

14th July 1930

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume IV

(7th July to 18th July, 1930)

SEVENTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY

1930

Chamber Fungayod.



SIMLA
GOVERNMENT OF INDIA PRESS
1930

CORRIGENDA.

In the Legislative Assembly Debates, Simla Session, 1930—

- (1) Vol. IV, No. 3, dated the 10th July, 1930—
 - (i) page 69, line 4 from the bottom, for "catchwards" read "catchwords".
 - (ii) page 72, line 7 from the bottom, for "conceiably" read "conceivably".
 - (iii) page 91, line 14 from the bottom, for "I do not.....Resolutions" read "I do not want to read to you all the recent Resolutions".
 - (iv) page 93, line 10, for "if your please" read "if you please".
- (2) Vol. IV, No. 4, dated the 11th July, 1930, page 129, line 22, for "those are in favour" read "those who are in favour".
- (3) Vol. IV, No. 6, dated the 14th July, 1930—
 - (i) page 291, line 13, for "I am aware" read "I am not aware".
 - (ii) page 306, for the reply to unstarred question No. 53, substitute the following :—
 - " Mr. G. M. Young : (a) Yes.
 - (b) A copy of my letter, dated the 24th March, 1930, to Pandit Thakur Das Bhargava is in the Library "
 - (iii) Page 340, line 20, for "inimportance" read "importance".
- (4) Vol. IV, No. 7, dated the 15th July, 1930, page 464, from the first subject-heading delete the word "Ajmer-Merwara".
- (5) Vol. IV, No. 9, dated the 17th July, 1930, page 610, line 18, for "Mr. S. C. Mitra" read "Mr. B. N. Misra".
- (6) Vol. IV, No. 10, dated the 18th July, 1930, page 661, after the reply to part (c) of starred question No. 296, insert the following reply to part (d) of the same question :—
 - " (d) Certain concessions were given in the 1929 examination which was for departmental candidates only."

Legislative Assembly.

President.

Sir

THE HONOURABLE MAULVI MUHAMMAD YAKUB.

Deputy President.

SIR HARI SINGH GOUR, KT., M.L.A.

Panel of Chairmen.

MR. M. A. JINNAH, M.L.A.

MR. M. R. JAYAKAR, M.L.A.

SIR HUGH COCKE, KT., M.L.A.

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

Secretary.

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

Assistant of the Secretary.

RAI SAHIB D. DUTT.

FRIDAY, 11TH JULY, 1930—

Member Sworn	99
Statement of Business	99
The Negotiable Instruments (Second Amendment) Bill—Presentation of the Report of the Select Committee	100
Election of the Deputy President	100
Demands for Supplementary Grants	100—149

SATURDAY, 12TH JULY, 1930—

Election of the Deputy President	151
Election of Members to the Governing Body of the Indian Research Fund Association	151—152
Demands for Supplementary Grants	152—223

MONDAY, 14TH JULY, 1930—

Questions and Answers	225—81
Unstarred Questions and Answers	281—333
Motion for Adjournment <i>re</i> Continuation of Repressive Measures in the North-West Frontier Province—Ruled out of order	333—42
Statement laid on the Table <i>re</i> Hydro-Electric Power supplied for the Great Indian Peninsula Railway	342—43
Preliminary Report upon the Expenditure of the Central Government	343
The Indian Lac Cess Bill—Passed	343—44
The Negotiable Instruments (Second Amendment) Bill—Passed	344—47
The Indian Forest (Amendment) Bill—Passed	347—48
The Indian Telegraph (Amendment) Bill—Passed, as amended	348—49
The Bombay Civil Courts (Amendment) Bill—Passed	349—50
The Benares Hindu University (Amendment) Bill—Passed	350—60
Resolution <i>re</i> Convention for protection of workers against accidents—Adopted	361—64
Resolution <i>re</i> Convention concerning the marking of weight on heavy packages transported by vessels—Adopted	365
Resolution <i>re</i> Termination of the contract of the Assam Bengal Railway—Discussion adjourned	366—77

TUESDAY, 15TH JULY, 1930—

Questions and Answers	379—427
Election of Members to the Governing Body of the Indian Research Fund Association	427

LEGISLATIVE ASSEMBLY.

Monday, 14th July, 1930.

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

QUESTIONS AND ANSWERS.

Mr. D. K. Lahiri Chaudhury : Sir, may I ask the question which stands in the name of Mr. Das, with your permission ?

Mr. President : I have received no information from the Honourable Member. Before the answer is given, I should like to point out to the Honourable Member that the practice of my Honourable predecessor was that, if any Honourable Member wanted another Honourable Member to put the question standing in his name, he should intimate that fact in writing to the Honourable the President. In this instance, I have received no written requisition from the Honourable Member, but as the Secretary says he has received some letter, I allow the question to be put on this occasion. But in future the rule which was in force during the time of my predecessor should be observed.

DISCHARGE FROM THE POLICE SERVICE OF MR. GHULAM KASIM KHAN, DEPUTY SUPERINTENDENT OF POLICE, PESHAWAR.

1. ***Dr. Nand Lal** (on behalf of Mr. B. Das) : 1. (a) Is it a fact that Mr. Ghulam Kasim Khan, Deputy Superintendent of Police, Peshawar, was recently discharged from the Police Service ?

(b) What were the causes which led to his leaving the service prematurely ?

(c) Were there any charge or charges against him and, if so, were they enquired into, and by whom and with what result ?

2. (a) Did the case ever come up before the Public Service Commission of the Government of India ? If so, what was the finding of the Commission ?

(b) Was the finding of the Commission unanimous ? If not, was the question referred to the Government of India ?

(c) Did the Government of India back up the majority decision or the minority decision ?

3. (a) Is it a fact that shortly after this case was decided, Sir Philip Hartog, a member of the Public Service Commission, proceeded to England on leave and from there submitted his resignation ?

(b) Was there any correspondence, prior to his resignation, between Sir Philip and the Government of India ?

(c) Is it a fact that throughout in this correspondence, Sir Philip stressed his contention that the Government of India should, as a general rule, support the majority view of the Commission ?

(d) Is it a fact that in spite of Sir Philip's contention, the minority view was upheld ?

4. (a) Will Government be pleased to state what has been the practice all along in cases of difference of opinion in the Commission ?

(b) Does the majority opinion prevail in every case ?

(c) In how many cases, since the establishment of the Commission has the majority view not been upheld ?

5. Are Government of India prepared to lay down for the future that in all cases of differences of opinion in the Commission, the majority view shall prevail ? If not, why not ?

The Honourable Mr. H. G. Haig : 1. and 2. Mr. Ghulam Kasim Khan, late a Deputy Superintendent of Police, was removed from the service in February, 1928, by the Chief Commissioner, North-West Frontier Province, after a Commission appointed to hold a public enquiry under the Public Servants' (Inquiries) Act, 1850, had found him guilty of the charges of having acquired during his service a large sum of money by illegitimate means, of having bought land without permission, and having failed to report such purchases.

An appeal against the Chief Commissioner's order was received and referred by the Government of India to the Public Service Commission for advice. The majority of the Commission considered that the only charge proved against him was that he failed to report his acquisitions of land. The minority considered that the main charge was also proved beyond any reasonable doubt, namely that he had obtained by illegitimate means a large sum of money with which he had purchased land. On receiving these two different opinions the Government of India made a thorough examination of the case and accepted the conclusions of the Commission of Enquiry supported by the minority view of the Public Service Commission.

3. (a) Yes. I must make it plain, however, that Sir Philip Hartog's resignation was submitted on personal grounds and was not connected with this case.

(b) No.

(c) and (d). Do not arise.

4. and 5. Within the Commission the decision of the majority prevails, though it is open to any member to write a note of dissent which may be forwarded to the Government of India at the discretion of the Chairman. In regard to the acceptance by the Government of India of the advice tendered by the Public Service Commission, a convention exists that in regard to certain classes of cases their advice should be accepted, save in exceptional circumstances. It is the desire and the practice of the Government of India that departures from the convention should be as few as possible, and it is only in very rare cases, such as the one now under consideration, that they have departed from it.

REVENUES OF THE INDIAN MUSEUM, CALCUTTA.

2. ***Mr. S. C. Mitra :** 1. Will Government be pleased to state what is meant by a grant-in-aid institution, and the difference between a grant-in-aid institution and a Government institution, and whether the

revenues of a grant-in-aid institution are credited to Government, and whether grant-in-aid institutions submit their detailed annual budgets to Government for sanction ?

2. Will Government state (a) whether the Indian Museum of Calcutta is a grant-in-aid institution or a Government institution, and when the said Museum was built, and at what cost, and who provided the money, and whether the revenues of the Indian Museum are credited to Government, and (b) whether the Trustees of the Indian Museum can have any private income, in view of Resolution No. 19 of June, 1916, Government of India, Department of Education, and (c) whether the Trustees of the said Museum submit their detailed annual budget to Government for sanction, and (d) whether the Trustees are empowered to reappropriate from one head to another within the sanctioned grant ?

3. Will Government be pleased to say (a) what is meant by a lump annual grant-in-aid, and whether a lump annual grant-in-aid shows any details as to how that grant should be utilised under different minor heads, and (b) whether the Estimates for Demand for the Central Government for 1930-31 (pages 303-304) show a detailed statement of the number of staff, with their respective pay, and a provision for leave salary of the establishment of the Indian Museum ?

Mr. G. S. Bajpai : 1. As the name indicates a grant-in-aid institution is an institution which receives financial aid from Government, but for the management of which Government are not primarily responsible. A Government institution differs from an aided institution in that its management rests exclusively with Government.

There is no hard and fast rule regarding the crediting to Government of the income of grant-in-aid institutions. Such institutions are not ordinarily required as a rule to submit detailed annual budgets to Government.

2. (a) The Indian Museum is a grant-in-aid institution. Information regarding the Museum building, its cost and the source from which it was met is contained in the centenary memorial volume entitled "The Indian Museum, 1814—1914" issued by the Trustees.

(b) There is nothing to prevent the Trustees deriving income from sources other than those mentioned in the Resolution referred to by the Honourable Member. So far as Government are aware the Trustees do derive a small income now from the rent of a shop that they have leased.

(c) and (d). The replies are in the affirmative.

3. (a) A lump grant-in-aid is intended to cover broadly the whole or part of the expenditure of an institution or on a particular object, and may cover expenditure under several minor heads.

(b) Yes.

REDUCTION OF THE PAY OF THE HEAD CLERK OF THE INDIAN MUSEUM, CALCUTTA.

3. ***Mr. S. C. Mitra :** 1. (a) Will Government be pleased to state (a) whether the Trustees of the Indian Museum are empowered to create any new post, or alter the salary of any officer. without the previous L6CPB(LA)

sanction of the Governor General in Council, and (b) whether the holder of a ministerial office is an officer, and (c) whether the pay of the late Head Clerk of the Indian Museum was reduced with the previous sanction of the Governor General in Council ?

2. Will Government be pleased to state (a) the conditions of service in the Indian Museum, and who determined those conditions, and whether service, the conditions of which are determined by Government, is Government service, and (b) whether a Government servant for the time being in "foreign service" can draw his pay from the General revenues ?

3. Will Government please state (a) the difference between "appointment" and "employment", and (b) whether the Public Service Commission and the Heads of Government Departments, who are authorised to appoint officers in the service of the Crown in India, also employ the officers appointed by them, and (c) whether the Trustees of the Indian Museum are empowered to employ officers, as distinct from appointing them ?

4. Will Government be pleased to state whether the Devolution Rules, under which a Central subject can receive aid from the Central revenues, provide that the charge of the cost of the establishment of a Central subject, which is not a Government Department, e.g., the Victoria Memorial, Indian Institute of Science, Bose Research Institute and the Asiatic Society of Bengal, falls on the Government of India ?

5. Will Government be pleased to state (a) whether the late Head Clerk of the Indian Museum held a substantive and permanent appointment in the Zoological Survey Department before his services were transferred to the office of the Trustees of the Indian Museum ; and (b) whether transfer of service means resignation or termination of service, and (c) whether the late Head Clerk of the Indian Museum was a Government servant, and whether his memorial shall therefore be considered by Government ?

Mr. G. S. Bajpai : 1. (a) There is no objection to the Trustees creating a new appointment, or altering the salary of an existing one, without the prior approval of Government provided that they bear full responsibility for the financial consequences of their action.

(b) The incumbent of a ministerial post under Government is a public servant but is not described as an officer.

(c) No.

2. (a) I would invite the Honourable Member's attention to section 13 of the Indian Museum Act, No. X of 1913.

(b) I would refer the Honourable Member to rule 9 (7) of the Fundamental Rules.

3. (a) The appointment of a person is a condition precedent to his employment by the appointing authority.

(b) and (c). The Public Service Commission do not make appointments, except to their own staff. Other appointing authorities including the Trustees of the Indian Museum are obviously competent to employ those whom they can appoint.

4. There is nothing in the Devolution Rules to prevent a grant-in-aid from central revenues being expended upon establishment, so long as the conditions of the grant do not prohibit this.

5. (a) No.

(b) Not necessarily.

(c) The late Head Clerk of the Indian Museum was not a Government servant. If Government receive a memorial from him through proper authority, they will certainly consider it.

COMMUNAL DISCRIMINATION IN THE APPOINTMENT OF SUPERINTENDENTS OF POST OFFICES IN MADRAS.

4. ***Rao Bahadur P. T. Kumaraswami Chettiyar** : (a) Will Government please state whether there is any foundation for the rumour that the Presidency Postmaster, Madras, had recommended only the names of Brahmins to sit for competitive examination for the post of Superintendents of Post Offices in spite of the fact that there were men of other communities with full qualifications, some of them with better qualifications, and with greater seniority than the fortunate candidates who had commended themselves to the Postmaster ?

(b) If so, what remedial measures do Government intend to take to suppress this kind of invidious distinction ?

(c) Is the communal G. O. applied in filling up vacancies in the posts of the Superintendents of Post Offices ? If not, why not ?

Mr. H. A. Sams : (a) No.

(b) Does not arise.

(c) The appointments of Superintendents of Post Offices and Railway Mail Service are filled by promotion alternately from qualified Probationary Superintendents and qualified departmental officials. Direct recruitment is made to the cadre of Probationary Superintendents from amongst candidates who have attained qualifying marks in the Indian Audit and Accounts Examination, and in making these appointments the orders regarding reservation of vacancies for the redress of communal inequalities are followed. These orders do not apply to the promotion of departmental officials to the cadre of Superintendents. Only officials of outstanding ability are selected to appear at the Superintendents' examination, irrespective of the community to which they may belong.

DISCHARGE OF A CLERK BY THE TRUSTEES OF THE INDIAN MUSEUM, CALCUTTA.

5. ***Mr. S. C. Mitra** : (a) Will Government be pleased to refer to the answer to items (e), (f) and (g) to question No. 77, given on the 25th September, 1929, in the Council of State, giving the name of the Trustees' Clerk, a non-gazetted Government servant, which was omitted from the Annual Return of Establishment of the Indian Museum for 1928-29, in accordance with article 62 of the Civil Account Code, and reconcile the same with the answer to my starred question No. 474, items (j) and (k), in the Legislative Assembly on the 5th March, 1930, stating that the memorial of the Trustees' Clerk was not considered by the Government on the ground that he was not a Government servant ?

(b) Can any Government servant, holding a substantive and permanent appointment, be discharged unless his appointment has been abolished ? If so, under what article of the Civil Service Regulations ?

(c) Why was the Trustees' Clerk discharged when his appointment was not abolished ?

(d) Under what clause of the Indian Museum Act, 1910 (X of 1910), are the Trustees of the Indian Museum specifically empowered to discharge a Government servant ?

Mr. G. S. Bajpai : (a) The reply to parts (e), (f) and (g) of question No. 77 in the Council of State asked on the 25th September, 1929, referred to matters relating to the Indian Museum, Calcutta, dealt within that question, and did not imply that the clerk concerned was a " non-gazetted Government servant ".

(b) The reply to the first part of the question is in the affirmative. All civil servants hold office at the pleasure of the Crown subject to such rules as may be made under section 96-B of the Government of India Act.

(c) The clerk was discharged on refusing to serve on his original salary, or, in the alternative, of retiring on compensatory pension.

(d) The Trustees of the Indian Museum have no power under the Indian Museum Act, 1910, to discharge a Government servant.

PERMANENCY OF THE CREW SYSTEM OF TICKET CHECKING.

6. ***Dr. Ziauddin Ahmad :** When will Government decide the permanency of the crew system ?

Mr. A. A. L. Parsons : A committee has been appointed by the Railway Board recently, to enquire into the working of the crew system. On receipt of their report a decision will be reached whether the crew system should continue.

HOURS OF WORK OF MEMBERS OF CREWS AND GRANT OF COMPASSIONATE ALLOWANCE IN CASES OF ACCIDENT.

7. ***Dr. Ziauddin Ahmad :** (a) How many hours each day are the members of crew expected to work ? Are they allowed overtime allowances ? If not, why not ?

(b) Have Government given any compassionate allowance to the families of the crew and the crew-in-charge who accidentally died on duty ?

(c) Is the compassionate allowance reserved for persons who bear European names ? If not, will Government be pleased to state the names of persons to whose families compassionate allowances or pensions were given after their accidental death ?

Mr. A. A. L. Parsons : (a), (b) and (c). The Honourable Member is referred to the reply given to his unstarred question No. 351 on 31st March, 1930, and the information supplied to him in Railway Board's letter No. 261-L. of 30th April, 1930.

ABSORPTION OF RESERVE DEPRECIATION FUNDS IN WAYS AND MEANS BALANCES.

8. ***Dr. Ziauddin Ahmad :** (a) Are the Reserve Depreciation Funds, amounting to about Rs. 30 crores, absorbed in the Ways and Means

Balances of the Government of India, and have the Government of India considered the question of the soundness of this as a financial policy ?

(b) Was the Auditor General ever consulted about it ?

(c) If not, do Government propose to consult him now ?

The Honourable Sir George Schuster : (a) Government consider that the particular arrangement referred to is financially sound provided that the general financial position of the Government is maintained, as it has been hitherto, on a sound and stable basis.

(b) and (c). The Auditor General is fully aware of the present position.

PURCHASE OF THE BENGAL AND NORTH WESTERN RAILWAY.

9. ***Dr. Ziauddin Ahmad :** (a) What steps have Government taken to purchase the Bengal and North Western Railway ? Will Government lay the correspondence on the table ?

(b) Are Government contemplating floating a loan in India, or partly in India and partly in England, for the purchase of the Bengal and North Western Railway ?

(c) Will Government clearly mention whether they intend to purchase the Railway after the expiry of their contract in 1931 ? Are they aware of the strong public feelings about its purchase ?

Mr. A. A. L. Parsons : The Railway cannot be taken over until the 1st of January, 1933, and notice of intention to terminate the contract need not be given before the 31st December, 1931. Government have not yet come to any conclusions on the question, but its consideration is now being taken up. They are aware of the expression of opinion on the subject.

Mr. Gaya Prasad Singh : May I know, Sir, when a decision on this matter is likely to be arrived at ?

Mr. A. A. L. Parsons : The matter is now under consideration, Sir, and the Honourable the Railway Member gave, last Session, an undertaking that this House would have an opportunity of expressing its views on the question. No decision can therefore be reached until this House has had an opportunity of expressing its views, that is until after the next Session.

Mr. Gaya Prasad Singh : Are Government aware that the improvement of the system is to some extent arrested owing to the uncertainty which overhangs the fate of this Railway ?

Mr. A. A. L. Parsons : No, Sir ; I do not think I can recollect any occasion when proposals which had been put forward have been delayed merely because the possibility of Government acquiring the system is under consideration.

Mr. Gaya Prasad Singh : May I know when did the Honourable gentleman last travel on that Railway ?

Dr. Ziauddin Ahmad : Are Government aware that this Railway is giving the maximum profits by reducing expenditure on its establishments ?

Mr. A. A. L. Parsons : I should not like categorically to accept the reason given by the Honourable Member for profits declared by the Bengal and North Western Railway.

Mr. Gaya Prasad Singh : Are Government aware that Colonel Izat, in one of the meetings of the Board of Directors, expressed his opinion at the commencement of this year that the improvement of the system is to some extent arrested on account of the uncertainty which overhangs the fate of that Railway, and I think I quoted that in course of my speech on the Railway Budget in Delhi ?

Mr. A. A. L. Parsons : I do not recall it, but I am perfectly prepared to take it from the Honourable Member.

Dr. Ziauddin Ahmad : Will Government consult the Assembly before taking any final step in the matter ?

Mr. A. A. L. Parsons : As I have already explained, that is the intention of the Government.

UTILIZATION OF UNCLAIMED INTEREST ON GOVERNMENT SECURITIES.

10. ***Dr. Ziauddin Ahmad :** (a) Will Government please state the action they have taken on the Resolution passed by the Council of State on the 16th February, 1927, about the expenditure of unclaimed interest for Muslim education ?

(b) What is the amount of unclaimed interest accumulated till 31st March, 1930 in :

- (i) The Post Office Savings Bank ;
- (ii) War and other bonds that have been matured ;
- (iii) Government Securities and Government Guaranteed Securities ;
- (iv) Deposits in the Imperial Bank ?

(c) Are Government prepared to show in their annual Budget the aggregate amount of unclaimed interest under each head ?

The Honourable Sir George Schuster : (a) The attention of the Honourable Member is invited to the reply given in the Council of State on the 12th September, 1927, to the Honourable Sir Haroon Jaffer's question No. 118. It will be seen from this reply that Government were prepared to take action provided that a scheme was prepared by a representative body of Muslims. Government have, however, received no applications for action on the lines stated.

(b) and (c). The Honourable Member's attention is invited to my reply to his unstarred question No. 355 on the 31st March, 1930.

Mr. Anwar-ul-Azim : Will the Honourable Member kindly tell us whether this matter was not agitated here on the floor of the Assembly a couple of years ago ?

The Honourable Sir George Schuster : Is my Honourable friend informing me that this matter has been before the Assembly for two years ?

Mr. Anwar-ul-Azim : Yes.

The Honourable Sir George Schuster : I am quite prepared to take it from the Honourable Member.

DISCONTENT AND HARDSHIP CAUSED BY DUTIES IMPOSED UNDER THE SALT ACT.

11. ***Mr. B. N. Misra** : Are Government aware of the great discontent and hardship caused by the duties imposed under the Salt Act of 1882 and the subsequent Acts amending the same ?

The Honourable Sir George Schuster : Government do not consider that the existing salt tax is the cause either of hardship or legitimate discontent.

Mr. N. G. Ranga : Are not Government aware that there is widespread discontent in the country ?

Mr. President : This is not a supplementary question.

CONVICTIONS UNDER THE SALT ACT.

12. ***Mr. B. N. Misra** : (a) Are Government aware that there have been several convictions under the Salt Act in different provinces of India ?

(b) If so, will Government be pleased to state :

- (i) the total number of convictions under the said Act during the last six months in British India ;
- (ii) the number of convictions in which sentences of fine only have been imposed ;
- (iii) the number of convictions in which sentences of imprisonment up to six months have been passed ; and
- (iv) the number of convictions in which sentences of imprisonment of over six months have been passed ?

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

Mr. Gaya Prasad Singh : In view of the importance of this question, may I request that the answer be laid on the table of the House ?

The Honourable Mr. H. G. Haig : Certainly. If I can get the information before the end of the Session, it will be laid on the table of the House.

ASSAULTS ON SATYAGRAHIS BY THE POLICE.

13. ***Mr. B. N. Misra** : Are Government aware of the discontent on account of the dealings with and assaults on Satyagrahis by the police and other officials of Government ?

The Honourable Mr. H. G. Haig : I would recall to the Honourable Member the observations made in this matter by His Excellency the Viceroy in his speech to the Indian Legislature on the 9th July, 1930.

RESIGNATIONS OF MEMBERS OF LEGISLATURES AS A PROTEST AGAINST REPRESSIVE MEASURES.

14. ***Mr. B. N. Misra** : Will Government be pleased to state the number of Members who have resigned as a protest against the repressive measures of Government :

(a) in this Assembly ; and

(b) in the several Provincial Legislative Councils during the last six months ?

The Honourable Mr. H. G. Haig : (a) Eight, I should judge so far as reasons for resignation have been given.

(b) With regard to Provincial Legislative Councils a statement is laid on the table giving the information so far as it is known to the Government of India.

Statement giving the number of Members of the Provincial Legislative Councils who resigned as a protest against the repressive measures of Government during the last six months.

Madras	..	..	..	..	..	..	..	..	8
Bombay	..	..	..	..	..	..	..	..	20
Bengal	..	..	..	..	..	..	..	..	1
United Provinces	..	..	..	..	..	..	..	..	8
Punjab	..	..	..	..	..	..	..	..	1
Burma	..	..	..	..	..	..	..	..	1
Bihar and Orissa	..	..	..	..	..	..	..	..	7
Central Provinces	..	..	..	..	..	..	..	..	8
Assam	..	..	..	..	..	..	..	..	3
Coorg	..	..	..	..	..	..	..	..	NW
Total									57

ARRESTS UNDER ORDINANCE NO. 1 OF 1930.

15. ***Mr. S. C. Mitra** : (a) Will Government be pleased to lay on the table a list of names, which details as to their date of arrest, previous convictions, or internments, if any, present state of health, the place of detention, the amounts of personal and family allowance granted to the persons who have been proceeded against under Ordinance No. 1 of 1930 ?

(b) Will Government please state how many of the persons who were first arrested under the Ordinance have subsequently been released by the police or by the scrutiny of the Judges ?

(c) How many houses were searched under the said Ordinance, and in how many cases were incriminating articles seized, and what was the nature of those articles ?

(d) Will Government please state in how many cases persons once released were arrested shortly after, and the reasons therefor ?

The Honourable Mr. H. G. Haig : I have made enquiries from the Government of Bengal in regard to this and the next question and will furnish the Honourable Member with a reply in due course. I am not sure, however, that I shall be able to supply all the information asked for. I think the practice was established in the past that details regarding individual prisoners were dealt with in the Local Legislative Council rather than here.

INTERVIEWS WITH ORDINANCE INTERNEES.

†16. *Mr. S. C. Mitra : (a) Are Government aware that an officer of the Intelligence Branch is always present when interviews are granted with Ordinance internees ?

(b) If the answer to part (a) be in the affirmative, will Government please explain why interviews with certain persons are rejected by police officers ?

(c) Is it a fact that sometimes police officers demand the grounds and reasons for which interviews are sought and then refuse interviews without giving any reasons ?

(d) Is it not a fact that, during interviews, police officers sometimes object to certain discussions which are then stopped ? If so, will Government please explain why interviews are now and then refused ?

(e) Will Government please inquire if interviews sought on business grounds in the presence of police officers have also been refused by the Bengal Criminal Intelligence Department ?

NEWSPAPERS SUPPLIED TO POLITICAL PRISONERS.

17. *Mr. S. C. Mitra : (a) Are Government aware that only Anglo-Indian and pronounced anti-nationalist papers are allowed to political prisoners and papers like the *Tribune*, *Leader*, *Hindusthan Times*, *Hindu*, *Bombay Chronicle*, *Liberty* and *Amrita Bazar Patrika* are banned ?

(b) If so, will Government state the reasons for such discrimination ?

The Honourable Mr. H. G. Haig : The Government of India have no information as to the newspapers which are supplied in the jails of the different provinces. Their general policy on this subject was announced in a communiqué† published on the 19th February last.

†For answer to this question, see answer to question No. 15.

‡Extract from a communique issued by the Government of India on the 19th February, 1930.

The Government of India accept the principle that reasonable facilities, subject to safeguards, should be provided by the Government for the intellectual requirements of the educated and literate prisoners. Local Governments will be requested to examine the condition of Jail Libraries in the provinces and in cases where those are non-existent or defective, to take early steps to establish or improve them. Literate prisoners may be allowed to read books and magazines from outside subject to the approval of the Jail Superintendent.

Newspapers will be allowed to "A" class prisoners on the same conditions as under the existing rules, they are allowed to special class prisoners, that is, in special circumstances and with the approval of the Local Government. As regards literate persons generally, where the Local Governments publish a Jail newspaper or where they intend to publish it, this publication will be available once a week for literate prisoners. Where the Local Governments are unable to publish a weekly newspaper, the Government of India have decided that a few copies of a weekly paper approved by the Local Government should be provided at Government expense for 'A' and 'B' classes of prisoners.

NEWSPAPERS AND PRESSES REQUIRED TO FURNISH SECURITY.

18. ***Mr. S. C. Mitra** : (a) Will Government please state :

(i) the names of the presses and papers against which security has been demanded under Ordinance II of 1930, with the amount of security demanded in each case ;

(ii) the names of presses and papers that have ceased to exist due to the demand of the security ; and

(iii) the names of the papers and presses that have been warned ?

(b) Will Government please explain if security has been demanded of papers for their opinion published before the promulgation of the Ordinance ? If not, will Government please state whether some of the Local Governments, immediately with the promulgation of the Ordinance and without waiting to see its effect, or giving any warning, at once demanded security from certain papers and presses ? If so, why ?

(c) Will Government please state the amount of security deposited by different presses and papers ?

(d) Has there been any occasion for confiscation of the security ? If so, in what cases ?

(e) Have Government in some cases lowered the amount of security ? If so, in what cases ? Is it of their own motion or on a representation of the interested parties ?

The Honourable Mr. H. G. Haig : Local Governments have been addressed, but I am afraid the information is not yet quite complete. I hope to be able to lay a statement on the table before the end of the Session.

PROSECUTIONS FOR RECENT POLITICAL OFFENCES.

19. ***Mr. S. C. Mitra** : (a) Will Government be pleased to supply a list showing the number of persons in different provinces up-to-date who have been prosecuted or punished for the infringement of the salt laws, civil disobedience or sedition ?

(b) Will Government please give the names of the ladies who have been punished under the said laws ?

The Honourable Mr. H. G. Haig : The information in my possession shows that from the 6th April to the 15th June, 1930, the number of persons convicted in connection with the Civil Disobedience Movement is approximately 4,377. I regret I have no detailed information about the number of women convicted or the offences for which the persons referred to above were convicted.

Mr. S. C. Mitra : Does the Honourable Member consider that they are not important enough ?

The Honourable Mr. H. G. Haig : Not necessarily. We have not got the information. We have been able to collect the information as to the total number of people from the Local Governments, but we have no information available about the number of women convicted. If the Honourable Member attaches special importance to it, I will certainly address the Local Governments on the subject.

Mr. A. H. Ghuznavi : Will Government be pleased to state how many of those gentlemen who have been convicted for civil disobedience are Hindus and how many Mussalmans ?

The Honourable Mr. H. G. Haig : I am afraid I have no information on the subject.

Mr. A. H. Ghuznavi : Will Government kindly give us the information at a later date as to the number of Mussalmans that have been convicted for civil disobedience ?

The Honourable Mr. H. G. Haig : I should be prepared to make enquiries from Local Governments and furnish the information to the Honourable Member.

Dr. Nand Lal : May I ask how many persons were convicted in the Punjab ?

The Honourable Mr. H. G. Haig : I think I should require notice for that. I have no information, but I have no doubt I could get the information.

CASES OF FIRING ON DEMONSTRATORS.

20. *Mr. S. C. Mitra : (a) Will Government please state the cases where firing had to be resorted to and the number of casualties in each case ?

(b) Will Government state the circumstances under which responsible officers were compelled to open fire in each case ?

The Honourable Mr. H. G. Haig : (a) Complete information is only available for the months of April and May and is contained in the statement laid on the table.

(b) Resort to firing was necessary either in self-defence or to disperse unlawful assemblies under Chapter IX of the Code of Criminal Procedure. So far as Government are aware, the unlawful assembly was in every case guilty of violence before resort was had to firing.

Casualties during the month of April, 1930.

Provinces.	Casualties among the public.		Remarks.
	Killed.	Wounded.	
Madras— Madras City, April, 27th.	2	6 (One died subsequently.)	Warning given by Commissioner of Police.
Bombay Victoria Terminus, 4th April (Railway strike).		7 (One died subsequently.)	19 rounds were fired by the Police on Railway strikers in self-defence. No time to give warning.
Bhusawal, 6th April (Railway strike).	*1	*2	* These casualties were a result of accident. A gun which was being snatched from a constable went off. This happened during Railway strike.

