

Wednesday, 22nd March, 1933

THE
COUNCIL OF STATE DEBATES

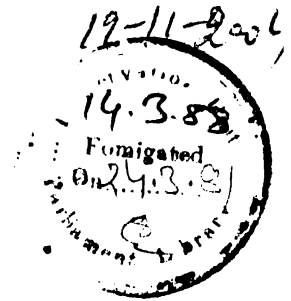
VOLUME I, 1933

(16th February to 15th April, 1933)

FIFTH SESSION

OF THE

THIRD COUNCIL OF STATE, 1933



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COUNCIL OF STATE.

Wednesday, 22nd March, 1933.

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

MEMBER SWORN :

The Honourable Mr. Thomas Alexander Stewart (Commerce Secretary).

QUESTIONS AND ANSWERS.

HOURS OF ATTENDANCE OF THE MINISTERIAL STAFF OF THE CUSTOM HOUSES OF BOMBAY, MADRAS, KARACHI AND CALCUTTA.

175. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT: 1. Will Government be pleased to state the usual attendance hours of the ministerial establishment in the Custom Houses of Bombay, Madras, Karachi and Calcutta ?

2. Is it a fact that during February, 1933, the hours of attendance of the clerical staff of the Audit Department of the new Custom House, Bombay, were increased from 11 A.M. to 6 P.M. to 10-30 A.M. to 6 P.M. on week days and from 11 A.M. to 2-30 P.M. to 11 A.M. to 4 P.M. on Saturdays ?

3. Is it a fact that the Audit Department of the Custom House has no dealings with the public ?

4. Will Government be pleased to state whether their reply to question No. 39 on 18th February, 1933, applies to departments of the new Custom House, Bombay, which do not deal with the public ?

THE HONOURABLE MR. J. B. TAYLOR :

1. Bombay—10-30 A.M. to 5-30 P.M. (for certain departments).

11 A.M. to 6 P.M. (for other departments).

Madras—10 A.M. to 5 P.M..

Karachi—10-30 A.M. to 5-30 P.M.

Calcutta—10 A. M. to 5 P.M.

2. Yes, to meet a temporary emergency.

3. Yes.

4. The reply given applied to the Custom House as a whole. Government see no reason for differentiating in the hours of attendance in different departments of the same office. The hours of attendance in the Custom House compare favourably with those in mercantile offices.

PERCENTAGE OF LEAVE RESERVE IN THE MINISTERIAL STAFF OF THE NEW CUSTOM HOUSE, BOMBAY.

176. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : Will Government be pleased to state :

(a) The percentage of leave reserves in the ministerial establishment in the new Custom House, Bombay ?

(b) Whether leave is freely granted to ministerial employees so long as the total number of employees on leave does not exceed the strength of the leave reserve ?

THE HONOURABLE MR. J. B. TAYLOR : (a) The percentage of leave reserve is about 12 per cent.

(b) The reply is in the affirmative.

REFUSAL OF LEAVE TO THE MINISTERIAL STAFF OF THE NEW CUSTOM HOUSE, BOMBAY.

177. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : Will Government be pleased to state whether it is a fact that there are very many cases in the new Custom House, Bombay, where ministerial officers are refused leave until they produce medical certificate countersigned by the Presidency Surgeon, even though they have ample leave at their credit and the number of employees at one time on leave is far below the sanctioned strength of leave reserves ?

Will Government be pleased to state whether it is a fact that in the new Custom House, Bombay, leave applications of ministerial officers are withheld by superintendents for a period which in some cases exceeds six months ?

THE HONOURABLE MR. J. B. TAYLOR : It is not a fact that many applications for leave have been refused. Leave cannot be claimed as of right and a medical certificate is demanded in cases where the request for leave operates detrimentally to the interest of other members of the department or the department itself.

Government have not been able to obtain verification of the statement that applications for leave are withheld by superintendents for long periods. Superintendents have no power to withhold applications for leave except with the knowledge and consent of the applicant.

CONFIDENTIAL CHARACTER SHEETS AND CONDUCT REGISTERS OF THE MINISTERIAL STAFF IN THE NEW CUSTOM HOUSE, BOMBAY.

178. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : Will Government be pleased to state :

(a) Whether there is in the new Custom House, Bombay, a confidential list wherein entries of bad work done by employees are entered by departmental heads ?

(b) Whether it is a fact that these entries are made without the knowledge of the clerks against whom the entries are made ?

THE HONOURABLE MR. J. B. TAYLOR : (a) Confidential character sheets are maintained by the departmental heads and are written up once a year.

(b) The entries are confidential but conduct registers are openly maintained and from the entries in these registers clerks must form a fair idea of entries in the confidential character sheets.

ABOLITION OF APPOINTMENTS OF UPPER DIVISION PROBATIONERS IN THE NEW CUSTOM HOUSE, BOMBAY.

179. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : Will Government be pleased to state :

(a) Whether it is a fact that they passed orders two years ago to abolish the posts of upper division probationers in the new Custom House, Bombay ?

(b) Whether it is a fact that all the posts of such upper division probationers have not yet been abolished ?

(c) Whether it is a fact that the non-abolition of such upper division probationers has resulted in the denial to lower division clerks of acting allowance even though they do the work of upper division clerks ?

THE HONOURABLE MR. J. B. TAYLOR : (a) Yes.

(b) Yes.

(c) The appointments are being abolished by absorption in the upper division as vacancies arise. The Government of India are examining the question again in consultation with the Collector of Customs.

PRESENTATION OF THE REPORT OF THE CAPITATION RATE TRIBUNAL TO THE PRIME MINISTER.

180. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : 1. (a) Is it a fact that the Capitation Tribunal has submitted its report to the Secretary of State for India ?

(b) If the answer is in the negative, will Government be pleased to state how long will it take to do so ?

2. Will Government be pleased to place a copy of the report on the table of this House and allot a day for its discussion according to the statement made by Mr. Tottenham on 6th September in the Assembly ?

THE HONOURABLE MR. J. B. TAYLOR : Sir, with your permission I shall answer this question on behalf of His Excellency the Commander-in-Chief.

