned by Mr. Aney in this House on the 26th February, in which the Honourable Member had reserved a seat in a train which started from Bombay, but which he intended to join at a wayside station:

- (1) Is it a fact that seats can only be reserved for passengers who propose to join at wayside stations provided they pay the fare from the station the train is scheduled to start from;
- (2) Is it a fact that in spite of this rule station masters, in their efforts to oblige the public, do reserve berths for passengers joining at wayside stations though aware of the fact that fares have not been paid;
- (3) Is it a fact that, in such cases where reservation of seats has not been paid for from the starting point of the train, wayside passengers are not entitled to turn through-booked passengers out of the train;

- (4) Do Government propose to issue revised orders to Railway officials to see that when a seat is properly reserved for a way-side passenger other passengers be not allowed to occupy such seats?

**Mr. P. R. Rau:** (1) No.

(2) On most of the larger railways, the rule on this point is as follows:

"First and second class passengers at intermediate stations requiring reserved berths should give at least 48 hours previous intimation in writing to the Station Master of the station from which the berths are required to be reserved; but the reservation of berths from intermediate stations cannot be assured."

(3) In view of the replies to (1) and (2) above, the answer is in the affirmative.

(4) No.

#### FAILURE OF EXPENSIVE HEATING PLANT INSTALLED IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

389. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that a hot water heating plant was lately installed in the Government of India Press, Simla, at a cost of Rs. 40,000 or so?

(b) Is it a fact that the said plant is not working properly and that the workers suffer badly from the bitter cold of Simla?

(c) Why was such an unsatisfactory plant ever purchased and what steps do Government propose to take to prevent such waste of public money on such useless plants?

(d) Do Government propose to provide fuel stoves or wall chimneys in place of the heating plant to keep the work rooms warm in winter?

**The Honourable Sir Bhupendra Nath Mitra:** Inquiries are being made and the result will be communicated to the Honourable Member in due course.

#### PROVISION OF QUARTERS FOR CHOWKIDARS AND PEONS IN GOVERNMENT PRESS BUILDINGS IN SIMLA.

390. **Mr. S. C. Mitra:** (a) Is it a fact that quarters provided in the Government Press Buildings at Simla for the use of chowkidars and peons have been allotted to a blacksmith and a mechanic?

(b) Is it a fact that the poor chowkidars and peons have been without any shelter during the severe winter and consequently suffering great hardships for want of living accommodation?

(c) Has any rent been recovered from the blacksmith and the mechanic since the allotment of the quarters to them? If so, at what rate?

**The Honourable Sir Bhupendra Nath Mitra:** Inquiries are being made and the result will be communicated to the Honourable Member in due course.

#### RECRUITMENT OF MORE HIGHLY EDUCATED MEN IN THE UPPER GRADES OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

391. **Mr. S. C. Mitra:** (a) Are Government aware that graduates and undergraduates are rigidly excluded from employment in the Clerical and Reading Branches of the Simla Press? If so, what are the reasons?

- (b) Is it a fact that there is not a single graduate or an undergraduate employed in the Simla Press? If so, are Government prepared to consider the desirability of recruiting graduates and undergraduates to higher posts?
- (c) Are Government prepared to issue instructions to the Managers of the Government of India Presses to recruit educated men in the upper and the lower grades of the industrial establishments?

**The Honourable Sir Bhupendra Nath Mitra:** Inquiries are being made, and the result will be communicated to the Honourable Member in due course.

**INSTITUTION BY THE HEAD CLERK OF THE GOVERNMENT OF INDIA PRESS, SIMLA, OF A FUND FOR EMPLOYEES OF THAT PRESS.**

392. **Mr. S. C. Mitra:** (a) Are Government aware that the head clerk, Simla Press, started some years ago a fund entitled "B. B. Fund" by raising compulsory subscriptions out of which money is being lent on interest to Press workers at the rate of two annas per rupee?

(b) Is it a fact that the loan and the interest are compulsorily deducted by the head clerk from the pay of the workers at the time of the disbursement of monthly pay?

(c) Is it a fact that out of the interest so collected honoraria are drawn by the head clerk and other clerks for maintaining the Fund?

(d) Is it a fact that advances are also drawn from this Fund by the Manager and the head clerk without any interest?

(e) Is the Fund recognised by Government or the Controller of Printing? If not, is the head clerk authorised to carry on such money-lending business at the expense of the workers and utilise the same to his own personal advantage?

(f) Is it a fact that lately a large number of workers complained of defalcations and misappropriations in the accounts of the said Fund? If so, do Government propose to depute a responsible officer to audit the accounts of the said Fund?

**The Honourable Sir Bhupendra Nath Mitra:** (in reply to Nos. 392 and 393): Inquiries are being made and the result will be communicated to the Honourable Member in due course.

**INSTITUTION BY THE ASSISTANT MANAGER AND HEAD CLERK OF THE GOVERNMENT PRESS, SIMLA, OF A FUND FOR MONEY-LENDING PURPOSES.**

†393. **Mr. S. C. Mitra:** (a) Is it a fact that a fund named the "Government Monotype Fund" has lately been started by the Assistant Manager and the head clerk of the Simla Press for money-lending purposes? If so, is the business of the Fund carried on during office hours in the office building?

(b) Who are the office-bearers of the said Fund and what remuneration is taken by them?

(c) Is the Manager of the Press satisfied that the money collected for the Fund is safe and that its accounts are properly kept and published for the information of the Press workers?

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† For answer to this question, see answer to question No. 392.

**APPOINTMENT OF A NON-TECHNICALLY TRAINED CHECKER AT THE GOVERNMENT PRESS, SIMLA.**

394. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if the post of the correction checker in the Simla Press is held by a man who has no practical knowledge of composition?

(b) Is it a fact that the time charged by compositors in carrying out corrections is cut indiscriminately by the checker in the Simla Press?

(c) Is it a fact that a large number of representations have been made by the compositors in the Simla Press against the appointment of a non-technical man as a checker, but that no steps have been taken to redress their grievances? Is it a fact that the present time checker was a despatcher and is the brother-in-law of the Assistant Manager?

(d) Is it a fact that the claims of Messrs. Bashiruddin and Jwala Singh who possess the required technical experience and are far senior in pay and service to the present checker have been ignored? If so, what are the reasons for appointing a non-technical man to the post?

**The Honourable Sir Bhupendra Nath Mitra** (in reply to Nos. 394 and 395): The Controller of Printing and Stationery is responsible to Government generally for the efficient administration of the Government of India Presses and Government do not propose to call for information regarding these administrative details, which are matters for his discretion.

**APPOINTMENT OF AN UNQUALIFIED PROOF READER IN THE GOVERNMENT PRESS, SIMLA.**

395. **Mr. S. C. Mitra:** (a) Is it a fact that one Mr. M. Abraham was lately appointed as proof reader on Rs. 125 per mensem?

(b) Is it a fact that the said reader has no educational qualifications and practical experience of proof reading and that he was appointed without being given any trial?

(c) Is it a fact that the present head reader on taking charge of the Reading Branch discovered that the said reader was totally unqualified and that a report was submitted by him to the Manager accordingly? What action was taken on the report? If not, why not?

(d) Is it a fact that the said reader is a relative of the Assistant Manager?

**NUMBER OF PROPERTIES ACQUIRED FOR OCCUPATION BY MILITARY OFFICERS AND OFFICES.**

396. **Mr. Jannadas M. Mehta:** (a) Will Government be pleased to state how many properties they acquired under section 11 (c) of the Defence of India (Consolidated) Rules, 1915, for the occupation of military officers and offices in India?

(b) Have they paid compensation in all cases?

(c) How many claims were rejected?

(d) Were there any claims from the lessees conveyed under section 105 of the Transfer of Property Act?

(e) If so, why were such also rejected?

† For answer to this question, see answer to question No. 394.

(f) Will Government be pleased to place the draft rules and other connected papers on the table of the House?

**Mr. G. M. Young:** The Honourable Member is referred to the reply which I gave on the 22nd March to the same question asked by Mr. Haji (No. 1191).

**NUMBER OF HINDUS EMPLOYED AS COMPOSITORS, DISTRIBUTORS, ETC., IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

**397. Mr. Mukhtar Singh:** Will Government be pleased to state the total number of vacancies of compositors, distributors, daffries, and machinememen during the years 1927—29 in the Government of India Press, Delhi and how many of them have been filled by Hindus? Are these vacancies filled on the proportion basis of the communities? If not, why not?

**The Honourable Sir Bhupendra Nath Mitra:** The information required is given below:

Class of appointment.	Total No. of vacancies during 1927—29.	Vacancies filled by Hindus.
Compositors .. .. .	23	7
Distributor .. .. .	1	1
Warehousemen (Duffries).. .. .	5	1
Machinememen .. .. .	Nil.	Nil.

Candidates are selected according to their efficiency and not on communal grounds. Steps are, however, being taken to apply the orders relating to the appointment of members of minority communities to the industrial establishment of the Press as a whole.

**APPOINTMENT OF AN UP-COUNTRY OFFICIAL TO A RESPONSIBLE POST IN THE INDUSTRIAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA PRESS, DELHI.**

**398. Mr. Mukhtar Singh:** Is it a fact that since the time the Government of India Press, Delhi, was established in Delhi no up-country official has been appointed to any responsible post in the Industrial Establishment of the Press? If not, why not?

**The Honourable Sir Bhupendra Nath Mitra:** The answer is in the negative. The second part of the question does not therefore arise.

**PROVISION OF A REFRESHMENT ROOM FOR VEGETARIAN HINDUS AT THE GOVERNMENT OF INDIA PRESS, DELHI.**

**399. Mr. Mukhtar Singh:** Is it a fact that there is no separate room allotted to the vegetarian Hindus in the Government of India Press, Delhi, where the employees may retire and take their food? Do Government propose to make an adequate provision to remove this grievance?

**The Honourable Sir Bhupendra Nath Mitra:** A large tiffin room is provided solely for Hindus and no representation has been received for the allotment of a separate room for vegetarian Hindus.

**NUMBER OF TEMPORARY HANDS EMPLOYED IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

400. **Mr. Mukhtar Singh:** (a) How many temporary hands are employed in the Government Press, Delhi?

(b) Will Government be pleased to state the period since when they are holding their respective temporary posts?

(c) Have any vacancies arisen during this period and, if so, have these temporary men been appointed to these posts? If not, will Government be pleased to state the reason why the claims of these temporary men have been ignored?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Fifty-eight, including inferior servants.

(b) and (c). The collection of the information required by the Honourable Member will entail much time and trouble, but it may be mentioned that many temporary hands have recently been made permanent, and the question of making the remaining temporary posts permanent is being examined by the Controller of Printing and Stationery.

**APPOINTMENT OF HINDUS AS CASTER ATTENDANTS IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

401. **Mr. Mukhtar Singh:** (a) Is it a fact that a few vacancies for the post of caster attendants occurred in the Government of India Press, Delhi? If so, how many applications were received for these vacancies and how many of the persons who applied were Hindus?

(b) Will Government be pleased to state the number of Hindus appointed in these vacancies? If none of the appointments went to the Hindu candidates, will Government be pleased to state the reasons for ignoring the Hindu candidates?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Yes. Six applications were received, one of which was from a Hindu.

(b) No Hindu was appointed. The Honourable Member's attention is invited to the reply given to the latter part of question No. 397.

**NUMBERS OF HINDUS AND MUHAMMADANS TRAINED IN MONOCASTING IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

402. **Mr. Mukhtar Singh:** (a) Will Government be pleased to state the arrangements made in the Government of India Press, Delhi, for training for monocasting and operations?

(b) How many Hindus and Muhammadans are being trained in these lines?

(c) If Hindus are not trained in their due proportions, will Government be pleased to state the reasons for it and if they propose to remove the grievance in the future?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Men already employed in the Press are given an opportunity of learning the work of caster attendants and keyboard operators during casual absences and in leave vacancies.

(b) Two Hindus and six Muhammadans have been trained from the date of the installation of the plant.

(c) The men are selected for training strictly according to efficiency and not on communal grounds.

**RULES FOR THE RECRUITMENT OF THE INDUSTRIAL ESTABLISHMENT IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

**403. Mr. Mukhtar Singh:** Are there any rules for the recruitment of the Industrial establishment in the Government of India Press, Delhi? If there are no rules, do Government propose to frame such rules for the guidance of the employees and the general public?

**The Honourable Sir Bhupendra Nath Mitra:** The answer is in the negative. In filling vacancies in the industrial establishment, preference is given to men possessing technical qualifications, and Government do not consider it necessary at present to frame any rules on the subject.

**APPOINTMENT OF AN OUTSIDER IN THE PLACE OF MR. D. N. CHATTERJI, ON HIS RETIRING FROM THE GOVERNMENT OF INDIA PRESS, DELHI.**

**404. Mr. Mukhtar Singh:** Is it a fact that after the retirement of Mr. D. N. Chatterji from the Government Press, Delhi, a gentleman from the Lahore Government Press was imported and the claims of another person already serving in that branch for years were ignored? Will Government be pleased to state the reasons for their doing so?

**The Honourable Sir Bhupendra Nath Mitra:** The answer is in the negative.

**IGNORING OF THE CLAIMS OF ASSISTANT SECTION HOLDERS IN FILLING APPOINTMENTS OF SECTION HOLDERS IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

**405. Mr. Mukhtar Singh:** (a) Is it a fact that assistant section holders who were senior compositors and drawing higher pay are not given preference over compositors when filling vacancies of section holders although the assistant section holders have to sustain much financial loss in this hope?

(b) Is it a fact that Mr. F. D. Ascoli, Mr. Thackers and Mr. G. S. Khaparde in a Committee held at Metcalfe House, Delhi, assured the representatives of the different presses that claims of losers will be given preference?

**The Honourable Sir Bhupendra Nath Mitra:** (a) In accordance with the recommendation of the Piece-workers' Committee, vacancies of section holders are filled alternately from assistant section holders and senior compositors, provided suitable men are available for the post.

(b) Government have no information.

**INCREASE OF THE STAFF OF THE AMHERST STREET TOWN SUB POST OFFICE.**

**406. Rai Bahadur Tarit Bhusan Roy:** (a) Is it a fact that the Presidency Postmaster, Calcutta General Post Office, submitted a proposal to the Postmaster-General, Bengal and Assam, for a large increase of the staff of the Amherst Street Town Sub-Office, as justified by the existing time tests on statistics of work transacted in the office? If so, when was the proposal received by the Postmaster-General and what action, if any, has been taken by him to increase the staff?

(b) If no action has been taken by the Postmaster-General, will Government please state the grounds on which the question has so long been kept in abeyance?

(c) Is it a fact that the special officer deputed by Government to revise the time-test has submitted his report recommending revision of the time-test on more liberal lines?

(d) In view of the great hardship experienced by the staff due to delay in sanctioning the proposed increase of staff do Government propose to take steps to expedite the matter?

**Mr. P. G. Rogers:** (c) The report submitted by the special officer is at present under the consideration of the Government of India, and it is as yet too early to say what will be the actual result of the application of the new time-test which the special officer has recommended, should it be accepted by Government.

Government have no information as to the other parts of the question, but will inquire and communicate the result to the Honourable Member.

#### INCREASE OF STAFF IN THE SHYAMBAZAR TOWN SUB-POST OFFICE.

**407. Rai Bahadur Tarit Bhusan Roy:** (a) Is it a fact that the Presidency Postmaster, Calcutta, submitted a proposal to the Postmaster-General, Bengal and Assam, for a large increase of staff of the Shyambazar Town Sub-Office and furnished statistics in support of the increase as far back as in the year 1926?

(b) Is it a fact that instead of taking up the question of revision of staff the Postmaster-General called for fresh statistics of the work of the office over and over again and although fresh statistics were furnished by the Presidency Postmaster each time they were called for the Postmaster-General has not taken any steps to increase the staff of the office?

(c) If the reply be in the affirmative, will the Government state the reasons which led the Postmaster-General to call for fresh statistics over and over again?

(d) Is it a fact that the staff of the Shyambazar Town Sub Office are compelled to work long hours due to inadequacy of staff?

(e) Are Government prepared to take steps for increasing the staff of the Shyambazar Town Sub-Office?

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

#### PUBLICATION OF GRADATION LISTS OF CIRCLES BY POSTMASTERS GENERAL.

**408. Rai Bahadur Tarit Bhusan Roy:** (a) In what month of the year are Gradation Lists of Circles due to be published by the Postmasters-General?

(b) Is it a fact that the Gradation Lists for the year 1928 of all the Postal and Railway Mail Service Circles except of the Bengal and Assam and some other circles have already been published?

(c) If the reply be in the affirmative, will Government please state the reasons for the delay made by the defaulting circles in publishing their Gradation Lists?

**Mr. P. G. Rogers:** Information on the points raised by the Honourable Member is being collected and will be furnished to him in due course.

**DEATH OF THE SUB POST MASTER OF GOALUNDO GHAT.**

**409. Rai Bahadur Tarit Bhusan Roy:** (a) Has the attention of the Government been drawn to the correspondence addressed by the Honorary General Secretary, Provincial Postal and Railway Mail Service Association, Bengal and Assam Circle, to the Postmaster-General, Bengal and Assam, published under head "Death of Sub-Postmaster, Goalundo Ghat" at page 384 of the *Labour* of October, 1928?

(b) If the reply be in the affirmative, will Government please state if the facts as stated in the correspondence are substantially correct?

(c) Did the Postmaster-General accept the Honorary General Secretary's suggestion to allow a joint committee of official and Association representatives to inquire into the circumstances relating to the death of the Sub-Postmaster? If not, why not?

(d) Has any inquiry been made by the Postmaster-General, Bengal and Assam, into the matter?

(e) If the reply be in the affirmative, will the Government please state in detail the facts that were ascertained as a result of the inquiry?

(f) Is it a fact that the deceased Sub-Postmaster submitted several applications to the Superintendent of Post Offices, Faridpur Division, for leave and immediate relief and sent two telegrams to him?

(g) Was any action taken by the Superintendent for immediate relief of the deceased Sub-Postmaster? If not, why not?

(h) Is it a fact that the death of the Sub-Postmaster was hastened by the failure of the Superintendent to arrange for his relief in spite of telegraphic representations?

(i) In view of the circumstances relating to the Sub-Postmaster's death, do Government propose to sanction an adequate family pension for maintenance of the widow and daughter of the deceased Sub-Postmaster? If not, why not?

(j) What action, if any, has been taken against the official responsible for not sending relief to the deceased Sub-Postmaster?

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

(b) to (j) Information is being collected and will be supplied to the Honourable Member in due course.

**INCREASE OF CLERICAL STAFF OF THE BOW BAZAR TOWN SUB-POST OFFICE.**

**410. Rai Bahadur Tarit Bhusan Roy:** (a) Is it a fact that the Sub-Postmaster, Bow Bazar Town Sub-Office in Calcutta, submitted a proposal to the Postmaster-General, Bengal and Assam, for a large increase of the clerical staff and furnished statistics of work transacted by the office showing that the present clerical staff was utterly inadequate and was far below the requirements justified by the time-test now in vogue?

(b) If the reply to part (a) be in the affirmative, when was the proposal received by the Postmaster-General and what action was taken by him to increase the staff?