Provinces.	Casualties among the public.		Remarks.
	Killed.	Wounded.	
Kurla, 6th April (Railway strike).		1	4 or 5 rounds were fired in self-defence against Railway strikers by the Police wounding one person.
Karachi, 16th April ..	1	6 (One of whom died subsequently).	Police fired on Magistrate's order after warning given.
Bengal— Calcutta, 1st April ..	7	59	Warning of firing given.
Calcutta, 15th April ..		*3	* Slightly wounded. Sergeant fired in self-defence.
24-Parganas, 24th April	1	3	Warning given.
Chittagong, 18th, 19th and 22nd April.	10 (Terrorists)	2 (Terrorists, both died subsequently).	....
Noakhali (Feni), 23rd April.		..	Attack by armed terrorists.
Chittagong, 24th April..	1 (Terrorist).	..	....
N. W. F. Province (Peshawar), 23rd April.	30	33 (approximate)	See report of Peshawar Enquiry Committee.
<i>May, 1930.</i>			
Madras, May, 1930 ..		2	Warning given.
Bombay— Sholapur, 7th May ..	..		Disturbances started on 7th at Sholapur, no firing resorted to on that day but members of the Police were attacked.
Sholapur, 8th May ..	12	28	Firing at intervals on six separate occasions. Warning given on all occasions except one when almost immediately after the first firing police lorries had to be stopped in order to rescue excise sub-inspector and his peon who were on the point of being murdered.
Wadala Salt Pans, 24th May.	..	1	Warning given before firing.
Bhendy Bazar, 26th and 27th May.	5	67	Firing at intervals. Warning given.
Bengal— Howrah, 6th May..	..	5	Warning given.

Provinces.	Casualties among the public.		Remarks.
	Killed.	Wounded.	
Bengal—			
Chittagong, 7th May ..	3 insurgents and 1 other.	1 Insurgent 1 (who died subsequent- ly and 5 others two of whom died subse- quently).	Armed rebellion.
Mymensingh, 14th May.	1	Between 30 to 40.	Warning given.
Dacca, 25th and 27th May (Communal riot).	2	1	
Lillooah, 29th May .. (E. I. Railway strike.)		5	Warning given to strikers.
Midnapur (Pratapdighi), 31st May.	2	2	Warning given.
United Provinces— Lucknow, May 26th.	1	About 42 (2 died subse- quently).	A mob attacked Aminabad out- post. Three Lathi charges with warning on each occasion before firing was ordered.
Punjab—			
Kalu, Jhelum District, May 18th.	..	1	District Magistrate declared assem- bly unlawful and gave order of dispersal. On refusing to disperse order of firing was given.
Burma —			
Rangoon, last week of May.	5	37	Warning was given whenever possi- ble and firing was resorted to only to save the lives of the public.
N. W. F. P. ..	17	37	The figures include 9 killed and 18 wounded on the 31st May at Peshawar.
Delhi, 6th May	4	40	The police fired in self-defence.

DETENTION OF MAHATMA GANDHI.

21. *Mr. S. C. Mitra : (a) Will Government please explain the reasons why Mahatma Gandhi has been detained under Regulation 25 of Bombay and not prosecuted under the Indian Penal Code ?

(b) Was there no specific case against him ?

(c) Is it not a fact that Mahatma Gandhi openly said that he was guilty of sedition and there was enough evidence to prove it ?

The Honourable Mr. H. G. Haig : (a), (b) and (c). Government have no doubt that there was adequate material on which Mr. Gandhi might have been successfully prosecuted under the ordinary Criminal Law. They considered, however, having regard to all the circumstances, that the public interest would be better served by his detention under the Bombay Regulation.

Mr. Gaya Prasad Singh : May I ask what were the circumstances which Government took into consideration before deciding not to launch a regular prosecution against Mahatma Gandhi ?

The Honourable Mr. H. G. Haig : One of the considerations.....

Mr. Gaya Prasad Singh : I want to know all the considerations if possible. (Laughter.)

The Honourable Mr. H. G. Haig : It is difficult always to give all the considerations, but I think one of the main considerations present in the mind of the Government was that they thought that on the whole it would be more in accordance with public feeling, certainly in the Bombay Presidency.

AMNESTY FOR POLITICAL PRISONERS.

22. ***Mr. S. C. Mitra :** Do Government propose to grant a general amnesty to political prisoners to ease the political tension ?

The Honourable Mr. H. G. Haig : While the civil disobedience movement is in progress, no question of this nature can arise.

WITHHOLDING OF TELEGRAMS ADDRESSED TO THE BENGAL PROVINCIAL CONGRESS COMMITTEE.

23. ***Mr. S. C. Mitra :** (a) Is it a fact that Mr. R. H. D. Parret, on behalf of the Postmaster General, Bengal and Assam Circle, issued circulars that all telegrams addressed to (i) the Bengal Provincial Congress Committee or any member or office-bearer thereof, (ii) Maulana Abul Kalam Azad, (iii) Sj. Purna Chandra Das, should be detained and immediately disclosed to the Deputy Inspector General of Police, I. B., C. I. D. of Bengal ?

(b) If so, under what authority and how many telegrams have been withheld under the said orders ?

The Honourable Mr. H. G. Haig : The Telegraph Act provides Government with power to intercept telegraphic correspondence. They cannot undertake to disclose details regarding any action that may be taken by them in the exercise of those powers ; but the powers have been used against certain organisations and individuals concerned in the civil disobedience movement.

CASUALTIES IN THE BAKR-ID RIOTS AT DIGBOI, ASSAM.

24. ***Mr. Anwar-ul-Azim :** (a) Will Government be pleased to state how many Muslims and Hindus have been killed or wounded in the Digboi Bakr-id riots (Assam) ?

(b) Is it a fact that the local authorities allowed the rioters to get prepared for the attack on the Muslims on Saturday, the day of Muslim festival ?

(c) Is it a fact that a non-Muslim gentleman, who has clients amongst the non-Muslim accused and suspects, is conducting the prosecution, in spite of the representation of the Muslims, and that against their desire ?

The Honourable Mr. H. G. Haig : (a) and (b). I would invite the Honourable Member's attention to the Communiqué issued by the Government of Assam on the 21st May, 1930.

(c) I have no information.

Mr. Anwar-ul-Azim : Will the Honourable Member kindly make inquiries on his own initiative in the interests of public justice and safety and get the information that I want in (a) and (b) without relying on the communiqué of the Government of Assam ?

The Honourable Mr. H. G. Haig : I think the information required by the Honourable Member with regard to (a) and (b) is very fully given in the Local Government's communiqué.

Mr. A. H. Ghuznavi : Are Government aware that in Bengal and Assam it was said that the rioters in the Assam trouble were supplied with arms and ammunition and other materials by the Chittagong rebels to fight the Mussalmans ?

The Honourable Mr. H. G. Haig : I have heard no suggestion of that sort, and I think it is quite clear from the communiqué of the Assam Government that they have no information to that effect.

Mr. A. H. Ghuznavi : Will Government kindly make enquiries into this matter ?

The Honourable Mr. H. G. Haig : I don't think that it is really necessary. There was no question, I think, of munitions being used. This was one of those deplorable but not infrequent communal clashes, and I do not think that there was any question of special munitions being employed.

LOW STANDARD OF ARCHAEOLOGICAL REPORTS.

25. ***Mr. S. C. Mitra :** (a) Has the attention of Government been drawn to Circular No. 333-69, dated the 1st July, 1929, issued by the Director General of Archæology, in which that officer admits that many of the contributions to the Annual Report were lamentably poor, drawn up carelessly and illogically and in such indifferent literary style that it has been necessary to re-write them ? Is this criticism intended to be a reflection on the calibre of Superintendents appointed to hold charge of provinces ?

(b) What steps do Government intend to take to raise the standard of scholarship in the Archæological Department ? Do the Government of India intend to thresh out the whole question of appointments in this Department, if necessary with the help of an expert committee ?

L6CPB(LA)

B

Mr. G. S. Bajpai : I would invite the Honourable Member's attention to the answers given to Shaikh Mushir Hosain Kidwai's questions Nos. 548 and 549 on the 12th March, 1930, in this House.

APPOINTMENT OF DIRECTOR GENERAL OF ARCHAEOLOGY.

26. ***Mr. S. C. Mitra :** Have Government considered the question of appointing a successor to Sir John Marshall, as Director General of Archaeology ? What are the names and qualifications of the officers who have been appointed to act in his place during the last three years ?

Mr. G. S. Bajpai : I would invite the Honourable Member's attention to the answer given on the 12th March, 1930, to Shaikh Mushir Hosain Kidwai's question No. 550 in the Legislative Assembly.

EXTENSIONS OF SERVICE GRANTED TO ARCHAEOLOGICAL OFFICERS.

27. ***Mr. S. C. Mitra :** (a) Will Government be pleased to state the names, if any, of officers of the Archaeological Department who have been granted extensions after they had completed 55 years of age, and if so, for what reasons ?

(b) Is it a fact that the Superintendent of the Archaeological Section of the Indian Museum was granted an extension after a serious illness—chronic rheumatism and high blood pressure ? Will similar extensions be granted to him upto the sixtieth year ?

Mr. G. S. Bajpai : (a) A statement giving the information asked for by the Honourable Member is laid on the table of the House.

(b) Rai Bahadur Rama Prasad Chanda was granted leave on medical certificate for three months from the 15th of October, 1928, on account of high blood pressure, but was certified by the Civil Surgeon, 24 Parganas, as fit to resume his duties in Government service on his return from that leave. No mention was made in the medical certificate of chronic rheumatism. The question of granting him a further extension has not yet arisen.

Statement giving the names of officers of the Archaeological Department who have been granted extension of service after attaining the age of 55 years and the reasons therefor.

(1) Mons. Charles Duroiselle, Superintendent, Archaeological Survey, Burma Circle, was granted an extension in order to enable him to see through the press the monographs noted on the margin on which he is engaged and to undertake extensive touring to complete a photographic record of wall paintings in Burma.

The Aronda Temple at Pagan.
The Trilingual Shwezigon Bell Inscription.
The 550 plaques at Pagan illustrating the Jatakas.
The Notes on the Discoveries at Hmawza (Old Prome).

(2) Rai Bahadur Rama Prasad Chanda, Superintendent, Archaeological Section, Indian Museum, Calcutta, was granted an extension owing to the shortage of officers in the Archaeological Department, which made it impossible to arrange for the training of an officer to succeed him without serious dislocation of work, and to permit him to complete a Guide to the Sculptures in the Archaeological Section, Indian Museum, that he was preparing. The Guide will be published in three volumes ; the first volume will deal with the pre-Sunga and Sunga sculptures, the second with the sculptures of Gandhara, Mathura and Amaravati, and the third with the Gupta and Mediaeval sculptures. In addition, owing to the death of Mons. Senart, to whom the work was originally entrusted, the Rai Bahadur will now have to edit the Sanchi inscriptions for the Sanchi Monograph.

**SERVICE FOR PENSION OF THE ASSISTANT CURATOR, ARCHAEOLOGICAL SECTION,
INDIAN MUSEUM.**

28. ***Mr. S. C. Mitra** : Will Government be pleased to state whether the Assistant Curator of the Archæological Section, Indian Museum, who has been granted pension last year, served under the Trustees of the Indian Museum ? If so, for how many years ? Has that service been reckoned in calculating his pension ? What contributions, if any, have the Trustees made towards the cost of his pension ?

Mr. G. S. Bajpai : Pandit Binode Bihari Bidyabinod, the Assistant Curator referred to served under the Trustees of the Indian Museum from 14th June, 1901, to 28th February, 1911. This period has been taken into account in calculating his pension. The question of recovering contributions from the Trustees is still under consideration.

PROMOTIONS IN THE POSTAL DEPARTMENT.

29. ***Mr. Anwar-ul-Azim** : (1) Will Government be pleased to state :

- (a) whether prior to the 1st September, 1927, there were three grades, viz., Rs. 100—175, 145—170 and 175—225 in the Post Office Department ;
- (b) whether the Inspectors and Divisional Head Clerks to the Superintendents of Post Offices were in the grade of Rs. 100—175 ;
- (c) whether the officials in the grade of Rs. 100—175 used to get promotion to the grade of Rs. 175—225 ;
- (d) whether the passed candidates whose names were borne on the waiting list of different Postal Circles for promotion to the cadre of Inspectors of Post Offices and Divisional Head Clerks to the Superintendents of Post Offices used to be promoted in vacancies caused by the promotion of officials referred to in (b) above to the next higher grade of Rs. 175—225 ;
- (e) whether the above three grades of Rs. 100—175, 145—170 and 175—225 were amalgamated into one grade of Rs. 160—250 with effect from the 1st September, 1927 ;
- (f) whether, due to the above amalgamation, the vacancies which used to occur in the cadre of Inspectors and Divisional Head Clerks by promotion of the latter to the next higher grade of Rs. 175—225 ceased to occur from the date of amalgamation ; and
- (g) whether such cessation of occurrence of vacancies blocked the prospects of promotion of the passed candidates referred to in part (d) above ?

(2). (a) If the replies to the above questions are in the affirmative, will Government be pleased to state what steps, if any, they have taken to protect the interests of the passed candidates who are deprived of an avenue to promotion due to administrative arrangement ?

(b) If nothing was done in that direction, will Government be pleased to state whether they now propose to provide some measure of relief to

compensate those officials from the loss of promotion already sustained by them from the 1st September, 1927, to date, and whether they propose to take any steps to protect such officials from any further loss of promotion in future ?

Mr. H. A. Sams : (1). (a) to (e). Yes, Sir.

(f) and (g). The replies are in the negative. With the introduction of the lowest selection grade of Rs. 160—10—250 both for officials in the general line of the Post Office and for Inspectors of Post Offices and Head Clerks to Divisional Superintendents of Post Offices a separate cadre for the latter classes of officials ceased to exist, but the actual posts have not ceased to exist and vacancies in these posts therefore occur. Officials who had passed the former examination for promotion to the cadre of Inspectors and Divisional Head Clerks in the grade of Rs. 100—5—175 are eligible for promotion to any of the posts included in the revised grade of Rs. 160—10—250 in order of seniority along with those who have passed the new departmental lower selection grade examination, and they also have the chance of entering the next higher grade of Rs. 250—20—350 earlier, seeing that they will not have to pass through an intermediate grade of Rs. 175—10—225 which existed before. Their promotion has not therefore been blocked though their prospects have been affected to a certain extent.

I have the matter in hand. I propose to take certain steps in the interests of these passed men.

(2). (a) and (b). Do not arise in view of my reply to parts 1 (f) and (g).

PROMOTIONS IN THE POSTAL DEPARTMENT.

30. ***Mr. Anwar-ul-Azim :** (1) Will Government be pleased to state :

(a) whether in the Post Office Department the names of the passed candidates used to be arranged on a waiting list for promotion to the cadre of Inspectors and Divisional Head Clerks in order of merit displayed by each in the departmental examination ;

(b) whether the Director General, Posts and Telegraphs has, in paragraph 6 of his memorandum No. E. A.-279/28, dated the 11th February, 1928, ruled that the names of the above officials will be rearranged in a new waiting list according to the seniority of service, along with those who have passed the recent lowest selection grade examination held in the month of December, 1929 ;

(c) whether the officials who sat for the lowest selection grade examination referred to in (b) above, were selected according to strict seniority in the ordinary clerical time-scale grade of different cadres ; and

(d) whether the officials who passed the departmental examination of Inspectors and Divisional Head Clerks were nominated, irrespective of seniority, by the Supervising Officers as being most suitable men for the special appointments of Inspectors and Divisional Head Clerks ?

(2) If the replies to the above questions are in the affirmative, will Government be pleased to state, whether they propose to place the names of such officials on the top of those who passed the lowest selection grade examination? If not, why not?

Mr. H. A. Sams : (1). (a) In some Circles the names of the passed officials used to be arranged in order of merit; in others they were arranged according to seniority in the gradation list.

(b) Yes. The names have been ordered to be arranged in the new waiting list in order of seniority in the gradation list of the Circle concerned.

(c) and (d). Yes.

(2) Government do not consider it necessary to take the action suggested by the Honourable Member. The officials who formerly passed the Inspectors and Head Clerks' Examination were eligible for promotion exclusively to posts of Inspectors and Divisional Head Clerks, while by including them in the same list with the officials who recently passed the Lowest Selection Grade Examination they will be eligible for promotion to any of the posts included in the new Lowest Selection Grade of Rs. 160—10—250, whether in the Inspectors' line or in the general line. As both classes of officials are qualified for promotion to the selection grade posts, the former cannot be accorded the special treatment suggested by the Honourable Member. As, however, the prospects of promotion of the men who were on the waiting list of Inspectors and Head Clerks to Superintendents have been somewhat affected, I propose to introduce measures to give them a certain amount of protection.

PROMOTIONS IN THE POSTAL DEPARTMENT.

31. ***Mr. Anwar-ul-Azim :** (1) Will Government be pleased to state :

- (a) whether in the Post Office Department the appointments of Inspectors and Divisional Head Clerks used to be filled up exclusively by such officials who came out successful at a departmental examination held for the purpose;
- (b) whether the names of such successful candidates used to be borne on a waiting list for promotion to the cadre of Inspectors and Divisional Head Clerks;
- (c) whether there are a sufficient number of such officials whose names are still borne on the waiting list of different Postal Circles; and
- (d) whether it is a fact that there are a good number of such officials in each Postal Circle still unprovided for who have been waiting for a long period, ranging from seven years to three years, and whether, in spite of this fact, the Director General of Posts and Telegraphs has issued some orders throwing open the appointments of Inspector and Divisional Head Clerks to those who passed the recent lowest selection grade examination?

(2) If the replies to the above questions are in the affirmative, will Government be pleased to state the justification for taking such attitude towards the passed candidates waiting for promotion to the cadre of Inspectors and Divisional Head Clerks ?

Mr. H. A. Sams : (1). (a) and (b). Yes, Sir.

(c) There are about 30 officials only of this class in the whole of India and Burma, and in some Circles there are no officials at all of this class.

(d) The statement contained in the first part of the question is inaccurate in view of what is stated in my reply to part (c). The reply to the second part is in the affirmative.

(2) I would invite the Honourable Member's attention to the reply just given to paragraph 2 of his question No. 30.

APPOINTMENT OF A BRITISH MILITARY CHIEF CLERK IN THE RAWALPINDI ARSENAL.

32. ***Mr. Anwar-ul-Aziz :** (a) Is it a fact that a British military Chief Clerk has been appointed as a trial in Rawalpindi arsenal and that the Indian Head Assistant will have to take orders from him ?

(b) If so, will this not lower the status of the Head Assistant, although it may not affect his pay and allowances ?

(c) If a military Chief Clerk has been appointed in Rawalpindi as a trial only, is it a fact that similar appointments have also been created in the Quetta and Kirkee arsenals, where British warrant officers have been appointed as Chief Clerks under local arrangements ?

Mr. G. M. Young : (a) and (c). As an experimental measure, the British warrant officers, known as Chief Clerks, in charge of the Ordnance Branches of the Arsenal offices of Rawalpindi, Quetta, Kirkee, Ferozepore and Allahabad have been made responsible for the general supervision of certain branches for the detailed and immediate supervision of which Head Assistants are responsible. The Head Assistants will therefore receive orders in some matters from the Chief Clerks. No addition has been made to the establishment of British other ranks, nor is there any intention of increasing the pay of the Chief Clerks.

(b) It is not intended that the status of the Indian Head Assistant should be lowered. He will continue to have the same access to the Chief Ordnance Officer as he has had in the past.

PAY AND ALLOWANCES OF BRITISH WARRANT OFFICERS.

33. ***Mr. Anwar-ul-Aziz :** (a) What are the pay and allowances of a British warrant officer ?

(b) Is it a fact that the pay and allowances of a senior warrant officer before the war were Rs. 190, while the maximum the Head Assistant drew was Rs. 240 per mensem ?

(c) Does the pay of a warrant officer compare favourably with that of the Head Assistant after the war ?

(d) Is it a fact that a Head Assistant now draws less pay than a junior warrant officer? If so, what is the reason?

Mr. G. M. Young : (a) The pay of a Conductor is Rs. 420 a month and that of a Sub-Conductor Rs. 380. Both receive allowances amounting to Rs. 125 a month.

(b) The pay and allowances of a senior warrant officer before the war amounted to Rs. 220 a month. The pay of a Head Assistant was as stated by the Honourable Member.

(c) Yes.

(d) Yes, because the Head Assistant does not require to have the same technical knowledge and training as a junior warrant officer.

PROMOTIONS IN THE ARMY.

34. ***Mr. Anwar-ul-Azim :** Is it a fact that British other ranks rise to commissioned rank at the close of their service, while no clerk in the Ordnance Corps has ever risen to gazetted rank?

Mr. G. M. Young : If the word "may" is inserted between the words "ranks" and "rise", the answer is in the affirmative. The matter has been thoroughly investigated on more than one occasion and it has been decided that the work performed by the highest clerical grades in arsenals does not warrant the grant of gazetted rank.

RACIAL DISCRIMINATION IN THE ADMISSION OF CYCLES TO ARSENALS.

35. ***Mr. Anwar-ul-Azim :** Is it a fact that Indian clerks are not permitted to take their cycles into the arsenal, while British non-commissioned officers can take their motor bicycles inside?

Mr. G. M. Young : I am sending the Honourable Member a copy of a letter No. 68-Y., dated the 1st May, 1930, which I sent to Sardar Kartar Singh in continuation of an answer given on the 17th February, 1930, to his question No. 161, dealing with the same subject. A copy of the letter is also in the Library.

PROMOTION OF INDIANS IN ARSENALS.

36. ***Mr. Anwar-ul-Azim :** (a) Is the Establishment Officer in an arsenal promoted from the ranks?

(b) Is it a fact that Indian clerks, whatever their service and qualifications, are not raised to an officer's rank, as in other Departments? If so, why?

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

(b) Yes, Sir, for the reasons given in my reply to question No. 34.

PROMOTION OF INDIANS IN ARSENALS.

37. ***Mr. Anwar-ul-Azim :** (a) Are British warrant officers being tried as Chief Clerks in arsenals? If so, is it intended to try Indian Head Assistants as gazetted officers?

(b) Is it contemplated to give gazetted rank to Indian clerks in the near future, or are they to serve on as mere clerks ?

(c) Is it a fact that clerks in arsenals are prohibited from seeing any Member of the Legislative Assembly with regard to their grievances ? If so, what are the objections ?

Mr. G. M. Young : (a) and (b). The answer to the first part of (a) is in the affirmative. I have already explained why it is not possible to grant gazetted rank to clerks in arsenals.

(c) No, Sir.

ALLOWANCES OF RAILWAY ACCOUNTANTS.

38. ***Mr. Muhammad Rafique :** (1) Is it a fact :

(a) that the accountants borne on the list of Director of Railway Audit get compensatory and house rent allowances when posted to Bombay, Calcutta and Rangoon ;

(b) that all such accountants when transferred to the administrative control of the Financial Commissioner of Railways continue to get the said allowances ;

(c) that the accountants recruited by the Financial Commissioner of Railways for the accounts side are debarred from this privilege when posted to the towns above mentioned ; and

(d) that the duties of the three classes of accountants mentioned above are quite similar in nature ?

(2) If the answers to the above be in the affirmative, will Government be pleased to state the reasons for withholding the privileges of compensatory and house rent allowances from the accountants mentioned in class (c) of part (1) ?

(3) Is it a fact that the accountants recruited by the Financial Commissioner of Railways have memorialised for the grant of compensatory and house rent allowances ? If so, what action has been taken or is proposed to be taken ?

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

(b) Yes, when and if posted to these places.

(c) Yes. But accountants taken over from the Great Indian Peninsula and Burma Railways Companies, who retain their old scales of pay continue to get the allowances they used to get previously.

(d) This is generally correct.

2. "Compensatory and house rent allowances" are not granted in consideration of the nature of duties discharged. The accountants' cadres in accounts offices under the Financial Commissioner of Railways are local, and these accountants, unlike those of the Audit Department, are not ordinarily liable to transfers all over India.

3. Certain memorials have been received from accountants on one railway and they are under disposal.

PAY OF RAILWAY ACCOUNTANTS.

39. *Mr. Muhammad Rafique : (1) is it a fact :

- (a) that the scale of pay of the accountants borne on the list of the Director of Railway Audit is Rs. 150—15—270|300—20—550 ;
- (b) that all such accountants when transferred to the administrative control of the Financial Commissioner of Railways continue to enjoy the scale mentioned above ;
- (c) that the scale of pay of the accountants recruited by the Financial Commissioner of Railways for the accounts side is 150—15—270|290—20—450 ;
- (d) that the duties of the three classes of accountants mentioned above are similar in nature ;
- (e) that the accountants mentioned in clauses (a) and (b) are so appointed after their passing the subordinate railway accounts service examination held by the Director, Railway Audit, in which the minimum pass percentage is 40 in individual papers and 50 in the aggregate ; and
- (f) that the accountants mentioned in clause (c) are so posted after their passing the subordinate railway accounts service examination held by the Financial Commissioner of Railways, in which the minimum pass percentage is 50 in the ordinary papers and 66 in the special papers ?

(2) If the answers to the above be in affirmative, will Government be pleased to state the reasons for reducing the scale of pay of the accountants mentioned in clause (c), in spite of the fact that their duties are similar to those of the accountants mentioned in clauses (a) and (b), and that they are required to pass a stiffer examination ?

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

(b) Yes.

(c) Yes.

(d) This is generally correct.

(e) and (f). Yes.

2. The Honourable Member is referred to my reply to starred question No. 530 put on the 12th March, 1930, by the Honourable Maulvi Muhammad Yakub.

ACCOUNTANTS UNDER THE FINANCIAL COMMISSIONER OF RAILWAYS.

40. Mr. Muhammad Rafique : Will Government be pleased to state by communities the total number of accountants, grades I and II, separately, under the administrative control of the Financial Commissioner, Railways ?

Mr. A. A. L. Parsons :

	<i>Grade I.</i>	<i>Grade II.</i>
Hindus ..	55	88
Muslims	2	8
Others	10	10
	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>	<hr style="width: 50px; margin-left: auto; margin-right: 0;"/>
	67	106

NON-EMPLOYMENT OF MUHAMMADANS IN THE IMPERIAL LIBRARY, CALCUTTA.

41. ***Mr. Muhammad Rafique :** (a) Will Government be pleased to state the total number of clerks and sorters employed in the Imperial Library, Calcutta, year by year, since 1926 to date, according to the various communities ?

(b) Is it a fact that one Maulvi Ihsan Ali of the Imperial Library, Calcutta, was invalidated in 1927, and if so, is it a fact that the vacancy thus caused was not filled up by a Muhammadan ?

(c) If the answer to part (b) be in the affirmative, will Government please state the reasons therefor ?

Sir Frank Noyce :

		<i>Clerks.</i>		<i>Sorters.</i>	
		Hindu.	Muslim.	Hindu.	Muslim.
1926	..	.. 13	2	11	1
1927	..	.. 13	2	11	1
1928	..	.. 14	1	11	1
1929	..	.. 14	1	11	1
1930	..	.. 13	2	11	1

(b) The answer to both questions is in the affirmative. A non-Muslim who was officiating in a leave vacancy was appointed.

NON-EMPLOYMENT OF MUHAMMADANS IN THE IMPERIAL LIBRARY, CALCUTTA.

42. ***Mr. Muhammad Rafique :** Is it a fact that Babus U. C. Dey and A. K. Ghosh were appointed as clerks in 1928 in the Imperial Library contrary to the Home Department Circular No. F. 176|25-Ests., dated the 5th February, 1926, reserving one-third of the appointments for the minorities ?

Sir Frank Noyce : Mr. U. C. Dey was appointed because he had acted in leave vacancies both before and after the issue of the Circular referred to by the Honourable Member. It does not appear that the instructions in that Circular were followed when Mr. A. K. Ghosh was appointed.

NON-EMPLOYMENT OF MUHAMMADANS IN THE IMPERIAL LIBRARY, CALCUTTA.

43. ***Mr. Muhammad Rafique :** (a) Is it a fact that one Babu U. C. Dey of the Imperial Library, Calcutta, resigned his post in December, 1929 ?

(b) Has the post been filled up and, if so, by whom ?

(c) Is it a fact that one Mr. Wasim Hussain was recommended by the Public Service Commission for appointment as clerk in

the Imperial Library in place of the said Babu U. C. Dey, and that he has not been appointed by the Library Council in place of the said Babu U. C. Dey ?

(d) If the answers to part (c) are in the affirmative, will Government please state the reasons for not appointing a Muhammadan, particularly when he was recommended by the Public Service Commission ?

(e) Is the Imperial Library Council competent to set aside the recommendations of the Public Service Commission ?

Sir Frank Noyce : (a) He resigned in November 1929.

(b) The post has not yet been filled.

(c) Yes.

(d) The Council of the Library was of opinion that it was necessary to select from a wider field. It resolved that the Public Service Commission should be requested to advertise the vacancy, stating that preference would be given to a member of a minority community and that if no suitable candidate was forthcoming it should be asked if it had any objection to the Council itself advertising and filling the vacancy. The Council has advertised the vacancy and it will be filled at its next meeting.

(e) The question does not arise as the Council has acted with the concurrence of the Public Service Commission.

NON-EMPLOYMENT OF MUHAMMADANS IN THE IMPERIAL LIBRARY, CALCUTTA.

44. ***Mr. Muhammad Rafique :** (a) Is it a fact :

(i) that Muhammadans are in a hopeless minority in the Imperial Library of Calcutta ; and

(ii) that no satisfactory effort has been made in the appointments of the past few years to remedy this state of affairs in spite of the Home Department Circular No. F. 176|25-Ests., dated the 5th February, 1926 ?

(b) If the replies to (i) and (ii) of part (a) are in the affirmative, are Government prepared to issue orders reserving all future recruitment for Muhammadans till such time that they are adequately represented on the staff ?

Sir Frank Noyce : (a) (i). Out of 27 posts of clerks and sorters two are filled permanently and one temporarily by Muslims.

(a) (ii). No.

(b) Instructions have already been issued that duly qualified members of minority communities, including Muhammadans, should be appointed, when possible, without sacrifice of efficiency, in preference to members of those communities which are already fully represented on the staff.

NON-EMPLOYMENT OF MUHAMMADANS IN THE IMPERIAL LIBRARY, CALCUTTA.

45. ***Mr. Muhammad Rafique :** (a) Is it a fact that four temporary posts of clerks have recently been sanctioned for the Imperial Library ?

(b) How many Muhammadans have been taken in these posts ?

(c) If sufficient representation has not been given to Muhammadans, will Government please state reasons for their not doing so ?

Sir Frank Noyce : (a) Yes.

(b) The posts have not yet been filled.

(c) Does not arise.

**EXCLUSION OF MUHAMMADANS FROM THE COUNCIL OF THE IMPERIAL LIBRARY,
CALCUTTA.**

46. ***Mr. Muhammad Rafique :** (a) Will Government please state by communities the composition of the Council for the Imperial Library of Calcutta which was formed in 1929 ?

(b) Is it a fact that Muhammadans have been totally excluded from the Council of the Imperial Library and, if so, will Government please state reasons for doing so ?

(c) Will Government please state the special reasons, if any, for giving two seats to the Calcutta University on the Imperial Library Council in preference to other Universities ?

Sir Frank Noyce : (a) The Council of the Imperial Library, as at present constituted, consists of six Europeans and two Hindus.

(b) Muslims are not excluded from the Council, but it has just happened that none of them is a Muslim.

(c) Two seats on the Council have been allotted to the Calcutta University, owing to the importance of the Library to that University consequent on its location in Calcutta.

**APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY
OF INDIA.**

47. ***Mr. Muhammad Rafique :** (a) Will Government be pleased to state in a tabular form the total number of the permanent employes, both in the gazetted and the non-gazetted ranks, in the Zoological Survey of India by communities from 1920 to date ?

(b) If the number of the Muslims has decreased during these years, will Government state the reasons therefor, and the steps they propose to take in order to remedy this defect in future ?

Mr. G. S. Bajpai : (a) A statement is placed on the table.

(b) The decrease by one in the number of Muslims on the non-gazetted staff during the current year is due to the retirement of a Laboratory Assistant. The vacancy was filled by a tanning expert for special work in the taxidermist section. He had received special training for the work. I may add, however, that Government propose to look into the question of appointments to the gazetted and non-gazetted staff of the Zoological Survey of India.

Year.	Gazetted Officers.						Non-gazetted Staff.								
	Strength.	Europeans.	Hindus.		Muhammadians.	Domiled Europeans and Anglo-Indians.	Sikhs.	Indian Christians.	Strength.	Europeans.	Hindus.		Domiled Europeans and Anglo-Indians.	Sikhs.	Indian Christians.
			—	Depressed class.							—	Depressed class.			
1920	..	4	2	2	..	..	..	..	26	..	8	9	4	5	..
1921	..	4	2	2	..	..	..	..	26	..	8	9	4	5	..
1922	..	4	2	2	..	..	..	..	27	..	8	10	4	5	..
1923	..	5	2	3	..	..	..	..	27	..	8	10	4	5	..
1924	..	6	2	4	..	..	..	..	27	..	8	10	4	5	..
1925	..	6	1	4	..	..	1	..	27	..	8	10	4	5	..
1926	..	6	1	4	..	..	1	..	37	..	13	12	4	8	..
1927	..	7	1	5	..	..	1	..	37	..	13	12	4	8	..
1928	..	7	1	5	..	..	1	..	37	..	13	12	4	8	..
1929	..	7	1	5	..	..	1	..	44	..	16	14	4	8	2
1930	..	7	1	5	..	..	1	..	44	..	19	13	3	7	2

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

48. *Mr. Muhammad Rafique : (a) Is it a fact that a temporary vacancy occurred recently in the Zoological Survey of India on account of proceeding on leave out of India of the permanent Superintendent of the Department ?