1. (a) and (b). The report was presented to the Prime Minister on the 17th January last, and is now under consideration by His Majesty's Government.

2. The nature of much of the material placed before the Capitation Rate Tribunal necessitates careful consideration by His Majesty's Government and the Government of India before the question of the publication of the report can be decided. The whole matter is receiving careful consideration but no indication can yet be given of the date on which a decision will be reached.

THE HONOURABLE MR. G. A. NATESAN : What has the publication of the exact contents of the report to do with any decision which the authorities may take about the report itself—and therefore why cannot the report be published ?

THE HONOURABLE MR. J. B. TAYLOR : The decision on the two points must be taken together.

THE HONOURABLE MR. HOSSAIN IMAM : May we ask, Sir, if the Government of India is considering this report at the moment ?

THE HONOURABLE MR. J. B. TAYLOR : Yes, Sir.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Do I understand that the report will be published after consideration by the Government of India ?

THE HONOURABLE MR. J. B. TAYLOR : I am afraid that I cannot add to my answer on the question.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meetings held on the 20th and 21st March, 1933, namely :

A Bill to amend the Cotton Textile Industry (Protection) Act, 1930.

A Bill to extend the operation of the Wheat (Import Duty) Act, 1931.

MOTION *RE* AMENDMENT OF STANDING ORDERS 22 AND 54 OF THE COUNCIL OF STATE.

THE HONOURABLE THE PRESIDENT : I have received from the Honourable Mr. Hossain Imam notice of a motion which he desires to make for the amendment of Standing Orders 22 and 54 of the Council of State. I will proceed to read the proposed amendment to the Council as directed by Standing Order 54 :

"(1) That in Standing Order 22 for the words 'fifteen members' wherever they occur the words 'eleven members' be substituted.

(2) That in Standing Order 54 for the words 'fifteen members' wherever they occur the words 'twelve members' be substituted."

I have first to ascertain the sense of the Council whether the Honourable Member has the leave of the Council to move this motion.

(No Honourable Member objected.)

THE HONOURABLE THE PRESIDENT: As no Honourable Member objects, the Honourable Member has the leave of the Council, and should now move:

"That the proposed amendments be referred to a Select Committee."

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan): Sir, having received the leave of the House, I move:

"That the proposed amendments be referred to a Select Committee."

Sir, the reason why I gave notice of this motion, and why I am asking the House to form a Select Committee to amend these Standing Orders, is that we find they stifle discussion of matters of urgent public importance. We do have these discussions in the Legislative Assembly but can any member give me any information about occasions when adjournments of the House have been moved recently? I am sorry to say, Sir, that for the last ten years, from the 23rd July, 1923, no motion of adjournment has been moved in this House, for the consideration of any matter of urgent public importance. It is a well-known custom in all legislative bodies from Parliament downwards to move the adjournment of ordinary business to consider matters of urgent public importance. It has always been regarded as a fundamental right for redress of grievances of the public, that we should have the right to move the adjournment of the ordinary business of the Legislature. The reason why I have particularly fixed upon the number 11 is that I wish to bring the practice of the two Chambers of the Indian Legislature into line. In the Assembly, with a membership of 144, the number of members required to stand up for giving leave to move the adjournment of the House is 25, which comes to just a little more than one-sixth, while in our House, with its greatly increased nominated element and decreased elected element—as a matter of fact we ought to be given more consideration than the Assembly but it is the other way round—we are required to have one-fourth of the total number of members and practically half the British Indian elected members to stand up, in order to justify a motion for adjournment. In the Assembly there are 104 elected members, and 25 are required to stand up, which comes to one-fourth of the elected members: in our House there are 33 elected members and we have got 15 to stand up, which comes to nearly half. For this reason, Sir, we find it difficult to move motions for adjournment, so much so that for the last ten years, as I said before, there has not been a single motion for adjournment of the House to consider any matter. It cannot be said that in these ten years there has been nothing to justify a motion for adjournment. As evidence, I can state that in the fourth Assembly, motions for adjournment were moved five times and that in the space of two years only. In this House we have been deterred by this provision whenever we wanted to move a motion for adjournment. As is well known to the House, an adjournment motion is utilised more or less to ventilate the grievances, and whether it is carried or negatived, the effect is almost the same. It is difficult here to get 15 people to stand up. It will be easier and will bring more life into the Council if the number is reduced to 11.

As regards my second amendment, no change in the Standing Orders can now be made if any objection is taken unless 15 members stand up. I want this number to be reduced to 12 so that it may be easier to amend the Standing Orders. Knowing, Sir, that the present reform is in its waning days, and is about to end, it may possibly be argued on behalf of the Government that this

[Mr. Hossain Imam.]

is not the time to consider measures of this nature. I will be satisfied if the Honourable the Leader of the House assures us that in the future Constitution, such stringent measures will not be included and discussions in the two Houses will not be stifled.

Sir, I move.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : Sir, I tried to find out whether there was any particular objection to the figure 15 and whether there was any particular virtue in the figure 11. I tried my best to find an explanation why the Honourable mover does not like 15 and what charm does he find in 11. A friend of mine suggested that it was probably due to the fact that 11 is the figure of a cricket team. (Laughter.) Football also is 11. But another Member, who was perhaps humorously inclined, or the Honourable mover might think a little bit maliciously inclined, thought that it was due to the fact that the strength of his party was 11.