(c) Is it a fact that the Postmaster-General has, on careful scrutiny of the figures submitted by the Sub-Postmasters, found them to be substantially correct and has not denied the necessity for the proposed increase? If the reply be in the affirmative, what has led him to withhold his sanction to the increase of staff?

**Mr. P. G. Rogers:** An inquiry is being made, the result of which will be communicated to the Honourable Member. Government, however, understand that the Postmaster-General, Bengal and Assam, has, as an *ad interim* measure, already strengthened the office by the addition of 4 clerks.

**OVERWORK OF THE STAFF OF THE BOW BAZAR TOWN SUB POST OFFICE.**

**411. Rai Bahadur Tarit Bhusan Roy:** (a) Is it a fact that the Government recently appointed a special officer to inquire into the necessity of revising the present time-test and that the special officer has submitted his report recommending a general revision of the time-test on more liberal lines?

(b) Are Government aware that the entire clerical staff of the Bow Bazar Town sub-office recently sent a telegram to the Director-General of Posts and Telegraphs and the Postmaster-General, Bengal and Assam, drawing their attention to the fact that continuous over work under heavy strain was injuring their health and praying relief of their hardship?

(c) If the reply to part (c) be in the affirmative, what action, if any, has been taken by the officers addressed?

(d) Is it a fact that the question of increase of staff has been so long kept in abeyance on the ground of dearth of accommodation in the building where the post office is now located?

(e) If the reply be in the affirmative, what steps have been taken to secure a more suitable building and is there any chance of removing the Post Office to a more commodious building without delay and without causing inconvenience to the public now served by the post office?

(f) If the reply be in the affirmative, what time will be taken to effect the removal and increase of staff? If the reply be in the negative, how do the Government propose to settle the question of accommodation and increase of staff without further delay?

(g) When will the term of lease of the present building expire?

(h) Is the owner of the present building agreeable to effect an extension of the building so as to provide the requisite increase of accommodation? If so, at what additional rent?

(i) In view of the great hardship of the staff, are Government prepared to sanction an adequate increase of staff without delay?

**Mr. P. G. Rogers:** (a) The special officer appointed to inquire into the time-test has submitted his recommendations, which are now being considered by Government.

(b) Yes.

(c) and (i). The Honourable Member's attention is invited to the second part of the reply given to his unstarred question No. 410 answered today.

(d) Not entirely, though difficulty is being experienced for want of sufficient accommodation.

(e) and (f). The Postmaster-General, Bengal and Assam, has been directed to consider the possibility, either of acquiring a site for the construction of a Departmental building, with adequate accommodation, or of securing two rented buildings in separate parts of the Bowbazar area and dividing the work of the existing office between them.

(g) On the 30th June, 1931.

(h) Government understand that the landlord of the present building is ready to make some additions to the accommodation in return for an increase in the rent of Rs. 300 per mensem.

**ANOMALIES CAUSED BY APPLICATION OF FUNDAMENTAL RULE 22 FOR REGULATING TRANSFER FROM STATION OR LOCAL TO GENERAL SERVICE.**

412. **Mr. Amar Nath Dutt:** (a) Is it a fact that serious anomalies have arisen in the subordinate Telegraph Service by the Application of Fundamental Rule 22 for regulating the transfer from the Station or Local to the General Service and *vice versa*?

(b) Is it a fact that a Station Service Telegraphist on a pay of Rs. 125 draws a pay of Rs. 180 only per mensem on transfer to the General Service while one with the same length of service and appointed directly to the General Service or transferred from Station to General Service before the application of Fundamental Rule 22 draws Rs. 190 per mensem?

(c) If the reply to parts (a) and (b) be in the affirmative, do Government propose to take any steps to remove the anomaly? If not, why not?

**The Honourable Sir Bhupendra Nath Mitra:** (a) Government do not consider that the anomalies which have arisen from the application of the uniform principle laid down in Fundamental Rule 22 to all such cases are serious.

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

(c) Government do not propose to take any steps in the matter. Fundamental Rule 22 is a statutory one, which Government cannot disregard.

**SUPERVISION OF THE WORK OF GENERAL SERVICE TELEGRAPHISTS BY LOCAL SERVICE TELEGRAPH MASTERS.**

413. **Mr. Amar Nath Dutt:** Is it a fact that a Station or Local Service Telegraph Master may be required to supervise the work of General Service Telegraphists who may be drawing higher emoluments? If so, what steps do Government propose to take to remedy the defect?

**Mr. P. G. Rogers:** The answer to the first part of the question is in the affirmative. Government do not recognise any defect in the system mentioned by the Honourable Member.

**PAY OF CLASS III AND CLASS IV CLERKS IN DEPARTMENTAL TELEGRAPH OFFICES.**

414. **Mr. Amar Nath Dutt:** (a) Is it a fact that in departmental Telegraph Offices class IV clerks are mostly recruited from the menial establishment?

(b) Is it a fact that until recently their pay was less than half of that of class III clerks?

(c) Is it a fact that the latter are recruited generally from outside candidates with University qualifications?

(d) Is it a fact that the difference in pay was due to the duties of the latter being far more arduous, intelligent and responsible than those of the former?

(e) Is it a fact that the pay of the class IV clerks has now been revised making it equal to that of class III clerks though their respective duties remain unaltered?

(f) If the replies to parts (a), (b), (c), (d) and (e) be in the affirmative, do Government propose to take steps to revise the pay of class III clerks? If not, why not?

**Mr. P. G. Rogers:** On the assumption that the Honourable Member refers to class III and class IV clerks in departmental telegraph offices, as they existed prior to the revision of pay in March, 1927, the replies are as follows:

(a) Yes.

(b) The Honourable Member's statement is approximately correct.

(c) Yes, if by "University qualification" the Honourable Member means that they must have passed the matriculation examination of a recognised University or its equivalent.

(d) Yes.

(e) No. The position is that the old class IV clerks, and the newly created class III clerks (not old class III clerks) have been put on the same footing both as regards pay and duties. The majority of the old class III have been promoted to the newly created class II, while the remainder are retaining the scale of pay which they drew in the old class III, until they too may be promoted.

(f) Does not arise in view of the reply to part (e) above.

#### INCREASE OF SELECTION GRADE APPOINTMENTS IN THE CLERICAL CADRE OF DEPARTMENTAL TELEGRAPH OFFICES.

415. **Mr. Amar Nath Dutt:** (a) Are Government aware that there are only 26 selection grade appointments in the clerical cadre of the Departmental Telegraph Offices in the whole of India and Burma, the total strength of which is between 1,200 and 1,800?

(b) Is it a fact that the number of selection grade appointments on the telegraph side is quite insignificant and compares very unfavourably with that on the postal side?

(c) If the reply to parts (a) and (b) be in the affirmative, do Government propose to increase the number of selection grade appointments?

**Mr. P. G. Rogers:** (a) The figures quoted by the Honourable Member are approximately correct.

(b) and (c). It is a fact that the number of selection grade posts in the clerical cadre is proportionately smaller in the telegraph than in the postal branch of the Department; but such posts are created entirely on considerations of the special responsibilities which may attach to them, and not in order to accelerate promotion or improve the prospects of a clerical cadre as a whole. Government do not therefore propose to order any general increase in the number of such posts in the clerical cadre of the telegraph branch.

#### NATURE OF INCREMENT TESTS FOR TELEGRAPHISTS EMPLOYED ON THE BAUDOT SYSTEM.

**416. Mr. Amar Nath Dutt:** (a) Is it a fact that telegraphists who have to work continuously and exclusively on the Baudot System without the chance of getting any practice whatsoever on Morse are compelled to pass their incremental tests on Morse?

(b) If so, will Government be pleased to state why they should not be allowed to pass these tests on Baudot or in the alternative why they should not be given at least four months' practice each year on Morse before they are compelled to pass in the same?

**Mr. P. G. Rogers:** (a) No. There is provision for the exemption by the Director-General of such telegraphists from passing the Morse test, provided they pass the Baudot signalling test.

(b) Does not arise.

#### REPLACEMENT OF TELEGRAPHISTS PERFORMING CLERICAL DUTIES BY CLERKS.

**417. Mr. Amar Nath Dutt:** (a) Is it a fact that the orders of Government on the recommendation of the Posts and Telegraphs Committee, 1924, to replace certain telegraphists performing clerical duties by clerks, have not been fully given effect to?

(b) Is it a fact that many such appointments are still held by senior telegraphists and telegraph masters?

(c) If the replies to parts (a) and (b) be in the affirmative, what steps do Government propose to take to enforce their orders?

**Mr. P. G. Rogers:** (a), (b) and (c). The orders of Government were issued in respect of 55 appointments. In 36 of these telegraphists on non-operative duties have already been replaced by clerks. Of the remaining 19 orders have issued abolishing one appointment and for replacing the telegraphists holding the other 18 by clerks, with effect from the 1st April next.

#### PAY OF CERTAIN CLERKS WHEN REPLACING TELEGRAPHISTS.

**418. Mr. Amar Nath Dutt:** (a) Is it a fact that a telegraphist holding an allowed non-operative appointment draws a total emolument of Rs. 330 including house rent?

(b) Is it a fact that when a clerk replaces the telegraphist in the same appointment he draws the pay of a class II clerk without any duty allowance?

(c) If the replies to parts (a) and (b) be in the affirmative, do Government propose to create suitable selection grade appointments for these clerks?

**Mr. P. G. Rogers:** (a) The figures given by the Honourable Member would only be correct in the case of a General Service telegraphist on the maximum pay, stationed in Calcutta or Bombay and residing there with his family. In other cases the total emoluments would be less.

(b) Yes.

(c) Government do not consider that the nature of the duties attaching to such posts justifies their being in the selection grade.

**APPOINTMENT IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS OF AN ACCOUNTANT IN CHARGE OF CASH BRANCH.**

419. **Mr. Amar Nath Dutt:** (a) Is it a fact that in all offices of the Government of India including attached and subordinate offices the cashier is given a duty allowance for his monetary responsibilities and his work is directly under the supervision of the Chief Clerk or Chief Superintendent?

(b) Is it a fact that in the office of the Director General of Posts and Telegraphs the duty allowance has recently been withdrawn from the cashier and the Chief Superintendent relieved of the charge of the Cash Branch?

(c) Is it a fact that a selection grade appointment designated as accountant on Rs. 300—20—500 has been sanctioned for charge of the Cash Branch?

(d) Is it a fact that simultaneously with the appointment referred to in part (c) above, all work hitherto performed in that branch with the exception of the work of preparation of the establishment pay bills has been transferred to other branches of the office?

**Mr. P. G. Rogers:** (a) The arrangement described is the usual one.

(b) The cashier's duty allowance has not been withdrawn. The cash branch has been formed into an accounts and bills section, under the charge of one of the Assistant Directors-General, but the present Chief Superintendent, as a gazetted officer, has been entrusted with several duties in respect of the accounts and bills section.

(c) No new appointment of accountant has been created.

(d) Does not arise.

**APPOINTMENT OF CHIEF SUPERINTENDENT IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

420. **Mr. Amar Nath Dutt:** (a) Is it a fact that a gazetted officer of the rank of Superintendent of Post Offices has been posted as Chief Superintendent in the office of the Director-General, Posts and Telegraphs?

(b) Is it a fact that the appointment of Chief Superintendent is a non-gazetted one open only to the Superintendents of that office?

(c) Is it a fact that Government created the cadre of Superintendents of Post Offices for holding charge of Postal Divisions?

**Mr. P. G. Rogers:** (a) and (b). The attention of the Honourable Member is drawn to the reply given on the 18th September, 1928, to Mr. Satyendra Chandra Mitra's starred question No. 653.

(c) Yes, but not entirely. There is no objection to a Superintendent of Post Offices being employed in the Office of the Director General in any special appointment.

**PAY OF THE SUPERINTENDENT OF THE FINANCE, BUDGET AND STATISTICS BRANCH OF THE OFFICE OF THE DIRECTOR-GENERAL OF POSTS AND TELEGRAPHS.**

421. **Mr. Amar Nath Dutt:** (a) Is it a fact that, unlike all other attached and subordinate offices of the Government of India, the appointment of the Superintendent of Finance, Budget and Statistical Branch of

the Office of the Director-General of Posts and Telegraphs carries a higher scale of pay, (*vis.*, Rs. 500—25—700), while all other Superintendents in charge of branches are in the scale of Rs. 300—20—500?

(b) Is it a fact that this higher scale of pay was sanctioned by Government on the recommendation of Rai Bahadur J. P. Ganguly a few years back more as a personal recognition of the services of Rai Bahadur C. L. Dutt, the then Superintendent who it was alleged had been carrying on the functions of a Superintendent as well as that of an Assistant Director-General?

(c) Is it a fact that at present there is in that branch one Assistant Director-General, one Superintendent of the grade of Rs. 500—25—700 and two others of the grade of Superintendents on Rs. 300—20—500 but doing the duties of ordinary Budget assistants?

(d) Is it a fact that the present Superintendent has been permanently appointed to the higher post in supersession of the legitimate claims of several senior Superintendents?

(e) Is it a fact that when the present Superintendent was first appointed to officiate in the higher grade some other Superintendents who were superseded memorialised the Director-General for being given a trial but their prayers were rejected?

(f) Is it a fact that there are several other branches of the Director-General's Office the work of which is equally if not more important than that of the Finance, Budget and Statistical Branch?

(g) If the replies to parts (a) to (f) be in the affirmative, why do Government not fix the cadre of all Superintendents of important branches of the Director-General's Office at Rs. 500—25—700?

**Mr. P. G. Rogers:** (a) The facts stated by the Honourable Member are substantially correct.

(b) No.

(c) Yes.

(d) The present Superintendent was selected as the most suitable man for this important post, after giving due weight to considerations of seniority.

(e) Yes.

(f) The work of the Finance, Budget and Statistics Branch of the Director-General's Office is essentially different from that of other sections of the office.

(g) Does not arise.

#### QUALIFICATIONS REQUIRED FOR CERTAIN APPOINTMENTS IN THE INCOME-TAX DEPARTMENT.

422. **Mr. K. O. Neogy:** (a) Will Government be pleased to state the minimum qualifications required of persons for appointment in the Income Tax Department under the Central Board of Revenue—specially of officers who are (or were) appointed on an initial salary ranging from Rs. 1,000 to Rs. 1,400 per mensem?

(b) Is there any difference of initial pay between a European and an Indian of equal merits?

(c) Is it a fact that Government once offered an initial salary of Rs. 500 per mensem to a qualified Indian Accountant, whereas an English Accountant of the same merit was appointed on an initial salary of Rs. 1,500?

(d) Is it a fact that when an English Accountant in Bombay was appointed on Rs. 1,500 per mensem, an Indian Accountant was appointed on Rs. 900 per mensem in the same province?

(e) Is it a fact that there are officers, other than qualified Accountants, who have been appointed on an initial salary of Rs. 1,400?

(f) Will Government be pleased to state the reason for appointing these officers on special pay?

**The Honourable Sir George Schuster:** (a) No minimum qualifications have yet been prescribed by the Central Board of Revenue, but as a matter of practice very high qualifications are insisted on by Commissioners. The Government of India intend to examine the whole question shortly.

(b) Not at the present time.

(c) I do not know exactly what cases the Honourable Member has in mind, but an instance which fits in with the wording of his question has actually occurred in Bengal. The implication of his question is however misleading. It is actually a fact that in Bengal in 1921 (that is to say before the constitution of the Income-tax Department on the present basis) an English accountant was appointed at an initial pay of Rs. 1,500. Recently, fully qualified Indian accountants have been available at much lower salaries. No English accountant has, in fact, been recruited since 1921 and there is no intention to recruit any in the future.

(d) It is a fact that an English accountant was appointed on Rs. 1,000—50—1,300 in 1919, and also that in 1922, after the creation of a special department had been sanctioned, an Indian accountant was appointed on Rs. 900, which represented, after the creation of the special department, the maximum pay of an Income-tax Officer in the Bombay Presidency.

(e) If members of the Indian Civil Service are excluded, the answer is in the negative.

(f) As already stated, the British accountants were appointed before the constitution of the Income-tax Department on its present basis, in order to deal with a large number of important assessments. The Indian accountant was appointed after the creation of the income-tax cadre in Bombay, and his pay was fixed at the maximum of his grade, because he was a man of considerable experience and was already holding a responsible post under the Improvement Trust, Bombay. Appointments of this nature have now ceased.

In general with reference to all parts of this question, I would remind the Honourable Member that it would have been easier for me to give him the information which he required if he had consulted me privately and told me exactly what cases he had in mind.

#### LIST OF QUALIFIED ACCOUNTANTS IN THE INCOME-TAX DEPARTMENT IN DIFFERENT PROVINCES.

423. **Mr. K. G. Neogy:** Will Government be pleased to give :

- (i) A list of qualified Accountants now serving Government in the different provinces—in the Income-tax Department;

- (ii) The initial salaries at which they were appointed;  
 (iii) Their present salaries, together with allowances, if any?

**The Honourable Sir George Schuster:** (i), (ii) and (iii). The Government will make inquiries and communicate the information to the Honourable Member.

#### NUMBER AND PAY OF ACCOUNTANTS IN THE INCOME-TAX DEPARTMENT IN BENGAL AND BOMBAY.

**424. Mr. K. C. Neogy:** In view of the fact that Government derive a larger revenue from income and super taxes from Bengal than from Bombay, will Government be pleased to state the reasons for appointing more qualified accountants in Bombay than in Bengal,—and for the discrimination in the starting salaries, if any?

**The Honourable Sir George Schuster:** There is no discrimination in starting salaries as between Bengal and Bombay, as assumed by the Honourable Member. Nor has it been the policy of Government to appoint more qualified accountants in Bombay than in Bengal. The Honourable Member may possibly have in mind the fact that two individual accountants were started in Bombay on high rates of pay. But these were special cases. There is no reason to suppose that the Income-tax staff in Bengal, who have been recruited in recent years, along with the Provincial Civil Service, from among the best products of the Indian Universities, are not as efficient as the staff in Bombay.

I would also mention that it does not necessarily follow, because revenue receipts are higher in Bengal than in Bombay, that the work of the Department is more difficult or intricate in the former province. In fact a large part of the revenue in Bengal comes from public companies, and assessment and collection in the case of such companies is generally easier than in other cases.

#### FUNCTIONS AND SALARIES OF SENIOR INCOME-TAX AND SPECIAL INSPECTING OFFICERS IN BOMBAY.

**425. Mr. K. C. Neogy:** (a) Will Government state the functions of officers who are known in the Bombay Presidency as (1) Senior Income-tax Officer, and (2) Special Inspecting Officer: and the salaries drawn by them? What is the minimum qualification for these posts?

(b) Do Government consider it unnecessary to have similar posts created in Bengal, and filled with men with special qualifications? If so, why?

**The Honourable Sir George Schuster:** (a) The Senior Income-tax Officer has been assessing all the joint stock companies in Bombay and also some of the important assesseses with large incomes. The pay of the present incumbent of the post is Rs. 1,500—50—2,000, but in future vacancies, an income-tax officer on the ordinary cadre, of which the pay is Rs. 800 to Rs. 900, will be appointed, and will draw special pay of Rs. 150, in addition to his ordinary pay, and also compensatory allowance on the scale fixed by the Local Government.