(b) If it is so, will Government be pleased to state why the claims of a Muhammadan, who has been officiating for the last five years, have been ignored and an outsider, non-Muhammadan, has been taken in the vacancy ?

(c) Was due publicity given to the said vacancy ? If not, why not ?

(d) Are Government prepared to consider the desirability of getting all gazetted or non-gazetted vacancies filled up in future, whether temporary or permanent, through the agency of the Public Service Commission, as is done in other Departments ?

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

(b) The claims of the Muhammadan who had been officiating for the last 5 years were not ignored. The Muhammadan gentleman in question is still officiating in a vacancy caused by one of the Assistant Superintendents (Hindu) who proceeded on leave in 1929, and will continue to hold this officiating vacancy till September 3, 1930, as the temporary vacancy caused by the permanent Superintendent proceeding on leave had, in view of the recent discovery of a very profitable shell-fishery in the Andaman and Nicobar Islands, to be filled by a Zoologist thoroughly acquainted with the marine fauna. The Muhammadan officer's original officiating appointment was *vice* the Director, Zoological Survey of India, who proceeded on leave on the 23rd March, 1929. The term of this appointment would have expired on the 11th January, 1930, but in order to give him more time to complete his studies on the Fleas, he was transferred to officiate for one of the Hindu Assistant Superintendents.

(c) No. The vacancy was temporary and the Director, Zoological Survey of India, who is in touch with all prominent Zoologists in India, selected the best qualified man. The officer selected by him was a Lecturer in Zoology in the Royal Institute of Science, Bombay, and a Ph.D. of Cambridge and has had six years practical experience of marine biological work in India as well as Europe.

(d) Permanent vacancies in the gazetted staff are filled on the advice of the Public Service Commission. Temporary vacancies in the gazetted staff and all non-gazetted vacancies are filled by the Director, Zoological Survey of India. I have already informed the Honourable Member that Government propose to examine the question how far it is feasible to secure the adequate representation of the minority communities in the Zoological Survey of India. The results of this examination cannot be anticipated.

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

49. *Mr. Muhammad Rafique : (a) Is it a fact that the only Muslim gazetted officer who has been working in the Zoological Survey of India since October, 1925, in a series of temporary and officiating vacancies has been refused the next officiating chance ?

(b) In case the answer to part (a) be in the affirmative, will Government be pleased to state the reasons for getting rid of the only Muhammadan officer on the staff ?

(c) Is it a fact that the work of the Muhammadan officer has been appreciated many a time by the permanent Director, but that when there is a prospect of a permanent vacancy in the near future, he has been turned out of the Department ?

Mr. G. S. Bajpai : (a) and (b). I would refer the Honourable Member to the answer given by me to parts (a) and (b) of his immediately preceding question.

(c) The work of this officer on Ticks and Fleas has been satisfactory. I have already explained to the Honourable Member that this officer is still in Government employ. If a permanent vacancy occurs in the Zoological Survey of India his claims will undoubtedly be considered in filling it.

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

50. *Mr. Muhammad Rafique : (a) Is it a fact that seven new non-gazetted posts were added to the staff of the Zoological Survey of India in April, 1929 ?

(b) Were any Muhammadans taken in these posts ? If not, why not ?

(c) How many Muhammadans did actually apply for these posts and what were their qualifications ?

(d) What are the qualifications possessed by the men actually appointed ?

(e) In case the qualifications of any of the men appointed to the said posts be inferior or equal to those of the Muhammadan applicants, will Government be pleased to state the reasons for preferring non-Muhammadans over Muhammadans ?

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

(b) No. No suitable Muhammadan candidates applied.

(c) and (d). Thirteen. A statement showing the qualifications of these thirteen Muslim candidates as well as of those appointed is placed on the table. A comparison of the qualifications of those appointed with the qualifications of the Muslim applicants will show that the selected candidates had the higher technical qualifications.

(e) Honourable Member would observe from the statement I am laying on the table that the selected candidates were superior to those rejected.

List of Muhammadan applicants with their qualifications for the seven vacancies occurred in 1929.

For the posts of Laboratory Assistants.

1. *Mr. Badruddin Hasan Zuberi.*—"Passed the High School examination in 1924, the Intermediate examination in 1926 and the B.Sc. examination in 1928 with Chemistry, Botany and Zoology as my subjects from the Aligarh University each in the first division, standing second in order of merit in the High School examination and first in the Intermediate and B.Sc. examinations."
2. *Asadulla Khan.*—"I am a youngman of 23 with active habits and hard working. I appeared in the B.Sc. examination of the Muslim University held in the month of April, with Zoology as one of my subjects. I am sure to get through."
3. *Muzaffaruddin Taha.*—"I passed the Matriculation examination of the Calcutta University in the first division and studied up to 2nd year into Intermediate of Science (I.Sc.) class in the Presidency College."
4. *Ashiq Ali Quraishy.*—"I appeared in the B.Sc. examination of the Aligarh Muslim University held in April 1929. I hope to get through. My optional subjects in the B.Sc. were Zoology, Botany and Chemistry."
5. *Abdul Hamid Khan.*—"I am working in the Department of Zoology, Muslim University, Aligarh, as Laboratory Assistant since 1911. I am well versed in the art of Taxidermy, preparation of skeletons, mounting and preservation of specimens."
6. *Abdur Rahman.*—"I passed the B.Sc. examination with Chemistry, Physics and Mathematics in the year 1928 from the Calcutta University."
7. *Jamil Ahmed.*—"I passed the B.Sc. examination taking Zoology, Botany and Chemistry, in the 2nd division from the Muslim University, Aligarh in 1924. At present studying M.A. and Law in this University."
8. *Syed Mushtaq Ali.*—"I passed my Matriculation examination in 1922 in second division. I passed my Intermediate Science examination in second division in 1924 getting a distinction in Zoology for which I was awarded a gold medal by the Vice-Chancellor of the University (Aligarh Muslim University). I passed my B.Sc. degree examination and was placed in the second division with asterisk topping the list of successful examinees. I worked for some months in the Government Agricultural College under the Entomologist. I also worked as Demonstrator in the Department of Zoology, Muslim University, Aligarh."
9. *Mohd. Ataullah Fazli.*—"I have appeared in the B.Sc. examination with Zoology, Botany and Chemistry as my subjects. I hope that I will get through as I have some papers quite satisfactory."

For the posts of Gallery Assistants.

10. *Nadir Hossain Sircar.*—"I completed the course of the B.Sc. examination with Physics, Chemistry, and Mathematics. I have got office experience having served as a clerk of the District Inspector of Schools, Murshidabad. I have got a fair knowledge in Persian. I possess a good physic and "cicle expart", play football and other indigenous and foreign games."
11. *Shaiikh Abdul Halim.*—"I read up to the Matric. standard and have for some time worked as an engraver in Ammunition Factory at Dum Dum and also worked for some time as a draftsman as well as clerk to some pleaders."
12. *Kazi Golom Nabi.*—"I have read up to the Matriculation standard of the Calcutta University, and have fair knowledge in English and Urdu."
13. *M. Abdul Faiz.*—"I have picked up a fairly good knowledge of English and Urdu. Since my early years I have been to the Museum times without number and it has been my habit to take a keen interest in all sorts of things. Besides I have always taken part in sports and I am a young boy of active habits."

Qualifications of the selected candidates for the seven vacancies occurred in 1929.

FOR THE POSTS OF LABORATORY ASSISTANTS.

1. *J. L. Bhaduri*.—"I passed the Matriculation and Intermediate Science examinations of the Calcutta University in the first division in the years 1920 and 1922 respectively. I obtained the B.Sc. degree in 1924 and occupied the first place in the first class honours in Zoology. The post-graduate Jubilee scholarship, tenable for two years, was accordingly awarded to me. In my M.Sc. examination in Zoology, held in the year 1926, I topped the list of successful candidates, and was placed first in the second class, no one securing first class that year. Since then I have been engaged as a Teaching Assistant in the Zoology Department of the Calcutta University, and I am at present drawing a monthly salary of Rs. 140. One of my duties is that of demonstration work both in the Undergraduate and Postgraduate Practical classes. Since my appointment in the University I have been carrying on research work. Titles of papers already published and in the course of preparation are attached. Besides anatomical work I have been studying the systematic Anuran fauna of Bengal in the Indian Museum. I am thoroughly conversant with the theory and practice of Zoological technique in all its branches, including microtome work, staining, slide preparation, etc."

Hindu. M.Sc. of the Calcutta University. Possess considerable experience in Zoological technique and already published some papers on the results of his original research in Zoology.

2. *M. N. Datta*.—"I am a research scholar in the Zoology Department of the Allahabad University and got the Empress Victoria Readership of Rs. 100 per month for 3 years. During this time I have written two research papers, (i) 'On *Echinothynchus robustus* (n. sp.) from common crows of Allahabad', (ii) 'On a new species of Acanthocephala from a common fish *Maoronia gulio* of Calcutta'. At present I am engaged in research work on the intestinal parasites of birds and fishes for the series of papers on 'New series' of Acanthocephalen parasites of North India. I have got thorough knowledge of Zoological technique including Microphotography, Microtomy, preparation of microscopical slides, preserving and mounting zoological specimens. I have passed the M.Sc. examination of the Allahabad University from the Agra College in the 1924 in the II division and stood second in order of merit in the University. I have passed the B.Sc. examination of this University with Zoology, Botany and Chemistry as compulsory subjects and stood 1st, 2nd and 3rd in order of merit in the University practical examinations in these subjects respectively. I have won many prizes in the open competitions of the Agra Scientific Association for the preparation of microscopical slides of Botanical and Zoological specimens. I served as a Demonstrator in Biology in the Agra College for 3 years (1921-1924) and after taking the M.Sc. degree I served as a Senior Demonstrator on Zoology in the St. John's College, Agra."

Hindu. M.Sc. of the Allahabad University. Fully qualified and experienced in zoological technique. Already published some papers on the results of his original research.

3. *K. N. Das*.—"I passed the Matriculation and I.Sc. examinations of the Calcutta University in the first division in the years 1921 and 1923 respectively. I obtained second class honours in Zoology in my B.Sc. examination held in 1925 standing second in order of merit. I passed the M.Sc. examination in Zoology in 1927 and occupied the first position in the first Division. I was awarded the University prize and two gold medals, the University and Brahmamohan Mullick, the latter for standing first in the whole thesis group of the University. Since the publication of the results of the University M.Sc. examination I have been carrying on research work on Protozoology and was granted the University Research Scholarship for the session 1928-29. I possess a thorough knowledge of the microtome technique, slide preparations and all other laboratory work."

Hindu (Depressed Class). M.Sc. of the Calcutta University. Thoroughly experienced and competent in all branches of zoological technique.

4. *J. C. Fernandez*.—"I am at present Senior Taxidermist in the Govt. Museum, Madras, and have put in a service of about 19 years here". By the Director of the Swiss Zoological Expedition to South India he was recommended as follows:—"He combines great ability in the Zoological Field work with vivid personal interest and he proves an independent, resourceful and indefatigable worker. Last but not least we are glad to mention he is a good character and thoroughly trustworthy person. We are very obliged to the Government Museum in Madras to have allowed Mr. Fernandez to join our Expedition."

Indian Christian. Highly qualified in the art of Taxidermy, Animal Anatomy, Modelling, Preserving zoological specimens and painting them in natural colour.

FOR THE POSTS OF GALLERY ASSISTANTS.

5. *M. N. Acharjie*.—"I took my B.Sc. degree from the University College of Science, Calcutta, in 1926 having Zoology as one of my subjects, and in 1928 I passed M.Sc. examination of the same University in Anthropology and was placed in the second class."

M. Sc. of the Calcutta University. *Hindu*. In addition to qualifications in Zoology has a sound training in Anthropology as well.

6. *J. N. Majumdar*.—"I am serving as a Laboratory Assistant for the last two years under the Indian Research Fund Association in the Protozoology Department at the Calcutta School of Tropical Medicine". Lt.-Col. R. Knowles, I.M.S., of the Protozoology Department of the Calcutta School of Tropical Medicine recommended Babu J. N. Majumdar as "has done very good work in this Department during the last two years".

Hindu. The candidate was selected for special practical experience in Protozoology.

7. *G. Matthai*.—"I am an Indian Christian. I passed the School Leaving Certificate Examination of the Madras University in the year 1927. As for any training in Zoology, I beg to submit, that in the curriculum of studies prescribed for the English School Leaving Certificate, students are required to have a general knowledge of zoology, geology and botany, which came under the section 'Natural Study' and as such I had to study these subjects for three years, and for which I had special taste. I might add in this connection, that in the Asiatic Society of Bengal, where I am working at present, has a miniature museum where I have had occasion to notice the curious articles, zoological and anthropological specimens at the Society's monthly and annual meetings whereby I have gained sufficient knowledge to arrange and exhibit things in a Gallery."

Indian Christian. Possesses an excellent preliminary training in zoology and anthropology.

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

51. ***Mr. Muhammad Rafique** : (a) Will Government kindly state the number of the menial employees employed in the Zoological Survey of India by communities ?

(b) In case the Muhammadans are inadequately represented on the staff, are Government prepared to take necessary steps to stop the recruitment of members of the non-Muhammadan communities until such time the Muhammadans get the due share ?

Mr. G. S. Bajpai : (a) A statement giving the information required is laid on the table.

(b) Government will examine the question as to what steps can be taken to give adequate representation to minority communities on the menial staff of the Zoological Survey of India.

Statement showing the total number of Menials employed in the Zoological Survey of India, by communities.

Year.	Strength.	Europeans.	Hindus.		Muhammadans.	Domiciled Europeans and Anglo-Indians.	Sikhs.	Indian Christians.
			—	Depressed class.				
1930	40		6	31	3	..	..	..

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

52. *Mr. Muhammad Rafique : (a) Will Government be pleased to state how many officiating and permanent vacancies, both in the gazetted and the non-gazetted ranks, have occurred in the Zoological Survey of India since January, 1930, and how they have been filled up ?

(b) Were these posts advertised ? If not, why not ?

(c) Were any Muhammadans taken in these posts ? If not, why not ?

Mr. G. S. Bajpai : (a) *Permanent vacancies*—

Gazetted appointments.—Nil.

Non-gazetted appointments.—1 ; a Hindu was appointed.

Officiating vacancies—

Gazetted appointments.—1 ; a Parsee was appointed.

Non-gazetted appointments.—12 ; of these 3 were not filled up, 7 were filled by temporary promotion within the department, 2 were filled up by outsiders. Both were Hindus with special qualifications.

(b) The posts were not advertised as advertising would have meant delay.

(c) No Muhammadans were taken as none possessing suitable qualifications was known to the Director, Zoological Survey of India. I have already informed the Honourable Member that the question will be looked into.

APPOINTMENT OF MUHAMMADANS TO THE STAFF OF THE ZOOLOGICAL SURVEY OF INDIA.

53. *Mr. Muhammad Rafique : (a) Will Government be pleased to state the number of vacancies, both in the gazetted and the non-gazetted ranks, that were filled up during the periods when the Hindu permanent Superintendent of the Zoological Survey of India officiated as its Director ?

(b) Were any posts given to Muhammadans ? If so, will Government please state the number and the names of persons holding the posts ?

(c) In case no vacancies were filled up by the appointment of Muhammadans, or they were taken in an inadequate number, do Government propose to make inquiries about the responsibility of the said officer for the cause ?

(d) Is it a fact that, since the appointment of the said officer in 1920, not a single Muhammadan has been permanently taken both in the gazetted and the non-gazetted ranks ?

(e) If the answers to parts (c) and (d) be in the affirmative, are Government prepared to consider the advisability of appointing a non-Hindu to the post of the Director when the next opportunity arises ?

Mr. G. S. Bajpai : (a) A statement giving the information required is placed on the table.

(b) One temporary gazetted appointment was filled by a Muhammadan, Mr. Mohammad Sharif.

(c) Non-gazetted permanent appointments were filled after advertisements and full consideration of the qualifications of applicants. Officiating vacancies were filled by the officiating Director with the most suitable persons known to him.

(d) Yes. This, however, is merely a coincidence and has nothing to do with the appointment of the permanent Hindu Superintendent to the Zoological Survey of India in 1920.

(e) Honourable Member may rest assured that in making appointments to the headship of a department Government will pay due regard to the importance of securing an officer who counts impartiality among his qualifications.

Vacancies in the Gazetted and Non-gazetted ranks of the Zoological Survey of India that were filled up during the periods when Hindu Superintendent officiated as Director.

From 15th May, 1924 to 26th July, 1925.

Gazetted.				Non-gazetted.			
Permanent.		Temporary.		Permanent.		Temporary.	
Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.
1	1 (Sikh) appointed by the Government of India.	1	Not filled up.			28	13 (outsiders) Hindus. 5 temporary promotion within the Department. 10 not filled.

From 1st July, 1927 to 29th September, 1927.

Gazetted.				Non-gazetted.			
Permanent.		Temporary.		Permanent.		Temporary.	
Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.
						4	1 (outsider) Hindu. 1 temporary promotion within the Department. 2 not filled up.

From 23rd March, 1929 to 12th January, 1930.

Gazetted.				Non-gazetted.			
Permanent.		Temporary.		Permanent.		Temporary.	
Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.	Vacancy.	How filled up.
..	..	1	1 Muhamma- dan (out- sider).	9	6 Hindus 2 Indian Christians 1 Depressed Class (Hindu).	19	8 Hindus. 7 temporary promotion within the Department. 4 not filled up.

FATE OF SADHU SUNDAR SINGH.

54. ***The Revd. J. C. Chatterjee** : (a) Are Government aware that Sadhu Sundar Singh, a Christian Missionary well known and respected in India as well as in Europe, left on a missionary tour for Tibet over a year ago and has not been heard of since that time ?

(b) Are Government aware that the complete absence of news from Sadhu Sundar Singh himself and the various rumours regarding his fate have been causing deep anxiety to his co-religionists and admirers, and are Government prepared to make inquiries regarding his safety, from the Tibetan Government, or through their own frontier officials ?

Mr. E. B. Howell : With your permission, Sir, I will answer both questions together. Inquiries were made last year by a Government officer who visited Tibet on duty but there was no trace of Sadhu Sundar Singh nor is there any proof that he ever entered Tibet.

Inquiries are however being made again this year and any information obtained will be communicated to the Honourable Member in due course.

The Revd. J. C. Chatterjee : Are Government aware that Sadhu Sundar Singh, before he started, definitely said that he was going into Tibet for a year's tour ?

Mr. E. B. Howell : I was not previously aware of that fact, Sir.

APPOINTMENT OF INDIANS AS GOODS INSPECTORS ON THE EAST INDIAN RAILWAY.

55. ***Dr. Ziauddin Ahmad** : (a) Will Government please state what is the number of Goods Inspectors in the East Indian Railway and how many of them are Indians ?

(b) If there is not a single Indian, what are the reasons for it ?

Mr. A. A. L. Parsons : (a) There are four Goods Inspectors on the East Indian Railway. Two of them are statutory Indians.

(b) The posts are generally filled by seniority, and three of the men are the most senior subordinates in the Commercial Department of the East Indian Railway. The fourth appointment is graded much lower than the other three, and is held by a man who was selected because he was considered specially suitable for the post.

APPOINTMENT OF INDIANS AS STATION MASTERS OF FIRST CLASS STATIONS ON THE EAST INDIAN RAILWAY.

56. *Dr. Ziauddin Ahmad : (a) Will Government please state if Indians are eligible for appointment as station masters on first class railway stations on the East Indian Railway ?

(b) Was any experiment tried ?

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

(b) It is not a question for an experiment.

MINIMUM EDUCATIONAL QUALIFICATIONS REQUIRED FOR RAILWAY SERVICES.

57. *Dr. Ziauddin Ahmad : (a) Will Government please state what is the minimum educational qualification for appointment in the railway services ?

(b) Who are exempted from this qualification ?

Mr. A. A. L. Parsons : (a) The minimum qualifications for appointments in the Superior Services are laid down in the Regulations for Recruitment, copies of which are in the Library. I shall be very pleased to send them to the Honourable Member if he would like to have them. The minimum qualifications for posts in the subordinate and inferior services are prescribed generally by Agents of the railways and vary for posts of different character.

(b) Where a minimum qualification is prescribed it applies to all candidates.

RECRUITMENT OF " A " GRADE GUARDS ON THE EAST INDIAN RAILWAY.

58. *Dr. Ziauddin Ahmad : (a) Will Government please state if the guards in the " A " grade of the East Indian Railway are recruited direct or are promoted from those in " B " grade ?

(b) What are the qualifications for direct appointment in " A " grade ?

(c) What is the total number of guards in " B " grade and how many of them are non-Indians ?

Mr. A. A. L. Parsons : (a) Guards' posts of " A " Grade, i.e., Grade I, are filled by promotion from lower grades of Guard, from other classes of staff and by direct recruitment.

(b) The main qualifications required of a candidate for direct appointment in Grade I as prescribed by the East Indian Railway are as follows :

(i) He must be of good physique and eye-sight, well set up, and of smart appearance.

- (ii) He must be able to understand and express himself easily and clearly in English and be able to write English with reasonable correctness and speed.
- (iii) He must possess mental alertness, powers of observation and a good memory.
- (iv) He must be tactful and of good address and have decision of character.
- (v) He must possess the power of controlling staff working under him.

(c) I have called for the information and will communicate with the Honourable Member on its receipt.

TERMS OF EMPLOYMENT OF CREWMEN.

59. *Dr. Ziauddin Ahmad : (a) Will Government please state if it is a fact that :

- (a) Crewmen are allowed sick leave without pay only ;
- (b) Crewmen are given one day off after working for 13 days ;
- (c) Crewmen are not given the benefit of the Provident Fund ?

Mr. A. A. L. Parsons : I presume the Honourable Member refers to the crewmen on the East Indian Railway. The replies to the questions are :

- (a) No. Temporary crewmen appointed prior to 1st September, 1928, are granted leave in accordance with Supplementary Rule 285. Those appointed on or after 1st September, 1928, are granted leave in accordance with Annexure II of the new Leave Rules promulgated with Railway Board's Resolution No. 8373-E., dated the 20th February, 1930.
- (b) They are given 24 hours rest after 56 hours of work.
- (c) Yes, as temporary employees are not allowed to subscribe to the Provident Fund.

AMALGAMATION OF STATE-OWNED RAILWAYS.

60. *Dr. Ziauddin Ahmad : (a) Will Government be pleased to state the reasons for building a number of railway stations and two Jumna bridges in close proximity in Agra ? Is it not due to the competition of three different lines running into Agra ?

(b) How much money do Government spend every year in adjusting the accounts of various railways owned by the Government ?

(c) Have Government considered the desirability of amalgamating the State-owned railways into one common concern ?

Mr. A. A. L. Parsons : (a) The construction of the second bridge was necessitated by the Secretary of State's decision that the East Indian Railway should be allowed direct access to the business quarter of Agra and to the Agra-Delhi Chord line. The crossing of the river by a new route some distance away from the former bridge entailed the provision of additional stations.

Competitive considerations influenced, to a certain extent, the decision to construct the new bridge.

- (b) I am afraid the information is not procurable.
- (c) Government do not consider the amalgamation desirable.

PRINCIPLE ADOPTED IN FIXING THIRD CLASS RAILWAY FARES.

61. *Dr. Ziauddin Ahmad : (a) Are Government aware of the theory of railway economists that for the prosperity of a business it is best to look for small profit per unit repeated several times on a large volume of business than to a large profit for unit on a small volume of business ?

(b) Have Government followed this principle in fixing the third class railway fares ?

(c) Will Government be pleased to give reasons, supported by statistics, for fixing railway fares on distance scale ?

Mr. A. A. L. Parsons : (a) and (b). Government are aware of the theory that, subject to certain very necessary limitations, railway revenues are more likely to be enhanced by low than by high rates. Subject to the limitations referred to, this principle is followed in fixing third class fares.

(c) It is believed that the incidence of railway rates for fares operates more against the development of long than of short distance traffic and Indian Railways, therefore, generally concede a lower basis of charge for passengers carried for long distances. Statistics of the number and earnings of passengers carried for varying distances have not been maintained by Railways for a sufficient number of years to enable conclusions to be arrived at as to the effect of the latest reductions in rates for long distances.

OCCUPATION BY MEMBERS, WHEN THE LEGISLATURE IS NOT SITTING, OF HOUSES PROVIDED FOR THEM IN SIMLA.

62. *Dr. Ziauddin Ahmad : (a) Will Government be pleased to mention the number of houses built or purchased by them for the use of the Members of the Legislative Assembly and the Council of State at Simla ?

(b) Are the Members of the Legislative Assembly debarred from living in these houses at a time when the Legislative Assembly is not sitting, even if the houses are unoccupied and the Members are willing to pay full economic rent of the house ?

(c) If so, who has made this rule ?

(d) Was this rule made in the interest of the hotel proprietors of Simla ? If so, why ?

(e) Are Government prepared to consider the question of changing the existing rule and make the houses available for the use of the Members of the Legislative Assembly if they happened to be vacant at a time when the Legislative Assembly is not in session ?

The Honourable Sir Joseph Bhore : (a) 57 quarters have been built or set aside for the use of the Members of the Indian Legislature at Simla during the Session periods, viz., 20 quarters at Cart Road and 37 at Longwood.

(b) Not at Longwood, if they are willing to pay rent for the whole season. But Members are only permitted to occupy quarters at either place on payment of rent for the period of occupation if they are in Simla on duty.

(c) and (d). Prior to 1924 the Public Works Department attempted to obtain tenants for such quarters as remained empty ; but this practice was discontinued as Government felt that it interfered unnecessarily with private enterprise.

(e) The question of changing the existing rules is under consideration.

SUBSCRIPTIONS COLLECTED THROUGH SALARY BILLS FROM RAILWAY EMPLOYEES.

63. ***Lieut.-Colonel H. A. J. Gidney** : (1) Is it a fact that on various railways the following subscriptions, among others, are collected by the Railway Audit Department through the salary bills of railway employees :

- (a) Mutual Benefit Fund ;
- (b) Store's Bill (where stores exist) ;
- (c) Institute Bills (where Institutes exist) ;
- (d) Credit and Loan Society refunds ;
- (e) Medical Officer's fees ;
- (f) Court attachments on salaries ; and
- (g) Cost of social functions, *e.g.*, Christmas trees, St. Dunstons subscriptions, etc. ?

(2) Is it a fact that the Railway Board have definitely refused to consent to the collection of Railway Union subscriptions *via* the salary bills of employees ?

(3) If the answer to part (2), be in the affirmative, will Government reconcile their refusal in the one case and their acceptance, as a general and recognised measure, in the case of other deductions as enumerated in part (1) ?

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

(2) Yes.

(3) As a railway union is an organisation independent of the railway, Government consider that it should make its own arrangements for the collection of subscriptions from its members.

RESTORATION OF STIPENDS OF MEMBERS OF THE CARNATIC FAMILY.

64. ***Maulvi Mohammad Shafee Daoodi** : (a) Will Government be pleased to state whether they have given effect to the resolution passed in this Assembly in January last recommending that the stipends of the members of the Carnatic Family who took part in the Khilafat Movement be restored to them with retrospective effect ?

(b) If no effect has yet been given in spite of the Government accepting it on the floor of the House, will Government kindly state the reasons for it ?

Mr. E. B. Howell : (a) No.

(b) The matter has been under correspondence with the Madras Government, which is not yet concluded.

Maulvi Sayyid Murtuza Saheb Bahadur : May I ask why, when a period of six months has rolled on, no reply has yet been received from the Government of Madras ?

Mr. E. B. Howell : I did not say that the Government of Madras had not replied ; I said that the correspondence was not yet concluded.

Mr. M. K. Acharya : Is there any chance of the matter concluding at an early date ?

Mr. E. B. Howell : I hope so, Sir.

Maulvi Mohammad Shafee Daoodi : I believe, Sir, it is a Central subject. Why then should the Government of Madras be consulted before a decision is given effect to ?

(No reply was given).

Maulvi Mohammad Shafee Daoodi : Sir, no answer is given to my question, which is a very relevant question, I think.

Mr. E. B. Howell : I think, Sir, in a matter of this importance it is obviously necessary to consult the Local Government before a final order can be given by the Government of India.

Mr. S. C. Mitra : Is it not a fact that when the Government of India accepted the responsibility of granting these allowances, they said they would give very sympathetic consideration to the subject ?

Mr. E. B. Howell : They are doing so.

PERCENTAGE OF BURMANS IN THE IRRIGATION DEPARTMENT.

65. *U. Dwe : Will Government be pleased to state the number of officers of the Indian Service of Engineers serving in the Irrigation Department, in various provinces in India including Burma, and specify the number of Burmans therein and their percentage to other nationalities ?

The Honourable Sir Joseph Bhole : The information asked for by the Honourable Member is being collected and will be supplied to him separately.

PERCENTAGE OF BURMANS IN CERTAIN DEPARTMENTS IN BURMA.

66. *U. Dwe : Will Government be pleased to state the number of officers serving in the following Departments in Burma and specify the number of Burmans, (a) in the superior services, (b) in the subordinate services, and (c) the percentage of Burmans to other nationalities :

- (1) Customs Department.
- (2) Burma Railways.
- (3) Audit and Accounts Department.
- (4) Posts and Telegraphs.
- (5) Income-tax Department ?

The Honourable Sir George Schuster : The information asked for by the Honourable Member is being collected and will be furnished to him as soon as possible.

DISBANDED BURMESE REGIMENTS.

67. *U. Dwe : Do Government contemplate to re-mobilise the disbanded Burmese regiments ? Are Government aware of the strong desire expressed in Burma on that behalf ?

Mr. G. M. Young : Since the strength of the post-war army was fixed, only one Burmese unit, namely, a Sapper and Miner Company, has been disbanded. The reduction was due to the return of a Company from overseas, as the result of which the sanctioned strength of the army was exceeded by one Sapper and Miner Company. The unit would be surplus to our actual requirements, and it would not therefore be justifiable to incur the expense of re-creating it.

HARDSHIPS OF BURMAN CANDIDATES FOR TRAINING ON THE "DUFFERIN".

68. *U. Dwe : Are Government aware of the hardships caused to Burman candidates wishing to obtain entrance as pupils into the Training Ship "Dufferin" by holding the Selection Board Examinations at Bombay ? If so, do Government propose to make arrangements for conducting the selection of Burman candidates at Rangoon ?

The Honourable Sir George Rainy : Government have not received any representation on the subject and they are doubtful whether it would be possible to make arrangements for the selection of candidates from Burma at Rangoon. They will, however, obtain the opinion of the Governing Body of the Training Ship "Dufferin" by whom candidates for admission to the Training Ship are selected at present on a consideration of the results of the entrance examination and of personal interviews.

RAILWAY CONNECTION BETWEEN BURMA AND SIAM.

69. *U. Dwe : Will Government be pleased to state when they intend constructing the railway connection between Burma and Siam ?

Mr. A. A. L. Parsons : The possibility of constructing a railway connection between Burma and Siam is remote. Investigations have shown that the cost of such a connection would be high, and no adequate return on the capital involved could be obtained.

TENURE OF OFFICE OF MEMBERS OF PROVINCIAL GOVERNMENTS.

70. *U. Dwe : Will Government be pleased to state what the tenure of office of Executive Members of Provincial Governments under the Government of India Act is, and to state the authority for this ?

The Honourable Mr. H. G. Haig : Members of a Governor's Executive Council are appointed by His Majesty by Warrant under the Royal Sign Manual. There is no statutory provision limiting the term of office of a Member of a Governor's Executive Council, but it is an accepted principle that the tenure is limited ordinarily to five years unless it is expressly renewed or continued by His Majesty or by the Secretary of State for India.

EMPLOYMENT OF BURMANS ON THE PUBLIC SERVICE COMMISSION.

71. *U. Dwe : (a) Will Government be pleased to state how many Burmans there are on the Public Services Commission ? If the answer is in the negative, will Government kindly state what attempts have been made to secure the services of Burmans, and if such attempts have been made, why no Burmans have so far been secured as members of the Commission ?

(b) Will Government be pleased to state if they intend to constitute a separate Public Services Commission for Burma ? If so, when ; if not, why not ?

The Honourable Mr. H. G. Haig : (a) There is no Burman on the Public Service Commission. It is not possible to provide for representation of provinces on the Commission.

(b) Under the Classification Rules which have recently been published it is now open to the Local Legislature of any Governor's province to make laws for the establishment of a commission to regulate the public services of the province.

APPOINTMENT OF MUHAMMADANS AS SUPERINTENDENTS OF POST OFFICES IN MADRAS.

72. *Mr. Abdul Latif Saheb Farookhi : (a) Will Government be pleased to state when the last nominations of departmental candidates for the examination for the post of Superintendent of Post Offices were made from the Madras Presidency ? What was the total number of these nominations, and how many were Muhammadans among the candidates so nominated ?

(b) Will Government be pleased to state whether nominations of departmental candidates for the above examination were made this year ? If so, how many were selected to sit for the examination from the Madras Presidency, and how many were Muhammadans among the candidates so selected ?