THE HONOURABLE MR. HOSSAIN IMAM : It is more than that.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : Well, in any case, I do not attach any very great value to these two explanations for the figure 11. However, the fact remains that the strength of this House is 60. Fifteen is 25 per cent. of the total strength. That seems to afford a very good and reasonable percentage. However, when one passes beyond these conjectures and tries to see whether in practice this rule has been found to be one which has stifled discussion, one might very well say, "Let us reduce the figure of 15 to some such figure as will not be open to the same objection." I took pains to find out how this matter stood with reference to the last 12 years' existence of this House. I find that during the first two or three years of its life, different members of this House attempted five times to make adjournment motions, and in four cases out of these five, the motions that were admitted by the Honourable the President always found the requisite number of members ready to support the discussion, and discussion did take place. In the fifth case, the Honourable mover found himself unsupported by anybody, and in that case, whether the number was 11 or 15 would have made no difference. Since July, 1923, no case has arisen. Why? To the human mind, which is inquisitive, the question arises, why, after eight or nine years of interregnum, all of a sudden this motion comes up. If there is a suitable explanation for this, I will be very glad to hear it, but in the absence of any explanation, in view of my researches into the last 12 years' history of the operation of this part of the Standing Orders revealing no justification for the motion, I cannot but oppose it.

Something has been said as to the future. I do not think, Sir, the House would like the two different matters to be mixed up. One is whether Standing Orders 22 and 54 should be amended or not, and it is quite another matter what sort of Standing Orders the next Council of State, which will possibly be four times the size of this House, with powers quite different from the powers this House exercises, is going to have. For me, Sir, an irresponsible Member of an irresponsible Government, it would never do to try to foreshadow what my responsible successors are likely to do or not to do. An undertaking on this point will serve no useful purpose and I would be lacking in the discharge of my duties to this House if I held out any such promise which my successors are bound to consider it presumptuous on my part to give.

I trust, Sir, under the circumstances that the Honourable mover will see fit, in view of the information I have tried to place before the House, to withdraw his motion. If he does not wish to do so then I have no doubt the House will agree with me that this is not an amendment which should be accepted.

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan) : Sir, I am afraid I shall also have to oppose the motion just made. The Honourable mover urged in support of his suggestion the fact that since July, 1923, there has been no adjournment motion moved in this Council. He cited that to show that Standing Order 22 was responsible for that state of affairs in our Council. But, Sir, a little consideration would have made it plain that if for all these years no such motion has been made in this House it was not because any member of this Honourable House thought he would fail to get the necessary support ; it was not because support was not expected, but simply because no member ever thought the occasion had arisen for making such a motion. The only test by which this matter can be judged is whether, when notice of such motion has been given and the matter has been considered by the President to be of a nature justifying adjournment of the House, the Honourable Member failed to secure the necessary support in this House. The facts are a clear commentary on the way this Standing Order has been operating to influence the business in this House. The facts are that on four occasions out of five the requisite amount of support was forthcoming for the motion made, and the only occasion on which the motion failed was when not a single other member could see eye to eye with the Honourable Member who gave notice of a motion for adjournment. That makes it perfectly clear, Sir, that if there is a real justification for postponing all other business to discuss a matter of urgent public importance, on all such occasions this Standing Order has never obstructed members of this House from exercising their right.

Now, Sir, as the Honourable the Leader of this House has said, 15 is not a large proportion for a House of 60 members. This is further a House of Elders and we are not expected to stand for the discussion of matters which, if not likely to disturb public tranquillity, might be calculated to make an unnecessary sensation. We are expected to be more discreet, take things more coolly and think over matters more dispassionately. I think that is the reason why no adjournment motions have been made for all these years since 1923.

Sir, I oppose the second suggestion made by the Honourable Member also. I do not think I need enter into any lengthy argument about it. I hope that, in view of the facts which have been mentioned in opposition to the motion, the Honourable Member will see his way to withdraw.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : Sir, I rise to support the motion of my friend Mr. Hossain Imam. I am not convinced by the arguments that were advanced by the Leader of the House and my friend who spoke last. I think that the Leader was in a sporting mood when he suggested that the number 11 was arrived at because that number constituted a cricket team, and I hope that he will take the motion in that light. He was very much puzzled as to why the number 11 was suggested and he wondered whether it had any reference to the strength of the mover's Party. I beg to assure him, Sir, that the strength of the Party is more than 11, nor were we

*Speech not corrected by the Honourable Member.

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

thinking of a cricket team. The only reason for suggesting a reduction from 15 to 11 is that the latter figure represents one-third of the numbers of the elected members of this House. As the Honourable mover has explained in the Legislative Assembly there are 104 elected members and only 25 are required to rise in support of a motion for adjournment, that is one-fourth, while the number proposed here is one-third, which is still higher in proportion. On the analogy of the Assembly he might have proposed one-fourth, but considering that it is the House of Elders he has contented himself with one-third, and I hope the House will agree to refer this motion to a Select Committee. If there are any other reasons against adopting the change proposed, they can be fully discussed in the Select Committee and the matter will again come before this House for final disposal. Therefore, I would request the Honourable Members not to oppose the motion at this stage.

THE HONOURABLE MR. G. A. NATESAN (Madras : Nominated Non-Official) : Sir, after listening to the speech of the Honourable Mr. Hossain Imam I am bound to think aloud and tell him that I am not at all satisfied with the reasons he has given. The Honourable the Leader has said that since 1923 and to my knowledge also—I came here perhaps the year after—there has been no attempt to make a motion for adjournment of the House, and previously no motion really failed for want of support of the number fixed here. I personally recollect that on more than one occasion I myself wanted a discussion on an adjournment motion. One matter I remember referred to Indians overseas. The Honourable the Leader of the House then gave me an opportunity to put a short notice question. I did put a question or two, but we could not possibly follow it up and have all the points elucidated, and I am very glad to say that a special day was allotted to us non-officials to debate the question on a motion I had tabled. That was with regard to some trouble in South Africa. I do not know whether, with the House as at present constituted, it will be impossible for Mr. Hossain Imam to get 15 members to support him. But I feel somewhat hurt that it should be suggested that the quorum should be fixed with regard to the strength of the elected non-officials. I can quite understand the explanation for fixing the number 11. But I do think that there are other people here who are non official members as much as anybody else, who exercise their own independent judgment and give expression to their views according to the best of their lights. If really an adjournment motion is required to be moved on a question of real public importance, where the object primarily is to ventilate a public grievance and there is an intention that Government should be apprised of it, or again, where the public mind is very greatly excited, when Government and the people think alike, where it is desirable that the Government view should also be publicly known, adjournment can be resorted to ; but I must repeat the reason which I gave the other day to my Honourable friend Mr. Mathura Prasad Mehrotra that on the eve of another constitutional change, though it may not be as much and as satisfactory as all of us wish, when we wish to discuss the White Paper, I should not personally waste my energies for discussing this. I was somewhat surprised when the shrewd and constitutionally inclined Honourable Member, Mr. Hossain Imam, asked the Honourable the Leader of the present House to give an undertaking as to what is to happen in the Federal Upper House. I do not think even if the Honourable the Leader of the House was inclined to give the undertaking he could do so. We do not know what the position will be, what Standing Orders will be framed for that House. I would respectfully suggest to my