The Special Inspecting Officer was appointed to check the refunds granted by income-tax officers and to assist in the inspection of income-tax offices. His pay is Rs. 1,000—1,200. But from next month, the status of the post will be raised to that of Assistant Commissioner.

No special qualifications have been prescribed in either case, but the posts are selection posts and will be filled from the cadre of income-tax officers accordingly.

(b) The answer to the first part is in the affirmative. The answer to the second part is as follows:

(1) There is no need for an appointment of Special Inspecting Officer in Bengal so long as Assistant Commissioners in Bengal are able—as they are at present—to attend to their inspecting duties, in addition to disposing of appeals. The post of Special Inspecting Officer was created in Bombay because the appellate work of the Assistant Commissioners in that Province was so heavy that they could not make any satisfactory inspections. Even now, the average number of appeals dealt with by an Assistant Commissioner in Bombay is much higher than in Bengal.

(2) As regards the Senior Income-tax Officer, it has been now decided that there is no need for a post on an exceptionally high rate of pay and that, as already stated, the work shall be done by members of the ordinary staff. The position at Calcutta was also reviewed and it was decided similarly that, at that place also, there is no need for an Income-tax Officer on a specially high rate of pay, and that the two ordinary income-tax officers doing "company" assessments should draw a special pay of Rs. 150 each.

I may mention that the high rate of pay of the Senior Income-tax Officer in Bombay dates back to the days when the administration was in the hands of the Local Government. At one time important assessments at Calcutta also were done by an officer of the rank of Assistant Commissioner, but this arrangement ceased when trained officers on the ordinary cadre became available.

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#### MESSAGE FROM THE COUNCIL OF STATE.

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

I am directed to inform you that the Council of State have, at their meeting held on the 23rd March, 1929, agreed, without any amendments, to the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, which was passed by the Legislative Assembly on the 16th instant.

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#### STATEMENTS LAID ON THE TABLE.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): Sir, I beg to lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending the 31st December, 1928.

## HIGH COMMISSION

## INDIA STORES

ABSTRACT OF CASES in which tenders for Stores demanded by the Central of the goods demanded, were accepted on the grounds greater facility of inspection,

## HALF-YEAR ENDING

PART A.—Cases in which lower foreign tenders, including British tenders for ten

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Copper plates .	H. 1187/1738/2-7-28 .	Linley & Co. . . .	£ s. d. 539 16 6 (British).
Locomotive boilers, cylinders, etc.	H. 1302/3295/10-7-28 .	Sir W. G. Armstrong Whitworth & Co., Ltd.	70,466 13 0 (British).
Acidum Salicylicum.	H. 1592/146/1-8-28 .	May & Baker, Ltd. .	178 19 2 (British).
Copper firebox plates.	H. 1915/3021/17-8-28 .	W. Roberts & Co. . .	381 10 0 (British).
Mild steel . . .	H. 2060/3431/24-8-28 .	Lewis Hunter & Co. .	726 5 0 (British).

## FOR INDIA.

## DEPARTMENT.

Government, other than the lowest complying with the technical description of superior quality, superior trustworthiness of the firm tendering, quicker delivery, etc.

31st DECEMBER, 1928.

*foreign made goods, have been set aside wholly or partially in favour of British ders.*

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d. 412 13 0 (German).</p>	<p>The indent indicated special urgency and stated that the plates were required to reach India by the 1st September, 1928. The delivery offered by the lowest tenderer would not have ensured the arrival of the plates in India before October, 1928, at the earliest. Moreover, delay in shipment was to be expected by reason of a dock strike at Antwerp and probable subsequent congestion at that port.</p> <p>The next lowest tender, which was accepted, promised to complete delivery in 6 days.</p>
<p>69,820 0 0 (German).</p>	<p>The lowest tender was from a Continental firm which had previously proved unsatisfactory in delivery. The second tender was preferred for this reason, and also because it offered better facilities for settling details of manufacture as the conversion sets for this class had not previously been made.</p>
<p>175 8 9 (German).</p>	<p>The accepted tender was the most advantageous, taking into account the relative costs of inspection.</p>
<p>336 0 2 (German).</p>	<p>The indenter had asked for very urgent delivery and immediate shipment; the tender of the firm offering quickest delivery was accepted.</p>
<p>647 2 7 (Belgian).</p>	<p>The indenter asked for immediate shipment and this could be complied with only by accepting the higher tender.</p>

## PART A.—

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Wheel centres .	H. 2360/3103/10-9-28 .	John Spencer & Sons (1928), Ltd.	<p style="text-align: right;">£ s. d.</p> <p style="text-align: right;">420 0 0 (British).</p>
Helical drawbar springs.	H. 2519/3915/22-9-28 .	Willford & Co., Ltd. .	<p style="text-align: right;">2,700 0 0 (British).</p>
Connecting rods and wheels with axles.	H. 3501/5853/29-11-28	North British Locomo- tive Co., Ltd.	<p style="text-align: right;">560 0 0</p>
	H. 3502/5853/29-11-28	Kitson & Co., Ltd. .	<p style="text-align: right;">244 1 0</p>
Copper pipes .	H. 3850/6753/29-12-28	John Wilkes, Sons & Mapplebeck, Ltd.	<p style="text-align: right;">804 1 0 (British).</p>
			<p style="text-align: right;">138 15 6 (British).</p>

contd.

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;">£ s. d.</p> <p>275 8 0 (Belgian).</p>	<p>The wheel centres were demanded in a telegram which stated that early supply was to be arranged. The four lowest tenderers offered long delivery and from experience of their previous records the earliest delivery that could be expected would be about five months. In view of the urgency the order was placed with the next tenderer who promised delivery in four weeks.</p>
<p>2,433 6 8 (German).</p>	<p>The springs were demanded in a telegram which stated that half the quantity should be shipped immediately and the balance as quickly as possible. The lowest tenderer required four months to complete delivery and, moreover, offered springs manufactured at works which had been found unsatisfactory in regard to delivery on former occasions. The order was, therefore, placed with the next lowest tenderer.</p>
<p>781 10 0 (German).</p>	<p>The lowest tender was from a German firm who were unable to offer definite delivery owing to the lockout in the German steel works. The order was accordingly placed with the two firms who were next lowest.</p>
<p>110 3 6 (German).</p>	<p>The copper pipes were required in Burma immediately. The delivery offered by the lowest tenderer would not have ensured arrival of the pipes at Rangoon before the end of March, 1929. The order was, therefore, placed with the next lowest tenderer for delivery from stock.</p>

## PART B.—Cases in which the discrimina

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Cambrio . . .	H. 1601/2060/1-8-28 .	J. H. Greenhow & Co., Ltd.	3,723 19 2
	H. 1602/2060/1-8-28 .	F. Spinner & Co. . . .	3,916 13 4
			7,640 19 6 (British).
Acidum gallicum, etc.	H. 1730/134/9-8-28 .	John Bell Hills & Lucas	55 15 8 (British).
Drying plant . .	H. 2178/2010/31-8-28 .	Brown's Dryers, Ltd. . .	834 0 0 (British).
Couplings for vacuum brake hoses— 6,000	H. 2529/2018/22-9-28 .	A. G. Wald & Co. . . .	387 10 0
13,800	H. 2530/2018/22-9-28 .	Consolidated Brake & Engineering Co., Ltd.	1,063 15 0
19,800			1,451 5 0 (British).
Lint plain . . .	H. 3705/2304/14-12-28.	Southall Bros. & Barclay, Ltd.	117 19 4 (British).

tion is between British firms only.

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;">s. d.</p> <p>7,447 18 4 (British).</p>	<p>The firm who tendered lowest had not previously executed a contract for the Department, and it was therefore decided to divide the order between the two lowest tenderers.</p>
<p>54 13 5 (British).</p>	<p>The accepted tender was considered to be the better offer, having regard to the cost and convenience of inspection.</p>
<p>793 0 0 (British).</p>	<p>Accepted on the grounds of the superior type of plant offered, which represented more than the difference in price between the two quotations.</p>
<p>1,273 15 0 (British).</p>	<p>The indenting officer requested that quotations should be obtained and the lowest cabled to him together with the probable date of shipment.</p> <p>Details of the lowest tender and of the tender offering the earliest delivery were accordingly cabled to the indenting officer who, in reply, requested acceptance of the latter. It was possible, however, to secure equal or better delivery at a lower price by dividing the contract between the two tenderers and orders were placed accordingly.</p>
<p>113 3 7 (British).</p>	<p>Accepted on account of the superior quality of the goods offered which represented more than the difference in price.</p>

## PART C.—Cases in which the

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Screws, brass .	H. 3689/4361/13-12-28	Papier Hardware Co., Ltd.	£ s. d. 193 0 7 (Dutch).
Steel tyres .	H. 2879/4069/19-10-28	Groupe Francais (1,000 tyres).	2,366 13 4 (French).
	H. 2880/4069/19-10-28	Fried, Krupp, A. G. (1,000 tyres).	2,437 10 0 (German).
	H. 2881/4069/19-10-28	Vereingte Stahlwerke A. G., Bochumer Verein (1,200 tyres).	5,085 0 0 (German).
	H. 2882/4069, 19-10-28	W. Beardmore & Co., Ltd. (458 tyres).	1,524 15 0 (British).
		<b>Total</b>	11,413 18 4

*discrimination is between foreign firms.*

Lowest Tender not accepted.	Reason for acceptance.
<p style="text-align: center;"><i>L. S. P.</i></p> <p>185 0 10 (German).</p>	<p>Accepted on account of the superior quality of the goods offered which represented more than the difference in price.</p> <p>The demand was for 3,658 tyres for locomotive and wagon wheels, some being urgently required.</p> <p>The lowest tender was from the Groupe Francais. This firm had not previously manufactured tyres for India and the contract was too large to be entrusted to an untried firm as a trial order. It was therefore decided to divide the contract, a sufficient trial order being given to the Groupe Francais and the balance being divided among the three firms who were the next lowest suitable tenderers for the items allotted having regard to cost of inspection.</p>
<p>11,147 1 10 (French).</p>	

**Mr. P. G. Rogers** (Director-General, Posts and Telegraphs): Sir, I beg to lay on the table the information promised in reply to the supplementary question to starred questions Nos. 817 and 818 asked by Mr. W. S. Lamb on the 26th February, 1929, regarding the value of money orders issued from post offices in Burma to India during the period from August 1927 to January 1929.

*Statement showing the value of Money Orders issued from Post Offices in Burma to India during the period from August 1927 to January 1929 (18 months).*

Name of offices.	Value of money orders issued.	Remarks.
	Rs.	
All offices in Burma .. .. .	9,81,87,028	
Yonangvaung (Upper Burma) .. .. .	3,26,769	
Nyaungghia " " .. .. .	5,29,887	
Chauk " " .. .. .	4,24,709	

**Mr. Sarabhai Nemchand Haji:** May I inquire if a similar statement, as suggested by me last time, will be laid on the table of the House giving the monies sent from Burma to England and Scotland as well?

**Mr. P. G. Rogers:** I can give the information to the Honourable Member if he wishes to have it.

**Mr. Sarabhai Nemchand Haji:** I did ask for it last time.

#### THE INDIAN FINANCE BILL—*contd.*

**Mr. President:** The House will now resume further consideration of the Finance Bill clause by clause. Honourable Members are aware that clause 6 has already been passed; and the Honourable Mr. Ram Narayan Singh wants to add a new clause 7 to the Bill.

(Mr. Ram Narayan Singh rose in his place.)

**The Honourable Sir George Schuster** (Finance Member): On a point of order, Sir . . . . .

**Mr. President:** I think the point is quite clear and I need not hear the Honourable Member. The Honourable Member's (Mr. Ram Narayan Singh's) amendment is out of order.

The question is:

"That Schedule I to the Bill stand part of the Bill."

**Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural):**

I beg to move:

"In Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Letters' the following be substituted:

'For a weight not exceeding one tola—Half an anna.

For every tola or fraction thereof exceeding one tola—Half an anna.'

This is an old, old demand, and I think I shall be faced with the same old, old objections on the part of the Government as in the past. I have tabled this amendment in the hope that Government may see their way to accede to our demand. No doubt, this is a question of money, and the Honourable Member in charge, who is an honours man in mathematics, will bring out figures in his reply. But I believe that, besides unmathematics, there are other subjects which Honourable Members, who are entrusted with high administrative offices, should study before they can ask us to accept all they say or to accept all they wish us to believe. Be that as it may, I ask this House to consider the advisability of accepting this amendment on more grounds than one.

In the first place, in a poor country like India the postage rate which has been introduced for the last few years is inordinately high, and any Government which has any consideration for the governed should give more facilities for communications by making postage rates cheaper. In asking Government to reduce the price of postage stamps from one anna to half an anna for letters my object is to give facilities for confidential communications which a man would not like to make in an open postcard. Besides confidential communications, there are a class of letters which, my Honourable friend, who is in charge of this Department, although now too old, may remember when he himself might have required long letters to be written; but if my Honourable friend and myself have passed that stage, still we have to look to consider the necessity of our grandchildren who may have necessity for long letters and whose private purse probably is not as large as ours. Even in business communications there are, I submit, certain confidential matters which cannot be written in postcards. So, it is an absolute necessity that letters in envelopes should be made as cheap as possible. I do not care to trouble myself with the profit and loss of the Department, for I believe that no civilised administration should be actuated by any motive of profit and loss in a department which they believe to be a civilising agency. Either they do not believe it to be a civilising agency—then they ought to abolish the Postal Department—or if they do believe it to be a civilising agency, they ought to make it as cheap as possible. Further, whom does this increase of postage rates from half an anna to one anna benefit, for we know ordinarily thick papers are used by the richer people? The poor man cannot afford to purchase thick paper and he does not use thick paper. It is only the richer people who use it, as also big capitalists and business men, only these capitalists and business men have been benefited because they can send  $2\frac{1}{2}$  tolas of paper for one anna stamp. Why should they have this advantage? Let them pay more; we have no objection to that. But why should the poor people be not given an opportunity for sending their confidential communications at a cheaper rate. Sir, there are also other amendments on the paper, which will be taken up in order, and therefore I firstly recommend acceptance of this reduction of postage rates for letters, before we come to postcards. I hope that the Honourable Member in charge of the Department will see his way to accept it.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): I did not expect from my Honourable friend, Mr. Amar Nath Dutt, the speech to which I listened after the other speech to which I had the pleasure of listening in this House a few days ago. I think he said then, that in the days of the Vedas, there was no post office, and therefore the post offices should be abolished. I wish that he had followed that principle right through; that when he voted the Demands for Grants, he had voted down the Demand for the Post Office, which would have led to the abolition of the post offices and would have automatically led to the abolition of these postal rates. My Honourable friend unfortunately is not serious, and he apparently wanted to take a sporting chance whether he would be able to persuade me to agree to this chimerical idea of his about reduction of postal rates.

I do not propose, on the present occasion, to take any considerable portion of the time of the House, because, as my Honourable friend rightly said, I have dealt with this question of reduction of postal rates time after time during the last 4 years. I would suggest to him to read all that I have said on the subject . . . .

**Mr. Amar Nath Dutt:** Read ours also.

**The Honourable Sir Bhupendra Nath Mitra:** I have read all that my Honourable friend has said. He has added nothing on the present occasion; and whatever he has said in the past I have already answered. I shall simply say a few words in connection with the specific amendment before the House. My Honourable friend wants the letter rate for a weight not exceeding one tola to be reduced to half an anna and to put in an extra half anna for every tola or fraction thereof exceeding one tola.

12 Noon. I think, on a previous occasion, I explained to him and to the House that the cost of that measure would amount to 150 lakhs a year. The reason is that the experience in every civilised country, including India, is that, if a reduction is made in the initial unit of weight on which the lowest rate is charged, the bulk of the traffic almost immediately tends down to that initial unit. In 1921-22, in deference to the wishes of this House, we had a rate of postage of half an anna for a weight not exceeding half a tola. The traffic carried on this initial rate of half tola was found to be about 80 per cent. of the total traffic and the traffic carried at the next higher rate of  $\frac{3}{4}$  anna, which was charged for weight exceeding half a tola, but not exceeding one tola, was 10 per cent. of the total traffic. On the basis of that experience, and with reference to the traffic carried in recent years we have estimated that the acceptance of the amendment proposed by my Honourable friend will lead to a loss of revenue of 150 lakhs a year and we cannot afford it. Therefore, Sir, I am compelled to oppose the amendment.

**Mr. V. V. Jogiah** (Ganjam *cum* Vizagapatam: Non-Muhammadan Rural): Sir, the reason for increasing the rates of postage is said to be due to a deficit in the budget in the year 1921. If the increased rate was confined to the years in which there was a deficit, then people would not have complained, but this increased rate has been continued from year to year, without reference to the years being fat or lean. Subsequent to the year 1922, there have been six surplus budgets, and yet this increased rate continued. It is admitted that, since the raising of the rates, there was a fall in the communications sent through the post office. That is

proof enough that the poor man, who could post letters when the rate was low, could not do so when the rates were raised.

**The Honourable Sir Bhupendra Nath Mitra:** I would suggest to the Honourable Member to read again the speeches I made in that connection in the years 1927 and 1928.

**Mr. V. V. Jogiah:** It is stated that the reason for not reducing this rate is that there will be a loss to the Postal Department, but I submit that, if the Postal and the Telegraph Departments are not taken together for budget purposes, there would accrue no loss to the Postal Department, even if the rates be reduced. As a matter of fact, I am informed that the loss that is shown with regard to this combined Department is due to the expenses incurred in the Telegraph and Telephone Departments.

**The Honourable Sir Bhupendra Nath Mitra:** May I refer the Honourable Member to page 4 of the Detailed Statements in support of Demands for Grants for Posts and Telegraphs for the year 1929-30, which will dispel that fiction?

**Mr. V. V. Jogiah:** That was the argument advanced, as I see from the previous speeches made during the last year and the year before. At any rate, this is such an important matter to the poor that Government, in spite of some loss, that will be sustained, should be prepared to reduce the expenditure, in order to enable the poor man, who is living far away from his kith and kin, to communicate his thoughts and his welfare through the post. We find that the poor man, who can scarcely keep body and soul together, has been put to the additional expense of spending more upon his letters than before. I would therefore submit that this is a matter, in which Government, should take the condition of the poor people into consideration, and without reference to the loss that will be sustained, should come to the help of the poor and reduce the rate.

**Some Honourable Members:** The question may now be put.

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

"That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Letters' the following be substituted:

'For a weight not exceeding one tola—Half an anna.

For every tola or fraction thereof exceeding one tola—Half an anna.'

The motion was negatived.

**Mr. M. K. Acharya** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I rise to move the amendment that stands in my name to the effect that:

"In Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single—Quarter of an anna.

Reply—Half an anna.'