(c) Will Government please state how many Muhammadan candidates were recommended this year for nomination by the Presidency Post Master, Madras, and by the Divisional Superintedents ? How many of them were selected ? If none, why ?

(d) Are Government aware of a resolution passed by the Madras Presidency Muslim League on the 10th February, 1930, pointing out the inadequate representation of the Muslim community in the higher offices of the Postal Department in the Presidency of Madras, and urging Government to recognise the claims of Muslims in the future nomination of candidates for the examination of Superintendents of Post Offices in the Madras Presidency ?

Mr. H. A. Sams : (a) I am obtaining the information and will furnish it to the Honourable Member in due course.

(b) Yes. Two of the candidates nominated from the Madras Circle have been selected to appear at the next examination. None of them is a Muhammadan.

(c) Only two Muhammadan candidates were recommended to the Postmaster-General, Madras, for nomination, one by the Presidency Postmaster, Madras, and the other by a Divisional Superintendent. They were not, however, nominated by the Postmaster-General because one of them was over 36 years of age, which was the limit of age prescribed for these candidates, and had poor educational qualifications, while the other was too junior in service and lacked experience.

(d) Yes. As selection to appear at the Superintendents' examination affords an opportunity of accelerated promotion to the staff, the nomination is not effected on a communal basis but on the selection of the best.

Mr. Abdul Latif Saheb Farookhi : May I ask if the Honourable Member will give me the information during the sittings of this Assembly or after it is dissolved ?

Mr. H. A. Sams : Will the Honourable Member kindly repeat his question ?

Mr. Abdul Latif Saheb Farookhi : Will the Honourable Member supply me with the information during the life of this Assembly or after its dissolution ?

Mr. H. A. Sams : I hope to be able to give it during the life of the Assembly.

†73.*

THE ARMED RAID AT CHITTAGONG.

74. ***Rai Bahadur S. C. Dutta** : (a) Will Government place before the Legislative Assembly a statement, describing the armed outbreak at Chittagong, the operations carried on against the insurgents and the results achieved so far, including the casualties on both sides ?

(b) What is the Government estimate of the number of insurgents concerned in the entire operations ?

(c) How many motor and other conveyances were employed by the insurgents during the course of the operations ? Have Government traced the owners and drivers of these vehicles ? How many of these drivers have been killed and by whom ? Do Government propose to prosecute any of these owners and drivers ?

(d) Is it a correct information that numbers of licensed guns were used in the operations ? How many licensed guns were missing and how many have been recovered ? Do Government propose to take any steps against any of these licencees ?

(e) How many insurgents have been captured during the course of operations, while fighting or fleeing or concealing with arms and how many have been arrested on suspicion, with or without arms ? Do Government propose to bring any of them to trial ?

(f) What was the strength of the armed sentries deputed to guard armouries at the time of the attack ? What steps have Government taken or propose to take to strengthen the forces for protection of such armouries and Government treasuries in future against such attacks ?

(g) Apart from the action of the Local Government, what special steps have the Government of India taken in this matter ?

The Honourable Mr. H. G. Haig : I regret that the Government of India are not in possession of material from which a complete reply can be given to the Honourable Member's question. A number of communiqués were issued by the Government of Bengal shortly after the outbreak which gave the main facts of the case. I add to this the following information. The number of insurgents concerned in the actual outbreak is estimated at about one hundred. Sixteen were killed in the operations and four captured of whom two subsequently died. One hundred and twelve persons have been arrested on suspicion of having been concerned in the conspiracy, including twenty-nine arrested in the connected case at Feni. The number of insurgents, engaged in the actual outbreak who are still at large is believed to be twenty-three. The accused in the case will be tried by a tribunal under the Bengal Criminal Law Amendment (Part Continuance) Act, 1930. The trial is fixed to commence on the 16th July.

Further details referred to in the Honourable Member's question will no doubt be dealt with in the final report which the Government of Bengal will submit after the completion of the enquiry they propose to hold. I will forward a copy of the Honourable Member's question to the Local Government with reference to that enquiry.

THE SHOLAPUR DISTURBANCES.

75. ***Rai Bahadur S. C. Dutta :** (a) Will Government inform the House of all the incidents of the Sholapur disturbances, day by day, from the beginning to the assumption of the control of the city by the military authorities ?

(b) Was there any order passed under section 144 of the Code of Criminal Procedure at Sholapur, and if so, what were its terms, on what date was it promulgated, by whom was it passed, and what were the reasons—facts and circumstances,—justifying the same ? For what time was it to operate ?

(c) Was the order under section 144, effective or was the application of the provisions of Chapter IX further found necessary ?

(d) Was any assembly ordered to disperse under the provisions of that chapter ? If so, on how many occasions and with what effect ?

(e) Was the crowd in Sholapur fired at in order to disperse them, and on how many occasions ? Who was the officer in each case that ordered the assembly to disperse, and for what reasons and under what circumstances ? What was the time given to disperse, and what was the number of the crowd in each case, after what interval ? In each case, of order to disperse, was actual force used, and if so, what was the nature of the force used in the first instance ? Was firing resorted to in the first instance, if so, under what justification, and under what authority ?

(f) Was the force that was used under section 128 (civil force) or under section 129 (military force) ? Was the firing also part of civil force ? Was there, among the party that actually fired, any officer or soldier in His Majesty's army or a volunteer enrolled under the

Volunteers Act ? What was the actual status of the different sections of the parties that actually fired ?

(g) Who was the officer in each case that ordered the firing ? Was any fresh warning given before fire was opened ? Was the crowd informed that they will be fired at unless they dispersed ? Were they informed of any time limit within which they were to disperse on pain of being fired at ? If so what was the time limit and the size of the crowd in each case ?

(h) Was not quiet restored in the city before control was made over to the military ?

(i) Who was the officer responsible for making over the control to the military ? Was the Bombay Government consulted beforehand ? If not, why not ? Was any information given to the Bombay Government or the Government of India before the control was taken by the military on the 12th of April ? On what date was the assent of the Bombay Government given ? On what date was the Government of India informed and on what date was the Martial Law Ordinance promulgated ?

(j) What were the reasons for the making over the control to the military ?

(k) Was the patrolling of the streets by the volunteers of the Congress or the party of civil resistance the only ground for making over the control of the city to the military or introduction of martial law ? What was the strength of the Congress volunteers in the city ? Is there any truth in the statement made in the *Statesman* of Calcutta that the military authorities refused to help the civil authorities in restoring or maintaining order unless full control was made over to them ? If so, who was the officer or authority responsible for this attitude and what was the justification for the same ?

The Honourable Mr. H. G. Haig : (1) I would refer the Honourable Member to the communiqué issued by the Government of Bombay on the 19th of May, which contains the greater part of the information he desires.

(2) In regard to part (k) of the question, the District Magistrate of Sholapur, for the reasons given in the communiqué, handed over the control of the situation to the military authorities at 8-30 P.M., on the 12th of May. He had informed the Bombay Government that afternoon of his intention, and the latter on the same evening approved of his action. The Government of India received information the next morning, and the Sholapur Martial Law Ordinance was promulgated on the 15th of May.

(3) In regard to part (h) of the question, section 128, Criminal Procedure Code, was enacted in its present form in 1882. Government do not propose to amend section 128 and section 129 of the Code in the direction indicated.

FLOGGING.

76. ***Rai Bahadur S. C. Dutta :** Is flogging a punishment prescribed in the martial law regulations promulgated at Sholapur ? If so, for what offences ? Have Government come to know that this mode of punishment

is considered very abhorrent in this country and is being resented as being unsuitable for political offences and insulting from a foreign Government? Do Government propose abolishing such punishment?

The Honourable Mr. H. G. Haig : A copy of the Sholapur Martial Law Ordinance of 1930 and of the Martial Law Regulations made thereunder have been placed in the Library of the House. From section 8 of the Ordinance and Martial Law Regulation No. 3 it will be seen that no offender could be sentenced to whipping unless he had used criminal force in the commission of the offence for which he was convicted and that a sentence of whipping could not be passed in addition to any other punishment. Since martial law is no longer in force in Sholapur, no question arises of amending the Regulations in the direction suggested by the Honourable Member.

DISTURBANCE AT PESHAWAR.

77. ***Rai Bahadur S. C. Dutta :** (a) Will Government be pleased to state the results of the inquiry that has been directed into the affairs at Peshawar and the trial by court-martial of certain soldiers charged with disobedience? What was the number of persons killed and wounded on that date on both sides?

(b) Will Government be pleased to give an up-to-date statement of all the principal incidents at Peshawar?

(c) Why did not Government appoint any Hindu or any non-official lawyer in the committee of inquiry?

The Honourable Mr. H. G. Haig : (a) and (b). I would invite the Honourable Member's attention to the finding of the Court Martial in the case to which he refers, and as regards the incidents at Peshawar to the communiqué issued by the Government of India on the 5th of May and to the Report of the Peshawar Enquiry Committee and the Resolution thereon issued by the Government of India recently.

(c) Government considered that a committee consisting of two High Court Judges was the most suitable.

Dr. Ziauddin Ahmad : May I ask, Sir, if the Honourable Member will circulate the Report of the Sulaiman Inquiry Committee among the Members of the Legislature?

The Honourable Mr. H. G. Haig : If Honourable Members generally desire to have a copy of the Report, I am sure Government will be very glad to circulate it; but we do not want to circulate it unnecessarily. I am entirely in the hands of the House.

Dr. Ziauddin Ahmad : Have the Government accepted the majority opinion or the minority opinion in that Report?

The Honourable Mr. H. G. Haig : I think it is difficult to have a majority and a minority in a Committee consisting of two only.

Dr. Ziauddin Ahmad : I understand that in case of equality of votes, the Chairman has got a second vote. Therefore, the opinion of the Chairman is the opinion of the majority.

Mr. President : That is not a question.

Mr. M. A. Jinnah : May I know, Sir, whether the Government think, and whether they are satisfied, that the influence of this Report and the provisional opinions which they have expressed is enough to restore peace in that province ? Or do they propose to take some further steps in the matter ?

The Honourable Mr. H. G. Haig : The Report, Sir, I think, clears up a very unfortunate incident. But that in itself, of course, is not sufficient to restore peace in the province. For that purpose, other measures are being adopted and, I believe, are meeting with very considerable success.

Mr. M. A. Jinnah : Are the Government prepared immediately to consult some leading men of that province and other Mussalmans who may be available in Simla, and in consultation with them to take immediate necessary steps to restore harmony and peace in that province ?

The Honourable Mr. H. G. Haig : I think the steps which the Honourable Member suggests, namely, consultation with leading men in the province, not here in Simla, have been taken and are being pursued actively in the Frontier Province.

Dr. Nand Lal : Has the political condition of Peshawar improved a bit now ?

The Honourable Mr. H. G. Haig : That, Sir, is most certainly my information and belief.

Mr. M. A. Jinnah : What I wanted to know was whether the Government are prepared to avail themselves of the representative men, particularly the Members of this House who are present, and in consultation with them to devise measures to restore peace in that province ?

The Honourable Mr. H. G. Haig : I am sure the Government will be only too pleased to receive any suggestions from Honourable Members or others who are here present in Simla ; but the real work of conciliation has to be done in the Frontier Province. For that purpose recently an Honourable Member of the Governor General's Council (Sir Fazl-i-Husain) went up and consulted the Chief Commissioner, and I understand that the conclusions reached were very satisfactory and that the tone and temper in the province is much improved.

Mr. M. A. Jinnah : I want to know definitely from Government. I have no doubt that the Government are doing their utmost and everything that can be done from the official point of view has been done. But my specific question is this. Are you going to take some definite step and avail yourself of the services of some representative men who are in Simla now to be associated with the Government to take some steps which might even make the position better than it is at present ?

The Honourable Mr. H. G. Haig : It is a little difficult for me to answer that question, because the ordinary administration of the Frontier Province is not a matter which concerns the Home Department. It is primarily the concern of the Foreign and Political Department, and I am not really acquainted with the full details of the ameliorative measures that are now under contemplation ; but I repeat, Sir, that, though I cannot give any undertaking to the House—I rather understood that

the Honourable Member suggested a special committee or something of that sort.....

Mr. M. A. Jinnah : No, I did not. What I suggest is this. It does not matter who is the Member in charge. I take it the Honourable Member is speaking on behalf of the Government of India. I suggested that the Honourable Member, whoever is in charge, should invite certain representative Mussalmans who are at present in Simla today, and in consultation with them he might determine certain steps which might lead to harmony and better feelings and to restoration of peace in that province.

The Honourable Mr. H. G. Haig : I think Mr. Howell will be able to answer this.

Mr. E. B. Howell : I understand the suggestion to be that these gentlemen, who are now in Simla, should be invited to meet myself and Mr. Haig and perhaps some other officers, and put forward any suggestions they have with a view to improve conditions in that province. Was it the Honourable Member's intention that the invitation to these gentlemen should be confined to Members of this House ?

Mr. M. A. Jinnah : Not necessarily.

Mr. E. B. Howell : I think I may say without hesitation that we would accept the suggestion.

Mr. Gaya Prasad Singh : Why should the Conference be confined to the Members of one particular community ? The Hindus also suffered a lot.

Mr. M. A. Jinnah : I never said that it should be confined to the Mussalmans.

Mr. Gaya Prasad Singh : You suggested that.

Mr. M. A. Jinnah : I said representative Mussalmans should be invited. This does not exclude Hindus from being invited.

DISTURBANCE AT PESHAWAR.

78. ***Rai Bahadur S. C. Dutta :** (a) Was there any crowd at the place when the Congress leaders at Peshawar were arrested ? If so, what was the number of the crowd, what was the number of the crowd after the arrest ? What was the nature of the demonstration made by the crowd after the arrest which necessitated their dispersal ? Did the crowd make any attempt to rescue the arrested persons ? If so, what actual steps did they take for that purpose ? Did the crowd commit any other act of violence or anything illegal or unlawful before steps were taken to disperse them ?

(b) What was the number and rank of the police force or soldiers present when the crowd was first ordered to disperse ?

(c) Were two armoured cars sent to disperse the crowd ? How were they manned and equipped ? Did the crowd attack these cars ? Was the crowd excited before or after the arrival of these armoured cars ? What attempt was made to rescue these cars and with what results ? Who was responsible for sending these cars ?

(d) Is it a fact that the crowd was infuriated because some motor vehicles dashed upon them and crushed people under them? If so, who were the persons concerned?

(e) What order have Government passed or do Government propose to pass upon the reports or results of inquiries made into the affairs at Peshawar?

(f) When was the firing upon the crowd commenced and how long did it continue? How many persons fired at a time and how many rounds were fired? What necessitated the opening of firing and what necessitated its continuance for this period?

The Honourable Mr. H. G. Haig: I would invite the Honourable Member's attention to the Report of the Peshawar Inquiry Committee and the Resolution of the Government of India thereon.

CIRCUMSTANCES OF FIRING UPON CROWDS IN RECENT DISTURBANCES.

79. ***Rai Bahadur S. C. Dutta:** Will Government inform this House, about the occasions and incidents, with dates and places when the Government forces, police or military, had to fire, either in self-defence or to disperse a crowd during the period after the close of the last Session of the Legislative Assembly, whether action was taken under section 128 or section 129 of the Criminal Procedure Code? What circumstances justified the same, what officers gave the order, what warnings were given and what precautions were taken, what was the nature of shots fired in each case and the number of persons firing, the number of rounds fired and the duration of firing in each case?

The Honourable Mr. H. G. Haig: The Honourable Member is referred to the reply given to Mr. S. C. Mitra's question No. 20.

NEWSPAPERS REQUIRED TO DEPOSIT SECURITY.

80. ***Rai Bahadur S. C. Dutta:** Will Government inform this House of the number of newspapers that have been called upon, in each province, to make deposit as security under the new Press Ordinance, how many have made the required deposit, and how many have ceased publication on account of failure to make the deposit? How many newspapers have ceased publication by way of protest against the Ordinance?

The Honourable Mr. H. G. Haig: I would refer the Honourable Member to the reply which I gave to Mr. S. C. Mitra's question No. 18.

REPRESENTATION OF ASSAM IN GOVERNMENT SERVICES.

81. ***Rai Bahadur S. C. Dutta:** (a) Will Government place before the House a statement showing the number of appointments in the different Secretariat establishments of the Government of India and of all appointments in all Departments of the Government of India, both of superior and inferior cadres (exclusive of local services of centrally administered local areas), and of them the number of appointments held by non-Indians and by Indians belonging to different provinces?

(b) What is the system of recruitment to these services outside the Indian Civil Service and what is the authority that makes these appointments ?

(c) Has the attention of Government been drawn to the very inadequate representation, and in some cases of utter want of representation of Assam in these services ? Is it not a fact that such inequalities of recruitment in the superior grades of services from Assam have been in existence for a very long time, from long before the introduction of the present system of recruitment partially by competitive examination ? Are Government prepared to remove these local inequalities by nomination of suitable candidates from Assam ?

The Honourable Mr. H. G. Haig : (a) and (b). I am afraid a full reply to the Honourable Member's question would involve a task, for which the Home Department have not the staff available. For some account of the authorities who may appoint to the various services I would refer the Honourable Member to the Civil Services (Classification, Control and Appeal) Rules which were recently published ; and he is doubtless aware that the main means of recruitment in an ever increasing number of services, is by competitive examination. Statements are also published every year showing the composition by communities of the various Secretariat establishments of the Government of India.

(c) Government are aware that Assam has not been, and is not, largely represented in the services in question. The Government of India's policy as regards reserving vacancies for appointment by nomination is confined to the redress of communal inequalities. They do not consider it practicable to adopt the same principle in order to redress inequalities of provincial representation.

EXAMINATION OF THE REPORT OF THE INDIAN CENTRAL COMMITTEE.

82. ***Mr. M. K. Acharya :** Will Government be pleased to say whether they have examined the Report of the Indian Central (or Nair) Committee on Constitutional Reforms, and whether they will place before the Assembly the result of such examination, if any ?

The Honourable Mr. H. G. Haig : The Report is under examination together with the report of the Indian Statutory Commission. No conclusions have yet been reached.

Mr. M. K. Acharya : Will the conclusions, when reached, be placed before this House or before the public ?

The Honourable Mr. H. G. Haig : I am afraid I am not in a position at present to say what will happen when the Government of India have reached their conclusions.

Dr. Nand Lal : Will the Honourable Member say whether the Government of India have gone through these two volumes or not ?

The Honourable Mr. H. G. Haig : They are going through all documents connected with the constitutional revision with great industry.

EXAMINATION OF THE REPORT OF THE INDIAN STATUTORY COMMISSION.

83. ***Mr. M. K. Acharya** : Will Government be pleased to say :

- (a) whether they have examined the Report of the Indian Statutory (or Simon) Commission, and can acquaint the Assembly with the result of such examination ?
- (b) whether they have sent to the Secretary of State any communication containing their views on that Report, and can lay that communication on the table of the Assembly ?

The Honourable Mr. H. G. Haig : (a) I would refer the Honourable Member to the answer which I have just given.

(b) The answer to the first part is in the negative. The second part does not arise.

AGENDA FOR THE ROUND TABLE CONFERENCE.

84. ***Mr. M. K. Acharya** : Will Government be pleased to say :

- (a) Whether they can indicate in any detail what will be the agenda of work for the proposed Round Table Conference ?
- (b) Whether the Simon Commission's Report will form the main theme or basis of discussion at that Conference ?
- (c) What public bodies or organisations and interests in India have been invited by Government to participate in the said Conference ; which of them have accepted Government's invitation ?
- (d) What number of seats on that Conference do Government propose to allot to each organisation or interest above referred to ?

The Honourable Mr. H. G. Haig : (a) and (b). I would refer the Honourable Member to what was said by His Excellency the Viceroy in his address on the 9th July.

(c) and (d). No persons have yet been invited to attend the Round Table Conference. With regard to the principles which will govern the issue of invitations it was made plain in His Excellency the Viceroy's statement on the 31st October last that His Majesty's Government propose to invite representatives of different parties and interests, and in His Excellency's letter to the Prime Minister, which was published on the 13th May, it was emphasised that the representation of India should be fairly distributed among those sections of thought who desire and have a title to be heard. It is intended that the invitations should be issued after consultation where possible with the interests concerned.

Mr. M. K. Acharya : Will Government please state who will decide what are the important interests in India that deserve representation and invitation and in what measure ?

The Honourable Mr. H. G. Haig : I imagine, Sir, that it will be the duty of His Excellency the Viceroy to advise the Prime Minister and His Majesty's Government on that point.

Sir Hari Singh Gour : May I beg to enquire whether the attention of the Honourable Member has been drawn to the fact that, in the statement issued by the Viceroy on the 31st of October, it was stated that Indian representatives would confer with His Majesty's Government, whereas in the speech delivered by the Viceroy in this House the other day, it has been stated that the Round Table Conference shall comprise representatives of India and of the British people. I wish to know if there has been any change in the procedure. What will be the number of representatives of the British people, considering that the Government of India propose to send up 62 representatives of British India and Indian States ? I want to know the relative strength of the representatives of the two countries, whether the representatives of Great Britain would be drawn from the recognised three parties and limited to Parliamentary representation ?

The Honourable Mr. H. G. Haig : I am afraid I am not in a position to give the Honourable Member any information.

Sir Hari Singh Gour : I may just point out that it is exercising the minds of all of us, and if the Honourable Member would be pleased to give us an answer tomorrow or the day after, we shall be satisfied.

Mr. President : That is not a supplementary question.

Sir Hari Singh Gour : I am only making a suggestion.

Mr. M. R. Jayakar : Will the Honourable Member consider the desirability of inducing the Government to make an authoritative statement on this question, if not during the Session of the House, at the earliest opportunity ?

The Honourable Mr. H. G. Haig : I have no doubt that the matter is engaging the attention of the Government, but no conclusions, as far as I know, have been reached in regard to the nature of the representation of the other side of the Conference.

Mr. M. R. Jayakar : Whatever conclusions Government would reach, I want them to be published in the form of an authoritative statement.

The Honourable Mr. H. G. Haig : I am sure that, as soon as a conclusion is reached, it will be published.

Dr. Nand Lal : The answer is given that no invitation has been issued by the Government of India. May I ask whether some names have been contemplated by the Government of India in this connection ?

The Honourable Mr. H. G. Haig : I have no doubt, Sir, that some preliminary consideration has been given to the problem.

Mr. P. Venkatakrishtnayya Chowdry : Is Mr. Acharya's one of the names considered ?

Mr. President : Order, order.

Mr. President : I understand that Colonel Gidney is anxious to put his question No. 73. He was unavoidably absent when that question was reached this morning. I allow Colonel Gidney to put his question now.

INJUSTICE TO LOCALLY RECRUITED COMMERCIAL SUPERINTENDENTS ON THE NORTH WESTERN RAILWAY.

73. *Lieut.-Colonel H. A. J. Gidney : (a) Is it a fact that there is a special cadre of Commercial Superintendents, Junior and Senior, on Rs. 500—25—575|600—25—675 a month on the North Western Railway in the office of the Chief Commercial Manager, Lahore, and that these appointments are graded in the subordinate cadre ?

(b) Is it a fact that these men as a rule consist of Claims, Rates, Refunds and Outstanding Officers, who exercise the powers of, but are not recognised as, gazetted officers, and that others doing identically the same work on all other railways in India, both State and Company-owned, are *pucca* gazetted officers ?

(c) Is it true that this cadre was first introduced as Office Traffic Inspectors with the honorary rank of Assistant Traffic Superintendents and that the grant of the honorary rank gradually fell into disuse, as new men full of ambition were introduced to these special posts ?

(d) Is it a fact that, these specialised posts were created to get the work done by subordinates who had acquired vast railway experience, because the covenanted European officers of the Superior Revenue Establishment did not feel equal to tackle the minute details involved ?

(e) Is it a fact that of the present eight or ten incumbents of the posts referred to, although they all do the same work and have the responsibilities, two are in the Local Service, one has an honorary rank, while the others are subordinates ?

(f) If the answers to parts (a), (b) and (e) are in the affirmative, will Government be pleased to state why this distinction is being perpetuated on the North Western Railway ?

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

(b) They are employed on work of importance relating to claims, rates, refunds and outstandings but their duties and responsibilities are not identical with those assigned to Superior Officers on other railways engaged on similar work.

(c) The cadre first consisted of Office Traffic Inspectors but not with the honorary rank of Assistant Traffic Superintendents. This cadre was subsequently substituted by the present cadre of Commercial Superintendents.

(d) No.

(e) The present 7 incumbents are all in the subordinate grade and none of them holds honorary rank or is in the Local Services.

(f) The proper status to be assigned to these posts is under consideration.

Lieut.-Colonel H. A. J. Gidney : Is the Honourable Member aware of the fact that almost all the senior and junior Commercial Superintendents, though young men, are blocked on their maxima, and have no further scope for advancement in these cadres, and that the anomalies existing in these two grades have already been represented to the Agent in a memorial dated 21st June, 1928 ?

12 NOON.

Mr. A. A. L. Parsons : I must ask for notice of that question.

Lieut.-Colonel H. A. J. Gidney : Arising out of the reply to (b) and the admission that in other railways the "claims" work is performed by gazetted officers, presumably drawing much higher rates of pay and Lee Commission concessions, and in view of the fact that the Classified List of Railway Officers supports this statement, will Government state what justification, if any, there is for the North Western Railway alone to extract such work from subordinates at cheaper rates of pay ?

Mr. A. A. L. Parsons : As I explained to the Honourable Member, I understand that the duties and responsibilities of these officers on the North Western Railway are not exactly the same as those assigned to the officers on other railways ; but the question of the status of the officers on the North Western Railway is under consideration.

UNSTARRED QUESTIONS AND ANSWERS.

IMPROVEMENT OF PRIVIES IN THIRD CLASS RAILWAY CARRIAGES.

1. **Khan Bahadur Sarfaraz Hussain Khan :** With reference to Government's reply to starred question No. 7 (a) and (c) asked in the meeting of the Legislative Assembly on the 20th January, 1930, regarding the improvement of privies in third class railway carriages, that "The Honourable Member's suggestion is a reasonable one and Government are bringing it to the notice of Railway Administration" and "but the matter is being brought to the notice of the Railway Administration", will Government please state if the Railway Administration have taken steps to remove the difficulties referred to in the question ?

Mr. A. A. L. Parsons : We have received information from the South Indian Railway that pegs and taps are provided in the lavatories of third class carriages. The ledges of the latrine doors are raised so that water cannot find its way into the compartments. We have no information so far what other railways are doing. The alterations suggested can, where they are necessary, only be carried out gradually as carriages come into shops for overhaul, and it is too early yet to make enquiries from railway administrations. I will, however, have enquiries made towards the close of this year and will let the Honourable Member know the result.

PROHIBITION OF OPIUM SMOKING.

2. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to starred question No. 13 regarding the prohibition of opium smoking, asked in the meeting of the Legislative Assembly on the 20th January, 1930, that "The Government of India have ascertained from the Government of Bombay that the report may probably be expected in February", will Government please state if the report referred to has been received by them ?

(b) If so, will they please lay a copy of it on the table ?

(c) If not, are they prepared to send another reminder to the Bombay Government ?

The Honourable Sir George Schuster : (a) The Government have received the Reports.

(b) The Government of Bombay have informed the Government of India that they do not wish the Report to be laid on the table of this House since they have not yet passed orders on it.

(c) Does not arise.

RECOMMENDATIONS OF THE CIVIL JUSTICE COMMITTEE.

3. Khan Bahadur Sarfaraz Hussain Khan : Will Government be pleased to state how many recommendations of the Civil Justice Committee in all have been received by the Government and how many out of them have been given effect to ?

The Honourable Mr. H. G. Haig : The Honourable Member is referred to the answer given by Sir James Crerar on the 20th January last to Mr. Duraiswamy Aiyangar's question No. 38. As regards the total number of recommendations made by the Committee I would invite the Honourable Member's attention to pages 612—646 of their Report.

EXTENSION OF DELHI CITY.

4. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to my unstarred question No. 4 in the meeting of the Legislative Assembly on the 20th January, 1930, regarding the extension of Delhi City, will Government please state if any steps have been taken to give effect to the extension scheme ?

(b) If so, will they please state what those steps are ?

(c) If not, by what time do they propose to give effect to the scheme ?

Sir Frank Noyce : (a), (b) and (c). It is not clear to what scheme precisely the Honourable Member's question relates, but if he is referring to the scheme for laying out as a park the land lying between the Circular Road and the city wall, I may inform him that Government have called for the views of the Delhi Municipality as to the suitability of allocating this area for purposes of a park. Until the views of the Municipality have been received, it is not possible to say whether or when the scheme will be sanctioned.

EXTENSION OF THE AIR MAIL SERVICE TO CALCUTTA AND RANGOON.

5. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to my unstarred question No. 5 in the meeting of the Assembly on the 20th January, 1930, regarding the Air Mail Service to Delhi, when Government replied "Further extension to Calcutta and Rangoon are under consideration by Government", will Government please state whether they have arrived at any decision in the matter referred to ?

(b) If so, will they please state what this decision is ?

(c) If not, by what time are they expected to come to a decision ?

The Honourable Sir Joseph Blore : (a) and (b). Government have decided to extend the Indian State Air Service from Delhi to Calcutta and Rangoon.

(c) Does not arise.

WAITING ROOM AT KHAJAULI.

6. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to my unstarred question No. 8 in the meeting of the Assembly of the 20th January, 1930, regarding the waiting room at Khajauli, when Government replied “ (b) Government are not aware of the position ; but a copy of the Honourable Member’s question has been sent to the Agent, Bengal and North Western Railway, with the request that he will see what action, if any, is needed ”, will Government be pleased to state if the Agent has taken any action in the matter ?

(b) If so, will they please state what is the action taken ?

Mr. A. A. L. Parsons : (a) and (b). Government have been advised by the Agent, Bengal and North Western Railway, that the figures obtained for one year, from November 1928 to October 1929, for inward and outward upper class traffic at Khajauli, a wayside station on the Sakri-Jayanagar Branch, do not warrant the provision of a waiting room for upper class passengers. The combined outward and inward 1st and 2nd class passengers at this station averaged 31 monthly, the greatest number being 51 during February and the smallest number 15 during July. A waiting hall for lower class passengers exists at this station.

OPIUM INQUIRY.

7. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government’s reply to my unstarred question No. 8 in the meeting of the Assembly on the 20th January, 1930, regarding an opium inquiry, will Government be pleased to state if the report of the Bombay Government has been received by now ?

(b) If so, will Government please lay a copy of it on the table ?

The Honourable Sir George Schuster : (a) The Government have received the Reports.

(b) The Government of Bombay have informed the Government of India that they do not wish the Report to be laid on the table of this House since they have not yet passed orders on it.

CLERKS’ QUARTERS AT PHAGLI, SIMLA.

8. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to the reply to my unstarred question No. 10 in the meeting of the Assembly on the 20th January, 1930, regarding clerks’ quarters in Phagli, Simla, that the question of constructing additional accommodation is still under consideration, will Government please state if the matter has been considered and decided ?

(b) If so, will Government please communicate their decision to the House ?

(c) If not, by what time is the decision likely to be arrived at ?

The Honourable Sir Joseph Bhore : (a) and (b). The matter is still under consideration.

(c) It is not possible to give any precise date by which a decision may be reached.

TERMINAL TAX ON GOODS ENTERING NEW DELHI.

9. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to my unstarred question No. 11 in the meeting of the Assembly on the 20th January, 1930, regarding the terminal tax on goods entering New Delhi, and the reply by Government that the preliminaries are still under consideration, will Government please state if they have considered the preliminaries by now ?

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

Sir Frank Noyce : (a) and (b). It is understood that the preliminaries have been considered by the Chief Commissioner, Delhi, and that it is proposed that the Delhi Municipal Committee should collect terminal tax on goods entering New Delhi,—New Delhi and Delhi city being treated as one unit for purposes of collection of the tax. The proposal, which has been referred by the Chief Commissioner to the railway authorities for opinion, has not yet been submitted to the Government of India.

APPOINTMENT OF CLERKS IN ARMY HEADQUARTERS.

10. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to my unstarred question No. 12 in the meeting of the Assembly on the 20th January, 1930, regarding the appointment of clerks in Army Headquarters, and the reply by Government " Yes, in all but in two cases which are still under consideration ", will Government please state if they have arrived at a decision in the matter ?

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

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

(b) The two cases under consideration were found to differ from those previously settled, as neither of the men concerned had actually been given provisional promotion. It was not therefore possible to confirm them in substantive appointments.

SUPERSESSION OF CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

11. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to my unstarred question No. 13 in the meeting of the Assembly on the 20th January, 1930, regarding the supersession of clerks in the Railway Clearing Accounts Office, and the reply by Government " The report is now under consideration ", will Government please state if they have considered the report and arrived at a decision ?

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

Mr. A. A. L. Parsons : The report was only submitted to me on the eleventh of this month. I expect to pass orders on it very shortly.

EXTRA PAY FOR POSTAL OFFICIALS.

12. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to my unstarred question No. 22 in the meeting of the Assembly of the 20th January, 1930, regarding " Extra pay for postal officials ", and the reply by Government " No final decision has yet been reached ", will Government please state if they have reached a final decision by now ?

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

The Honourable Sir Joseph Bhoré : The Honourable Member's attention is invited to part (c) of the reply given in this House to Mr. M. Anwar-ul-Azim's starred question No. 331 on 17th February, 1930, in which it was stated that it is not possible to introduce in the immediate future any measure of relief involving additional expenditure. The Director General however hopes to introduce shortly measures which while not involving considerable additional expenditure will afford some further relief to the staff on Sundays and holidays.

THE SIMLA RAILWAY STATION.

13. Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 15th May, 1930, page 4, column 5, under the heading " Simla Railway Station " ?

(b) If so, will they please state if the statement made therein is wholly or partially correct ?

(c) If so, will they please state what steps they propose to take with a view to remove the grievance of the public travelling from Kalka to Simla ?

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

(b) and (c). The statements made in the article in the *Statesman* are not wholly correct.

Packages belonging to one owner have labels affixed to them each with the same number, but it is not practicable always to load such packages together and in one place in the van, the loading of which must depend on the nature and size of the various packages to be carried.

On the narrow gauge Simla hill Railway passengers are allowed to take little or no luggage into their compartments so that practically every passenger has luggage in the van. As a result there are relatively more passengers identifying and collecting luggage from the van at stations on this line than on other sections of the railway. In order to relieve congestion and possible misdelivery, 10 pens for luggage are provided at Simla Station, each corresponding to one of the 10 digits. Luggage is placed in these pens in accordance with the numbers on the labels and delivered from the pens and not direct from the van. This arrangement inevitably causes some delay but it has been found to be a necessary precaution against misdelivery and loss.

Government do not think further action necessary.

CONSTRUCTION OF A RAILWAY BRIDGE OVER THE RIVER GANDAK.

14. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply, " The matter is under consideration. No decision has

as yet been arrived at" to my unstarred question No. 24 in the meeting of the Assembly on the 20th January, 1930, regarding the construction of a railway bridge on the river Gandak, will Government please state if they have arrived at a decision by now ?

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

Mr. A. A. L. Parsons : The examination of the project from Chakia to Sidhwalia, which includes a bridge over the river Gandak, has proved that this line is unremunerative. It is not likely to be constructed, therefore, for many years, if ever.

HOUSING CONDITIONS OF WORKMEN AT LILLOOAH.

15. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply "The question is still under consideration" to my unstarred question No. 34 in the meeting of the Assembly on the 20th January, 1930, regarding housing conditions of workmen at Lillooah, will Government please state if they have considered the question and arrived at a decision in the matter ?

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

Mr. A. A. L. Parsons : (a) I regret that it has not been possible to come to a final decision in the matter as yet.

(b) Does not arise.

OPENING OF A BROAD GAUGE RAILWAY BETWEEN JAKHAL AND SIRSA.

16. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to my unstarred question No. 37 in the meeting of the Assembly on the 20th January, 1930, on the subject of opening a broad gauge railway between Jakhal and Sirsa, will Government please state if they have since received the survey report ?

(b) If so, will they please state if they have come to any decision in the matter ?

(c) If so, will they please communicate their decision to the House ?

Mr. A. A. L. Parsons : (a) The survey report has recently been received.

(b) and (c). The report is under consideration. No decision has been arrived at as yet.

COMPENSATION FOR INNOCENT VICTIMS OF RECENT DISTURBANCES AND RECOGNITION OF SERVICES OF POLICE AND MILITARY.

17. **Mr. Arthur Moore :** What compensation do Government propose to make to the families of innocent victims of recent civil disturbances,

and will there be some official recognition of the strain to which the police and military forces in certain areas have been exposed ?

The Honourable Mr. H. G. Haig : Government cannot accept the principle of liability for loss or injury to members of the public arising out of civil disturbances. They are fully alive to the importance of the prompt and liberal grant of compensation to the families of Government servants, who lose their lives in performance of their duties. They also recognize the unusual strain imposed on the police by the Civil Disobedience Movement and the loyalty and devotion with which that strain has been met. It is understood that several Local Governments have sanctioned the grant of special allowances for additional duty where the strain is especially severe. In regard to the military, the regulations provide for the grant of allowances when troops are employed under abnormal conditions and these are being observed.

EXPORT DUTY ON RICE.

18. **Mr. N. G. Ranga :** (a) Is the Honourable the Commerce Member aware of the great alarm caused by the newly imposed export duty upon rice among the paddy growers in the country, in view of the continuous fall in prices and the overproduction of paddy ?

(b) Does he propose to watch as to how far the new export duty operates in checking the exports of Indian rice and in keeping down the price of paddy in India, with a view to gauge the good or bad effects of this duty upon the paddy growers during this year ?

The Honourable Sir George Rainy : (a) and (b). The Honourable Member is apparently under a misapprehension. The last Finance Act did not impose a new export duty on rice. On the contrary, it reduced the existing duty from 3 annas to 2½ annas a maund. This reduction was designed to remove the disparity that formerly existed between the Indian export duty and that imposed by Siam which is one of Burma's principal competitors in the rice trade.

PRICES OBTAINING FOR PADDY AND QUANTITIES EXPORTED AND IMPORTED.

19. **Mr. N. G. Ranga :** Will the Honourable the Commerce Member be pleased to supply the House the information regarding the monthly average prices obtaining for paddy in the last fifteen years in the chief exporting centres and also, the comparative figures (in quantity and value) for the export and import of paddy to and from India ?

The Honourable Sir George Rainy : Two statements giving the desired information as regards the monthly average prices of paddy are laid on the table. Information regarding the quantity and value of exports and imports of paddy from and to India is contained in the Annual Statements and Monthly Accounts of the Sea-Borne Trade of British India, copies of which are in the Library.

A.
Monthly averages of highest prices of Boat Paddy, Rangoon (per 100 baskets of 46 lbs.).

Months.	1915.	1916.	1917.	1918.	1919.	1920.	1921.	1922.	1923.	1924.	1925.	1926.	1927.	1928.	1929.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
January	105	103	100	107	118	178	143	174	177	197	174	178	174	167	161
February	98	97	114	92	123	180	148	190	176	189	177	182	179	172	159
March	90	114	120	92	128	181	163	191	180	191	182	196	191	168	157
April	95	122	111	91	138	188	182	203	191	190	182	206	191	163	157
May	111	118	104	89	152	197	204	218	187	200	186	206	200	165	164
June	129	117	104	93	150	206	219	211	176	205	194	214	199	156	171
July	146	116	100	98	150	208	232	213	168	213	190	217	197	159	178
August	160	120	97	140	150	202	237	202	171	224	199	219	192	161	180
September	184	126	80	150	150	198	259	199	197	215	198	215	189	168	191
October	167	126	82	161	150	197	253	197	190	213	193	214	172	180	185
November	139	119	86	201	150	182	240	200	192	208	197	199	181	190	167
December	94	128	117	127	175	188	185	172	203	200	191	182	188	159	157

B.
Statement showing average monthly prices of paddy in rupees and decimals of a rupee per maund at Madras from the years 1915 to 1929.

Months.	1915.	1916.	1917.	1918.	1919.	1920.	1921.	1922.	1923.	1924.	1925.	1926.	1927.	1928.	1929.
January	Rs. 3.28	Rs. 3.11	Rs. 3.25	Rs. 2.96	Rs. 4.54	Rs. 5.88	Rs. 5.75	Rs. 5.63	Rs. 5.00	Rs. 4.61	Rs. 5.27	Rs. 4.94	Rs. 4.99	Rs. 5.41	Rs. 5.00
February	..	Rs. 2.99	Rs. 3.00	Rs. 3.07	Rs. 4.87	Rs. 5.63	Rs. 5.82	Rs. 5.00	Rs. 4.87	Rs. 4.61	Rs. 5.27	Rs. 4.68	Rs. 4.70	Rs. 5.54	Rs. 4.86
March	..	Rs. 2.84	Rs. 2.97	Rs. 3.05	Rs. 4.67	Rs. 5.55	Rs. 4.87	Rs. 5.07	Rs. 4.74	Rs. 4.61	Rs. 5.34	Rs. 4.50	Rs. 5.00	Rs. 5.54	Rs. 5.14
April	..	Rs. 2.73	Rs. 2.97	Rs. 3.03	Rs. 4.74	Rs. 5.41	Rs. 4.87	Rs. 5.00	Rs. 4.61	Rs. 4.61	Rs. 5.00	Rs. 4.59	Rs. 4.91	Rs. 5.55	Rs. 4.87
May	..	Rs. 2.70	Rs. 2.97	Rs. 3.52	Rs. 4.80	Rs. 5.88	Rs. 4.87	Rs. 5.14	Rs. 3.98	Rs. 4.61	Rs. 4.87	Rs. 4.59	Rs. 5.41	Rs. 5.54	Rs. 4.60
June	..	Rs. 2.73	Rs. 2.97	Rs. 3.43	Rs. 4.94	Rs. 5.81	Rs. 4.87	Rs. 5.14	Rs. 4.61	Rs. 4.87	Rs. 4.87	Rs. 4.59	Rs. 5.41	Rs. 5.54	Rs. 4.59
July	..	Rs. 2.90	Rs. 3.00	Rs. 3.56	Rs. 5.65	Rs. 6.77	Rs. 5.00	Rs. 5.26	Rs. 4.61	Rs. 4.25	Rs. 4.87	Rs. 4.59	Rs. 5.41	Rs. 5.54	Rs. 4.59
August	..	Rs. 3.11	Rs. 3.04	Rs. 3.21	Rs. 3.74	Rs. 6.77	Rs. 5.14	Rs. 5.33	Rs. 4.67	Rs. 5.68	Rs. 4.87	Rs. 4.59	Rs. 5.69	Rs. 5.54	Rs. 4.72
September	..	Rs. 3.11	Rs. 3.04	Rs. 3.35	Rs. 3.93	Rs. 6.77	Rs. 5.14	Rs. 5.41	Rs. 4.94	Rs. 5.54	Rs. 4.95	Rs. 4.59	Rs. 5.69	Rs. 5.54	Rs. 5.00
October	..	Rs. 3.11	Rs. 3.04	Rs. 3.40	Rs. 4.36	Rs. 6.77	Rs. 5.38	Rs. 5.41	Rs. 4.67	Rs. 5.27	Rs. 4.94	Rs. 4.59	Rs. 5.69	Rs. 5.54	Rs. 4.86
November	..	Rs. 3.11	Rs. 3.17	Rs. 3.16	Rs. 4.88	Rs. 6.50	Rs. 5.38	Rs. 5.48	Rs. 4.19	Rs. 5.14	Rs. 4.94	Rs. 4.59	Rs. 5.68	Rs. 5.48	Rs. 5.13
December	..	Rs. 3.11	Rs. 3.25	Rs. 2.88	Rs. 4.80	Rs. 5.54	Rs. 5.38	Rs. 5.48	Rs. 4.47	Rs. 5.14	Rs. 4.94	Rs. 4.59	Rs. 5.54	Rs. 5.55	Rs. 5.47

Note.—Figures represent averages of two fortnightly quotations.
(a) First half of the month.
(b) Second half of the month.

DISABILITIES OF ASSISTED IMMIGRANTS FROM SOUTH AFRICA.

20. **Mr. N. G. Ranga** : (a) Is the Honourable Member-in-charge of assisted immigration aware of the fact that the casteless assisted immigrants from South Africa suffer from many social disabilities in Madras and that they are finding it very difficult to earn enough to maintain themselves at the high standard of living to which they are accustomed ?

(b) Will the Honourable Member-in-charge of assisted immigration be pleased to state when he will place on the table of the House the report recently received by him from the committee appointed to inquire into the conditions of the assisted immigrants ?

Mr. G. S. Bajpai : (a) It is understood that the class of emigrants referred to by the Honourable Member are in exactly the same position as other casteless Hindus in the Madras Presidency. Most of the returned emigrants are settling down either as cultivators or as agricultural labourers. It is possible that they were accustomed to a higher standard of living in South Africa but their social status does not adversely affect their chances of securing occupation suited to their resources and aptitude.

(b) A copy of the report has been placed in the Library of the House.

OVERCROWDING OF THIRD CLASS CARRIAGES ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

21. **Mr. N. G. Ranga** : (a) Has the Honourable the Commerce Member come to know that one Mr. Srihari Rao was charged on a number of occasions at Rajahmundry under the Railway Companies Act by the Madras and Southern Mahratta Railway authorities for continuously pulling the alarm chain in the mail and other passenger trains to draw the attention of the railway authorities to overcrowding in the third class carriages ?

(b) Is the Honourable the Commerce Member aware of the fact that strong resentment prevails all along the Northern Circars against this action of the railway authorities ? Is it a fact that they have not tried, in spite of the agitation carried on by Mr. Srihari Rao, to improve the conditions of the third class travelling ?

(c) Will the Honourable the Commerce Member be pleased to state what action he proposes to take to lessen the overcrowding in the third class carriages of the Madras and Southern Mahratta Railway Company ?

Mr. A. A. L. Parsons : (a) Yes, except that the prosecutions were instituted under the Indian Railways Act, 1890.

(b) No.

(c) A census of 3rd class passengers in trains was taken during November, 1929, on the Madras and Southern Mahratta Railway, and out of 249 trains checked eight were found to be overcrowded. The question of preventing overcrowding on trains receives the constant attention of the Administration.

DISTRIBUTION BY GOVERNMENT OFFICIALS OF LEAFLETS ON THE SALT TAX AND LAND REVENUE.

22. **Mr. N. G. Ranga** : 1. (a) Are Government aware that the police and other Government officials have been distributing leaflets upon the Salt Tax and Land Revenue ?

(b) If so, will Government be pleased to state who is responsible for writing and publishing these leaflets ?

(c) In how many languages and upon which subjects are such leaflets published ?

(d) How many copies are printed and circulated and at what cost ?

2. Was the Honourable the Commerce Member consulted by the writer or writers of the leaflet upon land revenue as to the subject matter of the leaflet and, if so, has the Honourable Member given his permission ?

The Honourable Mr. H. G. Haig : It is part of the policy of Government in combating the present movement to issue leaflets correcting misrepresentations. Some leaflets have been prepared by the Government of India, others by Local Governments. I am aware precisely what leaflets the Honourable Member refers to.

UNFAIR STATEMENTS IN LEAFLETS ABOUT THE BURDEN OF LAND REVENUE.

23. **Mr. N. G. Ranga :** (a) Is not the Honourable the Commerce Member aware of the general fall in the prices of agricultural produce of this country in the last eight years ?

(b) If so, is it not true that the latest schedule of commutation prices prepared for purposes of land revenue was arrived at in Madras Presidency as long ago as 1922 and that the costs of cultivation have increased to at least as great an extent as the commutation prices of grain till 1922 ?

(c) Is it maintained by the writer or writers of the leaflet that the burden of land revenue is less now than what it was thirty years ago ?

The Honourable Mr. H. G. Haig : (a), (b) and (c). The Government of India have no information regarding the schedule of commutation prices adopted in Madras and the increase in the cost of cultivation in that Presidency. They believe, however, that it is an undoubted fact that the incidence of land revenue now represents a much lower proportion of the net profits of the revenue payer than it did 30 years ago, and that this is so in spite of the fact that during the past few years there has been a fall in the price of agricultural produce.

ADDITIONAL DUTY ON PETROL AND ABOLITION OF TOLL GATES.

24 **Mr. N. G. Ranga :** Will the Honourable the Commerce Member be pleased to state what action has so far been taken to give effect to the recommendations of the Road Committee, appointed by this House according to one of which, an additional duty on petrol is to be raised to enable the Local Governments to abolish toll gates, and how much revenue has been derived by various local authorities since the Committee reported, through the toll gates and by the Government of India through the duty on petrol ?

The Honourable Sir Joseph Bore : Action in the following main respects has been taken to give effect to the recommendations of the Road Committee :

- (i) An increase in the import and excise duties on petrol from 4 to 6 annas per gallon has been introduced by the Indian Finance Act of 1929.

- (ii) A Resolution covering some of the most important recommendations of the Committee has been moved in, and adopted by, both the Houses of the Central Legislature.
- (iii) A Standing Committee for Roads has been appointed with the constitution and functions specified in the Resolution referred to.
- (iv) A Road Engineer has been appointed with the Government of India.

Government have no information regarding revenue derived by various local authorities from toll gates since the Committee reported. The revenue derived through the additional duty on petrol was Rs. 4,50,000 in March, 1929 and Rs. 93,50,000 during the financial year 1929-30.

EFFECT OF THE NEW COTTON DUTIES ON THE HANDLOOM INDUSTRY.

25. **Mr. N. G. Ranga** : (a) Is the Honourable the Commerce Member aware that the handloom weaving industry's interest often collides with those of the cotton mill industry of Bombay and other cities ?

(b) If so, has he considered the effects that might be produced by the newly imposed import duties upon yarn and cotton piece-goods, upon the handloom weaving industry ?

(c) Does the Honourable the Commerce Member propose to watch carefully the nature and amount of protection afforded to the handloom weaving industry by the new import duties ?

The Honourable Sir George Rainy : (a) Government have no reason to doubt that a conflict of interest may sometimes arise between the handloom industry and the cotton mill industry.

(b) and (c). The minimum import duty of $1\frac{1}{2}$ annas per pound on yarn is not a new duty but has been in existence since the 22nd September, 1927. The possible effect on the handloom weaving industry of this duty and of the new duties on imported cotton piece-goods were carefully considered when the duties were imposed and the point will continue to receive attention.

APPOINTMENT OF APPRAISERS IN THE CUSTOMS DEPARTMENT AT MADRAS.

26. **Rao Bahadur P. T. Kumaraswami Chettiyar** : (1) Are the Government of India aware of an article in the editorial columns of *Justice*, Madras, published on Wednesday the 28th May, 1930, with the heading 'Customs Scandals' ?

(2) Is there any justification for the publication of the article ? If not, why did not Government repudiate that statement in the article ?

(3) (a) Will Government please place on the table a statement showing the number of vacancies filled up in the Appraisers' establishment since 1st April, 1927 ?

(b) How many candidates applied ? To which community each belonged ?

(c) To which community did each successful candidate belong ?

(d) What is the criterion of selection ? What particular qualification did the successful candidates have ? What particular qualification did the others who were unsuccessful lack in ?

(4) (a) Is it stated in the article, " Apparently also, the gentleman responsible for the recruitment in the City of Madras in respect of Customs Department is a loyal Government servant, who feels that his loyalty requires him to pay due regard to the claims of all those applicants, who are related to high officials in the Government of India ", and were such applicants given preference ?

(b) If not, why did Government keep quiet without contradicting the statement either in the Press or in the Gazette ?

The Honourable Sir George Schuster : 1. The answer is in the affirmative.

2. No. It was the Honourable Member's question that called the attention of the Government of India to the article, and they welcome this opportunity of repudiating the statements made in it.

3. (a) and (c) Statements ' A ' and ' B ' showing the information asked for, are placed on the table.

(b) It is not now possible to give the figures of the total number of applicants because records are not kept of all applications but the number of registered applications from candidates is sixty-four, whose distribution according to nationality is given below :—

Brahmins	..	..	..	35
Mohammedans	..	..	..	5
Non-Brahmins	..	..	..	12
Anglo-Indians	..	..	..	7
Indian Christians	..	..	..	4
Europeans	..	..	..	1
				<hr/>
		Total	..	64

(d) Appointments in the Appraisers' Branch of a Custom House are ordinarily given either to promising men who have gained previous experience, in the Custom House, of Customs law and procedure, or to men with previous experience of some particular trade. Of the four permanent vacancies occurring since 1st April, 1927, two were filled by promotion from within the Custom House, one was given to a technical chemist with business experience, the other to a man with experience of the piece-goods trade. These two men were selected from the registered applicants because they were qualified in branches of work in which the Collector considered his staff needed strengthening. It is quite possible that some of the unsuccessful candidates may have been equally well qualified in directions in which the need was not so pressing.

4. (a) Yes. The Government is satisfied that the various officers who have from time to time occupied the post of Collector of Customs in Madras are loyal Government servants who pay due regard to the qualifications of all applicants for appointment, irrespective of their family connections.

(b) The Honourable Member is referred to the reply given to part 2 of his question.

A

Statement showing the number of permanent and temporary vacancies and how they were filled up from 1st April 1927 to date in the Appraising Establishment of the Madras Custom House.

Name.	Method of appointment or recruitment.	Qualifications.	Community.
PERMANENT VACANCIES.			
1st April 1927 to 31st March 1928.			
1. Mr. H. V. Gillson, from 1st April 1927 ..	Promoted from the Preventive Establishment.	High School and Departmental tests.	Anglo-Indian.
2. Mr. V. S. Chinneswami Iyengar, from 19th June 1927.	Direct recruitment from registered candidates.	B.A., B.L., Technical Chemist. Served in the Industries Department as Business Manager of Glue Factory for five years.	Hindu-Brahmin.
3. Mr. R. W. Holland, from 15th July 1927 ..	Promoted from the Preventive Establishment.	S.S.L.C., and Departmental tests.	Anglo-Indian.
1st April 1928 to 31st March 1929.			
Nil.			
1st April 1929 to 31st March 1930.			
4. Mr. S. V. Mani, from 4th November 1929 ..	Direct recruitment: post advertised.	S.S.L.C. Has special knowledge in piece-goods trade.	Hindu-Brahmin.
1st April 1930 to date.			
Nil.			

TEMPORARY VACANCIES.

1st April 1927 to 31st March 1928.

Nil.

1st April 1928 to date.

1. Mr. S. V. Mani, from 2nd April 1928 to 3rd November 1929.	Direct recruitment : post advertised.	S.S.L.C. Has special knowledge in piece-goods trade.	Hindu-Brahmin.
(a) Mr. K. Narayana Ayyar, from 6th November 1929.	Promoted from the Ministerial Establishment.	F.A., and Departmental tests	Do.
2. Mr. M. Ganesh Rao, from 4th August 1928	Direct recruitment from registered candidates.	Chemistry M.A. Has served in Messrs. Haverro Trading Co.'s laboratory in Bombay.	Do.
3. Mr. V. K. Duraiswami Iyengar, from 1st April 1930.	Promoted from the Ministerial Establishment.	Matric and Departmental tests	Do.
4. Mr. V. S. Ramaswami Ayyangar, from 1st April 1930.	Direct recruitment from registered candidates.	B.A., B.L.	Do.

B

Statement showing particulars regarding officiating vacancies (i.e., leave vacancies) in the Appraisers' Department from 1st April 1927 up-to-date.

Year.	No. of officiating vacancies.	Names of officiating people who were appointed.	Remarks.
1927-28	8	1. Mr. V. S. Chinnaswami Ayyangar, B.A., B.L. Brahmin. 2. Mr. Holland, S.S.L.C. .. Anglo-Indian. 3. Mr. V. K. Doraiswami Ayyangar, Matriculation Brahmin. 4. Mr. K. Narayana Iyer, F.A. .. Do. 5. Mr. Syed Abdul Ali Muhammadan.	Brahmins 3 Anglo-Indian 1 Muhammadan 1 — 5 —
1928-29	12	1. Syed Abdul Ali, F.A. Muhammadan. 2. V. K. Doraiswami Ayyangar, Matriculation Brahmin. 3. S. V. Mani, S.S.L.C. Do. 4. Antoni Rajiah, Matriculation .. Indian Christian. 5. K. Narayana Iyer, F.A. .. Brahmin. 6. Ganesh Rao, M.A. Do. 7. V. S. Ramaswami, B.A., B.L. .. Do. 8. Abdul Rahim, Matriculation .. Muhammadan.	Brahmins 5 Muhammadans 2 Indian Christian 1 — 8 —
1929-30	9	1. V. S. Ramaswami, B.A., B.L. .. Brahmin. 2. V. K. Doraiswami Ayyangar, Matriculation Do. 3. Ganesh Rao, M.A. Do. 4. S. V. Mani, S.S.L.C. Do. 5. K. Narayana Iyer, F.A. Do. 6. Antoni Rajiah, Matriculation .. Indian Christian. 7. Abdul Rahim, Matriculation .. Muhammadan. 8. K. Viraraghava Iyer, S.S.L.C. Brahmin.	Brahmins 6 Muhammadan 1 Indian Christian 1 — 8 —
1930-31 (April to June 1930.)	2	1. K. Viraraghava Iyer, S.S.L.C. Brahmin.	

FORMATION OF INDIAN ARMoured CAR COMPANIES.

27. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 42, in the Legislative Assembly on the 20th January, 1930, regarding the formation of Indian armoured car companies, will Government please state if they have considered the question and arrived at a decision ?

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

Mr. G. M. Young : (a) and (b). No decision has yet been reached.

EDUCATION OF THE CHILDREN OF RAILWAY EMPLOYEES.

28. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government reply to my unstarred question No. 45 in the Legislative Assembly on the 20th January, 1930, regarding the education of the children of railway employees, will Government please state if they have examined the replies received by them from the various Railway Administrations and arrived at a decision ?

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

Mr. A. A. L. Parsons : The replies from the various Railway Administrations and Local Governments have been examined and the question was discussed with the Central Advisory Council for Railways on the 5th of this month when the Council approved of Government's proposal to place an officer of the Education Department on special duty to frame reliable estimates of the cost of granting assistance to the employees, subject to certain limitations, for the education of their children : pending the results of this investigation the principles of the policy enunciated in February, 1929, will be fully applied to all entrants to service after the 1st February, 1929, and to all others who elect for the privileges of these principles in lieu of the scale of assistance previously in force.

RESTRICTION OF RECRUITMENT IN THE POSTAL DEPARTMENT, BOMBAY.

29. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 46 in the Legislative Assembly on the 20th January, 1930, regarding the restriction of recruitment in the Postal Department, Bombay, will Government please state if the Director General has since considered the matter and come to a decision ?

(b) If so, will they please communicate the decision arrived at to the House ?

Mr. H. A. Sams : (a) Yes.

(b) It has been decided to remove the restriction and to allow recruitment for upper division clerkships in the Bombay Postal Circle and generally in other Circles also, to be made in future from men domiciled in the Postal Circle concerned. The date of effect of the change will be notified in due course.

CONSTRUCTION OF A RAILWAY BETWEEN HAZARIBAGH ROAD STATION AND HAZARIBAGH TOWN.

30. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 48 in the Legislative Assembly on the 20th January, 1930, regarding the results of the survey regarding the construction of a railway between Hazaribagh Road Station and Hazaribagh Town, will Government please state if they have since received the results of the survey ?

(b) If so, will they please state if they have considered them and arrived at a decision in the matter ?

(c) If so, will they please communicate the decision to the House ?

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

(b) and (c). The survey report is under consideration at present. No decision has been arrived at.

CONSTRUCTION OF THE CHAKIA-SUDHWALIA RAILWAY.

31. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 49 in the Legislative Assembly on the 20th January, 1930, regarding the construction of the Chakia-Sudhwalia Railway, will they please state if they have since considered the matter and arrived at a decision ?

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

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

(b) The Chakia-Sudhwalia line is unremunerative and is not likely to be constructed at any rate in the near future.

THE LUCKNOW-JAUNPORE RAILWAY.

32. **Mr. Lal Narendra Pratap Sahi** : (a) Are Government aware that the Lucknow-Jaunpore Railway line which is under construction is being laid with light rails ?

(b) In view of the importance of the line, are Government prepared to direct the railway authorities to lay the line with heavy rails to enable an express train service on the line ?

Mr. A. A. L. Parsons : (a) and (b). The Lucknow-Sultanpur-Zafarabad (Jaunpore) Railway is being laid with 75 lb. section rails which are standard for C class lines on the 5 ft.—6 in. gauge such as this. These rails are sufficiently heavy to carry an express service should the traffic offering justify it.

NUMBER OF PERSONS SENTENCED FOR CIVIL DISOBEDIENCE.

33. **Mr. Lal Narendra Pratap Sahi** : (a) Will Government be pleased to lay a statement on the table showing the number of persons sentenced during the last four months for civil disobedience in the whole of India, province by province ?

The Honourable Mr. H. G. Haig : I attach a statement which gives the figures in my possession from the 6th April to the 15th June, 1930.

Statement showing number of convictions in connection with the Civil Disobedience Movement from the 6th April to 15th June 1930.

Madras	1,229
Bombay	761
Bengal ..	1,157
United Provinces	493
Punjab	68
Burma ..	—
Bihar and Orissa	483
Central Provinces ..	10
Assam	40
North West Frontier Province.	91
Delhi	45
Coorg	—
	4,377

REBATE ON TRAFFIC TO AFGHANISTAN.

34. **Rai Bahadur Lala Panna Lal** : (a) Will Government be pleased to state whether any rebate is allowed on traffic to Afghanistan when booked from Karachi to stations situated on the Nushki-Duzdap section of the North Western Railway ?

(b) Is any rebate allowed on traffic to Afghanistan when booked from the Punjab to Jamrud and Peshawar ?

(c) If the reply to part (a) be in the affirmative and to part (b) be in the negative, will Government please state the reasons for the same ?

(d) Is it a fact that a leading firm in the Punjab brought this matter to the notice of the North Western Railway Administration and that the latter replied that rebate is not admissible on traffic to Afghanistan booked to Jamrud or Peshawar ?

(e) Will Government please state what action they propose to take in the matter to see that preferential treatment is avoided ?

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

(b) No.

(c) Rebates are being allowed on consignments carried *via* the Nushki-Duzdap Railway, a line over which little traffic moves, to foster trade with Persia and Western Afghanistan, the ordinary freight rates having proved to be prohibitive. The conditions affecting traffic to Afghanistan *via* Peshawar are entirely different.

(d) Government are not aware of this but the statement alleged to have been made by the Agent, North Western Railway, is correct.

(e) Government do not propose to take any action in the matter as no undue preference is given.

TRADE COMMISSIONERS SENT TO FOREIGN COUNTRIES.

35. **Rai Bahadur Lala Panna Lal** : (a) Will Government please state how many Trade Commissioners have been sent out this year to foreign countries, and how many do Government contemplate sending next year ?

(b) Will Government please state whether the Trade Commissioners sent to foreign countries include any nominated from the Punjab province ? If so, were they from the official class or from the businessmen class ?

(c) If reply to part (b) be in the negative, will Government please state why no fit person has been found in this province for the post ?

(d) Will Government please state the qualifications required for the post of a Trade Commissioner and will Government please state whether they are prepared to nominate some businessman from the Punjab ?

The Honourable Sir George Rainy : (a) No Indian Trade Commissioners have yet been appointed in foreign countries. It is hoped to select two or possibly three candidates this year and to appoint them as Indian Trade Commissioners next year after they have undergone the necessary training.

(b) and (c). Do not arise.

(d) Different qualifications are required for different posts. So far as appointment of non-officials are concerned, these will be made on the advice of the Public Service Commission, who will notify the qualifications required for each post as and when applications are invited by them. It will be open to businessmen in the Punjab to apply to the Commission when that body calls for applications.

SUNDAY AND HOLIDAY ALLOWANCES FOR POST OFFICE EMPLOYEES.

36. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 51 in the Legislative Assembly on the 20th January, 1930, regarding the grant of Sunday and holiday allowances to Post Office employees, will Government please state if they have now reached a final decision in the matter ?

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

The Honourable Sir Joseph Bhoré : The Honourable Member's attention is invited to the reply just given to his unstarred question No. 12.

APPOINTMENT OF INDIAN TRADE COMMISSIONERS IN EUROPE.

37. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 54 in the Legislative Assembly on the 20th January, 1930, regarding the appointment of Indian Trade Commissioners at important trade centres in Europe, will the Government be pleased to state if they have reached a final decision in the matter ?

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

The Honourable Sir George Rainy : (a) Yes.

(b) The Government of India have decided to appoint two Indian Trade Commissioners in Europe, one at Hamburg and the other at Milan.

RECOMMENDATIONS OF THE INDIAN CINEMATOGRAPH COMMITTEE.

38. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to my unstarred question No. 56 in the Legislative Assembly on the 20th January, 1930, will they please state if they have now reached a final conclusion on the principal recommendations of the Indian Cinematograph Committee ?

(b) If so, will they please communicate their conclusion to the House ?

The Honourable Mr. H. G. Haig : The Government of India have not yet reached a final decision in regard to the two main recommendations of the Indian Cinematograph Committee, *viz.*, the creation of a Central Cinema Bureau and the means suggested for improving the system of censorship at present in force. The recommendation of the Committee for the grant of a rebate of customs duty on imported cinematograph films of a definitely educational character made in paragraph 158 of their report has been accepted in principle by the Government of India.

ISSUE OF CHEAP RETURN TICKETS ON RAILWAYS.

39. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government reply to my unstarred question No. 70 in the Legislative Assembly on the 20th January, 1930, regarding the issue of cheap return tickets on railways, will Government be pleased to state if they have since examined the question ?

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

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

(b) Government are satisfied that the introduction of ordinary third and intermediate class return tickets at one and a half fares would lead to a very considerable loss of revenue and that such a course is not justified.

DISPERSION WITH LATHIS OF NON-VIOLENT CITIZENS.