Honourable friend Mr. Hossain Imam not to press this motion to a division for the simple reason that I am personally in sympathy with it but I do not think the heavens would come down if we do not discuss it and arrive at a decision.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, when the Honourable the Leader of the House referred to the magic number 11, I thought that we were going to have some beautiful innings and runs, and I was not disappointed, because many of the members came out and had their innings.

Sir, the reason why we wanted to have the number 11 was very well stated by my Honourable friend Mr. Mathura Prasad Mehrotra—that we wish the practice of the two Houses should be brought into line. We are not insisting very much on the number 11, but what we do insist on is that there should be a change in the number and that the rule should be less stringent.

The example cited by my Honourable friend Mr. Natesan that once we had a favour from the Government and a special day was allotted to discuss a matter of urgent public importance has rather strengthened my hands. I do not like to beg when I can demand a thing as a matter of right. It was only a favour of the Government. It might or might not have been granted ; and if we had not the shackle of the large number, we would have moved an adjournment and discussed the matter as a matter of right ; and this I regard as a better thing than asking and begging for favours. My Honourable friend also said that when the Government and the public were of the same mind, we could move for adjournment. Sir, that does not arise, because adjournments are mostly moved when we do not agree with the line of action taken by the Government. Government is not estopped from having resort to utilising the House for expressing their opinion on matters of urgent public importance. Without moving the adjournment of the House they can make motions as they did twice last year in Simla on the Bengal terrorist affairs. But we, Sir, on this side of the House are debarred, because we have got to go through the mill and submit to all the shackles which ingenuity has devised to keep us down.

Sir, the Honourable the Leader of the Independent Party was kind enough to suggest that during the last ten years from July, 1923, no occasion has arisen for moving the adjournment of the business of the House. I am not going to make a condemnation of this House in such sweeping terms as to say that the members were so unmindful of their duty that during the last ten years they found no occasion for moving an adjournment. I think they were more sensible and they realised the position, they realised the weakness, they realised the absolute impossibility and the ill-effect that would be produced by having an adjournment motion objected to and turned down in the beginning before discussion ; that acted as a curb and a break and stopped them from having resort to this course. I have already cited the fact that during the last Delhi session during December we wanted to have an adjournment motion in this House to consider a matter of urgent public importance, *viz.*, the non-inclusion of the members of this House in the Third Round Table Conference. As I said——

THE HONOURABLE SAYYED MOHAMED PADSHAH SAHIB BAHADUR : Was that an urgent matter of public importance when the third Round Table Conference was about to be finished ? What useful purpose would it have served ?

THE HONOURABLE MR. HOSSAIN IMAM : Whether it would have served any useful purpose or not, the fact remains that we were desirous of having an adjournment motion and we could not do so because we could not get 15 members to stand up. Sir, at the moment Government is not willing to agree to this ; they are entrenched in a secure position in this House ; they can flout non-official opinion, because of the support which they usually get from a certain quarter. Knowing the fate of this motion that it will be defeated I still press the motion to the vote of the House.

THE HONOURABLE THE PRESIDENT : Resolution moved :

" That in Standing Order 22 for the words ' fifteen members ' wherever they occur the words ' eleven members ' be substituted.

That in Standing Order 54 for the words ' fifteen members ' wherever they occur the words ' twelve members ' be substituted,
and that the proposed amendments be referred to a Select Committee."

The motion was negatived.

MOTION *RE* AMENDMENT OF STANDING ORDERS 16 AND 70 OF THE COUNCIL OF STATE.

THE HONOURABLE THE PRESIDENT : I have received from the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra notice of a motion which he desires to make for the amendment of Standing Orders 16 and 70 of the Council of State. I shall proceed to read the proposed amendments to the Council. To move for leave to amend the Standing Orders of the Council of State in the following manner :

" (1) That at the end of Standing Order 16 the following be added, namely :

' Printed answers of the questions will be placed on the table half an hour before the commencement of business every day.'

(2) That in sub-order (2) of Standing Order 70 all the words after the words ' question of principle involved therein ' be deleted.

Also to move that the proposed amendments be referred to a Select Committee."

I have to ascertain in the first place whether the Honourable Member has the leave of the Council to move this Resolution. Does any one object ?

(No Honourable Member objected.)

THE HONOURABLE THE PRESIDENT : The Honourable Member has the leave of the Council.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : Sir, I beg to move for leave to amend the Standing Orders of the Council of State in the following manner :

" (1) That at the end of Standing Order 16 the following be added, namely :

' Printed answers of the questions will be placed on the table half an hour before the commencement of business every day.'

(2) That in sub-order (2) of Standing Order 70 all the words after the words ' question of principle involved therein ' be deleted.

Also to move that the proposed amendments be referred to a Select Committee."

The object of my moving for the amendment of Standing Order 16 is clear by the words which I want to be added after the Standing Order. By this I want that the answers to the questions whether they are printed or cyclostyled be placed on the table of the members of this House half an hour before the meeting, so that they may get an opportunity of putting supplementary questions on them. I have no objection, Sir, if those answers are not read out by the Government. That will save the time of the Council as well. The number of the questions will be called and the member who wants to put supplementary questions will put direct supplementary questions without the answers being read. This will facilitate matters very much and help members in putting supplementary questions as well as studying the statements demanded of the Government which will all be placed on the tables of the Honourable Members.