I do not propose to tire the House with a recital of statistics. There is one point which I have in common with Mr. Jogiah, which I must deal with at some length, although it has been controverted by the Honourable Member in charge. I do believe, from the facts and figures that have been

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placed at my disposal by the Department, that the Postal Department has been showing, during the past three years, excess of revenue over expenditure, whereas the same thing cannot be said of the Telegraph Department. Here are figures supplied to me by the Department. With regard to the Postal Section, in 1925-26 the revenue was Rs. 6,98,44,811, and the revenue expenditure Rs. 6,49,56,409, giving a surplus of 49 lakhs roughly. In 1926-27, it was Rs. 7,24,64,116 and the revenue expenditure was Rs. 7,03 lakhs and odd, giving a surplus, so far as the Postal Department alone is concerned, of 21 lakhs. In 1927-28 the revenue was Rs. 7,45,16,000 and odd, revenue expenditure Rs. 7,40,70,388. All along therefore I contend that the revenue from the Postal Department has been in excess of the revenue expenditure—in other words the Postal Department, during the past three years, has been making a profit, so far as what may be called the ordinary revenue expenditure was concerned. Of course I know there is what is called capital expenditure, but I do not believe that we shall be right in adding on capital expenditure to be borne by the ordinary revenue from the Postal Department. On the other hand, Sir, here are the figures for the Telegraph Department. In 1925-26 the revenue was Rs. 3,22,92,000 and odd. The revenue expenditure was Rs. 3,34 lakhs and odd, which means a net loss of about 12 lakhs. Similarly, in 1926-27, the revenue was 3 crores, 28 lakhs and odd, and the expenditure was 3 crores, 39 lakhs and odd, and there was again, therefore, a net loss of 11 lakhs and odd. In 1927-28, the revenue was Rs. 3,37,54,744, and the expenditure was 3 crores, 68 lakhs and odd, which again means a loss of 31 lakhs. I do not believe I have got this year's little book before me, from which Sir Bhupendra Nath Mitra was trying to read (*The Honourable Sir Bhupendra Nath Mitra: 'Here it is'*), but if these figures are correct, I am bound to believe them and draw the correct inference therefrom; and if there are any other figures which do not tally with these, I shall come to the conclusion that those other figures are wrong. It is much better for me to assume that those figures are wrong.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): Who gets the benefit of it?

**Mr. M. K. Acharya:** I get the benefit. My copy is dated the 22nd February; so I claim to have the latest figures in my hands. The latest figures lead me, I say, to the incontrovertible conclusion that, so far as the Postal Section is concerned, for the past three years the revenue was more than the expenditure, and the expenditure of the Telegraph Section more than the revenue. I daresay that my Honourable friend there, with the benefit of the larger facilities he has, will probably be able to give us other facts and figures. However, without juggling with these facts and figures—facts and figures are always capable of being juggled with in the hands of my capable friend there—I say, on behalf of the ordinary man in the street, that the Postal Department has been paying while the Telegraph Department has not been paying. I don't think, I shall be wrong in saying that the Telegraph Department has not been paying. There has been what may be called a series of deficits in the combined Postal and Telegraph accounts.

It would no doubt be very interesting to go into those facts and figures, but I know for one thing that the House is too tired to be willing to go into such detailed statistics, but we all know that the Telegraph Department has been working at a loss for several years. I believe this is due to several causes. For one thing I find that the growth in the revenue from what is called Press Telegrams has not been increasing in the same proportion as the income from private messages. I am not objecting to the concessions afforded by the State to those who send Press telegrams. If my memory does not fail me, I believe it was in the old days, when Lord Curzon was Viceroy of India, that he was very keen and took it into his head to say that Press Telegrams should be charged at considerably reduced rates. This was done on larger considerations of State policy. It was in Lord Curzon's time that this policy was introduced of cheapening Press telegrams. I consider that such a policy is a good one. It is very good to be philanthropic and charitable, but at whose expense? Why should the State show all this charity at the expense of the poor man? I agree with Diwan Chaman Lal that nothing should be done at the expense of the poor; I am also a champion of the poor. Why should the poor man have to pay one anna per word for a telegram, while the Press pay only 2 pies per word? I am not complaining against Press telegrams. I also wish to have Press telegrams, the fullest and the best that I can get. This I say as a newspaper reader, but as an ordinary citizen of the country, whereas my ordinary message is charged for very heavily, the charges on the Press messages of my friend there are practically very light. There are very many other concessions also I am told. If I want to send the same telegram to Madras, Calcutta and Bombay, I am charged for three telegrams, whereas my friend will send the same Press telegram to any part of India and is charged for only one message plus copying charges, 4 annas, I think, or whatever it may be. It may be that the Press messages number 500 words and they take precedence of all messages. Everything has to wait till the Press messages are disposed of in the Telegraph Office; and therefore in this way there is considerably more favour shown to Press messages than is shown to ordinary messages, and the figures, to that extent, are misleading. In the case of private telegrams, for the year 1925-26, the revenue was only 2 crores and odd while for Press telegrams it was only 4 lakhs and 59 thousand. The number of messages, of course, is correspondingly less, but no doubt one press message may be equivalent to 100 private messages, that is to say, the number of words that would go into one press message would perhaps be equivalent to the number of words on not only six but many times six private messages. Therefore, whereas the revenue from private messages was two crores and odd, only 4 lakhs and 59 thousand constituted the revenue from Press messages for the year 1925-26. In 1926-27 the revenue from private messages was 1 crore and 97 lakhs and odd, and that from Press messages was only 5 lakhs and 81 thousand. In 1927-28 the income from private messages was 2 crores and odd, and that from Press messages was only 5 lakhs and 77 thousand and odd. This is ample proof that there has been a great inferior revenue, so to speak, from Press messages. There is again the staff that has to be employed for these Press telegrams, which has been very large, and they must be getting larger every year as the Press messages increase every year.

What I am trying to get at is that we doubtless want Press messages, we want the Press to get every possible help; but why should this be at the cost of the poor man? Let the Government allot a certain sum for Press

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messages; let them give a grant of 10 lakhs or 10 crores, or whatever they think necessary, but they must not mix business and charity, which cannot go together. Even business people do their business on ordinary business lines, and when they want to show charity they put it apart. Let the Government of India indicate to what extent they could help the Press. Let them set apart a sum of money, but not include it in the ordinary telegraph charges.

**The Revd. J. C. Chatterjee** (Nominated Indian Christians): The charge has to be met all the same.

**Mr. M. K. Acharya:** In the long run, it may be the same; but here, so far as his Department is concerned, my Honourable friend, Sir Bhupendra Nath Mitra, will not trouble himself to find money for working other departments. It may be that the Political Department, or some other department of the Government of India will find the money, but it will not be the same so far as the Postal and Telegraph Departments are concerned. I contend that the figures show that there is enough revenue, probably more revenue, than is required to meet the ordinary expenditure of the Postal Department. In other words here comes the difficulty. When you want to work a department commercially, when you want to show that the expenditure is within the revenue, when you want to see that the Telegraph and the Postal Departments are worked on what are called business lines and when, at the same time, you tag on this charity business, or special treatment business, then comes the difficulty. The Departments together do not pay; a recurring deficit is being shown, year after year, against the combined Postal and Telegraph Departments. Therefore, it is not whether the Government of India find the money or not, it is whether the ordinary man, who uses the postcard, who uses the telegraph wires for sending an ordinary message, whether he is to keep up the white elephant of the Press, or the white elephant of the aero-transmitting machines, and things of that kind, and the various other developments that are being brought into the sphere of the Telegraph Department. I am told that very many experiments, very interesting but very costly experiments, are being made in the Telegraph Department, but that the expenditure is all being met from the ordinary revenues. Therefore I still hold that the practice of the Government now prevailing, namely of putting the postal income and the telegraph income together, and putting up all the expenditure together, and showing at the end, that there is a deficit in the combined accounts of both the Departments, I say that this practice leads just to this inconvenience, that we really do not know who exactly it is that should be taxed more. If there is really a loss in the Telegraph Department, very well, by all means increase the telegraph rates. The poor man may use the telegraph wires once a year; he may send a message once a year or even not at all. If it is proved to the satisfaction of the House that the Telegraph Department cannot manage without additional income during the year, then increase the telegraph rates. I am not advocating it. I believe it is not necessary.

**Mr. K. C. Roy** (Bengal: Nominated Non-Official): Then, what do you advocate?

**Mr. M. K. Acharya:** I advocate that the Government of India must find the money if they want to give special treatment to any one using

the Telegraph Department instead of to the poor man who uses the postcard. I have been pointing out how the poor man, who uses the postcard, is hit hard by the present arrangement, and if the Honourable Member had been absent for the past fifteen minutes, and so did not listen to my arguments, it is not my fault. Not that I am against the Press, or against the new experiments in the Telegraph Department. What I am urging is this: do not make the ordinary poor man, who uses either the Postal or the Telegraph Department, pay for the charity or the special treatment that you are giving to the Press. So far as my little argument is concerned, my arguments are very clear. The revenue from the Postal Department for the last three years has been in excess of expenditure.

**The Honourable Sir Bhupendra Nath Mitra:** By how much?

**Mr. M. K. Acharya:** By several lakhs. In 1925-26, it was 49 lakhs, in 1926-27, it was 21 lakhs and in 1927-28, it was five lakhs.

**The Honourable Sir Bhupendra Nath Mitra:** There you are, five lakhs.

**Mr. M. K. Acharya:** Quite right. Therefore, there has been a continuous surplus. I believe with a certain amount of greater economy, there will be more surplus. The average for the past three years is 25 lakhs per year. I know, Sir, what the argument of the Honourable Member is going to be. He will say a deduction in postal rates means a loss of 50, 60 or 75 lakhs and that it cannot be borne by the Department during the coming year. I meet it in this way: firstly economy is still possible, economy to the extent of 20 or 30 lakhs is still possible. Secondly reduced priced postcard may bring in a larger revenue. (Hear, hear).

**The Honourable Sir Bhupendra Nath Mitra:** How?

**Mr. M. K. Acharya:** Where we write one postcard now, we shall write two postcards, and we may even be tempted to write four.

**An Honourable Member:** Question.

**Mr. M. K. Acharya:** Anything under the sun is questioned. God's very existence is being questioned. I am not surprised that, in the world as it is at present constituted, there is nothing under the sun which is not questioned. However, I am not going to be afraid of it. If the Honourable Member tries this experiment, and if next year he comes down to this House and says: "Here we have been working at a dead loss, there is a deficit to be met with, the prophecy of that poor Brahmin has not borne fruit; we have not had much increase in the consumption of postcards, and there is really deficit in the Postal Department," if he comes and says this, I am sure, even my Honourable friend, Diwan Chaman Lal, will be willing to consider the position afresh, from the point of view of new statistics supplied to us. But on the statistics that are now placed before us, I do contend that there is no case for keeping on this half anna postage. I am not pleading for those who write big letters; I am pleading for the poor man, who purchases a postcard and goes to the nearest scribe, tells him what he wants to be written on the postcard and then posts it. I am pleading for that poor man. In his case there is a very strong reason why the Government of India should not relax its business canons.

**The Revd. J. C. Chatterjee:** He has to pay to the writer one anna.

**Mr. M. K. Acharya:** Most of my arguments apply only to the poor man, and he will be materially helped by my proposition. I do not want this charitable business to be carried on by this Department. Even granting that the poor man has to pay one anna to the writer of the postcard, at the present rate, he has to pay  $1\frac{1}{2}$  annas for a card to be written and posted (one anna to the writer and half anna to the Postal Department). If my proposal is accepted, you save one pice for the poor man, because he will have to pay only  $1\frac{1}{2}$  annas. To the extent of a quarter of an anna, the poor man will be saved, and that is really worth gaining for the sake of the poor man. I therefore contend that there is really a *prima facie* case for the reduction of the postcard from half anna to quarter anna. I beg all my Honourable friends to take the matter seriously. Of course, we are not, for all time to come, reducing the postage. We know that, some years ago, the postage was one quarter anna, and during those days the post office did work all right. I know there has been increased expenditure; I know there has been increase in the pay and emoluments of the postal servants and so on. I know all that. But knowing all that, even wishing that there should be further increase in certain very deserved quarters, in spite of all that, I feel that the time has come when the same policy, which leads to cheap telegraph rates, must lead, even with greater force, to cheap postcards. On behalf of those who consume postcards, I strongly commend my amendment. Sir, I move my amendment.

**Pandit Thakurdas Bhargava** (Ambala Division: Non-Muhammadan): Sir, when I see these empty benches of the Swaraj Party and my own Party, I see the advocacy of this cause is in the nature of a forlorn hope. I am convinced that it is not because the Honourable Members, who are absent, do not feel as much as I do on this question, but of late a feeling has risen in the minds of many Honourable Members that the Government do not listen to even very reasonable proposals from this side of the House. That accounts for the absence of so many Honourable Members in this House at this moment. I feel that the way in which this question is looked at is, to say the least, very deplorable. Every year this question is raised, and the reply that is usually given by the Honourable Sir Bhupendra Nath Mitra is that this is a Commercial Department, and therefore, unless it pays its way, there is no chance of a reduction of postal rates. Every year the argument is put forward that this side of the House regards this question of the Postal Department as a nation-building department, but the points of view of the Government and the people materially differ in this respect.

Now, Sir, if this argument of the Department paying its own way was pushed too far logically, it would follow that many departments of Government would have to be closed. I want to know in what sense is this Postal Department a special commercial department? Is the Army Department a commercial department? Is the Telegraph Department a commercial department? Now, the policy of tagging on the Telegraph Department to the Postal Department is one which is to be deprecated. Last year, I also submitted, in this connection, that if it was merely a question of providing easy means of communication to the general public, as such, then this Department should be tagged on to Railway Department, so that ultimately the result would be cheap postal rates. Now, it is said that this Department is running at a loss. This point has been taken up by Mr. Acharya, and I do not want to repeat his

reasons. Anyhow, I want to submit that, even if it is taken that this Department cannot pay its way, I will submit that there is no reason why, from the general revenues of the country, a subsidy cannot be paid to this Department, so that it may be within the easy possibility of the poor public also to utilise this Department. If you just look at the efforts made in other countries in the way of cheapening postal rates, you will find that, even in England, this effort has succeeded partially. In 1922, when these postal rates were increased, it was not due to the Department being run at a deficit, but it was, as a war measure, and as such I submit that war being over, this increase should have been over too. But it is the habit of Government that, once they increase the rates, they do not reduce them afterwards.

Furthermore, Sir, as has been submitted just now by Mr. M. K. Acharya, the rates in the Telegraph Department need not be higher than what they are at present. As a matter of fact, the poorer public have very rare occasions to utilise the Telegraph Department, and they would not like that the telegraph rates should rise still more; but if the rise is really inevitable, it is but meet that such rise should be with reference to the extent to which the Telegraphic Department is being utilised by the poor people. Now, Sir, education, according to statistics, is said to be increasing day by day, and it ought to be the concern of the Government to see that the people utilise this Department as an educational department. I know that the reply would come that this will result in a loss of 50 or 80 lakhs of rupees. Whatever be the difference between the income from the pice postcard and the two pice postcard—the amount should be considered to be utilised for educational purposes. A similar argument was addressed to this side of the House last year, and I replied to that argument. I need not repeat it now; but it was stated by the Honourable Sir Bhupendra Nath Mitra that the postmen belonging to this Department, whenever they went to a village, were more welcomed by the people than perhaps the chaprassi of any other department or the policemen, who are not so much liked by the people, and that the isolation of these villages should not be too often disturbed by the postmen going to the villages more often than they do now.

Now, Sir, it cannot be denied that, so far as the Telegraph Department is concerned, any reduction in the rates will benefit the richer classes and the middle classes; but so far as the postcard is concerned, every poor man who has the occasion to use the postcard will be benefited. Moreover, in every possible thing in which the Government of India want to make people understand that they are doing some good, it has always been found that the people who benefited most were the richer people and not the poor public. For instance, in regard to the question of the cheapening of the railway rates, it was found that those who travelled less than 50 or 60 miles were not benefited; while, as a matter of fact, the average number of miles travelled by a man is about 33. Similarly, whenever any concession is made, the benefit of it goes only to the rich. I submit the poor man will certainly bless the Government of India if they decide to reduce the price of the postcard, which is more used by them than by the rich. Considered from all these standpoints, I submit that the price of the postcard should be reduced to a pice.

**Mr. V. V. Jogiah:** Sir, I wish to add only one word to what has been said in regard to the increase in the rate of postcards. The increase of

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the rate on postcards has pressed more unduly on the people than even the increase of the rate on letters. Government may charge higher rates for telegrams and use of telephones and reduce the rates on the postcards. Let not Government punish the poor for the benefit of the rich. Another aspect to be considered is whether revenue of this sort has, so to say, no recuperative energy. I submit that any immediate loss will surely be compensated by the increase in the extra volume of correspondence. It is therefore, neither just nor generous, nor even expedient, that Government should continue this high rate on the postcard. I am sure that a reduction in the price of postcards will evoke a warm feeling of gratitude in the poor people.

**Khan Bahadur Sarfaraz Hussain Khan** (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, let me, at the very outset, say that I do not approach this question from the financial point of view; I look at this question from the poor man's point of view. To compel the poor and the hungry man to pay two pice instead of one for a postcard is simply unjust. I think you can as well increase the rates on envelopes and telegrams and other things; but in the case of the postcard, I say it is not just. Here in India there are hundreds of thousands of people in the villages who do not know how to write, and so, if you ask them to pay two pice instead of one pice, it is not only two pice that they will have to pay—sometimes they are most of them illiterate and literacy has not advanced very much—but they will have to pay one or two pice more to the people who have to write the cards for them. So that, the poor man will have to pay three or four pice instead of two pice. Therefore, purely with a view to remove the grievances of the poor man, you ought to reduce it; and again, if you reduce the price of the postcard, I am sure the revenue will increase—that is my opinion. For instance, the revenue has been fluctuating from 1916 onwards. In the year 1916-17, the number of postcards sold was 509,800,270. In 1921-22 it was 648,470,982; and in 1925-26, it was 550,648,307. So, it has been fluctuating. It is quite possible that, if you reduce the price from two pice to one pice, there will be greater consumption and the poor people will take to writing postcards more often than at present. If you give them the necessary facilities, by selling these cards at cheap rates and at different places, I am sure, the State will gain. No doubt there may be an immediate loss of about Rs. 70 or Rs. 80 lakhs; but if the Government do not consider this as a business proposition, and if they wish to help the poor people, the labourers, they must reduce the rate. This is a question of capital and labour. You help the capitalists in so many ways, but you don't help the labourer. That is the general impression—that you help the rich, and that you do not care for the poor. That is the real position. My point is: why should you be robbing Peter to pay Paul? Why should you ask the poor people to pay more so that the rich may be benefited? I do not want the Government to lose anything by reducing the rate, but I am sure the immediate loss may be covered by reduction of expenditure and by retrenchment, if necessary. If you continue this high rate, you would not have the blessing of the poor, and there will be discontent among them. From the people's point of view, from the Government point of view, and from every point of view,

I think the unrest here is economic, not only political. If there is agricultural unrest, you know people are poor and starving, and that unrest should not be increased. So I say, that, from the point of view of the Government, from the humanitarian point of view and from the people's point of view, the rate should be reduced. I therefore support the amendment that has been moved, Sir.

(Mr. Amar Nath Dutt and another Honourable Member rose in their places, Mr. President called Mr. Amar Nath Dutt.)