40. **Mr. Lal Narendra Pratap Sahi** : (a) Will Government be pleased to state under the provisions of which Act or Ordinance the non-violent Satyagrahis or non-violent processions of citizens and Congressmen in general are dispersed by the police by means of lathi charges or by mounted police ?

(b) Have Government seen the recent declaration of Mr. Deodhar of the Servants of India Society in the *Leader* to the effect that the dispersal of non-violent Satyagrahis by lathi and mounted police has caused considerable physical injury to the Satyagrahis of Dharasana ? If so, will Government be pleased to state whether the local authorities were duly empowered by any competent authority to inflict such bodily injury on non-violent Satyagrahis ?

(c) Will Government be pleased to state what action, if any, the police take or are required to take for the bare medical assistance of the wounded Satyagrahis ?

The Honourable Mr. H. G. Haig : (a) Action taken by the police to disperse processions or other assemblies has been under the provisions of Chapter IX of the Criminal Procedure Code.

(b) I have seen the article. I would invite the attention of the Honourable Member to the two communiqués issued by the Government of Bombay dated the 11th and 13th June, which deal with the allegations made. The police proceeded to disperse the raiders after full and repeated warnings, and special steps were taken to see that the minimum of injury was inflicted.

(c) In the case of civil disturbances it is the practice of the authorities to make what arrangements are possible in the circumstances for the medical assistance of the injured.

TIME TEST FOR THE POSTAL DEPARTMENT.

41. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to my unstarred question No. 64 in the Legislative Assembly on the 20th January, 1930, regarding the time test for the Postal Department, will Government please state if they have since considered the views submitted by the Director General and reached a final decision on the report ?

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

The Honourable Sir Joseph Bhore : (a) Yes.

(b) A copy of the orders of Government on Mr. Bewoor's Report has been placed in the Library of the House.

GRANT OF AN ALLOWANCE TO POSTMEN IN DELHI FOR THE DELIVERY OF FOREIGN MAILS.

42. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to my unstarred question No. 65 in the meeting of the Legislative Assembly on the 20th January, 1930, regarding the grant of an allowance to postmen in Delhi for delivery of foreign mails, will Government please state if they have reached a decision in the matter ?

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

Mr. H. A. Sams : (a) and (b). No decision has yet been reached.

APPOINTMENT OF STAMP VENDORS.

43. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to my unstarred question No. 71 in the Legislative Assembly on the 20th January, 1930, regarding the appointment of stamp vendors, will Government please state if they have since reached a decision on the matter ?

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

The Honourable Sir Joseph Bhore : (a) No decision has yet been reached.

(b) Does not arise.

EDUCATION OF THE CHILDREN OF THE MIGRATORY STAFF OF THE GOVERNMENT OF INDIA.

44. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's replies to my unstarred questions Nos. 73 and 74 in the Legislative Assembly on the 20th January, 1930, regarding the education of the children of the migratory staff of the Government of India, will Government please state if they have since considered the questions and arrived at a decision in the matter ?

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

Sir Frank Noyce : (a) and (b). The matter is still under consideration. It is hoped that an early decision will be reached.

PROFESSIONAL ACCOUNTANTS EMPLOYED BY THE INCOME TAX DEPARTMENT, BOMBAY.

45. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to Mr. N. C. Kelkar's unstarred question No. 145 in the meeting of the Legislative Assembly on the 4th February, 1930, regarding the work of the professional accountants employed by the Income Tax Department, Bombay, will Government please state if they have received the report called for ?

(b) If so, will they please furnish the information asked for, to the House ?

The Honourable Sir George Schuster : (a) The information has already been communicated to Mr. Kelkar.

(b) A copy of the letter sent to him is laid on the table.

A copy of letter D. A. Dis. No. 92-I.T. 30, dated the 13th March, 1930, from V. S. Sundaram, Esquire, Secretary, Central Board of Revenue, to N. C. Kelkar, Esquire, M.L.A.

With reference to the reply given by the Hon'ble the Finance Member to parts (a) and (c) of your unstarred question No. 145 in the Legislative Assembly on the 4th February 1930, I am directed to furnish the following information:—

- (a) There are about 26 public accountants, i.e., persons qualified under sub-section (1) of section 144 of the Indian Companies Act, 1913, to be appointed or to act as auditors of limited Companies and over 38 so-called Income-tax Experts or agents, practising in the Income-tax Department, Bombay. The former in order to get their accountancy diploma have to pass examinations the preparation for which involves a study of Income-tax Law. It is obviously impossible to give any general answer as to the qualifications of the latter.

No license is required in order to practise in the Income-tax Department.

- (c) No complaint against a public accountant as defined above has been received. As regards the Experts, a large number of complaints have been received, but as the law stands, no action could be taken against them, except prosecution where the circumstances warranted such a course. In two or three cases of fraud and attempted bribery such persons have been convicted by criminal courts.

LOSSES ON THE ASSAM BENGAL RAILWAY.

46. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to starred question No. 289 in the meeting of the Legislative Assembly on the 11th February, 1930, regarding the losses of the

Assam Bengal Railway, will Government please state if they have obtained the information required from the Assam Bengal Railway ?

(b) If so, will they please communicate the information obtained to the House ?

Mr. A. A. L. Parsons : The Honourable Member is referred to the Railway Board's letter No. 6249-F., dated the 21st June, 1930, a copy of which is available in the Library of the House.

INTRODUCTION OF THE ELECTIVE ELEMENT IN CANTONMENT BOARDS.

47. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to unstarred question No. 168 in the Legislative Assembly on the 22nd February, 1930, regarding the introduction of the elective element in Cantonment Boards in the North West Frontier Province, will Government please state if they have reached a decision on the question ?

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

Mr. G. M. Young : The matter is still under the consideration of Government.

COMPLAINT BY A MEMBER OF THE DEOLALI CANTONMENT BOARD.

48. **Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to unstarred question No. 169 in the meeting of the Legislative Assembly on the 22nd February, 1930, regarding the complaint by a member of the Deolali Cantonment Board, will Government please state if they have made inquiries into the complaint referred to ?

(b) If so, will they please communicate the result of their inquiries to the House ?

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

(b) A copy of my letter dated the 24th March, 1930, to Pandit Thakur Das Bhargava is in the Library.

RESTRICTIONS ON THE USE OF THE MALL, KOHAT.

49. **Khan Bahaadur Sarfaraz Hussain Khan :** (a) With reference to Government's reply to unstarred question No. 170 in the meeting of the Legislative Assembly on the 22nd February, 1930, regarding the restrictions on the use of the Mall, Kohat, will Government please state if they have finished their inquiries into the matter ?

(b) If so, will they please communicate the result of their inquiries to the House ?

Mr. G. M. Young : The letters below refer to the paragraphs of the original question.

(a) Yes.

(b) Yes.

The restrictions are contained in bye-law 7 (b) of the Kohat Cantonment bye-laws for the control of traffic as approved and confirmed by the Chief Commissioner, North West Frontier Province, and published

in the North West Frontier Province Notification No. 948-L.F. E-XXI-L-29, dated the 1st October, 1926. The bye-law came into force from 1st November, 1926. The restrictions have been imposed with a view to excluding undesirable characters.

(c) No. It is maintained as a military road by the Military Engineering Services.

(d) No.

(e) No.

(f) No.

(g) Does not arise, in view of reply to part (f).

(h) The matter is under the consideration of the Chief Commissioner, North West Frontier Province, who is competent to take action, if any is necessary, under the statutory powers conferred on him by section 284 of the Cantonments Act, 1924.

RESUMPTION OF BAZAAR SITES IN CAWNPORE.

50. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to unstarred question No. 172 in the meeting of the Legislative Assembly of the 22nd February, 1930, regarding resumption of bazaar sites in Cawnpore, will Government please state if they have since considered the matter ?

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

Mr. G. M. Young : Government propose to reconsider the resumptions and hope to arrive at a satisfactory settlement soon.

DISCHARGE OF CANTONMENT FUND SERVANTS.

51. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to unstarred question No. 173 in the Legislative Assembly on the 22nd February, 1930, regarding the discharge of Cantonment Fund servants, will Government please state if they have considered the suggestion referred to in part (b) of the reply ?

(b) If so, will they please state what action they have taken or propose to take in the matter ?

Mr. G. M. Young : (a) and (b). The suggestions are still under consideration.

ABSENCE OF MR. AUGIER FROM MEETINGS OF THE CANTONMENT BOARD, NEEMUCH.

52. **Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to Government's reply to unstarred question No. 177 in the Legislative Assembly on the 22nd February, 1930, will they please state if they have finished their inquiries regarding the absence of Mr. Augier from meetings of the Cantonment Board, Neemuch, referred to therein ?

(b) If so, will they please inform the House of the result of their inquiries into the matter ?

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

(b) A statement is laid on the table.

Statement.

- (a) Yes.
- (b) The statement is generally correct.
- (c) The other elected members of the Cantonment Board did not approach the Hon'ble the Agent. The All-India Cantonments Association approached him.

(d) The attention of the Association was drawn to the fact that before the A. G. G. could remove Mr. Augier it was necessary under clause (b) of sub-section (1) of section 34 of the Cantonments Act not only that Mr. Augier should have been absent for more than 3 consecutive months, but also that he should have been unable to explain his absence to the satisfaction of the Board. Actually a resolution proposing that the A. G. G. should be requested to remove Mr. Augier was rejected by the Board. The rejection of this resolution was clearly tantamount to the acceptance by the Board of Mr. Augier's explanation of his absence, and it was therefore not within the competence of the A. G. G. to remove him.

(e) and (f). In a letter to the A. G. G. the Association stated that "the opinions of the members of the Cantonment Board have absolutely no weight as the issue is a legal one and has to be decided under the law". Actually the only legal question which arose was whether the A. G. G. was competent to remove Mr. Augier in the face of the Board's rejection of the resolution proposing his removal, and this question was decided in the negative, not by the Board but by the A. G. G. Government are satisfied that the A. G. G.'s decision was correct and they do not propose to move further in the matter.

REPRESENTATION OF DR. DESAI, A MEMBER OF THE DEOLALI CANTONMENT BOARD.

53. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to unstarred question No. 178 in the Legislative Assembly on the 22nd February, 1930, will Government please state if they have completed their inquiries regarding the representation of Dr. Desai, a member of the Deolali Cantonment Board, referred to therein ?

(b) If so, will they please communicate the result of their inquiries to the House ?

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

(b) A statement is laid on the table.

Statement.

- (a) Yes.
- (b) The statement is generally correct.
- (c) The other elected members of the Cantonment Board did not approach the Hon'ble the Agent. The All-India Cantonments Association approached him.

(d) The attention of the Association was drawn to the fact that before the A. G. G. could remove Mr. Augier it was necessary under clause (b) of sub-section (1) of section 34 of the Cantonments Act not only that Mr. Augier should have been absent for more than 3 consecutive months, but also that he should have been unable to explain his absence to the satisfaction of the Board. Actually a resolution proposing that the A. G. G. should be requested to remove Mr. Augier was rejected by the Board. The rejection of this resolution was clearly tantamount to the acceptance by the Board of Mr. Augier's explanation of his absence, and it was therefore not within the competence of the A. G. G. to remove him.

(e) and (f). In a letter to the A. G. G. the Association stated that "the opinions of the members of the Cantonment Board have absolutely no weight as the issue is a legal one and has to be decided under the law". Actually the only legal question which arose was whether the A. G. G. was competent to remove Mr. Augier in the face of the Board's rejection of the resolution proposing his removal, and this question was decided in the negative, not by the Board but by the A. G. G. Government are satisfied that the A. G. G.'s decision was correct and they do not propose to move further in the matter.

EMPLOYMENT OF MR. WEATHERAL BY THE EXECUTIVE OFFICER, AMBALA CANTONMENT.

54. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to unstarred question No. 180 in the meeting of the Legislative Assembly on the 22nd February, 1930, regarding the employment of Mr. Weatheral by the Executive Officer, Ambala Cantonment, will Government please state if they have finished their inquiries in the matter ?

(b) If so, will they please communicate the result of their inquiries to the House ?

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

(b) A copy of my letter, dated the 14th April, 1930, to Pandit Thakur Das Bhargava is in the Library.

SANCTION TO THE RE-ERECTION OF AN OLD BUILDING BY THE EXECUTIVE OFFICER, AMBALA CANTONMENT.

55. Khan Bahadur Sarfaraz Hussain Khan : (a) With reference to Government's reply to unstarred question No. 181 in the Legislative Assembly on the 22nd February, 1930, regarding the sanction to the re-erection of an old building by the Executive Officer, Ambala Cantonment, will Government please state if they have made inquiries into the matter ?

(b) If so, will they please communicate the result of their inquiries to the House ?

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

(b) A copy of my letter dated the 17th March, 1930, to Pandit Thakur Das Bhargava has been placed in the Library.

SELECTION OF CANDIDATES FOR THE INDIAN CIVIL SERVICE FROM BURMA.

56. U. Dwe : (a) Will Government be pleased to state the number of candidates who appeared from the Burma Centre for the Indian Civil Service examination in January, 1930, and how many were selected ?

(b) Are Government aware that the minimum for a pass has been raised from 550 marks in previous years to 750 marks in 1930 ? If so, what are the reasons ?

(c) Are Government aware that the Burma candidates were not notified at all about the raising of the standard for a pass ?

(d) Will Government be pleased to state whether they are prepared to maintain the pass minimum of 1929 for Burma candidates who appeared in the 1930 examination ?

(e) Will Government be pleased to state whether, for the Indian Civil Service in Burma, they propose to nominate the candidates according to their order of merit, irrespective of the fact that they have failed to secure the pass minimum ?

The Honourable Mr. H. G. Haig : (a) 16 candidates appeared for the examination. None were selected.

(b) The qualifying mark was raised from 550 to 750 in order to secure a higher standard of intellectual attainments among successful candidates.

(c) Yes.

(d) No.

(e) This is not possible in view of the second footnote to rule 23 of the rules and instructions for the I. C. S. examination held in India this year, which were published with the Home Department Notification No. F. 281|27-Ests., dated the 1st August, 1929. It was there definitely stated that no appointments would be made by nomination in the case of Burma.

COMPLICATED INCOME-TAX RETURNS.

57. **Rai Bahadur Lala Panna Lal** : (a) Has it been represented to Government that the returns prescribed under the Income-Tax Act to be filled up by the assessee are very complicated and cannot be properly filled up by an average assessee ?

(b) Have Government issued any instructions to Income-Tax Officers to render help to assessee in filling up the returns ? If so, in what form is this help being rendered ?

(c) If no instructions have been issued, do Government propose to do so now by directing Income-Tax Officers to accept the material supplied by an assessee and to advise him as to the assessable income that should be filled up in the returns as the result of the examination of that material by the Income-Tax Officer ?

The Honourable Sir George Schuster : (a) The Government do not consider that the returns can fairly be described as very complicated, but no doubt a considerable number of assessee may find them so.

(b) The Central Board of Revenue have issued instructions in paragraph 67 of the Income-tax Manual that Income-tax Officials should assist assessee who find any difficulty in filling up the returns. The Member, Central Board of Revenue, has also repeated these instructions in the course of his tours. The Government see no reason to believe that they are not being generally observed.

(c) Does not arise. The Government see no necessity to issue any further instructions on the subject.

HARDSHIP OF BUSINESS MEN MAKING INCOME-TAX RETURNS.

58. **Rai Bahadur Lala Panna Lal** : (a) Are Government aware that in every business, some expense is incurred, of which it is not in the interest of business to give details or to make a record ?

(b) Is it a fact that Income-Tax Officers do not accept the above expenditure as a valid deduction from income owing to the details thereof having not been given ?

(c) Are Government aware that the above practice is very adversely affecting the interests of business ?

(d) What do Government propose to do to remove this hardship to business men ?

(e) Do Government propose to fix a certain percentage of income to be considered as *bona fide* expenditure under this head on an assessee's filing an affidavit as to the expenditure having actually been incurred in the interests of business ?

The Honourable Sir George Schuster : (a) Government are not prepared to accept this general statement.

(b) It is necessary in order to ensure accurate assessment that evidence of expenditure should be produced.

(c) The Government see no reason to suppose that the answer to this question is in the affirmative.

(d) The Government do not admit that any hardship is caused to honest business men by the refusal to admit claims to deductions of which the validity is not proved.

(e) The Government have no intention of taking any such action. They consider that if such a course were taken, there would be a grave risk of penalising the general tax payer and the scrupulous assessee for the benefit of the less scrupulous assessee.

DETERMINATION OF ASSESSABLE INCOME.

59. **Rai Bahadur Lala Panna Lal :** (a) Are Government aware that under the existing Income-Tax Act even the income-tax paid in a year is not deducted from the assessable income of that year ?

(b) Will the Government state on what principle is this *bona fide* expenditure not recognised ?

(c) Are Government aware that much heart-burning has been caused by this method of determining assessable income ?

(d) Do Government intend to do anything in the direction of removing this disability of the assesseees ?

The Honourable Sir George Schuster : (a) Yes.

(b) Because the generally recognised principle in assessing income-tax is to allow as a deduction from the income to be assessed only expenditure incurred in order to earn such income, and a tax based on and paid out of such income is not an item of such expenditure.

(c) The Government are not aware of any such fact.

(d) No.

DETERMINATION OF THE PROFITS OF PETTY TRADERS FOR INCOME-TAX PURPOSES.

60. **Rai Bahadur Lala Panna Lal :** (a) Are Government aware that a large number of petty traders and contractors have neither the necessity nor the means of keeping accounts according to the system acceptable to Income-Tax Officers ?

(b) Is it a fact that in all those cases the Income-Tax Officers apply an arbitrary flat-rate of profit to determine the assessable income ?

(c) Are Government aware that owing to the arbitrary application of flat-rate of profit, there is great discontentment among the petty traders, affected thereby ?

(d) Is it a fact that suggestions have been made to the Government to have a Standing Advisory Committee of businessmen formed at every place to advise the Income-Tax Officer in the determination of flat-rate of profit ?

(e) Do Government propose to carry out the above suggestion, if not, how do Government propose to ensure that the flat-rate of profit so arrived at, is not unduly excessive ?

The Honourable Sir George Schuster : (a) Considerable latitude is allowed in the matter of accounts and paragraph 37 of the Income-tax Manual reads as follows :

“ No uniform method of accounting is prescribed for all taxpayers, and every taxpayer may so far as possible adopt such form and system of accounting as is best suited for his purposes.”

It is thought that this allows reasonable latitude, for all that is required is a form of account from which the income-tax can be computed. If an assessee is liable to income-tax it is in his own interest that he should keep an account in such a form.

(b) Where there are no proper materials for computing the assessable income, flat rates of profit are applied to the turnover, if it is known or can be estimated. This is done as affording the last means of getting at a reasonable estimate.

(c) The Government do not admit that the rates applied are arbitrary. In a large proportion of cases, at all events, if the assessee is dissatisfied with the results of the flat rate system of assessment the remedy—namely, maintenance of proper accounts—is in his own hands. The aim of the Income-tax Department is to secure correct assessments.

(d) No such suggestions can be traced. The Income-tax Department will always welcome the assistance of accredited bodies, representative of different trades, in fixing the flat rates. But they would much prefer not to be driven to the necessity of assessing on flat rates at all.

(e) The Government do not propose to take any action in the matter. Any representations on such subjects made to the Central Board of Revenue have always received, and will continue to receive, full consideration.

SETTING OFF OF LOSSES AGAINST PROFITS FOR INCOME-TAX PURPOSES.

61. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that, under the existing Income-tax Act, loss in a business is set off against income only in the year in which that loss occurs, even if the amount of loss is considerably in excess of the income of the year ?

(b) Is it a fact that several Indian Chambers of Commerce have protested against the above system and have urged the setting off of the whole loss even if this process extends to the years succeeding the one in which the loss has occurred ?

(c) What action have Government taken on this protest ?

(d) Do Government propose to so alter the law that a business loss is set off against assessable income till the whole amount of the loss is thus accounted for ?

The Honourable Sir George Schuster : (a) Yes.

(b) Yes.

(c) and (d). The Honourable Member's attention is drawn to the promise that I gave in this House on 22nd March last, that as soon as I was convinced that the Revenue position would stand it, I would make a start with the introduction of the principle of carrying forward losses, and that orders had already been issued for the collection of statistics to enable me to gauge the financial effect of doing so. The first instalment of those statistics should be received shortly, but the principle of carrying forward losses can only be introduced at earliest with effect from the beginning of the next financial year, and then only if our resources permit of our introducing it.

DISABILITIES OF BUSINESS MEN UNDER THE INCOME-TAX ACT.

62. **Rai Bahadur Lala Panna Lal :** (a) Have Government received representations from the various Indian Chambers of Commerce to the effect that the rates of income-tax as now existing and the system of determining assessable income by disallowing many legitimate deductions constitute a great hinderance to the progress of trade and industry in India ?

(b) Do Government propose under the circumstances to appoint a special committee to inquire into the disabilities of business men and industrialists under the present Act and to amend the Act with a view to remove those disabilities ?

The Honourable Sir George Schuster : (a) It is difficult for me to answer a question so generally expressed. The Government have from time to time received representations in regard to various details concerning the computation of assessable income, and have always given—as they will continue to give—such representations their careful consideration.

The Government have no reason to believe that the rates of income-tax hinder the progress of trade and industry in India. Nor have they any reason to believe that any legitimate deductions are disallowed.

(b) The Government have no such intention.

REPRESENTATION OF THE ALL-INDIA CANTONMENTS' ASSOCIATION AT THE ROUND TABLE CONFERENCE.

63. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that the All-India Cantonments Association has approached the Government for representation in the forthcoming Round Table Conference ?

(b) Will Government be pleased to state if any decision has been arrived at in the matter and communicated to the All-India Cantonments' Association ? If not, do Government propose to favourably consider this representation ?

(c) Are Government aware that there are about a million civilian residents in Cantonments of India who are governed by a special law

and the house owners class among whom has enormous interests vested in the Cantonment property ?

The Honourable Mr. H. G. Haig : (a) Yes.

(b) As regards representation at the Round Table Conference I can add nothing to His Excellency's statement of the 31st October last and his letter to the Prime Minister which was published on the 13th May, 1930.

(c) The Civilian population of the cantonments in India, who are probably nearly a million in number, as stated, are subject to a municipal law which differs from the ordinary municipal law to such extent only as is necessary to provide for the health and well being of the troops, for whom the cantonments primarily exist. There is also a special Act regulating the occupation of certain houses in cantonments by military officers.

RAILWAY PASSES ISSUED TO SUBORDINATE RAILWAY EMPLOYEES.

64. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that passes to railway employees drawing Rs. 75 or less are not issued for foreign lines beyond a certain distance ?

(b) Are Government aware that the vast majority of railway subordinates belong to this grade and that the present restriction is causing great hardship to them ?

(c) Is it a fact that representation has been made by the railway employees to redress certain grievances in connection with issuing of passes ?

(d) Do Government propose under the circumstances to remove the above restriction ?

Mr. A. A. L. Parsons : (a) Over the Madras and Southern Mahratta, the Bengal Nagpur and the East Indian Railways free passes for employees of foreign railways who draw, in the case of subordinate staff, not less than Rs. 40 and not more than Rs. 75, and in the case of clerical staff not more than Rs. 75, are limited to a maximum distance of 300 miles over each of these Railways. For the distances in excess of 300 miles over these Railways fares are charged at one-third of the public rate.

(b) Government are not aware of the percentage which this class of railway subordinate staff bears to the total, but they undoubtedly represent a considerable proportion. Government are not aware that this restriction is a cause of great hardship to the staff in question.

(c) Yes.

(d) I may explain for the information of the Honourable Member that the restriction to 300 miles on these three Railways of the concession of free passes to employees of foreign railways is due to the fact that the three Railways in question have on their systems a very large number of pilgrim centres and that holders of these passes travel more over these Railways than over other systems. The Agents of these Railways consider that the grant of such passes for unrestricted distances over their lines would constitute an unduly excessive privilege.

This is a matter within the decision of Agents and Government do not propose to take action further than to send a copy of the Honourable Member's question and of my reply to the Agents.

REFUND OF RAILWAY FREIGHT OVERCHARGED.

65. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that in Railway Administrations in India when overcharge in freight is made owing to wrong classification of goods or to excess weight, the refund thereof is granted after much delay, on a reference to the Commercial Manager ?

(b) Is it a fact that in case of under-charge of freight any reason whatsoever, a memo. is sent by the Audit Officer and the under-charge is realised directly from the person concerned by the railway subordinate ?

(c) Will Government explain why an overcharge is not similarly pointed out by the Audit Officer and paid to the person concerned without his making any application for the same ?

(d) Are Government aware that the public are experiencing great trouble and loss owing to their lack of information of the present system of getting refunds and the difficulties involved in getting the same ?

(e) What is the liability under the existing system of the railway subordinate who is responsible for the under-charge ?

(f) Does a similar responsibility exist in case of overcharge ? If not, why not ?

(g) Do Government propose to introduce some definite system which may ensure the refund of overcharge freight automatically without the person concerned having to move in the matter ?

Mr. A. A. L. Parsons : (a) Yes, except that Government are not aware that there is much delay in granting these refunds.

(b) Undercharges discovered are debited to the staff responsible. Government are not aware to what extent the subordinate staff recover the amount of the undercharge from the consignor or consignee.

(c) The Accounts Office is required to bring to the notice of the Traffic Officer concerned overcharges of not less than Rs. 5 and the Traffic Officer then arranges refunds after ascertaining the name of the party legally entitled to such refunds.

(d) No.

(e) He is liable to make good the full amount of the undercharge.

(f) No. The conditions under which recoveries on account of undercharges are made differ materially from those applying to refunds of overcharges. The second part of this question does not arise.

(g) In view of the answer to part (c) of the question, this question does not arise.

PROVISION OF ADVISORY BOARDS FOR RAILWAYS.

66. **Rai Bahadur Lala Panna Lal :** (a) What is the existing arrangement for the provision of an Advisory Board in Railways in India ?

(b) What is the constitution of these Boards and how have they worked since their creation ?

(c) What is the representation of the commercial and industrial classes on those Boards ?

(d) Are Government prepared to consider the desirability of creating an Advisory Board in every division of railway, in case it has proved useful, where it exists at present ?

Mr. A. A. L. Parsons : (a) An Advisory Committee has been constituted for each of the 13 Class I Railways in India, with the exception of the Jodhpur Railway, and also for the Barsi Light Railway. On six of these Railways, there are, in addition to the main Advisory Committee, one or, in some cases, two branch Advisory Committees.

(b) and (c). Regarding the constitution of these Committees and the extent of representation of commercial and industrial classes thereon, I would refer the Honourable Member to the memorandum regarding Railway Local Advisory Committees, a copy of which was laid on the table in Delhi when a reply was given to Mr. B. S. Kamat's question No. 376 on the 19th February, 1923. The existing Committees have been constituted in accordance with the general principles detailed therein with such minor modifications as have seemed desirable under differing local conditions. These Committees have proved of considerable advantage both to the public and to railways since their creation. For particulars as to their working during the financial year of 1928-29, I would refer the Honourable Member to paragraph 17 of Vol. I of the Report by the Railway Board on Indian Railways for 1928-29, a copy of which is in the Library of the House.

(d) No. Branch Committees have been constituted where considered desirable and this practice will be extended if and as required.

OVERCROWDING OF THIRD CLASS RAILWAY CARRIAGES.

67. **Rai Bahadur Lala Panna Lal :** (a) Are Government aware that there is still a good deal of overcrowding in third class carriages on all lines, especially on the North Western Railway ?

(b) Do Government propose to issue instructions to the railway officer concerned that the number of passengers actually seated in a compartment should not exceed the maximum number permitted to be accommodated in that compartment ?

(c) Do any arrangements exist at present for *duplicate trains* at important stations to convey passengers left behind ? If so, where ? If not, do Government propose to consider the desirability of arranging *duplicate trains* at times of need when there is rush of traffic ?

(d) Is there any proposal of providing fans in intermediate class and third class carriages in the summer season ? If so, when is this reform likely to take effect ?

Mr. A. A. L. Parsons : (a) I would refer the Honourable Member in this connection to my reply in Delhi to parts (b), (c) and (f) of Mr. Lalchand Navalrai's question No. 138 on the 21st January, 1930.

(b) Government is aware that Railway Administrations are giving constant attention to the question of overcrowding and do not consider that the issue of instructions is called for at this stage.

(c) An arrangement for running duplicate trains is not normally feasible. Information as to the number of passengers intending to entrain is not available beforehand, and it is not known whether the number of passengers for whom it will not be possible to find accommodation

in the regular service will be adequate to justify the running of an un-scheduled train.

(d) Government have had the matter referred to in the first part of the question under consideration, but do not propose to take any action, at any rate at present. The second part of the question does not therefore arise.

APPOINTMENT OF SIKHS AS INCOME-TAX OFFICERS.

68. **Sardar Gulab Singh** : (a) Will Government be pleased to state the total number of Income-Tax Officers and Assistant Income-Tax Officers working at present in the Punjab, North West Frontier and Delhi Provinces ?

(b) Is it a fact that Sikhs are insufficiently represented in this cadre, according to the recognised percentage ?

(c) If the reply to part (b) is in the affirmative, do Government propose to appoint some Sikhs to make up this deficiency ?

(d) Are Government aware of the fact that Jat zamindar Sikhs are insufficiently represented in particular ?

The Honourable Sir George Schuster : (a), (b), (c) and (d). I have called for the information that the Honourable Member desires and will communicate it to him when I have received it.

TENDERS FOR THE SUPPLY OF RAILWAY STORES.

69. **Rai Bahadur Lala Panna Lal** : (a) Is it a fact that in getting supplies of railway stores for State-owned railways, tenders are issued to contractors who are not the manufacturers of the goods required ?

(b) Is it a fact that the Indian Stores Department has in case of the supply of cloth decided to issue tenders only to textile manufacturers and not to general contractors ?

(c) If the answer to part (b) be in the affirmative, why is not the same system followed in State-owned railways ?

(d) Do Government propose to lay down as a principle that where the goods required are manufactured in India, tenders for their supplies will be issued only to the manufacturers ?

(e) Is it a fact that there are several glass manufacturing factories in India ? Do Government propose to follow the above principle in the case of glassware supplies to State-owned railways ?

Mr. A. A. L. Parsons : (a) Invitations to tender are issued to firms who are registered on the list of approved contractors for the particular classes of stores required. The placing of the contract depends on the quality, price and delivery terms offered. In the case of articles manufactured in India, contracts are invariably placed with manufacturers, provided that their rates are competitive and quality acceptable, but occasionally these contracts are secured by accredited selling agents of manufacturers or distributors.

(b) The answer is in the negative.

(c) Does not arise.

(d) No.

(e) Part (i), Yes. Part (ii). The principles stated in reply to part (a) of the question are and will continue to be followed in respect of supplies of glassware, as in respect of other classes of stores.

ADVANCEMENT OF THE GLASS INDUSTRY IN INDIA.

70. **Rai Bahadur Lala Panna Lal** : (a) Have Government received a representation from the All-India Glass Manufacturers' Association suggesting certain measures for the advancement of the glass industry in India ?

(b) If so, what were the measures suggested and what action have Government taken thereon up to this time ?

(c) If no action has been taken so far, do Government propose to take any action ? If so, what and when ?

The Honourable Sir George Rainy : (a) Yes.

(b) The Association asked for tariff protection to the Glass industry, removal of the import duty on Soda Ash and a reduction of railway rates.

(c) After examining the application Government informed the Association that they did not find a *prima facie* case for referring to the Tariff Board the question of protection : that they could not hold out any immediate hope of a reduction in the import duty on Soda Ash, but that the matter would be considered in connection with other proposals for the reduction of duties on raw materials, and that, as regards a reduction in railway rates, the Association should address the railways concerned direct.

Several further representations have subsequently been received and additional figures supplied. These have been carefully examined and Government hope shortly to be in a position to decide whether the question of protection to this industry shall be referred to the Tariff Board.

APPOINTMENTS AND PROMOTIONS ON THE EASTERN BENGAL RAILWAY.

71. **Rai Bahadur Lala Panna Lal** : (a) Will Government be pleased to state how many appointments in the Traffic Department carrying a salary exceeding Rs. 150 *per mensem* have been made since 1924 in the Eastern Bengal Railway ?

(b) How many of the above appointments have gone to *new men* ? What are their qualifications and what procedure was adopted in their selection ?

(c) What are the rules affecting the prospects of a railway employee working on the maximum pay of his post for some years ?

(d) Is there any system under which a railway employee working on the maximum salary of a post in a certain Department for some years and having no opening for promotion in that Branch, can be transferred to some other railway branch ? If so, what is that system and are there any rules governing it ?

Mr. A. A. L. Parsons : (a) and (b). I have called for the information from the Agent, Eastern Bengal Railway, and will communicate with the Honourable Member on its receipt.

(c) If the employee has been on the same rate of pay for five years or more, is qualified for promotion and has rendered exceptionally good work, the question of granting him a personal allowance is considered.