Now, Sir, according to the present practice we have to wait to know the exact wording of the answers till such time as the proceedings are printed. We may follow the substance but we do not know what are the exact words of the answers and have to wait for them at least a week or 10 days. If the answers are placed on the table we will not have to wait, we will know at once what were the exact answers and what were the statements placed on the table. This practice is being followed in the local Legislatures and there the printed answers are placed half an hour before the commencement of the business on the tables of the members and any member wanting to put supplementary questions gets himself ready and in that way matters are facilitated. I hope the Honourable Members will give me leave to refer this amendment to a Select Committee.

Now, Sir, my object in moving the second motion, that Standing Order 70 be amended, is this. By sub-order (2) of that Standing Order the budgets are only placed before this House on the day allotted for general discussion. Neither is the budget required to be passed by this House nor can any motions for reduction be moved. Therefore, I want that this House should be authorised to give notice of motions for reductions and have a detailed discussion of the budget. It is no use expressing opinion and letting the budget go without being passed by this House. We can also express our opinions by making statements in the press. When the budget is placed before the House we must express our opinion in a way that may produce an effect. So, Sir, I have moved for this also and will request you, Sir, to take these two motions separately because it is just possible the Honourable Members of the House may agree to the one and not to the other. Therefore, I would request you, Sir, that they may be taken separately.

THE HONOURABLE THE PRESIDENT: Resolution moved:

"That the proposed amendments be referred to a Select Committee."

As these two amendments are of a distinct and separate character I will allow discussion on each separately and will also take the sense of the House separately on each of these two points. Discussion will now proceed on part (1).

THE HONOURABLE MR. BIJAY KUMAR BASU (Bengal: Nominated Non-Official): Sir, at the first blush one would like to agree with my Honourable friend the proposer of this amendment about the printed answers to questions being given. But, Sir, when one comes to think about it, one finds that the Parliamentary practice has all along been that questions have

[Mr. Bijay Kumar Basu.]

to be answered verbally in the House by the Treasury Benches and any person wishing to put any supplementary question thereon has to make up his mind then and there and put such supplementary question to the Treasury Benches which can either be answered immediately or upon further notice. This has been the practice in this House ever since it was inaugurated. This has also been the practice in the Legislative Assembly and I do not think that my friend Mr. Mehrotra will concede that what is good for the Assembly is not good for us. We people must, he declares, have notice of the answers before we can frame supplementary questions. That is, Sir, if I may put it in very mild terms, an inferiority complex which I for one will not allow Mr. Mehrotra to advance.

Then, Sir, the practice of this House has all along been based on the precedents in the House of Commons or the House of Lords,—I mean Parliamentary practice. Why must we now, when we are on the eve of great changes, when, as the Honourable the Leader of the House put it on the last motion, we are going to have three times the number of members we now have in this House—

THE HONOURABLE MR. HOSSAIN IMAM: Four times.

THE HONOURABLE MR. BIJAY KUMAR BASU: Very well, the more the merrier! Why should we tie their hands by introducing a particular practice which has never been adopted either in the Houses of Parliament or in the central Legislature? Is it fair that we should tie the hands of our successors in the way in which it is sought to be done?

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: What about the provincial Legislatures?

THE HONOURABLE MR. BIJAY KUMAR BASU: So far as I am aware, talking of Bengal, there are two kinds of questions put. One is known as a starred question and the other is known as an unstarred question. The answers to unstarred questions, I am told, are printed and handed over to the members. As regards the starred questions, the practice is the Parliamentary one of giving verbal replies. I do not know about the procedure in other provincial Legislatures but I do not think that my friend would like to follow the precedents of provincial Legislatures which certainly are not equal in dignity to this House. (Hear, hear.)

Then, again, consider this. First of all, the expenses that will have to be incurred over it. It may be very little but I have always heard my Honourable friend Mr. Mehrotra and his Party sticking up for economy in expenditure and objecting to expenses which can possibly be avoided and this is a matter in which they ask the Government to incur more expenditure than is called for. Why must they do it? They have always tried to avoid expense and this is not the way in which it can be done. In the next place, I think the best course for us would be to let the Standing Orders, so far as the answers to questions are concerned, remain as they are, but I would only appeal to my friends on the Benches opposite that they would keep themselves perfectly alert and when they find anything in the answers of the Government in which they can trip them up let them do so.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I was very glad to find our Honourable friend, Mr. Basu, standing up to champion the dignity of this House, and his solicitude for retrenchment was very touching. I am quite sure that the extra expenditure which the Government has incurred in everything concerned with the budget of India will come in for a due share of his criticism when we are discussing the Finance Bill. At the moment, I should like to remind the House that this innovation—if it can be called an innovation—is one which has been admitted under this very same Government in the provincial Legislatures and if there is nothing really harmful in it there is no reason why it should be put a stop to simply because it will involve a small amount of extra expenditure.

THE HONOURABLE MR. BIJAY KUMAR BASU : It is an admission of inferiority.

THE HONOURABLE MR. HOSSAIN IMAM : It is no admission of inferiority. Sir, I will remain the Honourable Member of an incident in the last Simla session. A member put in a question in the Assembly asking whether the electoral rolls of the different provincial constituencies were available in the Library or not. The Honourable the Law Member then and there on the floor of the House without any demand on the part of the Assembly promised to get them with the result that on the return from one province more than Rs. 1,000 were spent and two almirahs were filled up, and the Honourable the Law Member had to make a statement in the other House putting a stop to this practice because it was found to be too expensive. In that House, even slight questions involving thousands of rupees in cost are allowed, but if this House asks for justice, it is refused because it will cost Rs. 50 or Rs. 100 more. This is not a new question that we are raising in the Council of State. I drew the attention of the Honourable the President during the last session to make at least statements available to us before the Honourable Member gives the reply, and the Honourable the President ruled it out on the ground that it was against the practice of the House. I have great reverence for the practice of the House, but a living body is always making changes for the better. There is a proverb, Sir, "We should not be ashamed of copying others if what they do is found to be good". It is false pride to stick to our old methods and old measures. The world is changing and changing for the better and everything must change. (*An Honourable Member* : "Question?") The old rule changeth giving place to the new. The plea that because this Constitution has got only a very few days to live we should leave everything where it is is the old plea of the Conservatives, I admit. But it will be as much their duty to preserve it as it was their former duty to oppose it. This House is not going to end in a day or two or even in a year or two. We know our own difficulties. We know that Federation cannot materialise in a year or two. It will take at least four or five years for it to come into full force, and it is idle to say that for all this time we should sit tight and make no change of even a comma because of the Reforms. We are every day doing day to day business. We have these two Bills by which we are going to extend the existing provisions. If this proposal is accepted by the Government, it will not involve any great expenditure. I should like to have the Honourable the Leader's estimate. My own estimate is that it will not cost more than Rs. 100 for this innovation. There are very few questions put in this House. It will only show whether the Government are willing to listen to the non-officials or are of the same old mind and ready to stifle everything.