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Let the Honourable Member speak first, Sir.

**Mr. President:** The Honourable Member is called upon to speak. If he does not speak now he will not be called upon again.

**Mr. Amar Nath Dutt:** Sir, a similar amendment stands in my name. I am pretty sure that the eloquent appeal of my old and valued friend, Khan Bahadur Sarfaraz Hussain Khan will not melt the stone heart of the Government Member. We have been seeing, during the last few years, that he keeps two hearts, one the human and the other the governmental. It is our misfortune, Sir, that this demand for reduction in the postal rates which affect the poorest in the country, has to be brought forward, year after year, by the representatives of the people and refused year after year by the Government. The same arguments will be applied here as have been applied to the reduction in the case of postage on letters. But they won't appreciate another cogent argument which ought to influence all human actions if they are to be humane at all. I know of course that Members of Government and the Government which they serve are not humane. Here is a Member, who styles himself Member for the Department of Labour and Industry. It would have been better if that Department had been named Exploitation of Labour. It is not to help labour, it is not to minimise the difficulties of labour, it is not to give them food and clothing, that this Department exists. I do not blame the Honourable Member in charge of the Department personally. He is merely a tool in the hands of a vicious system of administration which he has to carry on which it is his misfortune—I do not know whether he considers it to be a misfortune—but it is his misfortune to carry on. Be that as it may, Sir, it has been said more than once, that if the postal rate is reduced, then we will not be able to meet the expenses of the Department. I ask them, is your military expenditure calculated and budgeted for according to what you get by your expeditions over the North-West Frontier and elsewhere? Do the other Departments of Government realise any money in order to carry on their Departments? Is it only when the poor are to be exploited that these things come in. No doubt I must congratulate the Government on their impartiality in taxing both the rich and the poor. Look at the Income-tax; look at the postal rates; look at the salt duty; look at excise. Whether it is champagne, or whether it is country liquor, you have to pay tax before you can get it. Champagne may be for the rich, and country liquor for poor people, but they are both taxed alike. Whether you earn an income of Rs. 80,000 per year or lakhs or whether you have a poor income of say Rs. 5 or 6 thousand rupees a year, you will be taxed alike. Whether you write from palace to palace or from a city like Calcutta to the Imperial city

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of Delhi, or whether you write from one poor insignificant village to another insignificant village, and even though the writers may be people who can hardly collect together two pice at a time, you are to be taxed alike. So I congratulate the Government on their impartiality in matters like these. But cannot they be a little human and humane in this matter? Sir, I remember the ridicule with which an utterance of mine was received by the Honourable Members on the other side, for my having unfortunately in this House referred to the Golden Age of India, the Vedic Age, when there was no post office in our country. But I am sorry that an Indian Member should have nothing but ridicule for an utterance which refers to the Vedic Age and our glorious past. It is, I suppose, useless for me to remind him of those oft-quoted lines:

“*Laha taba louha lostra o prastar*  
*Hay naba saryata.*  
*Dao sai glaniheen dinguli,*  
*Sai saudhya enan Sai santa sam gun,*  
*Nibar dhanyer musti,*  
*Balkal basan,*  
*Magma hoay atma majhey,*  
*Nitya alochan asimer mahatatsa guli.”*

All these things probably will not be appreciated by my Honourable friend on the other side. The poet says:

“Take back your stones and other symbols of material civilisation. Give us those days when we could think of the higher ideals of life, when we were clad in *balkal* and derived solace by chanting the *vama vedas*.”

**The Honourable Sir Bhupendra Nath Mitra:** A Sudra like my friend over there saying that!

**Mr. Amar Nath Dutt:** I am not a Sudra, I am a Kayastha. The Mitras, Ghoses and Boses were servile enough to accept Kaulinya under humiliating terms, which the Dutts were too independent to accept. These, Sir, are all matters of history. Sir, it was not on the field of Plassey that we were conquered. It is the cultural conquest of the West that is responsible for want of respect for our glorious past, our precious heritage.

**The Honourable Sir Bhupendra Nath Mitra:** Is that relevant to the Finance Bill, Sir?

**Mr. President:** I hardly think it is relevant. The Honourable Member must confine himself to the amendment now before the House.

**Mr. Amar Nath Dutt:** I hope, Sir, that when considering this amendment, and when considering the question of the reduction of postage rates, the Honourable Member will please remember that in the Vedic age there was no post office, and that, if we have it now, it is because we have come under the hypnotic influence of a civilisation which is not our own. In the circumstances I beg to submit that we should try to make the best of a bad case, and to minimise the evils of this modern civilisation of the West. We should try to give at least some facilities to the poor man who were taken away by your very Department, the Department of Labour,

from their homes to far off provinces. They may not have had sufficient food, but they had at least some of the pleasures of life, and in far off exile they ought to have some opportunity at least of communication with their relations at home, whom they have left behind, and whom they may not probably in this life see again. I appeal to the Honourable Member in the name of civilisation, in the name of all that is human still left to us under the present system of administration, at least not to use any argument like the one he used before and not to oppose this little amendment of ours.

**The Honourable Sir Bhupendra Nath Mitra:** Sir, I must begin by expressing my regret that it is not possible for me to accept this proposal for the reduction of the postcard rate, for the simple reason that the financial position of the Department will not permit of such reduction, and that, in the circumstances, any reduction will be against the best interests of the Department and of its customers. I believe that I am correct in stating that my view of the question has the approval of a considerable body of people in this House, and that explains the emptiness of the benches opposite.

Now, Sir, on several occasions before, in this House, I have laid stress on the fact that the primary function of the Indian Posts and Telegraphs Department is to render certain services to the public in the matter of conveying and delivering their letters, mails, telegrams, etc. To meet the cost of these services the Department must naturally levy from its customers certain rates and fees postal, telegraph and telephone; and it has been the consistent view of Government that the yield of these rates should, on the whole, be adequate to meet the expenditure which the Department must incur to maintain the services undertaken by it in a reasonable state of efficiency and development. I was glad to find that this aspect of the case was recognised the other day by the Honourable the Leader of the Opposition—the Leader of my friend, Mr. Amar Nath Dutt—Pandit Motilal Nehru, when he styled these rates as payment for services, and compared them with the charges made by a taxi-driver, and he added that they could hardly be called taxes. Similar views have been expressed in the past by other Members of the opposite Benches, like Mr. Birla and Mr. B. Das of the Nationalist Party.

Now, Sir, my friend, Mr. Acharya, tried to regale us with certain figures. He said that, what was happening in the Department was that the poor man, who contributed to the postal revenue, was suffering at the expense of the rich man who was contributing to the revenue of the telegraph branch of the Department. I shall, for the information of this House, give the correct figures for the postal branch of the Department. In the year 1925-26, there was a profit of Rs. 49 lakhs. In 1926-27, that profit had gone down to Rs. 22 lakhs. By 1927-28 it had gone down to Rs. 4 lakhs; and in 1928-29 there was a loss of Rs. 5 lakhs. In 1929-30 we expect a profit again of Rs. 4 lakhs. Now, Sir, what is the reason of this drop in the figures? I am sure that anybody who has studied the position, and who has listened to what I have said on previous occasions in this House, will fully realise the reason for that reduction in the net profit of the Postal Department.

**Pandit Nilakantha Das:** (Orissa Division: Non-Muhammadan): May I request the Honourable Member to quote the figures for the Postal, Telegraph, Telephone and Indo-European Branches separately?

**The Honourable Sir Bhupendra Nath Mitra:** I have given the figures for the Postal branch of the Department separately, as at the present moment we are discussing the question of reduction of the postal rates. I have pointed out that, according to the budget estimate for 1929-30, the net profit of the Postal branch will be only Rs. 4 lakhs. It was undoubtedly 49 lakhs in 1925-26, but it has gradually gone down, until it stands at the figure of Rs. 4 lakhs in the budget for 1929-30; and I am sure that every Member of this House, who has at all followed the situation, and who has listened to my speeches in the past, knows the reason for that deterioration in the position. Within a couple of months after I took charge of my portfolio I was pressed by my Honourable friends on the opposite side, in particular by Mr. Jinnah, who is not in his seat at the present moment, and by many others who are present here today, to examine personally and sympathetically the outstanding grievances of postal subordinates in various directions, namely, pay and allowances, hours of duty, holidays, uniforms, adequate strength of supervisory staff, accommodation, etc. My Honourable friends opposite will find a string of these given in some of the speeches made in this House on the 12th February, 1925. Luckily for the subordinates, and unfortunately for those who have demanded a reduction in postal rates, I succumbed to the pressure; and I should like to state quite frankly on the floor of this House that I have never regretted the assurance that I gave to this House on the 12th February, 1925. My preliminary examination of the grievances convinced me that there was considerable justification for them, though the demands of the staff had been pitched rather too high, as is not unusual in such cases. I then formulated a policy, which was accepted by the Government of India, and which has been consistently followed in the last four years. I came to the conclusion that it was not in the best interests of the Department, or its customers, that we should try to conserve the relatively small surplus which the Department was likely to produce from year to year, so that, at the end of a long term of years, it might grow to a figure which would permit of a reduction in, say, the postcard rate. I came to the conclusion that the best way of utilising this surplus would be to spend it on developing the service on efficient lines, due regard being paid to economy. To my mind the foremost item in any such development is the amelioration of the conditions of service of the low-paid staff, for unless we get the staff into a reasonable state of contentment, it will be impossible to secure the proper efficiency of the service. As Sir Basil Blackett said in the course of his budget speech last year, we came to the conclusion that priority must be given to the staff; and so far this House has supported us in this conclusion. The House is aware that considerable progress has been made in this direction in the last three years; and the additional recurring expenditure on this account has now reached the neighbourhood of Rs. 50 lakhs a year. The financial position of the Department did not permit of any provision for new measures of this kind being made in the budget for 1929-30; and it is possible, as was suggested by the Honourable Sir George Schuster in the course of his budget speech, that it may no longer be necessary to make heavy provisions of this kind in the future. But the House is also aware, from the answers given by me to various recent questions, that the task is not yet complete. In particular, the strength of the subordinate staff and of the subordinate supervisory staff will have to be re-examined with reference to the recent investigations conducted in regard to time-tests in force in the Department with reference to a Resolution in another place,

and to other investigations which the Department has undertaken. Arrangements will also have to be made for the grant of a weekly day of rest to the staff where they do not now get it, and for the provision of an adequate leave reserve for postmen and inferior servants. The items I am mentioning are the more important ones and are not intended to be exhaustive.

I think my friend, Mr. Acharya, suggested that we might economise on the expenditure of the Department. Now, how are you going to secure this economy? The only way we can secure this economy is by either reducing the staff—and their complaint is that they are already overworked,—or else by reducing the rates of pay, which, under pressure from this House to some extent, I have revised upwards during the last two or three years. Mr. Jogiah I think suggested that, if we reduced the postcard rate, the traffic would go up so much that we should be able to recoup ourselves from the extra revenue received from the extra traffic. I have discussed this matter time after time on the floor of this House in the past, and all I shall do at the present moment is to repeat a passage from my speech in this House on the 16th March, 1928. This is what I said:

"Quite recently I was reading a book called the 'Post Office', by Sir Evelyn Murray, who has been the Secretary to the Post Office in England since the year 1 P.M. 1914. That book deals, on page 29, with this particular matter, whether a reduction in the postage rate in England, for example, to the pre-war level, would result immediately in an increase in the traffic conveyed. This is what he says:

'With booming trade an increase on this scale'

—that is, on a scale sufficient to wipe out the initial loss—

'might perhaps be achieved in ten years, but certainly not in one, and in any case it would entail a heavy increase of expenditure which the enthusiasts'

—like my friend Mr. Mukhtar Singh,—

'conveniently overlook'. That, Sir, is the position."

Now, Sir, another argument which I have heard advocated for the reduction of the postcard rate is that it will help the poor man . . . .

**Mr. President:** What has Mr. Mukhtar Singh got to do with this?

**The Honourable Sir Bhupendra Nath Mitra:** It was Mr. Bhargava. I am very sorry if I have mixed up Mr. Bhargava with Mr. Mukhtar Singh. Another argument which has been advanced in favour of the reduction of the postcard rate is that it will help the poor man. Now, that argument has been discussed threadbare on the floor of this House. Mr. Joshi, than whom there is nobody more capable to speak on behalf of the poor man, has definitely said that a reduction of the postcard rate will not help the poor man. If I were to accept this amendment, Sir, the result would be a loss of revenue to the extent of 90 lakhs of rupees a year to the Department and I cannot possibly afford it. That being so, Sir, I have no option but to oppose the amendment.

**Mr. J. A. Shillidy** (Home Department: Nominated Official): I move that the question be now put, Sir.

**Several Honourable Members:** The question may now be put, Sir.

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

"In Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1896, for the entries under the head 'Postcards' the following be substituted:

"Single—Quarter of an anna.

Reply—Half an anna."

The Assembly divided.

AYES—34.

Abdoola Haroon, Haji.  
 Acharya, Mr. M. K.  
 Ayyangar, Mr. K. V. Rangaswami.  
 Bhargava, Pandit Thakur Das.  
 Das, Mr. B.  
 Das, Pandit Nilakantha.  
 Dutt, Mr. Amar Nath.  
 Dutta, Mr. Sriah Chandra.  
 Farookhi, Mr. Abdul Latif Sahab.  
 Gulab Singh Sardar.  
 Iyengar, Mr. A. Rangaswami.  
 Iyengar, Mr. S. Srinivasa.  
 Jogiah, Mr. V. V.  
 Kelkar, Mr. N. C.  
 Kidwai, Mr. Rafi Ahmad.  
 Lahiri Chaudhury, Mr. D. K.  
 Lalchand Navalrai, Mr.  
 Mitra, Mr. S. C.

Moonje, Dr. B. S.  
 Mukhtar Singh, Mr.  
 Murtuza Sahab Bahadur, Maulvi Sayyid.  
 Naidu, Mr. B. P.  
 Neogy, Mr. K. C.  
 Phookun, Srijut T. R.  
 Bahimtulla, Mr. Fazal Ibrahim.  
 Sarda, Rai Sahib Harbilas.  
 Sarfaras Hosain Khan, Khan Bahadur.  
 Shafee, Maulvi Mohammad.  
 Singh, Mr. Gaya Prasad.  
 Singh, Mr. Narayan Prasad.  
 Singh, Mr. Ram Narayan.  
 Sinha, Kumar Ganganand.  
 Sinha, Mr. Siddheswar Prasad.  
 Yusuf Imam, Mr.

NOES—47.

Abdul Axis, Khan Bahadur Mian.  
 Alexander, Mr. William.  
 Allison, Mr. F. W.  
 Anwar-ul-Axim, Mr.  
 Ashrafuddin Ahmed, Khan Bahadur Nawabzada Sayid.  
 Bajpai, Mr. G. S.  
 Bower, Mr. E. H. M.  
 Bray, Sir Denys.  
 Chalmers, Mr. T. A.  
 Coatman, Mr. J.  
 Cocke, Sir Hugh.  
 Cosgrave, Mr. W. A.  
 Crawford, Colonel J. D.  
 Crerar, The Honourable Mr. J.  
 Dalal, Sardar Sir Bomanji.  
 French, Mr. J. C.  
 Ghazanfar Ali Khan, Mr.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut. Colonel H. A. J.  
 Hira Singh, Brar, Sardar Bahadur, Honorary Captain.  
 Jowahir Singh, Sardar Bahadur Sardar.  
 Keane, Mr. M.  
 Lal, Mr. S.  
 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra Nath.  
 Mitter, The Honourable Sir Brojendra.  
 Mohammad Ismail Khan, Haji Chaudhury.  
 Muhammad Nawaz Khan, Sardar.  
 Mukherji, Rai Bahadur A. K.  
 Mukherjee, Mr. S. C.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rao, Mr. V. Panduranga.  
 Rau, Mr. H. Shankar.  
 Rau, Mr. P. R.  
 Rogers, Mr. P. G.  
 Roy, Mr. K. C.  
 Schuster, The Honourable Sir George.  
 Shah Nawaz, Mian Mohammad.  
 Shillidy, Mr. J. A.  
 Simpson, Sir James.  
 Singh, Rai Bahadur S. N.  
 Stevenson, Mr. H. L.  
 Sykes, Mr. E. F.  
 Webb, Mr. M.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was negatived.

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

That Schedule I to the Bill stand part of the Bill.

**Mr. Fazal Ibrahim Bahimtulla** (Bombay Central Division: Muhammadan Rural): I have got an amendment, Sir.

**Mr. President:** To Schedule I?

**Mr. Fazal Ibrahim Bahimtulla:** Yes.

(Cries of "Withdraw" and "Go on".)

**Mr. President:** Order, order. Mr. Fazal Ibrahim<sup>u</sup> Rahimtulla.

**Mr. Fazal Ibrahim Rahimtulla:** Sir, I beg to move:

"In Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Book, Pattern and Sample Packets' the following be substituted:

'For every five tolas or fraction thereof—Quarter of an anna'."

Mr. President, it appears, at first sight, a little awkward to move any amendment to the Finance Bill after having voted for the expenditure. It means or it gives the appearance that this House wants His Excellency the Governor General to certify the reduction if carried by this House. I therefore desire to make it clear that when we move amendments to the Finance Bill we do not desire that His Excellency the Viceroy should certify the amendment or restore the cut.

**Mr. K. Ahmed:** That is implied.

**Mr. Fazal Ibrahim Rahimtulla:** I will come to that, Mr. Kabiruddin, if you have patience to listen. I will come to the demands for grants. The procedure is this. When the Demands for Grants are discussed in this House, they are not discussed with the intention of having a reduction in those particular grants, but the cuts are moved with the intention of criticising the policy of Government on those particular measures which come here before the House. In the Explanatory Memorandum, Appendix II, (Statement showing the distribution, as between voted and non-voted, of the gross expenditure of the Central Government as shown in the budgets presented to the Legislature), we find that the total expenditure is Rs. 255 crores, whereas we are asked to vote in this House only Rs. 136 crores. If you consider that we should adopt measures which would bring about a responsible opposition, we claim that, the whole of the amount, namely, Rs. 255 crores, should be put before the House for discussion and vote. The question of military expenditure to the tune of Rs. 55 crores is not discussed in this House, and in spite of the repeated requests for reduction by this House, we find a statement in the Memorandum to the following effect:

"It has been decided that, for a period of four years beginning with the year 1928-29 and ending with the year 1931-32, the military budget will be stabilised each year at a figure of 55 crores, to which will be added the amount required, at present estimated at 10 lakhs, to give effect to measures arising out of the Shea Committee."

The House knows perfectly well that, when they want a reduction of expenditure with a view to give relief in the shape of taxation on salt, or in the price of postcards, and other things, their desire is that the whole budget should be put before them in order that they should be able to suggest retrenchments. In this Memorandum it is said:

"The Indian Retrenchment Committee, after their exhaustive examination of every aspect of military administration, recommended that the net budget for 1923-24 should be fixed at Rs. 57½ crores, subject to such addition as would be necessary on account of the delay which must necessarily ensue in carrying out the proposed changes. They considered that, in subsequent years, expenditure would be susceptible of reduction to Rs. 57 crores and ultimately to Rs. 50 crores provided a further fall in prices took place."