(d) No rules have been prescribed, but there is no bar to all employees in one department of a railway being considered for an appointment in another Department for which he is qualified.

RECOMMENDATIONS OF THE TARIFF COMMITTEE.

72. **Rai Bahadur Lala Panna Lal :** (a) Will Government be pleased to state if all the recommendations of the Tariff Committee have been carried out ?

(b) If not, to which of the recommendations has effect been given so far and how do Government propose to deal with the rest ?

(c) Will Government lay on the table a statement giving the above information in detail ?

The Honourable Sir George Rainy : (a) The Government have not appointed any Tariff Committee for the revision of the tariff.

(b) and (c). Do not arise.

APPOINTMENT OF INDIANS AS ASSISTANT STOREKEEPERS IN ARSENALS.

73. **Rai Bahadur Lala Panna Lal :** (a) Did the Government of India in recent years inaugurate a scheme for the employment of Assistant Storekeepers in various Arsenals in India as a part of the Indianisation scheme ?

(b) If so, when was that scheme carried into effect ?

(c) How many Indian Assistant Storekeepers have been employed since then ?

(d) Is any waiting list of selected candidates kept in the Ordnance Office ? If so, how many candidates are on the waiting list ? Does it contain candidates selected in 1928 ? How many of them have been appointed and how many are still on the waiting list and what are their prospects of employment ?

(e) Have any appointments been made of men not on the waiting list ? If so, will Government please state the number of such appointments made and the reasons for doing so ?

(f) What action do Government propose to take to expedite the Indianisation of the above scheme according to the assurances held out at the time of the inauguration of the scheme ?

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

(b) In April 1928 as a permanent measure.

(c) 21, of whom 6 have been transferred to the Provision Section of Army Headquarters in place of British soldiers. The remaining 15 are employed in Arsenals.

(d) A waiting list is maintained at Army Headquarters ; there are 14 candidates on the list, none of whom were selected for inclusion before 1929. The 15 assistant storekeepers now employed in arsenals were selected in 1928.

Under the terms of the scheme, one civilian assistant storekeeper is appointed in every fourth vacancy caused by the transfer of a British soldier. The rate of recruitment therefore depends on the number of such vacancies, but it is anticipated that the 14 men now on the waiting list will be employed within two years.

(e) One candidate not on the waiting list was appointed in April 1929. The waiting list is merely a register of suitable candidates and when a vacancy occurs, the appointing officer may select the most suitable person known to him whether his name is on the list or not.

(f) Government will not be in a position to increase the rate of Indianisation authorised until further experience has been gained, and it has been ascertained how the Assistant Storekeepers will fare in the duties as storekeepers in charge of quantities of technical stores.

SAFEGUARDING OF THE INTERESTS OF INDIAN APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

74. **Mr. S. C. Mitra :** (a) With reference to their answers to my starred questions in the Legislative Assembly No. 644 (b) and (c), dated the 18th September, 1929, will Government be pleased to state what stability and security there are for the retention and training of the Indian and particularly of the Grade " A " apprentices in the Kharagpur Railway Workshops ?

(b) Are Government aware that in the Kharagpur Railway Workshops the Indian and the Grade " A " apprentices in particular, are discharged for mere reason of " unsatisfactory work " even after their confirmations on satisfactory reports and retention for two or three years and more ?

(c) How many similar cases occurred with the Anglo-Indian and European apprentices in the Kharagpur Railway Workshops and have they been discharged on like ground, viz., " Unsatisfactory work " and after their confirmations and retention for more than two years, three years and three and half years ? Will Government please furnish this House with a statement of those cases with full particulars ?

(d) Do Government propose to adopt protective measures to safeguard the interests of the Indian and particularly of the Grade " A " apprentices in the Kharagpur Railway Workshops and to save them from being discharged without giving them sufficient fair trials ?

(e) Are the Indian and the Grade " A " apprentices in particular given all sorts of facilities and all round fair trials in all the Departments and their respective branches or shops in the Railway Workshops at Kharagpur before their work is declared to be " unsuitable " and " unsatisfactory " and prior to their discharge on those grounds ? If not, why not ?

Mr. A. A. L. Parsons : (a) There is no obligation on the part of the Railway Administration to guarantee employment to apprentices of

any class after completion of their training. In actual practice, however, apprentices of all classes are retained by the Bengal Nagpur Railway as Improvers provided they have completed their apprenticeship period satisfactorily.

(b) Apprentices whether Indians, Europeans or Anglo-Indians are discharged for unsatisfactory work at any stage of their apprenticeship.

(c) A statement giving the information asked for has been placed in the Library.

(d) and (e). Every reasonable consideration is given to Apprentices of all communities and no one is discharged without a fair trial and good reasons.

RACIAL DISCRIMINATION IN THE ISSUE OF PASSES ON THE BENGAL NAGPUR RAILWAY.

75. **Mr. S. C. Mitra :** (a) With reference to their answers to my starred questions in the Legislative Assembly No. 693 (a) and (b), dated the 21st March, 1930, will Government be pleased to state whether it is a fact that in the matter of "free privilege passes and tickets at concession rates" the Anglo-Indian and European apprentices in the Kharagpur Railway Workshops are allowed "Inter class passes and tickets at concession rates" from the second year of their course of apprenticeship ; but the Indian apprentices and particularly the Grade "A" apprentices in the same workshops are forced to remain satisfied throughout the period of their apprenticeship, with the "Third class free privilege passes and tickets at concession rates" ?

(b) If the reply to part (a) above is in the affirmative, will Government be pleased to explain whether there are particular reasons for this differential treatment, and if not, what steps they propose to take in order to do away with the racial discrimination in the Bengal Nagpur Railway ?

(c) Are Government prepared to instruct the Bengal Nagpur Railway to maintain a uniform system of treatment in the matter of awards of all concessions and privileges to all their apprentices irrespective of their caste, colour or creed ? If not, why not ?

Mr. A. A. L. Parsons : (a) The Honourable Member's attention is invited to my reply in Delhi to part (b) of his question No. 693 of the 21st March, 1930.

(b) Does not arise.

(c) The Honourable Member's attention is invited to paragraph 2 of Railway Board's letter No. 7887-E., dated 28th June, 1930, in answer to his question No. 765 of the 22nd March, 1930.

PAY AND ACCOMMODATION OF INDIAN APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

76. **Mr. S. C. Mitra :** (a) Will Government please state whether it is a fact that in the Railway Board's letter to the Agent, East Indian Railway, No. 3224-E., dated the 20th July, 1926, it has been clearly decided that "where hostels are provided, all apprentices irrespective of caste, colour or creed should be housed, and fed free and granted an equal

stipend ; but where *no hostels* are provided they should be granted pay including stipends and board allowance at a uniform rate " ?

(b) If the reply to part (a) above is in the affirmative, will Government please state whether the orders referred to in part (a) above were communicated to all the Railways in India, including the Bengal Nagpur Railway and were their attentions invited to the Railway Board's decisions, as contained in those orders ? If not, why not ?

(c) Is it a fact that the Railway Board's decisions and orders referred to in parts (a) and (b) above are not being observed by the authorities of the Bengal Nagpur Railway in the cases of their Indian and particularly of their " A " Grade apprentices in the Kharagpur Railway Workshops ? If so, why ?

(d) Do Government propose to take steps to have those concessions and allowances, as are given to the apprentices in the East Indian Railway Workshops extended to the apprentices in the Bengal Nagpur Railway with retrospective effect, *viz.*, from 20th July 1926, the date of the Railway Board's orders ? If not, why not ?

(e) Will Government please place on the table a copy of the Railway Board's letter to the Agent, East Indian Railway, No. 3224-E., dated the 20th July, 1926 and the enclosures, thereto, if any ?

Mr. A. A. L. Parsons : (a), (b) and (c). Yes. The orders of the Railway Board are not binding on the Bengal Nagpur Railway.

(d) No. The Honourable Member's attention is invited to paragraph 2 of Railway Board's letter No. 7887-E., dated the 28th June, 1930, in reply to his question No. 765 of the 22nd March, 1930, in which it is stated that the Agent, Bengal Nagpur Railway, reports that all distinctions in the rules in practice applying to European and Indian Apprentices will be removed when the revised scheme for the training of workshop apprentices, which is under preparation, is given effect to.

(e) A copy of the letter has been placed in the Library.

GRIEVANCES OF " A " GRADE APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

77. **Mr. S. C. Mitra :** (a) With reference to the un-answered portion of my starred question in the Legislative Assembly No. 644 (f), dated the 18th September, 1929, will Government please state whether it is a fact that a joint representation was made by the " A " Grade apprentices in the Kharagpur Railway Workshops, to the Chief Mechanical Engineer, Bengal Nagpur Railway, at Kharagpur, praying for the redress of their several long felt grievances ? If so, when was this representation made and what steps have been taken by the Railway authorities to redress their grievances mentioned therein ?

(b) Will Government please state how many of their grievances have been redressed so far ?

Mr. A. A. L. Parsons : (a) and (b). The Honourable Member's attention is invited to Railway Board's letter No. 7887-E., dated the 4th December, 1929, which contains a full reply to question No. 644 of the 18th September, 1929. A reference has been made to the Agent, Bengal Nagpur

Railway, calling for information asked for by the Honourable Member in his question. I will communicate with him on receipt of a reply.

GRIEVANCES OF "A" GRADE APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

78. **Mr. S. C. Mitra :** (a) Is it a fact that in the matter of leave the "A" Grade apprentices in the Kharagpur Railway Workshops are not treated similarly with the monthly rated staff and they are not granted sick leave with pay for two months as applicable to the other staff on the Railway? If so, will Government please state what are the reasons for this differential treatment?

(b) Do Government propose to instruct the Railways to stop this unequal treatment to their Grade "A" apprentices in particular? If not, why not?

Mr. A. A. L. Parsons (a) and (b). I have called for information from the Agent, Bengal Nagpur Railway, and will communicate with the Honourable Member on its receipt.

GRIEVANCES OF APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

79. **Mr. S. C. Mitra :** (a) Is it a fact that the Indian and particularly the Grade "A" apprentices in the Kharagpur Railway Workshops, are not permitted to have a recognised trade union of their own?

(b) Are Government prepared to instruct the authorities of the Bengal Nagpur Railway to permit the formation of such an Association? If not, why not?

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

(b) No. The Railway Board do not propose to interfere with the discretion of the Agent, Bengal Nagpur Railway, in this matter.

TRAINING OF APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

80. **Mr. S. C. Mitra :** (a) Have Government received the informations from the Agent, Bengal Nagpur Railway, asked for in my starred questions in the Legislative Assembly Nos. 541, 542, 546 and 543, dated 12th March, 1930, and that of 690 (second part of the question) and 691 and 692, dated 21st March, 1930, and of 765, dated 22nd and 876, 877 and 879, dated 28th March, 1930, regarding apprenticeship training in the Bengal Nagpur Railway Workshops at Kharagpur?

(b) If the reply to part (a) above is in the affirmative, will Government please state when they propose to place them on the table, or to communicate them to me as promised?

(c) If the reply to part (a) above be in the negative, are Government prepared to remind the Agent, Bengal Nagpur Railway, for the reports and to ask the authorities to expedite the answers to those questions? If not, why not?

Mr. A. A. L. Parsons : (a), (b) and (c). The information asked for by the Honourable Member has been supplied in the six letters of the Railway Board bearing No. 7887-E., dated 28th June, 1930.

PAY OF IMPROVERS IN THE BENGAL NAGPUR RAILWAY WORKSHOPS.

81. **Mr. S. C. Mitra :** (a) Is it a fact that the starting pay for the Anglo-Indian improvers in the Bengal Nagpur Railway Workshops has been fixed at Rs. 120 per mensem, but for the improvers recruited from the " A " Grade apprentices pay of Rs. 45 per mensem has been fixed ?

(b) If so, what are the reasons for this differential treatment ?

(c) Are Government prepared to reconsider this racial discrimination in matters of pay ? If not, why not ?

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

(b) Reference is invited to the answer given in paragraph 1 of Railway Board's letter No. 7887-E., dated the 28th June, 1930, to parts (b) and (c) of the Honourable Member's question No. 765 of 22nd March, 1930.

(c) I would invite the Honourable Member's attention to paragraph 2 of Railway Board's letter to which I have just referred.

SUBSISTENCE ALLOWANCES PAID TO APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

82. **Mr. S. C. Mitra :** (a) Are Government aware that two different scales of subsistence allowances have been fixed for the apprentices in the Kharagpur Railway Workshops, viz., (1) for the Anglo-Indian apprentices Rs. 33 to Rs. 65 and (2) for the Indian Grade " A " apprentices Rs. 20 to Rs. 33 per month, during the tenure of their five years' apprenticeship ?

(b) Are Government prepared to reconsider once again the anomaly and discrepancy there remained in fixing those two separate scales of subsistence allowances for the apprentices [viz., (1) for the Anglo-Indians and that (2) for the Indian Grade " A "] in the Kharagpur Railway Workshops ? If not, why not ?

(c) Do Government propose to instruct the Bengal Nagpur Railway to fix a uniform scale of subsistence allowance for all their apprentices in the Kharagpur Railway Workshops, irrespective of their birth and colour, and to start and train them all on equal terms for all purposes ? If not, why not ?

Mr. A. A. L. Parsons : (a) The stipends granted to the apprentices are as stated by the Honourable Member.

(b) and (c). The Honourable Member's attention is invited to the reply given in Railway Board's letter No. 7887-E., dated the 28th June, 1930, to his question No. 765 of the 22nd March, 1930.

RECRUITMENT OF INDIANS AS " CHARGE HANDS " IN THE KHARAGPUR RAILWAY WORKSHOPS.

83. **Mr. S. C. Mitra :** (a) With reference to their answer to my starred question in the Legislative Assembly No. 644 (g), dated the 18th September, 1929, will Government be pleased to state whether it is a fact that, since the system of apprenticeship training for Indians was introduced by the Bengal Nagpur Railway, none of the recruits from the Grade " A " apprentices in the Kharagpur Railway Workshops has yet been appointed a " Charge-hand " ?

(b) Are Government aware that the appointments of " Charge-hands " have always been and are still frequently and regularly given by the Railway to their recruits from the Anglo-Indian apprentices in the Kharagpur Railway Workshops ?

(c) If the answers to parts (a) and (b) above be in the affirmative, will Government please state the reasons for this differential treatment ?

(d) What are the qualifications required for the posts of " Charge-hands " in the Kharagpur Railway Workshops ?

(e) Are the Indian Grade " A " apprentices given inferior training than what is required to qualify them for such posts of " Charge-hands " ? If so, why ?

(f) Is it a fact that the " Charge-hands " in the Bengal Nagpur Railway Workshops are promoted to the rank of " Foremen " in the same Workshops ?

(g) Do Government propose to give chance in the near future to the recruits from the Grade " A " apprentices of being appointed " Charge-hands " in the Kharagpur Railway Workshops, like the Anglo-Indian apprentices ? If not, why not ?

(h) Do Government propose to consider the claims of the recruits from the Indian Grade " A " apprentices for being appointed to the posts of " Charge-hands " in the Bengal Nagpur Railway Workshops, in equal terms with their Anglo-Indian comrades ? If not, why not ?

Mr. A. A. L. Parsons : I have called for information from the Agent, Bengal Nagpur Railway, and will communicate with the Honourable Member on its receipt.

REVISION OF RULES FOR APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

84. **Mr. S. C. Mitra :** (a) With reference to the answers to my starred questions in the Legislative Assembly, Nos. 544 and 545, dated the 12th March, 1930, will Government please state when the revision of the rules for the apprenticeship training in the Railway Workshops at Kharagpur is expected to be completed ; and when do they propose to do away with the racial discriminations referred to therein, as promised ?

(b) When did the authorities of the Bengal Nagpur Railway begin to consider the scheme and the revision of those rules referred to in part (a) above ?

(c) Are Government aware that in their reply to my starred question in the Legislative Assembly, No. 824 (b), dated the 26th February 1929, and in reply to other starred questions on the subject in the last Simla session of this Assembly, Government stated that the revision of the rules is under consideration of the authorities of the Bengal Nagpur Railway ? If so, what are the reasons for this unusual delay in revising the rules and removing all the racial discriminations existing amongst the Indian Grade " A " and the Anglo-Indian apprentices in the Kharagpur Railway Workshops ?

(d) Do Government propose to instruct the Bengal Nagpur Railway authorities to expedite their consideration of the scheme and the revision of the rules ?

Mr. A. A. L. Parsons : (a), (b), (c) and (d). I have called for information from the Agent, Bengal Nagpur Railway, and will communicate with the Honourable Member on its receipt.

REBATE ON GOODS DESPATCHED TO AFGHANISTAN.

85. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that a rebate equal to two-thirds of railway freight is allowed on goods despatched from Karachi to Afghanistan and Persia through the railway line beyond Quetta ?

(b) Are Government aware that a lot of glassware and other goods are sent from the Punjab to Afghanistan *via* Peshawar and Jamrud, as that is the shortest route ?

(c) Do Government propose to extend the "rebate" to goods sent by the route referred to in part (b) ?

(d) If Government do not propose to do so, will they be pleased to state the reasons for differentiation in treatment in case of goods intended for the same destination by different routes ?

Mr. A. A. L. Parsons : (a) A rebate equal to two-thirds of the railway freight charge (excluding the Nushki-Duzdap section) is allowed on goods other than coal despatched from Karachi to Afghanistan and Persia *via* the Nushki-Duzdap section of the North-Western Railway.

(b) Government are aware that certain goods traffic from the Punjab is despatched to Peshawar for that portion of Afghanistan served from Peshawar.

(c) No.

(d) The rebates are being allowed on consignments carried *via* the Nushki-Duzdap Railway, a line over which little traffic moves, to foster trade with Persia and Western Afghanistan, the ordinary freight rates having proved to be prohibitive. The conditions affecting traffic to Afghanistan *via* Peshawar are entirely different.

PERSIAN BAN ON THE IMPORT OF INDIAN GOODS.

86. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that the Persian Government has laid a ban on the export of Indian goods into their country ?

(b) Have Government any information on the subject ? If not, are Government prepared to make enquiries ?

(c) If the answer to part (a) be in the affirmative, do Government propose to take similar action in case of Persian goods imported into India, or to take any other steps in the matter ?

Mr. E. B. Howell : (a) No, Sir.

(b) and (c). Do not arise.

INCREASED EMPLOYMENT OF MUHAMMADANS ON THE NORTH WESTERN RAILWAY.

87. **Rai Bahadur Lala Panna Lal :** (a) Has any circular been issued recently by the Agent, North Western Railway, about the increased employment of Muhammadans on that line ?

(b) If so, what are the contents of that circular and what are the reasons for issuing it ?

(c) Is it a fact that as a result of that circular Hindu employees in temporary service or in apprenticeship have been discharged ? If so, what is their number ?

(d) Does the circular contemplate any consideration for "merit" being a factor in railway employment ?

(e) Will Government be pleased to state the number of Muhamadans employed on the North Western Railway since the issue of the above-mentioned circular ?

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

(b) to (e). Do not arise.

EXPENDITURE ON THE KANGRA VALLEY RAILWAY.

88. **Rai Bahadur Lala Panna Lal :** (a) Will Government be pleased to state what was the estimated expenditure on the Kangra Valley Railway and what are the actual figures of expenditure ?

(b) Has there been an enormous excess over estimated expenditure ? If so, what are the main causes of such excess ?

(c) Are there any outstanding claims in connection with the construction of the railway still pending ? If so, what is their total amount ?

(d) Is it a fact that owing to this excess expenditure having resulted, legitimate claims of constructions are being rejected to avoid a further increase in this excess ?

(e) Has there been an outbreak of fire in the Office of Kangra Division ? Has that occasioned the loss of any office record ?

(f) What has been the cause of the fire and what has been the nature of the loss resulting from it ?

(g) Has any inquiry been made into the causes of the fire ?

(h) Are Government aware that litigation is threatened on account of the outstanding claims ?

(i) Do Government propose to appoint a committee to inquire into these claims and settle them with a view to avoid unnecessary litigation ?

Mr. A. A. L. Parsons : (a) The original estimate was Rs. 134 lakhs, and the actual expenditure is expected to be about Rs. 296 lakhs.

(b) The matter is under enquiry.

(c) Contractors' claims amounting to Rs. 29 lakhs form the subject of arbitration proceedings, the results of which are not yet known.

(d) No.

(e) Yes.

(f) and (g). An enquiry made by the local police authorities found that the fire was accidental.

(h) No.

(i) No. As has been explained, the claim form the subject of arbitration proceedings.

MEMBERSHIP OF THE CANTONMENT BOARD, LAHORE, OF A LESSEE OF
CANTONMENT LAND.

89. **Rai Bahadur Lala Panna Lal** : (a) Are Government aware that in Lahore Cantonment the member nominated to represent agricultural interests on the Board is the lessee of the Board with regard to a large area of Government land in the cantonment ?

(b) Is it a fact that beyond the cantonment land held by him on lease, he has no other land in the Cantonment or outside as his own property ?

(c) Are Government aware that the people of Lahore Cantonment consider the member in question to be ineligible for membership inasmuch as in the position of a lessee, he derives benefit from the Cantonment Board by carrying on a sort of business transaction with it ?

(d) Do Government propose under the circumstance to issue a ruling whether a lessee of a Cantonment land held on lease for purposes of profit, is eligible for membership ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result in due course.

CONFIRMATION OF SUB-OVERSEERS AND SUB-DIVISIONAL OFFICERS IN THE
MILITARY ENGINEERING SERVICE.

90. **Rai Bahadur Lala Panna Lal** : (a) Will Government be pleased to state how many permanent sub-overseers working in the Military Engineering Service have been confirmed during the last three years ?

(b) Does confirmation take place on seniority by length of service or are there other considerations as well to weigh in this matter ?

(c) Will the Government be pleased to state how many temporary Sub-Divisional Officers there are waiting for confirmation, how many of them belong to the Northern Command, what are their names and what is their length of service as temporary Sub-Divisional Officers ?

(d) How many permanent vacancies of Sub-Divisional Officers are there in all and how many are likely to be confirmed in the current financial year ?

(e) Have the claims of any temporary Sub-Divisional Officers been passed over for confirmation, and if so, for what reasons ?

Mr. G. M. Young : (a) The information is being obtained from the Chief Engineers of Commands.

(b) Merit also is taken into consideration when the question of confirming a temporary employee arises.

(c) There are two qualified temporary Sub-Divisional Officers on the waiting list, Mr. Nand Singh in the Northern and Mr. P. S. Pandit in the Southern Command. They have completed one year and two months and one year and ten months' service, respectively.

(d) There is only one vacancy at present. It is anticipated that eight more vacancies will occur during the current financial year.

(e) The answer to the first part of the question is in the negative. The second does not arise.

REPORTED TERRORISATION IN AMBALA CANTONMENT.

91. **Rai Bahadur Lala Panna Lal** : (a) Has the attention of the Government been drawn to an article headed "Terrorisation in Ambala" published in the *Cantonment Advocate* for May, 1930 ?

(b) Will Government be pleased to state what the facts of the case are, and if the facts mentioned in the *Cantonment Advocate* are correct ?

(c) Do Government propose to take any action in the matter to prevent officers who are carrying on Cantonment Administration from being thus humiliated ?

Mr. G. M. Young : (a) Government have seen the article.

(b) and (c). I am making enquiries and will let the Honourable Member know the result.

CONSERVANCY TAX IN CAWNPORE CANTONMENT.

92. **Rai Bahadur Lala Panna Lal** : (a) Is it a fact that the conservancy tax in Cawnpore Cantonment has been recently raised to 12½ per cent. on the annual value of the house ?

(b) Did a deputation of the local Association wait upon the President, Cantonment Board, Cawnpore, to represent to him the oppressively heavy character of the above tax ?

(c) Is it a fact that the President informed the deputation that the tax would be reconsidered ?

(d) Is it the guiding principle of taxation in a cantonment that it should be as nearly equal to taxation in the neighbouring city as possible ?

(e) Are Government aware that the conservancy tax in Cawnpore city is three times less than that of the cantonment ?

(f) Do Government propose to instruct the authorities concerned to re-consider the rate of the conservancy tax and to bring it down to the level of the Cawnpore City, if the same may not have been already done ?

Mr. G. M. Young : I am making enquiries and will let the Honourable Member know the result in due course.

PAYMENT OF COUNSEL TO DEFEND SOLDIERS AND OFFICERS COURT-MARTIALED.

93. **Rai Bahadur Lala Panna Lal** : (a) Will Government be pleased to state if there is any provision in the Indian Army law to provide facilities for defence in case of soldiers and officers court-martialled for military offences ? If so, in what form are those facilities provided ?

(b) What arrangement is made for the defence of the accused when they cannot afford to engage a defence counsel ? Do Government bear the cost of engaging a counsel ?

(c) Is it a fact that Mr. Mukandi Lal, M.L.C., Bar.-at-Law of Lansdowne Cantonment, was engaged to defend the 17 Garhwalis who were recently tried for some military offence at Abbottabad ?

(d) Did the Government pay this counsel his fee for working as a defence counsel ? If so, what was the amount paid and what was the amount claimed by the counsel ?

(e) Was the full amount claimed paid ? If not, why not ?

Mr. G. M. Young : (a) Yes, Sir. I would refer the Honourable Member to Rule 81 of the Indian Army Act Rules. A person accused before a court martial may have any person to assist him during his trial : and if such person is either a legal practitioner or a military officer, he has all the rights, duties and facilities of counsel.

(b) The usual practice is to allow the accused to have the assistance of the best qualified officer available who appears at the trial as " Friend of the Accused ". Such an officer has the same rights as Counsel. Government do not bear the cost of engaging Counsel.

(c) Mr. Mukandi Lal was engaged by the accused. A British officer of the Garhwali Regiment also appeared as " Friend ".

(d) The answer to the first part is in the negative. The second does not therefore arise.

(e) Does not arise.

DISCHARGE OF CERTAIN CANTONMENT FUND EMPLOYEES.

94. **Rai Bahadur Lala Panna Lal :** (a) Are Government aware that in Quetta, Saugor, Naini Tal and Agra Cantonments, several old Cantonment Fund Employees having long records of service behind them were discharged under a wrong interpretation and application of rule 6 (1) of the Cantonment Fund Servants Rules ?

(b) Will Government please state the names of those discharged during the last four years and the period of their service before discharge ?

(c) Is it a fact that Government have since admitted that rule 6 (1), even as it stood before its recent amendment, did not confer any power on the Cantonment Authority to discharge a Cantonment Fund servant ?

(d) Are Government aware that the employees so discharged are in great distress and that there is a general feeling in the Cantonments that great injustice has been done to them ?

(e) What step do Government propose to take to reinstate those Cantonment Fund employees who have been discharged under a wrong interpretation of rule 6 (1) ?

Mr. G. M. Young : (a) So far as Government are aware, no Cantonment Fund employee in the cantonments referred to was discharged under a misinterpretation of rule 6 (1) of the Cantonment Fund Servants' Rules.

(b) Does not arise.

(c) Yes.

(d) and (e). Government are aware that persons discharged under a misinterpretation of the rule have some grievance, and they have accordingly issued instructions restricting the application of the rule to cases, where the discharge of a servant is necessitated by reduction of establishment.

GOVERNMENT CIRCULARS INTERPRETING THE CANTONMENT ACT AND RULES THEREUNDER.

95. **Rai Bahadur Lala Panna Lal** : (a) Is it a fact that since April, 1924—the date of the enforcement of the Cantonments Act now in force—the Government have issued a large number of circulars, circular letters and other departmental instructions for the guidance of Cantonment Authorities about the interpretation and application of the various sections of the Cantonments Act and the rules framed by the Government thereunder ?

(b) Is it a fact that to guard public interests and to point out to Government where a circular seemed to override or change the spirit or meaning of Cantonment law, the All-India Cantonments' Association requested the Government to supply a copy of every such circular or of all such correspondence in which instructions of general character applicable to Cantonment Administration were conveyed ?

(c) Is it a fact that some of these circulars have been marked confidential ?

(d) Will Government please explain why circulars explaining the sections of the Cantonments Act or the rules framed thereunder or affecting questions pertaining to Cantonment Administration are treated as confidential ?

(e) Is it a fact that Government have refused to supply the Association with copies of circulars of departmental instructions ?

(f) Are Government aware that the result of their action is that there is no uniformity in the method of carrying on administration in various cantonments, and that there is great resentment at Government issuing circulars secretly regarding the application of cantonment law to cantonment administration ?

(g) Will Government be pleased to explain their policy in the matter, and state reasons why it has ignored the request of the All-India Cantonments' Association, for copies of the circulars issued ?

(h) Are Government prepared to publish all the circulars they have issued ?

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

(b) Government received a request from the All-India Cantonments' Association for a copy of each circular letter affecting the application of the Cantonment Land Administration Rules, 1925, the interpretation of the various sections of the Cantonments Act, 1924, or the municipal administration of the Cantonments.

(c) Yes.

(d) Circulars addressed to officers of Government or Cantonment authorities for their guidance are confidential in the sense that they are not intended for the information of the public. As I have already explained, the circulars in question have no modifying effect upon sections of the Act, which can only be interpreted by judicial rulings.

(e) Yes, Government refused to supply the Association with a copy of a letter which contained departmental instructions for the guidance of Army Commanders and the Cantonment Authorities subordinate to

them. Government do not propose to convey those instructions to any section of the public.

(f) No.

(g) Copies of important letters affecting the municipal administration of Cantonments will be supplied to the Association as already arranged. The latter part of the question does not arise in view of the reply to part (f) above.

(h) No.

APPOINTMENT OF ASSISTANT SECRETARIES IN CANTONMENTS.

96. **Rai Bahadur Lala Panna Lal** : (a) Will Government be pleased to state how many Assistant Secretaries have been appointed in the cantonments so far ? What are their names, qualifications and salaries ?

(b) Are there any rules governing these appointments ? If so, where can the same be had and when were they adopted ?

(c) Is a register of approved candidates for these appointments maintained in the Command ? Has one such register been maintained in the Northern Command ? If so, how many candidates are still on the waiting list ?

(d) What qualifications and training is a candidate required to possess before his appointment as an Assistant Secretary is considered ?

Mr. G. M. Young : (a) Assistant Secretaries have been appointed in seventeen cantonments. Government have no information of their names, qualifications and salaries.

(b) and (d). The appointments are made by individual Cantonment Authorities. There are no rules of the Government of India regulating the manner of appointment : nor, in the opinion of Government, are any such rules required.

(c) I am making enquiries and will let the Honourable Member have the information as soon as possible.

TRANSLATION AND DISTRIBUTION OF THE INDIAN CENTRAL COMMITTEE'S REPORT.

97. **Khan Bahadur A. H. Mama** : (a) Will Government be pleased to state what arrangements they propose to make to translate the Indian Central Committee's Report, submitted to the Viceroy and Governor-General of India, into European and Indian vernaculars and for distribution in America, in view of similar arrangements being made, by His Majesty's Government ?

(b) Are Government prepared to publish at least a summary of their recommendations as early as possible into the Indian and European vernaculars and for distribution in America ?

The Honourable Mr. H. G. Haig : (a) and (b). The Government of India do not propose to make any official translations of the Reports or of summaries of the Reports of the Statutory Commission or of the Indian Central Committee. Their view is that such translations are best left to private enterprise. Applications received from private translators will be freely granted, subject to conditions which will ensure the accuracy of

the translation. If there is any demand for copies of the Indian Central Committee's Report in America, arrangements will be made to meet it.

APPOINTMENT OF ADVISORY BOARDS OF CIVILIANS IN CANTONMENTS.

96. **Rai Bahadur Lala Panna Lal** : (a) Is it a fact that a deputation of the All-India Cantonments' Association that interviewed the Army Secretary in June, 1929, urged the desirability of appointing Advisory Boards of the civilian population in cantonments administered by corporation sole to enable Commanding Officers of those cantonments to know the views and desires of the Cantonment people in matters pertaining to cantonment administration ?

(b) Are Government aware that the Army Secretary agreed to the above proposal ?

(c) Will Government be pleased to state if the Advisory Boards mentioned above have been appointed after that in any cantonment, and if so, where and what is the constitution of those Advisory Boards ?

(d) If not, will the Government state the reasons for not giving effect to a useful measure agreed to by it and do Government propose to carry it out now without delay ?

Mr. G. M. Young : (a) to (c). No, Sir ; the Army Secretary, on the occasion mentioned, agreed to consider a suggestion of the deputation of the All-India Cantonments' Association that in Cantonments where the form of Cantonment Authority was " Corporation Sole " the Officer Commanding might consider the advisability of consulting one or two representatives of the civil population in matters affecting their civil interests. The suggestion was accordingly brought to the notice of the General Officers Commanding-in-Chief, all Commands, and the Commander, Burma Independent District, for their consideration.

(d) Does not arise.

RE-IMPOSITION OF A PROFESSIONAL TAX IN RISALPORE CANTONMENT.

99. **Rai Bahadur Lala Panna Lal** : (a) Are Government aware that a professional tax has recently been imposed at Risalpore Cantonment ?