Sir, I support the motion.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House): Sir, what is proposed is that written answers should be supplied to the Honourable Members half an hour before the first question on the list can be put. "Well, why not? Let them have it." That is what ordinarily strikes one who addresses his mind to this problem. Still, having said "Why not?" one naturally asks, "Here is a rule; why do you want this change?" As soon as you have propounded this question, you find some difficulty in finding an answer. The answer given by the Honourable mover of this motion is that this is done in some provincial Legislatures. He has not told us why it is done in those Legislatures. The Honourable Member opposite, who spoke last, has based his support of the motion, so far as I can see, on two points. One is that Government listens to the other House and does not listen to this House. In the first place, I do not admit this allegation. The instance he has given is certainly not in support of this allegation. The instance given is that certain books were wanted for the Library and the matter was moved in the Lower House.

THE HONOURABLE MR. HOSSAIN IMAM: A question was put.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN: A question was put—that is moving in the matter. The matter was moved by way of interpellation in the Lower House, and the Library was at once supplied with those books. Whose Library was it? Of this House, Sir, as much as of the other House.

THE HONOURABLE MR. HOSSAIN IMAM: At whose demand?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN: It is joint property. If you had asked for it you would have got it for the joint property. Surely, Sir, Government cannot be blamed because Honourable Members opposite either do not take the trouble to move in such matters or do not sum up enough courage in case they have such brilliant ideas in their minds to give utterance to them in the House, or they are always suspicious of the support they are going to obtain from their own colleagues, whether elected, nominated or official. Sir, in all corporate bodies, whether legislatures or councils or local bodies, it is the spirit of mutual trust which makes them work well and work effectively. If individuals or small groups move and act independently and at all times give expression to discontent, and disintegrating ideas, well, they cannot make a success of it. I assure the House, Sir, from such limited experience as has been open to me during the last three years that I have been a Member of Government that none of my colleagues has ever to my knowledge either expressed or entertained any idea contrary to the well-understood policy of trying to propitiate this House. What I am saying is easily intelligible inasmuch as this House as well as the people outside this House know perfectly well that the accepted view is that this House is on the whole friendly to Government. Is it a fact or not? Some members may like it; there may be an odd member who does not like it; but this is the accepted view in this House and outside this House. Why should the Honourable Members opposite credit Government with such folly as not to try to propitiate their own friends? I try, Sir, to convince the Honourable Members opposite that in this matter they are entirely mistaken. They are under a serious misapprehension. It hurts me to hear them again and again give expression to an idea which is altogether unfounded.

The next point is that the elders, the people in whom yesterday or the day before yesterday the landlords hoped to find sanctuary for all vested interests, for things with which we should not break, all of a sudden, if I am to believe the Honourable Member who spoke last, want to strike new paths, break away from the existing facts. They say, "Leave alone the old ; we want to get to something new." I would be the last person to discourage that spirit. I do not want to inculcate the view that we must stick to what we have even though the change is for the better. If I am convinced that the change is for something better I am ready to support it, whether it be for this House or for any other House. But, Sir, with reference to this desire for a change, the desire to move from the practice which has been pursued by the Houses of Parliament perhaps for centuries and which has been pursued for several decades by the central Legislatures, I do want to think twice before I agree to a change being introduced in that practice. I want reasons in support. I know that in provincial Legislatures in some cases there are standing orders and in some cases there is some sort of practice with reference to these written answers. I have been a member of a provincial Legislature myself. There are cases of members who do not understand the language in which answers are given, English, and therefore they have no chance of putting supplementary questions. Not knowing what the answer is, the questioner cannot put supplementary questions. In such a case the member may have represented his difficulty either to the Leader of the House or to the President, and they in their moments of expansion and desire to be helpful may have said, "Very well, we will give you the written reply beforehand"—just by way of encouraging the member in the way of doing his duty. But am I to understand, Sir, that the Honourable the mover of this motion or the Honourable Member who has supported it bases his claim for a change upon that ground ?

THE HONOURABLE MR. HOSSAIN IMAM : There are people in this House who do not understand English.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : Is the Honourable Member referring to the members of his Party ?

THE HONOURABLE MR. HOSSAIN IMAM : No.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : No ; alright. Then let others take objection themselves. The Honourable Member need not take up the cudgels on behalf of members who are not members of his Party. They have not expressed their desire to me in any way, but if they do I will do my best to see what can be done for them.

Therefore, Sir, I remain unconvinced. I really do not see any arguments in support of the change and I think the House will be well advised to attach considerable importance to the idea—I have no doubt a wrong idea—that may be spread abroad to the effect that the Members of the Upper House of the Central Legislature are not able to follow the answers given to their questions and therefore want their answers to be laid on the table beforehand. From personal experience I can state definitely that whenever I have answered questions and supplementaries have been put to me, I found them very relevant and very searching. Therefore, I see no justification for this insinuation that members cannot follow the answers to questions and are not in a position to put effective supplementary questions on them. I for one feel it my duty as the Leader of the House to repudiate such an insinuation in case any one takes the trouble to make it.

[Khan Bahadur Mian Sir Fazl-i-Husain.]