This Report is dated 1922-23, and if you want to know whether any fall in prices has taken place, you find the index number in 1922-23 was 176,

[Mr. Fazal Ibrahim Rahimtulla.]

whereas in December 1928 it was 145. Therefore, by bringing in a budget, the majority of which is not voted or not even discussed, except on these grants or cuts, I say you are not justified in saying that we have voted the expenditure and that we cannot bring forward any proposal for reduction of taxation. If we do so, we are told that we are making destructive proposals, or that we want, deliberately by our attitude, His Excellency the Governor General to certify the proposed reduction if carried by this House.

**Mr. K. Ahmed:** All that should have been said in the general discussion.

**Mr. Fazal Ibrahim Rahimtulla:** I will now come to the subject matter of the amendment. The object of my amendment is to reduce the rate from half an anna to quarter of an anna. In this House Members are very keen on the question of primary education. When we give people education, they naturally want to read books and literature if they can get them. But we find that the present rates are very exorbitant, and unless Government consider this question sympathetically, they will be preventing the fruition of the object they have in view by methods of this character. From the figures I have got here, I find that, on a book packet of 10 lbs. from Bombay to Poona the railway freight is 6 annas, whereas by book post the charge is Rs. 2-8-0.

**Mr. A. H. Ghuznavi** (Dacca Division: Muhammadan Rural): Why don't you send the book packet by rail and thereby avail yourself of the cheaper rate?

**Mr. Fazal Ibrahim Rahimtulla:** I am showing . . . . .

**Mr. A. H. Ghuznavi:** You send the book packets by rail to Poona.

**Mr. Fazal Ibrahim Rahimtulla:** Why should I do it?

**Mr. A. H. Ghuznavi:** Why should you not? Because the rail is cheaper, send it by rail.

**Mr. Fazal Ibrahim Rahimtulla:** Why not make the postage cheaper?

**Mr. A. H. Ghuznavi:** Why should they?

**Mr. Fazal Ibrahim Rahimtulla:** I think my Honourable friend, Mr. Ghuznavi, has not understood the point at all, and it is better to keep quiet and not indulge in things that one does not understand. (Laughter). Sir, the question is, a book packet, weighing, 1 pound, has to pay four annas, whether it has to travel from Kalbadevi to Fort (which is Bombay) or whether it has to be carried away from Bombay to Tokiyo or San Fransisco. I mean the postage, people do not consider at all the question of distances. They do not consider at all as to what they should do to help the literacy of India, and in putting forward this proposal, I want the Government of India to understand that they should make an earnest effort in the direction of a reduction of the postcard rate and the postal rates of book packets, and such other things, by putting before this House the whole budget for discussion, and not asking us to vote for 136 lakhs and not to move a reduction in the Finance Bill.

**The Honourable Sir Bhupendra Nath Mitra:** Sir, this matter of the reduction of the book packet rate was discussed by this House in the

year 1925, and it was negatived without a division. My friend Mr. Rahimtulla referred to the competition of the railway. That is not a real competition at all. If a customer finds it cheaper to send a book by railway parcel, the Post Office Department will not grudge the railways that traffic. As it is, the tariff of the Postal Department for book packets, or in other cases, is fixed on quite a different basis from the railway tariff. The postal tariff is uniform for the whole country, based on unit rates for unit weights, with additional rates for addition to the unit weights. Railway freights depend on weights and distances. Further, the service which the post office supplies is quite different from the service which the railway supplies. In the one case, the book packet is delivered at the house of the consignee. In the other case, the consignee has got to go to the railway station to get the article. Now, as a matter of fact, however we might reduce this book packet rate, we cannot possibly approach the railway rates in the case of certain weights. On the other hand, in the case of lower weights, the postal book packet rate is much cheaper than the railway rate. The difference is inherent in the method of fixing of rates adopted by the Postal Department. What I have said will indicate to my Honourable friend that this matter has, in the past, received considerable and careful consideration from the Government of India. Last year Sir Purshotamdas Thakurdas drew attention to the apparent anomaly. Later on he had some correspondence with my Department on the subject and on the 3rd January my Department explained to him the precise position. In reply to that letter, Sir Purshotamdas Thakurdas stated that he noted what the Department had to say and that he would address it later on if necessary. He has not thought fit to address the Department thereafter. I believe he received a copy of the same letter from which my friend Mr. Rahimtulla was quoting. After that he had a discussion with Mr. Sams and myself and apparently decided not to pursue the matter further. If I had to accept the amendment of my friend Mr. Fazal Ibrahim Rahimtulla, the loss of revenue would amount to 26 lakhs a year, and I see no justification for incurring this loss. As a matter of fact, in spite of the increase in the rate in 1921, the traffic in the book, pattern and sample packets has gone up by leaps and bounds. I shall quote certain figures. In 1914-15, the traffic was 60 millions. In 1920-21, it had risen to 67 millions. Between 1920-21 when the rate was raised and 1927-28, it has gone up to 101 millions. That does not show that the traffic had suffered by the increased rate. It is quite possible that certain people do not find it profitable any longer to send their books by the postal book packet and are apt to use the railway parcel system, but that is not sufficient justification for us to sacrifice an annual revenue of 26 lakhs. I hope my friend, Mr. Fazal Ibrahim Rahimtulla, will, on reconsideration, be pleased to withdraw his amendment.

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

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Book, Pattern and Sample Packets' the following be substituted:

'For every five tolas or fraction thereof—Quarter of an anha''

The motion was negatived.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

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

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

“That Schedule I to the Bill stand part of the Bill.”

The motion was adopted.

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

“That Schedule II to the Bill stand part of the Bill.”

**Mr. Mukhtar Singh** (Meerut Division : Non-Muhammadian Rural): I beg to move :

“In Part I of Schedule II to the Bill the following be added to entry A (1) . . .”

**Mr. President:** Which amendment is that?

**Mr. Mukhtar Singh:** No. 24, Sir.

**Mr. President:** I understand that the other amendments are not moved?

**Mr. V. V. Jogiah:** Mr. Amar Nath Dutt is not here. Can I move his amendment?

**Mr. President:** Under what Standing Order?

**Pandit Thakur Das Bhargava:** I have got an amendment, Sir.

**Mr. President:** The Honourable Member does not rise. What is to be done?

**Pandit Thakur Das Bhargava:** I beg to move :

“That in Part I-A of Schedule II to the Bill the words ‘Hindu undivided family’ be omitted.”

**Mr. President:** Is not that practically the same thing that we had the other day?

**Pandit Thakur Das Bhargava:** No, Sir.

**Mr. President:** What is the difference?

**Pandit Thakur Das Bhargava:** So far as the previous amendment was concerned, it related to the manner in which I proposed that the Hindu undivided family should be assessed, and what the total income of each member of such family should be deemed to be, but that amendment did not suppose that the Hindu undivided family was to be taxed, though by that amendment I sought to define the method and total income of the family which was to be taxed. Whereas, according to this amendment, I want the words “Hindu undivided family” to be deleted, from which it would follow that no Hindu undivided family should be taxed.

**Mr. President:** You don't want a Hindu undivided family to be taxed at all?

**Pandit Thakur Das Bhargava:** Yes, Sir.

**Mr. President:** Whether the income of the family is 2 lakhs or ten lakhs or five lakhs?

**Pandit Thakur Das Bhargava:** Yes, Sir, that is my intention.

**Mr. President:** Sir George Schuster.

**The Honourable Sir George Schuster:** Sir, I was in doubt myself as to what the intention of the amendment was. I had interpreted it in the same way as you, Sir, that it was intended to provide that the members of a Hindu undivided family should be assessed as individuals, and that, therefore, the Hindu undivided family, as such, should not be assessed. I had not understood that my Honourable friend intended to propose complete exemption from income-tax for all individuals who are members of a Hindu undivided family, and I suggest that, if that is his intention it is a frivolous amendment.

**Pandit Thakur Das Bhargava:** Whether the amendment is frivolous will be judged by the House.

**Mr. President:** Does the Honourable Member admit that it is frivolous?

**Pandit Thakur Das Bhargava:** Not in the least. My amendment is that a Hindu undivided family, as such, should not be taxed.

**Mr. President:** That is, that individual members of a Hindu undivided family should not be charged income-tax?

**Pandit Thakur Das Bhargava:** Yes, as individuals.

**Mr. President:** Then the objection raised by the Honourable Finance Member must prevail. We have already discussed the question whether the unit for the purpose of income-tax should be a Hindu undivided family or a member of it, and this House, by rejecting the amendment of the Honourable Member, has already decided that a Hindu undivided family should be the unit and not each member thereof, and therefore any amendment which seeks to fix responsibility on individual members of a Hindu undivided family is out of order. I therefore rule that the Honourable Member's amendment is out of order.

**Sardar Gulab Singh (West Punjab: Sikh):** I move, Sir, that:

"To Part I-A of Schedule II to the Bill, after the words 'not being a registered firm or a company', the following be added:

'and every company and registered firm'

and Part I-B of Schedule II to the Bill be omitted."

If Honourable Members just inspect the rates of income-tax, they will find included in "A", "the case of every individual, Hindu undivided family, unregistered firm and other associations of individuals not being a registered firm or a company." In this "A" you find that only registered firms and companies are left out. Of course this gives a chance to the persons who start companies to escape the payment of registration fees to the Registration Department, besides other expenses, and so they

[Sardar Gulab Singh.]

don't get their associations registered. It is a patent fact that registered societies and companies command more respect, more confidence, and attract more capital, as they have got a certain responsibility imposed upon them to submit their balance sheets and all accounts annually. The people have more confidence in them, and in this way, Sir, more capital is attracted. But they find that, if they have their association disturbed, they have to incur several kinds of expenses, and besides that, Sir, all these unregistered firms and associations are exempted from the payment of income-tax on an income of less than Rs. 2,000. And besides, from the very beginning of their existence, registered companies have to pay one anna and six pies per rupee, even if they have an income of one rupee.

So, in this way, these rates stand in the way of forming companies or starting associations. These different rates of income over these two different kinds of societies have hit very hard the formation of new companies. I think if these restrictions are removed, and if all these different rates, that at present apply to companies, are done away with, then more companies will be started, and thus the income of Government also will be increased. I have experienced all these difficulties myself in starting my company. When we start a company, in the beginning a great deal of expenditure has to be incurred in this way and that way, for payment of registration fees, and several other expenses have to be borne by the promoter of the company. So, I think the rates of income-tax should be the same in all cases, and if you add the words "and every company and registered firm" to part A, and if you omit part B, then my object is gained. Sir, I move.

**The Honourable Sir George Schuster:** Sir, I think my Honourable friend is under some misapprehension as to the way in which the burden of income-tax falls upon a registered company. To accept his amendment would be completely to upset the whole of the system on which the Indian income-tax is based. There is no hardship of the kind which he imagines. In the case of a company, a registered company is taken as a unit of assessment and the income-tax at the rate of one anna and six pies is deducted from the total income of the company before any distribution is made among the shareholders. But the individual shareholder can then recover the income-tax which has been paid. If the individual shareholder, who receives a dividend from a company, has a total income which is below the limit of exemption, he obtains a total refund of the tax. If his income is of a slightly higher level but one not taxable at the maximum rate, he is entitled to a refund according to that rate. Therefore, if a registered company is formed by a number of poor people, each of whom has a total income of less than the minimum rate for income-tax, in effect that company pays no income-tax at all, and if the change which is recommended by my Honourable friend is introduced its position would be much worse than it is under the present law. Sir, I do not think it is necessary for me to say anything more on the subject. I believe, if I could have five minutes talk with my Honourable friend, I could explain to him the system of income-tax, and convince him that the taxation on registered companies under the present system does not in fact constitute any injustice and indeed is the only practicable system:

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

"To Part I-A of Schedule II to the Bill, after the words 'not being a registered firm or a company', the following be added:

'and every company and registered firm'  
and Part I-B of Schedule II to the Bill be omitted."

The motion was negatived.

**Mr. Amar Nath Dutt:** Sir, I beg to move:

"In Part I-A of Schedule II to the Bill for entries (1) and (2) the following be substituted:

'(1) When the total income is less than Rs. 5,000 . . . NW'  
and the following entries be renumbered accordingly."

Sir, in moving this amendment, I have very few words to say. The minimum income that is assessable in India is Rs. 2,000 per annum, at the present moment. Considering the rise in prices and also considering the fact that the income that is at present earned by the poor middle classes is so low that they can hardly keep body and soul together on it, it is advisable that their income should not be taxed. The poorer middle classes earn not more than Rs. 4,000 or Rs. 5,000 per annum and their income should not be taxed by any civilised government, much less by a Government which is alien. Sir, it is only to give relief to that section of the poor middle classes who have to live on a bare income of Rs. 4,000 or Rs. 5,000 a year, that I am appealing to the House. People who earn an income which runs up to five or six figures per annum will probably not realise the difficulty of that section of the poor middle class gentry of our country. But if they have the heart to understand the difficulty, they will realise that these poor middle classes have to educate their children and send them to good colleges, and also they have to marry their daughters in good families. Now, Sir, unfortunately in this country this income is not even sufficient for giving ordinary food and education to the children, and when you remember that, under our social customs, they have to pay large dowries, no less than Rs. 15,000 or Rs. 20,000, to get the girls married, it is hardly possible for a man of this class, earning Rs. 4,000 or Rs. 5,000 per annum, to give a decent education to his boys, or to get a suitable boy for his daughter. If they really know the social conditions under which the poor middle classes have to live at the present day, and if they consider all the circumstances, I think the House will agree to the amendment which stands in my name. Sir, the ordinary food and clothing which can keep a man in this world comes to not less than Rs. 90 or Rs. 40 per month. That being so, an ordinary family, consisting of eight or ten members, can hardly live on Rs. 400 or Rs. 500 a month. Sir, we are not like those who, as soon as they are grown up and find some comfortable berth in life, get themselves separated from their parents and from those who are dependent upon them. I am speaking especially of the Hindu joint family system, where we believe it to be our duty to maintain our parents, not only our old parents, but also our widowed sisters and even the sons of widowed sisters. This being the case, I think that people who really have any knowledge of the peculiar conditions under which the poor middle class gentry of this country have to live will at least not think of taxing people with such small incomes as Rs. 400 or Rs. 500 a month.

[Mr. Amar Nath Dutt.]

They have also another difficulty. I have attempted to point out, times without number, in fact I have introduced a Bill which could not be passed in this House composed as it is at present, I have pointed out that if they have got any Government promissory notes which bring them Rs. 1,000 or Rs. 2,000, those promissory notes are taxed at the maximum rate, and then refund is allowed to them if they can prove that their income is less. Now, Sir, all these are very difficult processes, and in fact it is almost impossible to get a refund from the income-tax office. In fact, there was a circular for anticipatory certificates. If Honourable Members, who occupy high positions here, care to inquire about the way in which these anticipatory certificates are granted, they will be convinced that it is more than useless to have these anticipatory certificates. Because I know that lawyers earning very small incomes of Rs. 300 or Rs. 400 a month, when they apply for anticipatory certificates for a few thousands of rupees worth of Government promissory notes, are denied those certificates on the plea that their income is liable to fluctuation. That is the lot, and that is the fate of the poor middle class gentry. In fact, I can say this without being contradicted, that more than 80 per cent. of the people who are entitled to a refund, do not get the refund, or do not get an opportunity of applying for refund. Supposing, Sir, there is a widow living in a village who has an income from some agricultural sources which is not taxable, how can she come and apply for the refund of income-tax deducted from the interest of Government promissory notes unless she is prepared to satisfy the itching palm of the subordinates of the department? Unless she does so, she will not be given any refund at all. Even in the case of Government servants holding the position of Deputy Magistrates or Munsifs, they will not care either to get the necessary certificate or to apply for the refund, considering all the difficulties they will have to undergo. Or they may be transferred from, say, Calcutta to some other place, and it may not be possible for them to apply for the refund from the new station. I know there are at least several instances in which people earning Rs. 400 or Rs. 500 or Rs. 800 a month do not apply for refund at all. Considering all these circumstances, I think some relief will come to the middle class people if the minimum assessable income is made Rs. 5,000. I would have gone up even to a higher figure; but considering that the Government is bent upon having an income-tax, and considering the poor income of the people of the country, I think Rs. 5,000 is sufficient, at least under the present circumstances.

Sir, I appeal to every member of this House to consider the reasonableness of the amendment which I have put on the paper. The middle class gentry are the backbone of the country; and if you do not accept this amendment, they will have to submit to the income-tax of course, as they have submitted to it so long, as they have submitted to the salt tax or to the postal rates. If a man is getting Rs. 400 per mensem, you take away Rs. 40 or Rs. 50 in the shape of income-tax, Rs. 30 or Rs. 40 in the shape of postage stamps and Rs. 40 or Rs. 50 for salt, thus leaving practically nothing for him. Poor man, he complains that he could not purchase any necessary thing, because he has to pay so many taxes, and he has nothing left with him. That is what he says. Considering all these circumstances, I think it is very cruel to have incomes below Rs. 5,000 assessed to income-tax.

**Mr. K. Ahmed:** I would pay the price of the umbrella first.

**Mr. Amar Nath Dutt:** My Honourable friend wants to tax the umbrella. Let him tax it.

**Mr. K. Ahmed:** Pay for the umbrella first.

**Mr. Amar Nath Dutt:** I do not know, Sir, what arguments will be adduced by the Honourable the Finance Member who will oppose this amendment. But it appears to me cruel that an amendment like this should be opposed. I think I should not waste the time of the House (*Mr. K. Ahmed:* "Hear, hear".) by saying anything, save and except this: I appeal to the generous feelings of the Members of this House towards the poor of this country, and I appeal to them to accept this amendment.

**Mr. V. V. Jogiah:** Sir, there is a widespread impression that, when once a tax is levied in this country that tax is not abolished or even reduced, whatever might be the promises made at the time when the tax was imposed. On the other hand, the contrary process of increasing it from time to time has been in evidence. This may be said to be true of the income-tax and also of duties such as those on salt. Income-tax was imposed in the year 1886 to meet a deficit of 2 millions sterling. This deficit resulted on account of the cost of the frontier defence. Since then, it has not been reduced, though there were prosperous budgets.

It is said, Sir, that there are two features of this income-tax which are, more than others, open to serious objection.

**Mr. President:** Come to the amendment.

**Mr. V. V. Jogiah:** I will come to it now, Sir. One is that the taxable minimum is too low, and the other is that the method adopted by the assessing staff has the effect of making the tax fall on people who do not even earn the taxable minimum. So far as the first grievance is concerned, even accepting Income-tax as an inevitable evil which people cannot help putting up with, what people want is the raising of the present taxable minimum. Once the taxable minimum was at Rs. 500, thereafter it was raised to Rs. 1,000, and then to Rs. 2,000. I submit, Sir, the time has arrived when the taxable income should be raised at least to Rs. 5,000. The minimum was raised to Rs. 2,000 years ago, and since then much water has flown under the bridge, and it is time that the minimum should be raised. Prices have risen by three or four times what these were before, and the standard of living has also considerably advanced. There is thus no doubt that, unless the taxable minimum is raised, people, especially the middle class people, will suffer considerably.