Under the circumstances, Sir, I have no alternative but to ask the House not to give its support to the motion that is before it, as it is really not a good precedent to follow. As Leader of the House I do not like to see the House following the questionable precedent set up by some local Legislatures whose members elected, no doubt 10 or 12 years ago, were not in all cases literate.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, my amendment has been opposed by the Leader of the House as also by my friend Mr. Basu. Mr. Basu made one or two interesting remarks in opposing the motion. He said that what is good for the Assembly should not be bad for this Council and the practice of the Assembly should be followed here. But when my Honourable friend Mr. Hossain Imam moved just now that the number in support of a motion for adjournment should be reduced from 15 to 11, though the figure ought to be even less on the analogy of the Assembly, it was said that this is a House of Elders and we should not adopt the practice of the Assembly. On my motion I am now told that the practice of the Assembly should be followed in this House. I do not really know which is the correct procedure. In my opinion, as this is a House of Elders we should take what is good from every place. If the practice in the local Legislatures is good we should not fight shy of adopting it. It has been said by the Honourable the Leader of the House that in this case perhaps the practice in the local Legislatures is due to the fact that there must be some members who were not able to follow answers given by Government to their questions. I beg to differ on that point. I may say that there the members are not even allowed to read their speeches, while here they are allowed, which I think is due to the fact that some of the Elders are not in a position to give expression to their feelings in an extempore speech. So, Sir, it is not due to the view taken by the Leader that the members cannot understand the answers but it is for the sake of economy of time. The time of the Council should not be wasted and members are supplied with starred and unstarred questions with their answers. The number of the question is called and any member who wants to put a supplementary question may do so. Why waste the time of all the members ?

Then, Sir, it has been said that we on this side of the House always press for reduction in expenditure, while this suggestion will involve extra expenditure. That reminds me of the proverb "Penny wise and pound foolish". What would it cost if the questions and answers were cyclostyled ? The cost will not go into tens but will remain in units ; it will be a few rupees—less than say Rs. 10.

THE HONOURABLE MR. H. M. MEHTA : Why should even Rs. 10 be wasted if it can be avoided ?

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : For the sake of economy of time. Our time is more valuable than Rs. 10, and therefore that expenditure should be incurred. I can point out thousands of instances in which not only tens, but thousands and lakhs are wasted which could be saved and economised. But when we have pressed for them from this side of the House we have not been supported. So, Sir, from all points of view, I think that this is a most reasonable amendment.

One word more. May I ask from the Leader of the House what about the statements ? Statements are also placed on the table of the members in the local Legislatures. Here we have to wait till the proceedings are received to know what were the statements of the Government. Are the statements

asked by the members of this House also laid by the Treasury Benches? No, they are not. It is only said that the statement is placed on the table of such and such member. We do not know what is contained in the statement, good, bad or indifferent; we cannot put any supplementary question on it. If they are supplied to us beforehand we can put supplementary questions and elucidate points. We have to wait for another ten days to receive the proceedings, and then to put questions, a notice of a further ten days is required. By that time we do not know whether the session will continue or end, we do not know whether we will be allowed the privilege of putting supplementary questions or not.

For these reasons, Sir, I would request this House to accept this most modest amendment.

THE HONOURABLE THE PRESIDENT: Resolution moved:

"That the proposed amendment to Standing Order 16 be referred to a Select Committee."

The question is:

"That this Resolution be adopted."

The Council divided:

AYES—12.

Banerjee, The Honourable Mr. Jagdish Chandra.
Dutt, The Honourable Rai Bahadur Promode Chandra.
Gounder, The Honourable Mr. V. C. Vellingiri.
Hossain Imam, The Honourable Mr. Jagdish Prasad, The Honourable Rai Bahadur Lala.
Kalikar, The Honourable Mr. Vinayak Vithal.

Mehrotra, The Honourable Rai Bahadur Lala Mathura Prasad.
Moti Chand, The Honourable Raja Sir. Naidu, The Honourable Mr. Y. Ranganayakalu.
Pandit, The Honourable Sardar Shri Jagannath Maharaj.
Ram Saran Das, The Honourable Rai Bahadur Lala.
Sinha, The Honourable Kumar Nripendra Narayan.

NOES—33.

Akbar Khan, The Honourable Major Nawab Sir Mahomed.
Bartley, The Honourable Mr. J. Basu, The Honourable Mr. Bijay Kumar.
Bentham, The Honourable Sir Edward. Charanjit Singh, The Honourable Raja. Chetti, The Honourable Diwan Bahadur G. Narayanaswami.
Choksy, The Honourable Khan Bahadur Dr. Sir Nasarvanji.
Coburn, The Honourable Mr. M. R. Cotterell, The Honourable Mr. C. B. Devadoss, The Honourable Sir David. Fazl-i-Husain, The Honourable Khan Bahadur Mian Sir.
Ghosal, The Honourable Mr. Jyotana-nath.
Ghosh Maulik, The Honourable Mr. Satyendra Chandra.
Habibullah, The Honourable Nawab Khwaja.
Halim, The Honourable Khan Bahadur Hafiz Muhammad.
Hallett, The Honourable Mr. M. G. Iqbal Hasan Khan, The Honourable Khan Bahadur Sir Muhammad.

Jalan, The Honourable Rai Bahadur Radha Krishna.
Johnson, The Honourable Mr. J. N. G. Kameshwar Singh, The Honourable Maharajadhiraja Sir, of Darbhanga. Maqbul Husain, The Honourable Khan Bahadur Sheikh.
Mehr Shah, The Honourable Nawab Sahibzada Sir Sayad Mohamad.
Mehta, The Honourable Mr. H. M. Miller, The Honourable Mr. E. Murphy, The Honourable Mr. P. W. Noon, The Honourable Nawab Malik Mohammad Hayat Khan.
Padahah Sahib Bahadur, The Honourable Saiyed Mohamed.
Raghubandan Prasad Singh, The Honourable Raja.
Russell, The Honourable Sir Guthrie. Shillidy, The Honourable Mr. J. A. Stewart, The Honourable Mr. T. A. Taylor, The Honourable Mr. J. B. Suhrawardy, the Honourable Mr. Mahmood.