In this connection, Sir, I need make no apology for quoting a few sentences from the speech of a European Member, the Honourable Mr. Turner, in the Imperial Legislative Council in the year 1902. He stated from his place in the Council in March 1902 as follows:

"Income-tax, when re-introduced into India in 1886, was imposed to meet a deficit of over £2 millions sterling. It was then absolutely necessary for all classes to meet that deficit towards what was practically a national defence fund; in other words, to pay for Frontier defence. But, my Lord, the time has arrived when it is unnecessary to tax what I might almost call the 'impoverished' class. There is no doubt that the cost of living, especially in towns has very greatly increased since 1886 and the native clerk who has to maintain himself and his family and to keep up a respectable appearance on a very limited income finds income-tax to press upon him in a manner

[Mr. V. V. Jogiah.]

that few of us can realise. Not only do these men suffer, but there are a number of pensioners and widows in receipt of pensions to whom even the small amount deducted on account of income-tax tells more heavily. I would therefore earnestly beg the Government of India to take into consideration the question of raising the limit of the income-tax from the present figure of Rs. 41-10-8 per mensem or say Rs. 500 per annum to Rs. 100 per mensem or say Rs. 1,200 per annum. The loss to Government would be somewhere about 40 lakhs of rupees—an amount scarcely noticeable in the improving resources of the country. I believe it to be perfectly true that native employees with limited incomes experience as much difficulty in making both ends meet as do the unfortunate people in England, who also suffer from the same thing."

It was also stated during the course of that debate that the taxable income in England at the time was £160, which, according to the present calculation, comes to about Rs. 2,133. That is, in fact, the taxable minimum which at present exists in this country, being a little less, *viz.*, Rs. 2,000. Sir, India is well known for its poverty, and compared to it England is undoubtedly by far the much richer, and yet the taxable minimum in both countries is the same. This, I submit, Sir, is quite unjust. Another matter for remark is that an Indian who has an income per month of Rs. 175, that is, the taxable minimum, has generally dependent on him a large family in which the bread winners are few. He has to feed the members of the family, their wives and children, provide them with a house to live in, and meet all sorts of charges such as those for marriages, *shradhs*, and such other inevitable expenses. One may call this improvident; one may say that all this should be changed; but we have to take society as we find it. Society must be taken as it is with all its faults. In these circumstances, I submit, Sir, that expediency, urgency, justice, and generosity, alike, require that the taxable minimum should be raised. With these words, Sir, I support the amendment.

**The Honourable Sir George Schuster:** Sir, it is possible to make out a convincing case against almost any tax. We have listened here to very eloquent pleas from my two Honourable friends who have just spoken on behalf of the very poor. I confess I was somewhat surprised to find them pleading with almost equal heat, the cause of the middle classes. I listened to the arguments in favour of the very poor with much greater sympathy than to the arguments which they have just advanced. I regret, Sir, that I must oppose this motion on the ground that it is impracticable. The net loss to the Government, if the income-tax laws were amended in this way, would be 141 lakhs of rupees per annum. I do not think that any case has been made out for this relief. The Taxation Inquiry Committee examined the matter and reported that, on the whole, it would be best to stick to the existing limits. If we compare this country with other countries—in England, for example, the limit of exemption is lower than it is in India. If we take the index numbers and compare the level of taxation as it stands today—its effective level—with the level at which it stood, say, 25 years ago, we find that, while in 1903 the limit was Rs. 1,000 it stands today at Rs. 2,000. On the basis of the index numbers those incomes are about the same. Therefore I do not think, apart from the ordinary arguments which, as I say, can be adduced against almost any tax, there are any special arguments against this particular form of taxation, and, having regard to the very large sum of money that will be involved in extending this exemption to so high a level, I must oppose the amendment on behalf of Government.

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

"In Part I-A of Schedule II to the Bill for entries (1) and (2) the following be substituted:

'(1) When the total income is less than Rs. 5,000 . . . Nil'  
and the following entries be renumbered accordingly."

The motion was negatived.

**Mr. Mukhtar Singh:** Sir, I beg to move:

"In Part I of Schedule II to the Bill the following be added to entry A (1):

'But in case of a joint Hindu family when the total income is less than Rs. 4,000 . . . Nil'

and consequential amendments be made in A (2)."

Sir, since 1927 I have been moving a similar amendment every year; and I am glad to notice that public opinion is coming round to my view. I hope, Sir, this time I shall convince the House that my amendment is a very reasonable one. I would submit, Sir, that in the first place, it may seem that I want more favourable treatment to be meted out to the Hindu family than to other individuals in the country. I would have been very glad, Sir, if the amendment moved by my Honourable friend Pandit Thakur Das Bhargava had been carried; but unfortunately that was opposed, I do not want any special treatment for the Hindu joint family, but I want that Hindus should be treated like other individuals in the country. If a Muhammadan or a Christian pays an income-tax simply in his individual capacity, why then in the same way should not the individual members of the joint Hindu family be taxed? The joint Hindu family, as such, should not be made a unit for the sake of taxation. It was pointed out that it seems to be necessary that an amendment of the Income-tax Act should be made on that score, and that was the chief reason why the amendment of my friend, Pandit Bhargava, was not accepted. Till such time as an amendment is brought forward by the Honourable the Law Member, I hope, Sir, this amendment of mine will be carried. My reasons for proposing it are that a Hindu joint family should consist of at least 2 members, otherwise it will not be a joint Hindu family at all. Let us suppose that a Hindu joint family consists of only two members, then the income of an individual member comes to only Rs. 2,000. In that case we shall be taxing practically an individual member who has an income of Rs. 2,000. If the joint Hindu family consists of more than 2 members, even then, Sir, they will be taxed on a much lesser income than Rs. 2,000 each. So it is not in any way a favour that is sought under this amendment for the Hindu joint family. Rather I have put the case on a very reasonable ground, considering that the joint Hindu family consists only of 2 members. I would submit, Sir, that by carrying this amendment, we shall be giving some relief to the members of a joint Hindu family, because as the matter stands today, the lowest income of a joint Hindu family, irrespective of the fact of how many members there are in the family, which is taxed is Rs. 2,000. We find, Sir, that in the case of Hindus also there is a differential treatment meted out to the Hindu joint family. You know, Sir, that the *Dayabagha* school of Hindu law does not recognise the joint family. In the same way the customary law of the Punjab does not recognise the joint family. It is only

[Mr. Mukhtar Singh.]

the joint family recognised by the *Mitakshara* law that is penalised by the Income-tax Act. The reasonableness of this argument, Sir, has been practically accepted in the case of Super-tax and the Government have been forced to raise the figure to Rs. 75,000 for taxation purposes in the case of a joint Hindu family. I submit, therefore Sir, that in the case of a joint Hindu family, no such family should be taxed unless the joint income is more than Rs. 4,000 a year. With these words, Sir, I move the amendment.

**Pandit Thakur Das Bhargava:** Sir, when I moved my amendment last time, I received a shower of sympathy from the various gentlemen who spoke; and the Honourable the Law Member was pleased to say that he was sympathetic towards this amendment; but as the amendment was not incorporated in any Bill he was unable to support it. In fact I perceived from the moment I saw the Finance Bill in the first year of this Assembly, that, as a matter of fact, the Hindu joint family was penalised and quite unreasonably so. From that time, Sir, I have been making an attempt to bring this matter before the Assembly, and last time when this question was being mooted, it was suggested that an amendment by way of a Bill would be better. I sent in a Bill also which proceeded on the lines on which this amendment has proceeded. But unfortunately that Bill was not received favourably by the Government, and the Government did not accord their sanction to the Bill. I am glad, however, that the Honourable the Law Member, on the last occasion, gave an undertaking that, if the Bill came from a more responsible quarter, that is, from the Honourable Mr. Jayakar, then he would receive the Bill favourably. I have not the least doubt that Mr. Jayakar will certainly put his name on the Bill which I sent and that the Government will then be pleased to accord their sanction to it in due course. . . .

**The Honourable Sir Brojendra Mitter** (Law Member): Sir, I gave no undertaking.

**Pandit Thakur Das Bhargava:** If I am mistaken, Sir, in saying that an assurance was given, then my case becomes all the stronger. It means that, when an amendment of this character is brought up before this House, the Honourable Member rises and says that, if it comes in the shape of a Bill, it is very likely to be accepted, but as soon as a Bill is sent, then the Bill is not accepted. From that it follows that we have got no means whereby we can ventilate this grievance; and therefore it becomes the greater duty for this House to consider the question in a more favourable way.

Now, Sir, I would have been very glad if the Honourable the Law Member, or any Member of the Government, had tried to meet this case which was put forward in the House. On the contrary, Sir, it was said that the civil aspect of this question was viewed with sympathy. From that I concluded that the reasons which we advanced for the acceptance of the amendment were accepted by the Government Benches. I do not want to review all those reasons again, but I would say that this amendment is not the right remedy for the disease; it is in the nature of a palliative; we want and we insist that the Hindu undivided family, as such, should not be penalised or taxed. We want that every Hindu. . .

**The Honourable Mr. J. Orerar** (Home Member): Is this relevant to the motion before the House?

**Pandit Thakur Das Bhargava**: I have not been able to catch what fell from the Honourable the Home Member.

**Mr. President**: The Honourable Member is talking about what he would like to have and not what he wants by this amendment.

**Pandit Thakur Das Bhargava**: I was simply submitting, Sir, that this amendment is a palliative and it was in connection with that that I submitted that the remedy lay somewhere else. But, Sir, if the real remedy cannot be had, it is no reason why we should not have the palliative. This amendment only says that no Hindu undivided family should be taxed unless the family has an income of at least Rs. 4,000. As has been just pointed out, there can be no Hindu undivided family unless it has at least two members; therefore it follows that if we accept this amendment, the position of every individual Hindu is only brought down to the level of every Muhammadan or Christian. If the members are more in number, still the unequal treatment in this matter remains. This particular amendment has got the merit of asking for the minimum; and if it is not accepted, then the injustice that I have been talking of on the last occasion will be perpetuated. The merit of this amendment, Sir, has been recognised in the other provisions of the Finance Bill, i.e., in the provisions relating to the super-tax. If this theory of an individual being equal to an undivided Hindu family is correct, I want to know what justification there is for making a distinction between them in the matter of super-tax; and if that distinction is justifiable, what justification is there for not allowing that very distinction in the case of the poorer Hindu undivided family? In the case of those liable to super-tax, though more tax is collected, still they can bear it. But in the case of the ordinary Hindu undivided family, the incidence of taxation becomes unbearable. A moment before, we had an amendment to the effect that the taxable minimum be increased to Rs. 5,000, and I was rather amused at the manner in which that amendment was pressed before this House. As a matter of fact, Sir, if an undivided Hindu family consists of five members, it follows that the person who earns Rs. 35 a month is taxed. I submit that, if the Finance Bill, in its present shape, is allowed to be passed, this Bill will be opposed to all justice, because, as has been just pointed out by the Honourable the Finance Member, the taxable minimum for Indians is Rs. 2,000, whereas in the case of a joint Hindu family, it is this Rs. 2,000 divided by the number of members composing that family. (*An Honourable Member*: "Hear, hear".)

Similarly, Sir, I would submit that, in this country, unless you have uniformity of taxation, you cannot say that you are doing the right thing. If, in this matter of taxation, you have got differentiation, I do not know in what other matter you will be able to secure equality to any person. We have heard so much about the rights of minorities and others who feel that the majority communities will tyrannise over them. Now what about the majority community in this matter, especially the Hindu majority which consists of 24 crores of people who are suffering under an inferiority complex? What is the reason for taxing them at a rate which is not taxable in the case of people other than Hindus? The reason is only

[Pandit Thakur Das Bhargava.]

that the Hindus are disorganised, that the Hindus do not assert themselves. I feel, Sir, that the poll tax or capitation tax could not be more hateful or invidious than this tax, which regards the Hindu joint family as a thing which should not exist. The indirect result of this tax is that Hindu joint families are being disorganised, and litigation crops up in Hindu families as a result of this invidious distinction.

I therefore submit, Sir, that this double capacity, of which Sir Basil Blackett spoke on the last occasion, should be eliminated. We do not want that the Hindus should have two characters, one as an individual and the other as a member of an undivided Hindu family. There should be only one character and these feudal types of taxation should be eliminated and the more civilised type should be accepted, that is, the individual as the basis of taxation and not the undivided Hindu family. In no other sphere of life is the Hindu joint family recognised as a unit; it cannot sue and it cannot be sued; and in other matters it is not recognised as a unit. There were times when clans and communities and castes or families were regarded as units and they were fined as units; but now it cannot be said that they are so regarded; and they should not be so penalised. Under these circumstances I would submit, Sir, that it is not true to say that it is only in respect of *Mitakshara* families that there is this distinction. As a matter of fact every undivided Hindu family, be it under the *Mitakshara* or the *Dayabagha* system, is taxed alike, and in spite of the fact that a Hindu carries within himself the keys of separation of the family, still the family is taxed, and in a manner which is not justifiable. I therefore support this amendment.

**The Honourable Sir George Schuster:** Sir, this question of the system of taxing a Hindu undivided family has already been debated at some length in the course of the last few days. I therefore do not wish to enter at length into all the arguments that have been advanced. But there are two points on which I wish to touch, Sir. One is a question relating to a point of order. The last speaker dealt with some remarks which fell from my Honourable colleague the Law Member, comparing the position if a proposal of this kind had come forward in the form of a separate Bill, with the position when it comes before us as an amendment to the Finance Bill. Sir, on the occasion of a previous debate, when this House was, for the time being, unfortunately deprived of your presence, a point of order was raised from the Government Benches as to a preceding amendment, which dealt with something analogous to this,—an alteration of the system of assessment for taxation, and the point was made that a question of that kind could not be dealt with on an amendment to the Finance Bill on the ground that it was a question, not of altering the rates of taxation, but of altering the system of assessment. When I spoke on that matter, Sir, I said that the Government would not wish to burk discussion on a matter which was of interest to the House merely on a technical ground, but I did submit that in cases of taxation, it was inappropriate that they should be raised as amendments to the Finance Bill. I ventured to point out, Sir, that the sort of discussion which was possible in connection with the Finance Bill did not give a proper opportunity to study intricate questions of taxation. I compared the procedure which was available in the case of a Bill, where it is possible to have a Select Committee, and to conduct an elaborate departmental inquiry, and to circulate a Report of a Select Committee

for opinion outside. I think we have had an example in the case of the amendments dealing with the present Schedule of the dangers of attempting to legislate about taxation in the form of amendments to the Finance Bill. One of the amendments proposed was that the members of a Hindu undivided family should be assessed separately. I believe, Sir, that if that amendment had been passed, the effect of that amendment, combined with the effect of section 14 (1) of the Indian Income-tax Act, would have been to exempt all Hindu members of an undivided family from all income-tax of any kind. At least it would have created a very difficult case for interpretation by the Courts. I merely mention this as reinforcing my argument that there is a danger in what I might, without wishing to be derogatory in any way, describe as amateur legislation on matters of taxation.

Then, Sir, on the question of the merits of the case, I feel we must recognise, on this side, that in a Hindu undivided family, we are dealing with a social unit of a special nature, and that it is a unit which is difficult to fit into the present system of taxation. After very careful consideration a system had been adopted for fitting it into the income-tax provisions. I do not think any one on this side would deny that that system works out on occasions in an anomalous fashion, but I do not think that the justice is all on one side, or rather that the complaint lies in all cases on one side. We always have examples quoted of a Hindu undivided family as though it consisted of four or five "bread-winners", whose salaries are all lumped together and therefore become liable to taxation to which they would otherwise not have been liable. But it must very often happen that a Hindu undivided family takes the form of a family with one bread winner and a number of dependants. That would be exactly the same as a Muhammadan family, and there is no reason, as far as I can see, why, in that case, the limit of exemption from income-tax should be higher than in the case of other families. I quite admit that cases of injustice may arise, where there are, as I say, two or three bread winners working independently, whose incomes, according to the law now, have to be added together for the purposes of assessment. From my own short acquaintance with the subject, I should say that the present system rather tends to give an undue relief to the richer families and to fall very often in an unfair way on the poorer families. I do not think that the last word has been said on this subject, and it is quite possible that, when the question of a general revision of the income-tax law comes up, this question of dealing with a Hindu undivided family will be a question which might appropriately be considered. But I do submit, Sir, that it raises very complicated issues which cannot be properly dealt with in the sort of debate which is possible on an amendment to the Finance Bill. The present amendment is one which seeks to raise the limit of exemption from income-tax to Rs. 4,000. The effect of that, I am told, according to our calculations, would be a loss to the Government of just under Rs. 18 lakhs a year. It is not a very large sum, but it is a sum which we cannot afford to lose just at the moment. Therefore, Sir, on these grounds I regret to say that I must oppose this amendment at the present stage.

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

"In Part I of Schedule II to the Bill the following be added to entry A (1):

'But in case of a joint Hindu family when the total income is less than Rs. 4,000 . . . . . Nil'

and consequential amendments be made in A (2)."

The Assembly divided :

AYES—36.

Acharya, Mr. M. K.  
 Bhargava, Pandit Thakur Das.  
 Chunder, Mr. N. C.  
 Das, Mr. B.  
 Das, Pandit Nilakantha.  
 Dutt, Mr. Amar Nath.  
 Dutta, Mr. Srish Chandra.  
 Farookhi, Mr. Abdul Latif Saheb.  
 Gulab Singh, Sardar.  
 Haji, Mr. Sarabhai Nemochand.  
 Iswar Saran, Munshi.  
 Iyengar, Mr. A. Rangaswami.  
 Iyengar, Mr. S. Srinivasa.  
 Jayakar, Mr. M. R.  
 Jogiah, Mr. V. V.  
 Kelkar, Mr. N. C.  
 Lahiri Chaudhury, Mr. D. K.  
 Lalchand Navalrai, Mr.  
 Malaviya, Pandit Madan Mohan.

Mitra, Mr. S. C.  
 Moonje, Dr. B. S.  
 Mukhtar Singh, Mr.  
 Murtusa Saheb Bahadur, Maulvi  
 Sayyid.  
 Naidu, Mr. B. P.  
 Nehru, Pandit Motilal.  
 Neogy, Mr. K. C.  
 Phookun, Sriji T. R.  
 Rang Behari Lal, Lala.  
 Roy, Mr. B. C.  
 Sarfaraz Hussain Khan, Khan Bahadur.  
 Singh, Kumar Ranajaya.  
 Singh, Mr. Gaya Prasad.  
 Singh, Mr. Narayan Prasad.  
 Singh, Mr. Ram Narayan.  
 Sinha, Kumar Ganganand.  
 Sinha, Mr. Siddheswar Prasad.

NOES—53.