The motion was negatived.

THE HONOURABLE THE PRESIDENT : Discussion will now proceed on the amendment of Standing Order 70.

THE HONOURABLE MR. BARTLEY (Government of India : Nominated Official) : Sir, I think it will suffice to remark that even if the amendment proposed by the Honourable Mr. Mehrotra were successfully carried out, it would not have the effect which he hopes it would have. I understand that his object is to endow this Council with the power to pass the budget and to move motions of reduction on the budget. That, so far as I could follow the remarks which he made in commending his motion, was the object with which he was attempting to make this amendment. Well, unfortunately the Government of India Act which governs the Indian Legislature does not contemplate any such power being placed in the possession of this House. The history of the control vested in the Indian Legislature over budget proposals is a history of several successive stages from the Indian Councils Act, 1892, when non-legislative functions were for the first time given to the Indian Legislature. The discussion of the annual financial statement was then first introduced ; but no member might propose a motion or divide the Council. Then came the Indian Councils Act of 1909 under which power was given to make rules providing for a discussion of the budget and providing for the moving of resolutions which had as Honourable Members are aware the effect merely of recommendations to Government. The discussion was in two stages and the effect of the resolutions, so far as they were given effect to, was embodied in the budget proper which was introduced subsequent to the introduction of the Financial Statement after the discussion in two stages had taken place. Then comes the Government of India Act, 1919. The Joint Select Committee on the Bill, in reference to section 67A, which invests the Assembly with the powers which it has, remarks :

" This is a new provision for the submission of the Indian budget to the vote of the Legislative Assembly on the understanding that this body is constituted as a chamber reasonably representative in character and elected directly by suitable constituencies ".

Section 67A, if read, will indicate quite clearly that it is to the Assembly that the power is given of voting the budget and it is to the Members of the Assembly that the privilege is given of moving motions for the reduction or refusal of demands. The discussion which takes place in this Council is held under the provisions of the Standing Order which the Honourable Member attacks. That Standing Order corresponds to a legislative rule, No. 46, which was made under section 67 and section 129A of the Government of India Act to give effect to the provisions of section 67A for the discussion of the budget in the Legislative Assembly. But we have no rule which confers upon this Council anything like the powers which are conferred upon the Assembly by certain of the legislative rules. There is no rule, applicable to the Council of State, for instance, corresponding to rule 45 which says that the budget shall be dealt with by the Assembly in two stages, namely, a General Discussion and the Voting of Demands for Grants. It is perfectly clear—and I need not labour the point—that section 67A confers this power upon the Legislative Assembly and upon the Legislative Assembly alone. Sub-section (5) of section 67A of the Government of India Act runs :

" The proposals of the Governor General in Council for the appropriation of revenue or moneys relating to heads of expenditure not specified in the above heads shall be submitted to the vote of the Legislative Assembly in the form of demands for grants ".

Therefore, if the Honourable Member hopes that any amendments that he can make to the Standing Orders will have the effect of endowing this Council with a power which is not given to it by the Government of India Act,

which was not meant to be given to it under the Government of India Act (which in setting up this Council set it up as a revising Chamber), he is deceiving himself. I would therefore oppose this motion.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, on the statement made by the Honourable Member that the Government of India Act stands in our way to amend this Standing Order, I beg leave to withdraw my amendment.

Part (2) of the amendment was, by leave of the Council, withdrawn.

BALLOT FOR THE ELECTION OF THREE MEMBERS TO THE STANDING COMMITTEE FOR ROADS.

THE HONOURABLE THE PRESIDENT : The Council will now proceed to elect three Members to serve on the Standing Committee for Roads. Honourable Members will notice that the Honourable Khan Bahadur Syed Abdul Hafeez has withdrawn from the election.

(The ballot was then taken.)

BALLOT FOR THE ELECTION OF SIX NON-OFFICIAL MEMBERS TO THE ADVISORY COUNCIL FOR RAILWAYS.

THE HONOURABLE THE PRESIDENT : The Council will now proceed to elect six non-official Members to serve on the Central Advisory Council for Railways. I may also bring to the notice of the Council that the Honourable Khan Bahadur Syed Abdul Hafeez has withdrawn his candidature.

(The ballot was then taken.)

THE HONOURABLE THE PRESIDENT : The result of the elections will be declared at a later date.

STATEMENT OF BUSINESS.

THE HONOURABLE THE PRESIDENT : Has the Honourable the Leader of the House any statement to make with regard to the course of public business ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : I understand, Sir, that a large number of Honourable Members have an engagement elsewhere on Saturday next when the two Bills that have been laid on the table today would be proceeded with in the ordinary course. In these circumstances, it is for your consideration whether the Bills in question should be put down for Friday next with one day's curtailment of the normal period of notice, in case the House has no objection. The advantage of this course would be that if we meet on Friday, we may hope to receive further Bills from the Legislative Assembly on that day, and thus expedite

[Khan Bahadur Mian Sir Fazl-i-Husain.]

the further legislative programme. Government, however, I need hardly add, have no wish to press this suggestion, and if it is not acceptable to the House, then of course, we, as already stated by me, meet on Monday to discuss the White Paper and take up these Bills the next day.

THE HONOURABLE THE PRESIDENT : The suggestion made by the Honourable the Leader of the House seems to me to be very reasonable, and as far as I am concerned, I am prepared to suspend Standing Order 37 and have the two Bills on Friday next, but I would like to know the sense of the Council before I finally decide this.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, on behalf of the Progressive Party I beg to say that this Party has no objection to these two Bills being considered on Friday next.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan) : My Party also have no objection to these Bills being taken up on Friday.

THE HONOURABLE MR. E. MILLER (Bombay Chamber of Commerce) : We have no objection, Sir.

THE HONOURABLE THE PRESIDENT : As there seems to be no objection, these Bills will be taken up on Friday next.

The Council then adjourned till Eleven of the Clock on Friday, the 24th March, 1933.