Abdoola Haroon, Haji.  
 Abdul Aziz, Khan Bahadur Mian.  
 Ahmed, Mr. K.  
 Alexander, Mr. William.  
 Allison, Mr. F. W.  
 Anwar-ul-Azim, Mr.  
 Ashrafuddin Ahmed, Khan Bahadur  
 Nawabzada Sayid.  
 Bajpai, Mr. G. S.  
 Bower, Mr. E. H. M.  
 Bray, Sir Denys.  
 Chalmers, Mr. T. A.  
 Chatterjee, the Revd. J. C.  
 Costman, Mr. J.  
 Cocke, Sir Hugh.  
 Cosgrave, Mr. W. A.  
 Crawford, Colonel J. D.  
 Crear, The Honourable Mr. J.  
 Dalal, Sardar Sir Bomanji.  
 French, Mr. J. C.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut.-Colonel H. A. J.  
 Hira Singh, Brar, Sardar Bahadur,  
 Honorary Captain.  
 Jowahir Singh, Sardar Bahadur  
 Sardar.  
 Keane, Mr. M.  
 Lall, Mr. S.  
 Lindsay, Sir Darcy.  
 Mitra, The Honourable Sir Bhupendra  
 Nath.

Mitter, The Honourable Sir  
 Brojendra.  
 Mohammad Ismail Khan, Haji  
 Chaudhury.  
 Muhammad Nawaz Khan, Sardar.  
 Mukharji, Rai Bahadur A. K.  
 Mukherjee, Mr. S. C.  
 Rahimtulla, Mr. Fazal Ibrahim.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rajan Bakhsh Shah, Khan Bahadur  
 Makhdum Syed.  
 Rao, Mr. V. Panduranga.  
 Rau, Mr. H. Shankar.  
 Rau, Mr. P. R.  
 Rogers, Mr. P. G.  
 Roy, Mr. K. C.  
 Schuster, The Honourable Sir George.  
 Shah Nawaz, Mian Mohammad.  
 Shillidy, Mr. J. A.  
 Simpson, Sir James.  
 Singh, Rai Bahadur S. N.  
 Stevenson, Mr. H. L.  
 Suhrawardy, Dr. A.  
 Svkes, Mr. E. F.  
 Webb, Mr. M.  
 Yakub, Maulvi Muhammad.  
 Yamin Khan, Mr. Muhammad  
 Young, Mr. G. M.

The motion was negatived.

**Mr. Mukhtar Singh:** I beg to move :

"In Part I of Schedule II to the Bill the following be added to entry A (1) :

'But in case of a joint Hindu family when the total income is less than  
 Rs. 3,000 . . . N7.'

and consequential amendments be made in A (2)."

I do not want to make a speech on this occasion because the arguments that I have put forward are practically the same in this case also.

**Mr. K. Ahmed:** Then what is the use?

**Mr. Mukhtar Singh:** The use is quite clear. If you are taxed and if you are a poor Hindu family you will know what it means. The Honourable the Finance Member has admitted that the Income-tax Act, as it stands today, hits hard the poor Hindu families, and I would submit that, when I have reduced the limit from Rs. 4,000 to Rs. 3,000, he will agree with me and support the amendment. With these words I move my amendment.

**The Honourable Sir George Schuster:** I do not think it is necessary to repeat the arguments which I have already advanced. The loss in case this amendment be accepted would also be a substantial one, namely, just under Rs. 10 lakhs, and until the whole question has been much more carefully reviewed, I find it necessary to oppose any such amendment.

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

"In Part I of Schedule II to the Bill the following be added to entry A (1) :

'But in case of a joint Hindu family when the total income is less than Rs. 3,000 . . . Nil.'

and consequential amendments be made in A (2)."

The motion was negatived.

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

"That Schedule II to the Bill stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

#### MESSAGE FROM H. E. THE VICEROY AND GOVERNOR GENERAL.

**Mr. President:** I have received the following communication from His Excellency the Viceroy and Governor General of India.

(The message was received by the Assembly standing.)

*"In pursuance of the provisions of sub-section (1) of section 67B of the Government of India Act, I, Edward Frederick Lindley, Baron Irwin, do recommend to the Legislative Assembly that it do pass the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Paper Currency Act, 1923 to fix rates of income-tax, and to raise the import and excise duties on motor spirit, in the form hereto annexed.*

(Sd.) IRWIN,  
Viceroy and Governor General."

I need not read the whole text of the recommended Bill, but it is word for word the same as it was originally introduced.

**The Honourable Sir George Schuster:** Sir, I move that in clause 2 of the Bill . . . . .

**Mr. S. Srinivasa Iyengar** (Madras City: Non-Muhammadian Urban): Sir, on a point of order. I wish to draw your attention to Rule 36B of the Manual of Business, printed on page 43. Clause (3) says:

“Where during the passage of a Bill in either Chamber the Governor General makes a recommendation in respect thereof, and any clause of the Bill has been agreed to, or any amendment has been made, in a form inconsistent with the form recommended, the member in charge of the Bill may move any amendment which, if accepted, would bring the Bill into the form recommended.”

Mr. President, this rule is perfectly *intra vires*. Therefore I do not raise any question on that, but on the interpretation of clause (3) of Rule 36B, I submit the recommendation must be previous to the amendment which is sought to be moved. There must be a recommended Bill or a recommended provision, and afterwards, when the Assembly has not agreed to it, or passed it in a form not consistent with the recommendation, then the Member in charge of the Bill may move an amendment which, if accepted, would bring the Bill into the form recommended. The present case is not covered, Mr. President, by any rule, and I submit that if you, without fulfilling the requirements of section 67B of the statute, introduce a recommendation here, then you could do so only before the Assembly had expressed its opinion upon the matter. Now, there was no recommendation in the first instance and therefore what Sir George Schuster is seeking to move is an amendment to the Bill which can only be moved by him if there was an anterior recommendation and amendment thereon by the Assembly inconsistent with it. That, I submit, is perfectly obvious on the face of it. The clause says:—“makes a recommendation in respect thereof, and any clause of the Bill has been agreed to, or any amendment has been made”, (that is the amendment that has been made by the Assembly from Rs. 1-4-0 to Re. 1) “in a form inconsistent with the form recommended”. Therefore the form recommended must be anterior to the amendment which was made by the Assembly. Now, at the time the Assembly was seized of the Bill and made an amendment, there was no recommendation. Therefore I submit, this particular rule, which is the only rule which is claimed to justify the procedure, cannot really apply. Of course I am not here to advise the Honourable the Finance Member. There is another procedure under the statute. That is that the Bill can go to the Council of State as recommended and come back here as recommended. That is a different procedure. The procedure under Rule 36B can only take place where, in the first instance, there is a recommendation, and that recommendation has been set at naught by the Assembly, or an amendment has been accepted inconsistent with that, and thereupon the Member in charge of the Bill moves an amendment. There is also another point of order which I would raise. This point which I raise was not raised on the last occasion in 1925. The point is this. Section 67A really deals with financial proposals both as to revenue and as to expenditure. Section 67B deals with Bills other than Bills dealing with financial proposals. In the case of financial proposals, whether it is by way of ways and means or whether it is by way

of expenditure, I submit, there cannot be any such thing as a recommendation. That is my submission. The reason is this that section 67B deals generally with all Bills, and section 67A deals with budget provisions in the Finance Bill. It is merely supplemental and implements the budget provisions. Therefore I submit, *generalia specialibus non derogant*, section 67A is a self-contained thing. It is a code in itself. It deals with all the financial proposals, one way or the other, and you cannot take advantage of a general provision like 67B, which applies to all possible Bills, for a Bill for which an express and specific provision has been made by Parliament in section 67B. These are the two reasons why I object to the motion which has been made.

**The Honourable Sir Brojendra Mitter:** Sir, two objections have been raised. I shall deal with the second first. Section 67A of the Government of India Act deals with the budget. The first clause is:

"The estimated annual expenditure and revenue of the Governor General in Council shall be laid in the form of a statement before both chambers of the Indian legislature in each year"

and then detailed provisions are made in the subsequent clauses. Therefore that deals with the estimated annual expenditure and revenue. The Finance Bill is not the estimated annual expenditure and revenue.

**Mr. S. Srinivasa Iyengar:** It is revenue.

**The Honourable Sir Brojendra Mitter:** It is not the estimated annual expenditure and revenue.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Revenue certainly.

**The Honourable Sir Brojendra Mitter:** I am not to be cross-examined. I am making my submission to the Chair. I am not addressing the House. My submission is this—that section 67A has no bearing whatsoever on the present amendment. Now, with regard to the other objection, it is equally frivolous. The object of Legislative Rule 36B(3) is this. The Member in charge of the Bill may move any amendment for the purpose of bringing the Bill into the recommended form. That is the right of the Member in charge of the Bill. Now, two conditions have got to be satisfied before he can exercise the right and those two conditions are contained in the earlier part of the clause. First, where during the passage of a Bill in either Chamber the Governor General makes a recommendation in respect thereof. This condition has been satisfied, because the Governor General has made a recommendation. The next is:

"and any clause of the Bill has been agreed to, or any amendment has been made, in a form inconsistent with the form recommended."

Now, in the present instance, an amendment to the Bill has been made which is inconsistent with the recommended form. That being so, my submission is that both the conditions have been fulfilled, which entitle the Member in charge of the Bill to move his amendment. Therefore, the amendment is in order.

**Mr. A. Rangaswami Iyengar:** Sir, I am surprised that the Law Member should consider an objection on a matter of this extraordinary kind frivolous. I am very sorry that he should have thought so in respect of a matter

[Mr. A. Rangaswami Iyengar.]

in which the fundamental rights of this Legislature have been sought to be taken away by this extraordinary and unheard of procedure. The Honourable the Law Member has said that the two conditions of the rule have been satisfied. I would ask you, Sir, to read the section as it stands. Clause (3) of Section 119 says:

"Where during the passage of a Bill in either Chamber the Governor General makes a recommendation in respect thereof . . . ."

That is the first thing to happen. And subsequent to it:

"And any clause of the Bill has been agreed to, or any amendment has been made . . . ."

That is something which we have done. Subsequent to that recommendation, we should have amended the Bill in a form inconsistent with the form recommended. That is the thing that should have happened before the Honourable Member told us of his intention to move that it should be restored in a form consistent with the recommendation.

Sir, it is not seen why this strange interpretation of the rule should be put by the Government. The Government have, in respect of this matter, on a similar occasion, moved the other House, got the duty restored, and have asked us to approve of the decision of the Council of State. For instance, in 1923, when the Government found that the increased salt duty was rejected by this House, they went to the other House, had the duty restored, and when it came back, it was put before us by means of a motion. That would be the occasion when a recommendation could be lawfully made in accordance with this rule, and when it was made, this House rejected it, and thereafter the certification procedure was applied. Similarly in 1927, when we reduced the salt duty from Rs. 1-4 to Re. 1, and the Council of State restored it, the Governor General thought it unnecessary to make any recommendation. But so far as the rule goes, it seems to be perfectly clear that at this stage the Honourable the Finance Member is not right to move that the amendment which we made be brought up again by means of a motion at this stage, by reason of the fact that the recommendation is subsequent to the time when we considered the original motion, and that therefore we may not do it. It is making the whole thing so thoroughly ridiculous that I am sure you will support the point of order.

**The Honourable Mr. J. Orerar:** Sir, I have only one observation to make in regard to what has fallen from the Honourable Member who has raised this point of order. I would invite your attention to the plain words of the rule:

"Where during the passage of a Bill in either Chamber the Governor General makes a recommendation in respect thereof, and any clause of the Bill has been agreed to, or any amendment has been made . . . ."

It is quite clear that the recommendation should be anterior to the amendment referred to. The matter was, I think, taken up in precisely the same form in the year 1925, and the ruling of your predecessor was in accordance with the view which I have ventured to express.

**Mr. President:** There was no ruling on that point.

**The Honourable Mr. J. Orerar:** The action taken by your predecessor was in accordance with the view of the rule I have put forward.

**Mr. President:** There is one point which I would like the Honourable Member to explain. His contention is that the action of the Governor General, that is, the recommendation of the Governor General must precede the amendment made by the Assembly. If that is so, what is the meaning of the latter part of the sub-rule giving power to the Member in charge to move an amendment?

**Mr. S. Srinivasa Iyengar:** The point is this, Mr. President. The amendment which we made is an amendment which has transformed the Bill and has made it different from the Bill which was introduced. Therefore, though generally, an amendment which has been adopted by the Assembly cannot be, by direct negative, rejected, that is, you cannot bring it up again, this rule gives the Finance Member, as the Member in charge of the Bill, right to move the opposite of it, in order to restore the clause as it stood. The words "has been made, in a form inconsistent with the form recommended" do not mean in a form inconsistent with a form to be recommended or which will thereafter be recommended. Those are words which are not there and that would really be driving a coach and four through this rule.

**Mr. President:** I am not able to get a satisfactory explanation.

**Mr. S. Srinivasa Iyengar:** The explanation is that the Member in charge of the Bill moves by way of an amendment the substantive clause which is not in the Bill as finally adopted by the Assembly. He puts in his amendment and therefore the amendment makes the Bill different from the Bill recommended to the Assembly. The Finance Member, by virtue of this rule, brings, by way of amendment, the clause which should have been passed according to the Governor General's ruling, therefore I do not see how there is any difficulty in this. It is an amendment to an amendment made by the House. The amendment made by the House is in defiance of the recommendation of the Governor General. The House does not listen to the Governor General and passes a different provision. The Governor General says "My recommendation has been upset", therefore this amendment, which gives the House an opportunity of reconsidering this motion.

**Mr. President:** Supposing the recommendation had come before clause 2 was amended, and the Assembly subsequently reduced the salt duty to Re. 1, what would be the subsequent procedure?

**Mr. S. Srinivasa Iyengar:** At once to move an amendment that it be made into Re. 1-4.

**Mr. President:** In spite of the fact that the Assembly has chosen deliberately to set aside the recommendation and to carry the amendment reducing the tax to Re. 1?

**Mr. S. Srinivasa Iyengar:** It is perfectly open to the Governor General to accept that amendment which is made. The rejection of the amendment by the Assembly is a rejection which does not attack automatically the amendment which is to be made. A *locus penitentia* is given to the Governor General, whether he wants that this rejection should be set at naught, and if he still persists, then the Assembly votes it or does not vote it. Then comes certification. There are two stages. The first is recommendation. The Assembly has an opportunity of accepting it, but it is only a recommendation.

**Mr. President:** The Assembly has rejected the recommendation. Does that not then end the matter?

**Mr. S. Srinivasa Iyengar:** No. It is open to the Governor General to insist that the amendment should be made. I am relying on the ordinary grammatical interpretation.

**Pandit Motilal Nehru** (Cities of the United Provinces: Non-Muhammadan Urban): On the plain language of the rule,  
4 P.M. Sir, it seems to me to be quite evident what its real meaning is. The carrying of an amendment should be a conscious act on the part of the Assembly of doing something inconsistent with something that has been done by the Governor General. That is to say, the amendment must be passed by the Assembly in spite of the fact that the Assembly is aware that there is a recommendation by the Governor General that it should be adopted in a different form. Now comes the question you have just put; why is it that the Honourable Member in charge is given an opportunity of moving amendments. If he were not given the opportunity of moving amendments, then of course there is the amendment which has been carried . . . . .

**Mr. President:** In spite of the recommendation.

**Pandit Motilal Nehru:** Yes, how is the Act to be a recommendation of that amendment because it is carried in spite of the amendment.

**Mr. President:** Nothing comes from the Governor General in between for the Assembly to change its view?

**Pandit Motilal Nehru:** Therefore it is the Honourable Member in charge is given power to move, so to speak, an amendment to that amendment, in order to give effect to the recommendations of the Governor General. There seems to be some meaning in giving effect to that recommendation, for that recommendation is given effect to by the Governor General himself by certifying, or it is given effect to by special procedure which is prescribed. I submit that the special procedure which is prescribed is this, that the Honourable Member in charge, when the amendment has been carried, in spite of the recommendation, has a right to move to consider the matter. It may be that the Governor General may change his mind or he may instruct the Member in charge not to move his amendment at all. But if he, as my Honourable friend put it, persists, then there is a summary procedure prescribed and he has simply to get up and move the amendment, that is, the clause as recommended be passed, and the amendment carried by the Assembly be set at naught. I submit the additional procedure which has been prescribed for this special case is merely to save time, whatever the cause may be. The words are quite clear. When we are passing an amendment, we must be doing it, knowing that it is going against something. There must be some pre-existing recommendation.

**Mr. President:** There is great force in what the Leader of the Opposition says, but my difficulty is this. I am not able to reconcile the latter part of the sub-rule empowering the Honourable the Finance Member to move an amendment in spite of the fact that the Assembly has already made alteration in the Bill inconsistent with the recommendation. It seems to me to be meaningless.

**Mr. S. Srinivasa Iyengar:** That is the option.

**Pandit Motilal Nehru:** Or the Government might certify or they may take it to the other House. All these procedures are open. It is only an additional string to the bow of Government.

**Mr. A. Rangaswami Iyengar:** May I say one word on this point?

**Mr. President:** The Honourable Member is not entitled to speak twice.

**The Honourable Sir George Schuster:** I venture to submit that the interpretation which Honourable Members opposite seek to put upon this clause would make the words used entirely meaningless. They would be forcing the words used into a meaning which, in the proper sense of the English language, they could not bear, and which would rob the clause itself of every kind of practical effect. Sir, the words used are:

"Where during the passage of a Bill in either Chamber the Governor General *makes* a recommendation in respect thereof,"

that is to say, the present tense is used; then the rule proceeds:

"and any clause of the Bill *has* been agreed to, or any amendment *has* been made in a form inconsistent with the form recommended,"

that is to say, the past tense is used. The two acts do not synchronise and are not intended to synchronise. The passing of "an amendment in a form inconsistent" with the recommendation is anterior to the recommendation. I cannot see how Honourable Members can put any other construction on these words. Then, Sir, how is it possible to give any practical effect to the clause if it means anything different to what I submit. At what stage is the Governor General to make a recommendation if we are to accept the interpretation that Honourable Members seek to put on the clause? Is the Finance Bill to be introduced in its original form as a recommended measure? Sir, the way in which I interpret the procedure is this. There are, in the form of procedure which we are following now, three steps. The Government brings in a Bill, that is a Bill supported by Government. It is not technically recommended by the Governor General, but it is a Bill supported by the Government, and the opposition amends that Bill. It reduces it to a different form from that in which the Government proposed it. The Government thinks that it is necessary to restore the Bill to its original form. The Governor General sends back the Bill to this House as a recommended Bill and the Member in charge in order to give effect to the Governor General's recommendation has to move an amendment to the Bill as it stands after having been dealt with and amended by this House. Honourable Members then have an ample opportunity to debate the amendment moved by the Member in charge. If they again reject the amendment then the fact that the Bill has become a recommended Bill gives to the Governor General the power of certification. The recommendation of the Governor General is a necessary preliminary for making available his powers of certification. But if the section is to be interpreted as suggested by my Honourable friends opposite, those powers could never arise at all, and the whole section would in effect, be null and void. I do submit, Sir, that both on a proper interpretation of the language used, and also, having regard to what is the obvious

[Sir George Schuster.]

intention of the section, the objection of my Honourable friends opposite cannot succeed, and the difficulty which you, Sir, feel, I think points to the realities of the case.

**Mr. President:** I think there is no particular urgency requiring me to give my decision on this point of order at once because in any case the Bill is not likely to be finished today and I hope the House will not be inconvenienced if I reserve my decision till tomorrow.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 28th March, 1929.