(b) Is it a fact that this tax was proposed to be levied some three years ago but was given up ?

(c) Will Government be pleased to state the reasons why the realisation of the tax was given up after its imposition, and how the consideration that led to that step ceased to exist at the recent re-imposition of the tax ?

(d) Is it a fact that the rates of the tax for different professions are heavier than those of the neighbouring cantonments where that tax is imposed ?

(e) Are Government aware that all the shops in Risalpore Cantonment where trade and business is carried on belong to the Cantonment Authority, Risalpore, and that tradesmen of that cantonment are already paying heavy rent for the shops at the bidding of the Cantonment Authority ?

(f) Are Government aware that the re-imposition of the professional tax there has caused great unrest among the people ?

(g) What are the reasons for imposing this tax ?

(h) Are Government prepared to suspend the realisation of the tax till its necessity and the capability of the people to pay it are further inquired into ?

Mr. G. M. Young : I am making enquiries and will inform the Honourable Member as soon as possible.

REPRESENTATION SUBMITTED BY THE RISALPORE CANTONMENT BAZAAR ASSOCIATION.

100. **Rai Bahadur Lala Panna Lal :** (a) Is it a fact that the Risal-pore Cantonment Bazaar Association submitted a representation to the Northern Command containing a number of grievances against the Cantonment Authority and requesting an interview to discuss those grievances ?

(b) Has the Northern Command given the Risal-pore Cantonment Bazaar Association an opportunity for the same ? If not, what considerations prevented the Northern Command from granting that request ?

(c) Is it a fact that the representation in question has been sent by the Northern Command to the Cantonment Authority, Risal-pore, and are Government aware that as a result thereof, the people's grievances have been accentuated ?

(d) Do Government propose to issue general instructions that in cases like the above, the Commands should welcome an opportunity of the informal discussion of public grievances ?

Mr. G. M. Young : Government have no information. I am making enquiries and will let the Honourable Member know the result in due course.

PERCENTAGE OF LITERACY AMONGST DIFFERENT COMMUNITIES.

101. **Mr. Nehal Singh :** Will Government be pleased to state what is the percentage of literacy among the Hindus, Muhammadans, Jains, Sikhs, and Parsis in India ?

The Honourable Mr. H. G. Haig : I would refer the Honourable Member to Table VIII of the Census of India, 1921, Volume I, Part II-Tables, copies of which are in the Library of the House.

EARNINGS FROM DIFFERENT CLASSES OF PASSENGERS ON THE EAST INDIAN RAILWAY.

102. **Mr. Nehal Singh :** Will Government be pleased to state the amount of earnings from the passengers travelling in first, second, inter and third classes of the East Indian Railway separately in the last financial year ?

Mr. A. A. L. Parsons : The earnings from passenger traffic for the year ending 31st March, 1930, were as follows :

			Rs.
1st class	..	..	14,45,000
2nd class	..	..	24,64,000
Inter class	..	..	46,89,000
Third class	..	..	5,11,76,000
			<hr/>
		Total	.. 5,97,74,000
			<hr/>

CANDIDATES FROM MINORITY COMMUNITIES APPOINTED TO THE I. R. S. E.
AND I. S. E.

103. **Sardar Gulab Singh** : Will Government be pleased to state :

- (a) the number of candidates from minority communities who attained the qualifying standard in the examination held by the Public Service Commission in February, 1930, for recruitment in the I. R. S. E. and I. S. E. ;
- (b) the number of vacancies which were reserved for the redress of communal inequalities in the I. R. S. E. according to rule 3 of the regulations for that service published by the Public Service Commission ;
- (c) the number of Sikhs selected for appointment in the above service and the number of Sikh officers already in that service ;
- (d) also the corresponding number of candidates selected for appointment by nomination and the number of officers already in the service, of each of the remaining minority communities ; and
- (e) if Government intend to recruit one Sikh from among the list of qualified candidates ?

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

(b) Three.

(c) The answer to the first part of the question is none. The answer to the second part of the question is 6.

(d) The answer to the first part of the question is that two candidates of minority communities have been selected for appointment this year and one selection remains to be made.

The answer to the second part of the question is as follows :

Muslims	..	..	..	..	15
Anglo-Indians		..	..	..	25
Indian Christian		..	..	..	1

(e) No, as the remaining vacancy has been reserved for a Muslim.

MOTION FOR ADJOURNMENT.

CONTINUATION OF REPRESSIVE MEASURES IN THE NORTH WEST FRONTIER PROVINCE.

Mr. President : I have received notice of the following motion of adjournment from Maulvi Mohammad Shafee Daoodi :

“ Sir, I beg to give notice of my intention to move an adjournment motion on Monday next for the purpose of discussing the following matter of urgent public importance :

‘ The continuation of repressive measures in the North West Frontier Province ’.”

Notice of this motion was received by me on Saturday afternoon. I should like to know if Government have any objection to this motion.

The Honourable Mr. H. G. Haig (Home Member) : Sir, I should like to submit for your consideration certain points of order in connection with this motion.

Maulvi Mohammad Shafee Daoodi (Tirhut Division : Muhammadan) : Speak loudly, please.

Mr. President ; Order, order. I wish Honourable Members would restrain themselves from indulging in these loud whispers, because it is very difficult to hear anything on account of the disturbance and noise created.

The Honourable Mr. H. G. Haig : The motion is based on the continuance of repressive measures in the North West Frontier Province. A motion under the rules, Sir, can only be made if it relates to a definite matter of urgent public importance. The first point I would like to submit for your consideration is that the continuance of a certain state of affairs is hardly a definite matter. It is unfortunately the case that for some months past it has been necessary to take certain measures in the North West Frontier Province, though, as I have already been indicating, in reply to certain questions this morning, those measures are fortunately now much reduced. But I would submit that the mere continuance in a reduced form of certain measures is not a definite matter within the meaning of the rule.

Further, Sir, it is necessary that the matter which is sought to be raised should be an urgent matter, and the word "urgent" has several times been interpreted by your predecessors as meaning a very recent occurrence. I would refer you, Sir, to the ruling of Sir Frederick Whyte on the 10th January, 1922, reported in Volume II of the Debates, at page 1453, in which he held that a matter to be definite, urgent and of public importance, in the sense in which these terms are used in the Standing Order, must have arisen suddenly in the manner of an emergency. I would refer also to the discussion in this House on the 14th September, 1922, reported on page 502 of volume III, in which Sir Frederick Whyte held that, as soon as a matter of this kind is brought to the notice of the Honourable Member and he wishes a discussion thereon, he should at the first available opportunity bring it before the Assembly. As I have already mentioned, the matter to which the Honourable Member seeks to draw attention by this method has been going on for some considerable time, and I would submit that the Honourable Member should have given notice of his intention to move an ordinary Resolution and could have brought the matter to notice earlier than he has done. I would submit that no emergency has recently arisen suddenly, and I would therefore ask you, Sir, to consider whether there is any case for adjourning the business of the House on these grounds on this particular day.

Maulvi Mohammad Shafee Daoodi : Sir, the occurrences in the North West Frontier Province have been certainly going on for some months, but as you know, and as everybody knows, there has been the strictest censorship prevailing in that province. The papers in the province have been suppressed. The people have not been allowed to cross the frontier, and men from this part of the country were not allowed to go to the frontier. Pandit Madan Mohan Malaviya was prevented from going to the frontier and so also Maulana Shaukat Ali, when he corresponded with the Government, was not allowed to go. There are many

other instances. I believe our *ex-President* Mr. V. J. Patel also wanted to go to the frontier for the purpose of holding a very important inquiry, but he was not allowed to go there. I want to point out that there was no means of communication between the frontier and this part of India. It was only recently, day before yesterday, that one man came here from there and another man came even after that. These men have come from Peshawar without knowing that they can have their grievances redressed here even if they came at the present moment. But they have become desperate, and in their desperateness they have left their homes and come to Simla. In their desperateness I am told that the people there are so much exasperated that they will either leave the country and perform what is called *hijrat* from the North West Frontier Province, or choose some such method as will prove detrimental both to India and to the British Government. I need not tell the Government what they are thinking of doing, because I know that the Government must be in possession of more information than the man who came to me has. It seems to me that a very serious situation will arise if immediate steps are not taken to prevent the excesses that are being committed by the authorities even now there. Therefore I say that the information that has been given to us is absolutely recent ; we had no such definite information previously to enable us to come forward in this Assembly. Our previous information would have been dismissed as vague and hearsay. But now eye-witnesses have come, as I told you, only on Saturday last.

As regards the definiteness of the matter, I have taken great care to cross-examine these men and to find out what definite matters they have to place before me and before the Assembly. They have given me information of incidents which took place on the 6th and 7th July. On the 6th July, a village called Yar Hussain in Swabi Tahsil, in the Peshawar District, was blockaded by the military, and after the blockade, the military entered the houses and did all sorts of damage not only to the property but also to the people inside the houses. I have some self-respect and therefore I do not want to say what they have done, but I shall merely let Honourable Members on the Government Benches imagine the state of things when military enter a village after the blockade of the village ; they can easily imagine it. I find that this incident has been eye-witnessed by these men. Again, we have the incident of the 7th in the village of Sherpao in Charsada Tahsil of the Peshawar District, and I find that that incident also is equally horrifying. I should say that the Government have become—I would not use a stronger word—blind to all these things. I do not know how long it will take to forget the incidents which are happening in the Frontier Province. At the present moment they have taken a vow of non-violence, and therefore not one single soul has been fired upon by the people during the recent disturbances ; had it not been for their vow of non-violence, things would have taken a different turn.....

Mr. President : I would request the Honourable Member to reply to the constitutional issue whether this motion is in order or not ; he is not called upon to go into the merits of the case at this stage of the debate.

Maulvi Mohammad Shafee Daoodi : I was telling you that these two incidents are definite instances which are in continuation of the incidents which happened earlier. I am not referring to the earlier incidents, because the Honourable Sir Fazl-i-Hussain went there and those matters were to a certain extent brought to his notice ; but even after his departure,

^ [Maulvi Mohammad Shafee Daoodi.]

these things are happening ; and as I have said, no more proof of definiteness can be given than what I have given just now.....

Mr. President : Are these incidents mentioned in the motion for adjournment ?

Maulvi Mohammad Shafee Daoodi : I have said very clearly in the motion—the repressive policy of the Government being continued at the present moment. It means this and many more incidents—I mentioned only these two in order to illustrate my statement. Therefore I say that the repressive policy of the Government is being continued in the Frontier Province, and I am quoting instances of recent occurrence, of which we could not have had any knowledge, except through these men who have come here and who were eye-witnesses of the occurrences. Considering all these things, I should say that my motion relates to a definite matter of the repressive policy of the Government in the Frontier Province, and that it is urgent because, if immediate measures are not taken to prevent and stop this state of things, I believe that the whole of India will be involved in something terrible. Therefore I say that the matter is definite, that it is recent, and the remedy I want to be applied is urgent—otherwise it will involve us in very great difficulty.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division : Muhamadan Rural) : Sir, the Honourable the Home Member has, as I understand, raised two definite issues before the House. One is that the matter, being continuous, is hardly a definite matter of public importance ; and secondly, that it is not urgent because it is not of recent occurrence ; and in support of the latter he has quoted the opinion of a predecessor of yours, namely, of Sir Frederick Whyte. Sir, my point is this, that, firstly, I maintain that it is a matter of definite public importance for this reason, that though it is continuous, there must be a limit to one's patience and the conditions at present in Peshawar, as we are informed, from whatever little news we have been able to get.....

Mr. President : This point cannot bring the motion within the four corners of the rule.

Mr. Fazal Ibrahim Rahimtulla : I maintain that it is a definite matter of urgent public importance. The second point is this : Members here were expecting that the recent visit of the Honourable Member for Education, Health and Lands, Sir Fazl-i-Husain.....

Mr. President : I am afraid you are again going into the merits of the case.

Mr. Fazal Ibrahim Rahimtulla : I am not, Sir, I want to say that the matter has become urgent because Sir Fazl-i-Husain was not successful in his visit, and we want that something must be done by the Government here. That is my point. A representation was submitted, I am told, to the Honourable Member while he was there but he has not succeeded in pacifying those people there and he 'has returned' and hence his visit has been unsuccessful.....

Mr. President : That cannot turn an indefinite motion into a definite one.

Mr. Fazal Ibrahim Rahimtulla : It may be true, Sir, but it can make the recent occurrences urgent and of a definite character ; because his

visit was unsuccessful. People thought that the Honourable Member would be able to pacify the people there and reduce or minimise the difficulties existing there at the present moment.

Mr. President : But even that occurrence is not mentioned in the motion.

Mr. Fazal Ibrahim Rahimtulla : The motion says "repressive policy of the Government of India". That means the policy that is being followed there and which, if not stopped in time, might lead to disastrous consequences. Therefore it is a matter of urgent definite public importance. That was my submission. There is reason to believe that the visit, authorised with the concurrence of the Government of India, of Sir Fazl-i-Husain, to go there and ascertain first-hand information and to find out what could be done, was unsuccessful. That is why I maintain that the matter is urgent and it must be debated in this House. A question was raised by the Honourable Member that this could have been brought up as a Resolution. It is very difficult to get Resolutions here balloted, and even if balloted there is very little chance of their being reached.....

Mr. R. S. Sarma : What is the source of information of the Honourable Member that Sir Fazl-i-Husain's visit was unsuccessful ?

Mr. Fazal Ibrahim Rahimtulla : I think I will leave Mr. Sarma to the Honourable Members of Government. It is better that he should not interfere in this matter. Whatever information I have is quite correct and I shall substantiate it when the adjournment motion is allowed and a full dress debate takes place.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, in the first place the word "continuation", which has been used, is, to my mind, a very positive and definite idea. It is not a negative idea, nor is it indefinite. The second point is about the definition of the word "urgency". With due deference to our first President, I should maintain that the definition of urgency now advanced is very much open to question. It is said that anything that occurred some time ago is barred from discussion even if it be left unknown by the action of the Government. Now, I can certify that the Honourable the Mover did not know of the facts till Saturday morning, and as soon as he came to know of the facts, he took the first opportunity to give notice of a motion ; and if these facts were left unknown to the Mover, it is certainly not his fault, but of those who are in charge of affairs.

As regards the point about public importance, I may repeat in unequivocal words what I uttered in February last. I warned you as to what would happen in the Frontier Province—I told you the same thing, that if your policy is not changed.....

Mr. President : That is not discussing the point of order ; you must confine yourself to the point of order.

Dr. Ziauddin Ahmad : I just want to prove that this is a matter of public importance and my reason for it is this....

Rai Sahib Harbilas Sarda : It is objected to only on the ground that it is not definite or urgent.

Dr. Ziauddin Ahmad : And of public importance.

Mr. President : Nobody has denied so far that this is a matter of public importance ; even the Honourable the Home Member did not say that it was not a matter of public importance. The point raised by him was that it was not a definite matter—no particular definite incident was mentioned in the motion—and that it was not urgent. These are the two defects which the Honourable the Home Member pointed out and I would like Honourable Members in their reply to restrict themselves to these two salient points.

Dr. Ziauddin Ahmad : Sir, the matter is very definite, and a positive idea is implied in the words. As regards “ urgent ”, the Honourable the Mover took the first opportunity to make this motion as soon as he came to know the facts.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, I think our silence on this occasion is likely to be misunderstood, and I therefore wish to say a few words in connection with this matter. As regards the meaning of the word “ definite ”, everybody knows that a matter is definite if it can be defined, is certain and that there is no vagueness about it. Now is there any vagueness about this subject ? Can anybody say that it is vague ? I think the Honourable the Home Member, in objecting to the admissibility of this motion, has himself pointed out how clear and definite the issue is. The definiteness lies in the defined policy of the Government in connection with frontier unrest. Nothing can be more definite than this, and I think it is sheer super-criticism to say that this matter is not definite. He knows it ; everybody knows that the matter is there. The question is, is it urgent ? Now, that it is urgent is equally clear from the fact that the ordinary laws have been suspended in the Frontier Province and emergency measures put in force. What justification is there for the suspension of ordinary laws and resort to extraordinary emergency measures if the Government of India did not consider this matter as one of urgency ? Urgency means and implies avoidance of delay. The ordinary normal procedure entails delay and the justification of the Government for resorting to extraordinary procedure is admission of the fact that this exceptional procedure is resorted to because the matter is urgent. I therefore submit, Sir, that both on the question of definiteness and urgency there cannot be two opinions.

As regards the matter being of public importance the Honourable the Home Member admits it. I submit, therefore, that on the broad constitutional issue, you should rule, Sir, that the matter is both definite and urgent within the meaning of the rules. Similar questions had been allowed and discussed in this House, and the Honourable the Home Member will find precedent after precedent that questions of this character had been admitted by your predecessors during the last ten years. I therefore think that, in the interests of justice and in the interests of the right of this House to give the Government a lead as to the right policy they should follow, this motion should be admitted.

Mr. President : Will the Honourable Member cite any ruling on this point ?

Sir Hari Singh Gour : If you will give me a little time, Sir, I shall be able to hunt up the rulings. I am speaking from my recollection in this House, and I am quite sure that I shall be able to show you the rulings on this point. But if you want me to give you the time and the dates on

which these rulings were given, I shall require a little time, because you cannot expect me to carry in my head the rulings contained in about 45 volumes of the Assembly debates.

Mr. Arthur Moore (Bengal : European) : May I ask the Honourable Member to state for our information in what sense the ordinary law has been suspended in the North West Frontier Province ? We are not aware of that.

Dr. A. Suhrawardy (Burdwan and Presidency Division : Muhammadan Rural) : There were never any ordinary laws in force there at all.

***Raja Ghazanfar Ali Khan** (North Punjab : Muhammadan) : Sir, I shall confine my observations to only one point, and that is about the question of urgency. As we have just learnt, the Honourable the Home Member has told us that, according to Sir Frederick Whyte's ruling given in this House in 1922, a motion can be called as one of urgent importance if it has been moved without losing much time. Now, Sir, I do not want to repeat the arguments advanced by Maulvi Mohammad Shafee, but there is strict censorship in the Frontier Province, and everybody knows it. I come from a place which is much nearer the Frontier Province than that of my friend, and I can assure you, Sir, that we were absolutely unable, in spite of our great anxiety, to get any correct news of what was going on in the Frontier Province, and we used to get very exaggerated reports. Therefore Sir, before making this motion here, we waited for the conclusions of the Sulaiman Committee's Report. We thought that unless we had an authentic document before us which would tell us what the real situation is, we would not be in a position to debate in this House. The Government's Resolution on the Sulaiman Committee's Report was published only four days ago. We were expecting that we would be supplied with a copy of that important document before this Session came to an end, and we thought that would be the proper time to discuss this question. Now, Sir, although the information conveyed to us through the papers may not be as complete as we desire, we are in possession of certain facts, and the present was the only early opportunity when we could move this motion. That, Sir, I think, will certainly show the urgency of the case, and it will also give the definite reasons why it was impossible for us to move this motion a few days earlier.

Only one more point, Sir, that I would like to place before the House, and that is the wording of the Resolution has been slightly modified and altered even during the discussion of the motions on previous occasions. My friend Maulvi Mohammad Shafee has used the words "the repressive policy in the Frontier Province". I think what he exactly meant was the present critical situation in the North West Frontier Province. Sir, as regards the definiteness of the motion, I think the Honourable the Home Member did not give us any reasons as to why the matter was not definite. The mere continuation of a certain definite thing does not make it indefinite, and the Honourable the Home Member having admitted that it was a definite matter, but as it continues, I don't understand why he calls it indefinite. Therefore, Sir, this matter is both urgent and definite, and I would request you to allow it to be discussed, and I can assure you, Sir, that the discussion will be carried on in a manner which would be helpful to remove the present tension.

* Speech not revised by the Honourable Member.

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras : Muham-madan) : Without going in detail into this question, I may merely invite the attention of the House to the fact that numerous atrocities have been perpetrated in the villages of Sherpao and Yar Hussain on the 6th and 7th instant, and to add to this list, I might also mention the name of the village Umarzay. These are the definite villages in which excesses have been committed and atrocities perpetrated. Sir, these high-handed actions have reached a climax now. And yet if the Honourable the Home Member or any other representative of Government should come forward to question the definiteness of the matter and urgency of the question, it cannot but be deplored.

Mr. President : I think the question has now been sufficiently debated. We have had a debate for fully half an hour, and I think it is time that I should give my ruling. I have given my very anxious thought to this question, and really it has distressed me very much. I assure Honourable Members that I am not distressed any less than the Honourable Member who has given notice of this motion or any other Member on the floor of this House. But Honourable Members know that motions for adjournment of the House can only be allowed for the purpose of discussing a definite matter of urgent public importance. Such a motion must be restricted to a single specific matter of recent occurrence and must be of an urgent nature. It has been pointed out that there were certain matters of recent occurrence which came to the notice of the Honourable Maulvi Mohammad Shafee Daoodi on the morning of Saturday. Notice of this motion was handed over to me on the afternoon of Saturday. So, it is clear that the Honourable Member was in possession of these specific facts on the morning of Saturday before he gave me notice of this motion, and I do not see any reason why none of these incidents of recent occurrence was specifically put down in the notice of motion for adjournment. The motion of which Maulvi Mohammad Shafee Daoodi has given notice runs as follows :

“The continuation of repressive measures in the North West Frontier Province.”

Not a single definite measure of a repressive character has been mentioned in this motion. It is obvious that the motion, as it has been framed, is not definite, nor does it relate to a single specific matter of recent occurrence, as was pointed out by the Speakers of the House of Commons on several occasions. The Honourable Member would have been well advised if, in framing his motion, he had stated some specific matter of recent occurrence. It has been pointed out by Dr. Ziauddin Ahmad, or by some other Honourable Member, that the ordinary law has been suspended in the North West Frontier Province. If that was a specific matter of recent occurrence, it ought to have been mentioned in the motion, if it was desired to discuss it as a matter of sufficient importance. Then, it has been pointed out by some Honourable Members that they were waiting for the Report of the Sulaiman Committee. If that was the case, the Report of the Sulaiman Committee was published a few days ago, and the Honourable Member could have very well said in his notice that he wanted to move an adjournment of the House for the purpose of discussing the unsatisfactory character of the Sulaiman Committee's Report. Nothing of that sort has been done. Again, it has been stated that there were no means of communication, and that no gentlemen could come from the frontier to give them real facts. But we know it very well that about a week before the Assembly met, about half a dozen gentlemen

from the Frontier Province came to Simla and they had a discussion about matters which were going on in that province with Assembly Members at Simla, including Dr. Ziauddin Ahmad himself. Therefore, I cannot say that Members of this House were not in possession of information in order to put it definitely in the motion for adjournment. No doubt, the situation at present created in the North West Frontier Province is a matter of great anxiety and I would be the last man to come in the way of any debate on that subject, provided it fulfilled the necessary conditions laid down in the rules of the Assembly. This point of view is also supported by a ruling which was given in this House some years ago. A similar point arose on the 16th July, 1923, when Lieut.-Colonel H. A. J. Gidney wanted to move the following motion for an adjournment of the House :

“ The appalling condition leading to unparalleled economic upheaval in India due to the unemployment of middle classes, Domiciled Community and Indians ”.

This motion was framed in a form similar to the one which is now before the House. Sir Frederick Whyte ruled as follows :

“ I am afraid the Honourable Member has mistaken the bearing of the rules. The rule, as I think I have explained, provides an opportunity for Members of this House to draw the attention of Government to a matter of recent occurrence which could not otherwise be discussed under the ordinary procedure of the House. The matter to which the Honourable Member is referring, namely, the appalling condition of the middle classes due to unemployment is a matter which, though urgent in his reading of the word, is not urgent in the sense of the rule and therefore I am afraid I cannot admit it.”

There is another ruling on this point of a more recent date. A similar point arose on the 7th September, 1927, when Mr. M. K. Acharya wanted to move the following motion for an adjournment of the House :

“ I desire under Rule 11 of the Indian Legislative Rules to make a motion for the adjournment of the business of the Assembly to-day (7th September 1927) for the purpose of discussing a definite matter of urgent public importance, namely, the decision of the Bengal Nagpur Railway authorities immediately to retrench 2,000 men of the Kharagpur workshops at a time when the neighbouring parts of the country are stricken with the havoc caused by the recent floods, and while the said railway authorities are giving out on contract to private firms large quantities of work till recently done in the railway workshops by the workmen themselves ”.

My predecessor in office, the Honourable Mr. V. J. Patel, gave the following ruling :

“ I am clearly of opinion that the matter is of great public importance. But I am not convinced that the matter is urgent. I should have certainly admitted this notice of motion for adjournment if it had come to me on the 18th August. The decision proposed to be questioned was arrived at on the 15th August. It was published in the newspapers on the 16th or 17th August, as Sir George Rainy has said, and there is absolutely no reason why the Honourable Member should not have given a notice of motion for adjournment on the 18th.”

In the present case also, the House met for the first time on the 7th July, and notice of this motion was handed to me only on the 12th. As I have already stated, all these facts were within the knowledge of Honourable Members when the House met on the 7th July. (*Some Honourable Members* : “ No, no.”) From the statements which have been made by some Honourable Members on the floor of the House today, it is quite clear that they were in possession of certain definite matters of information before the 7th July. In May's Parliamentary Practice, page 247, it is laid down :

“ The Speaker declines to submit a motion for adjournment to the House if, in his opinion, the subject to be brought forward is not definite, urgent, or of public importance.”

[Mr. President.]

I regret very much to say that the motion of which the Honourable Member has given notice is framed in such vague and undefined terms that I have no option but to rule it out.

Sir Hari Singh Gour : Will it be open to the Honourable Member to recast the motion and place it before this House ?

Mr. President : If a second motion comes before the Chair, the Chair will consider it.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province : Nominated Non-Official) : Just on a point of information, Sir. Do I understand that the suggestion made by Mr. Jinnah this morning, and in a way accepted by the Foreign Secretary, will stand and that some sort of opportunity will be given for the discussion of the affairs of the North West Frontier Province ?

Mr. President : This is a point on which it is difficult for the Chair to say anything.....

Nawab Sir Sahibzada Abdul Qaiyum : I want the information from the Government side.

Mr. President : Order, order. I regret very much to say that when this question was being discussed so many Honourable Members got up to express their opinions, but the distinguished Member from the North West Frontier Province did not get up and did not say a single word in support of the leave asked for. (*An Honourable Member* : "He is a nominated Member.") (*Another Honourable Member* : "How can he ?")

STATEMENT LAID ON THE TABLE.

HYDRO-ELECTRIC POWER SUPPLIED FOR THE GREAT INDIAN PENINSULA RAILWAY.

Mr. A. A. L. Parsons (Financial Commissioner : Railways) : Sir, I lay on the table the information promised in reply to starred question No. 814, asked by Mr. Sarabhai Nemchand Haji on the 24th March, 1930, regarding power supplied by the Hydro-Electric concerns for the suburban service of the Great Indian Peninsula Railway.

(a) The rate per unit is 0·6 anna when the payments are made on the minimum consumption and 0·425 anna per unit plus Rs. 4-2-8 per month per "Kilowatt of Maximum demand" when payments are made on actual consumption.

(b)

Period.	Minimum units to be paid for by the Railway per month.
January, 1925 to 30th June, 1926	850,000
1st July, 1926 to 30th June, 1927	2,000,000
1st July, 1927 to 30th June, 1929	4,000,000
1st July, 1929 to 30th June, 1932	5,000,000
1st July, 1932 to 30th June, 1937	6,000,000

(c) and (d).

Month.	Actual consumption in units and Kilowatts of Maximum Demand.		Amount paid.	
			Rs.	A. P.
'A'	July, 1928	.. 3,277,686 Units	..	1,50,000 0 0
	August, 1928	.. 3,297,300 Units	..	1,50,000 0 0
	September, 1928	.. 3,195,500 Units	..	1,50,000 0 0
	October, 1928	.. 3,597,400 Units	..	1,50,000 0 0
	November, 1928	.. 3,746,164 Units	..	1,50,000 0 0
	December, 1928	.. 4,274,600 Units 11,568 K. W.	..	} 1,61,744 1 0
	January, 1929	.. 4,289,600 Units 12,024 K. W.	..	} 1,64,042 8 0
	February, 1929	.. 3,878,500 Units	..	1,50,000 0 0
	March, 1929	.. 4,683,750 Units 13,152 K. W.	..	} 1,79,212 2 0
	April, 1929	.. 4,899,550 Units 13,248 K. W.	..	} 1,85,344 5 0
	May, 1929	.. 5,106,540 Units 12,960 K. W.	..	} 1,89,642 8 0
	June, 1929	.. 5,157,200 Units 14,832 K. W.	..	} 1,98,788 2 0

The minimum number of units fixed for the period from 1st July, 1927, to 30th June, 1929 [as shown in item (b) above] was 4,000,000 and, as the consumption during the months marked 'A' was below the minimum, the payments in these cases were made on the minimum number, viz., 4,000,000 at the flat rate of 0·6 anna per B. T. unit.

PRELIMINARY REPORT UPON THE EXPENDITURE OF THE CENTRAL GOVERNMENT.

The Honourable Sir George Schuster (Finance Member) : Sir, in accordance with an undertaking which I gave in the last Delhi Session, I beg to lay on the table* a preliminary Report by Mr. Jukes on his inquiry into the expenditure of the Central Government.

THE INDIAN LAC CESS BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways) : I beg to move that the Bill to provide for the creation of a fund for the improvement and development of the cultivation, manufacture and marketing of Indian lac, as reported by the Select Committee, be taken into consideration.

*The Report was placed in the Library of the House.

[Sir George Rainy.]

When I moved in February last, Mr. President, for the reference of this Bill to a Select Committee, I explained in some detail to the House what exactly our proposals were and why they were put forward. The House on that occasion passed without discussion the motion to refer the Bill to a Select Committee, thereby accepting the principle of the Bill. All that I need do at this stage is to recall to the memory of Honourable Members very briefly the substance of what I said then. Hitherto the cess collected under the Act of 1921 has been administered by the Indian Lac Association, which is a private association, but registered under the law. The Act would in the ordinary course have terminated unless it was specially extended at the end of the year 1931. Last year the Indian Lac Association intimated to Government their view that the whole system should be re-organised on a more permanent and satisfactory footing and that the Association should be relieved of duties for the adequate performance of which it felt it had neither the knowledge nor the experience required. This Bill therefore provides for the constitution of a statutory body—of a committee to administer the expenditure of the funds which are collected by means of the cess. The Bill has been carefully considered by the Select Committee to which it was referred. They have found it necessary to make only one amendment in it of a purely formal nature. In these circumstances, Sir, I do not think I need take up any more the time of the House. Sir, I move.

The motion was adopted.

Clauses 2 to 12 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Rainy : I move that the Bill, as amended, be passed.

The motion was adopted.

THE NEGOTIABLE INSTRUMENTS (SECOND AMENDMENT) BILL.

The Honourable Sir George Schuster (Finance Member) : I beg to move that the Bill further to amend the Negotiable Instruments Act, 1881, for a certain purpose, as reported by the Select Committee, be taken into consideration.

This short Bill deals with a matter of practical importance to the commercial community which has been under discussion for several years. Its object is clearly stated in the printed explanation and was also made clear by me in the Simla Session of last year when I moved my motion for the circulation of the Bill for opinions. At the same time, I wish to avoid any possibility of misunderstanding of the provisions of the Bill and I propose to give this House few short explanatory remarks. Honourable Members who are familiar with commercial practice are aware that the present law affords protection to bankers in the case of forged or unauthorised endorsements on order cheques. That is to say, if a bank has presented to it an order cheque which purports to be endorsed by or on behalf of the payee, the bank is discharged by the payment in due course, even though the payee's endorsement may have been

forged or unauthorised. "Payment in due course" has a technical meaning and is defined in section 10 of the Negotiable Instruments Act which says :

" 'Payment in due course' means payment in accordance with the apparent tenor of the instrument in good faith and without negligence to any person in possession thereof under circumstances which do not afford a reasonable ground for believing that he is not entitled to receive payment of the amount therein mentioned."

A bank therefore has a certain responsibility in the matter ; that is to say, a bank has to exercise reasonable caution or to avoid negligence. To give this protection to Banks is a common practice in all civilized countries, but under the Indian law as it stands it is not quite certain whether similar protection is given to banks in the case of a draft drawn by one office of a bank on another office of the same bank. Such a draft is exactly analogous to a cheque and would be handled in the course of business in exactly the same way, but we have been advised that it is possible that it might be held that, under the Negotiable Instruments Act as it stands, a draft drawn by one office of a bank on another office would not be a cheque and would not be entitled to the same protection. The whole object of this short Bill is to make it clear that bankers are to have the same protection against the effects of forged or unauthorised endorsements in the case of such a draft as they have in the case of a cheque. Therefore, nothing new is being introduced into commercial practice. No dangers to the public are involved, and we are simply making it clear that this recognized form of protection applies in the case of drafts drawn by one branch of a bank on another branch of the bank.

Now as I said at the beginning, this matter has been under consideration for some time, and I think it is fair to say that such differences of opinion as have been expressed about this Bill do not depend on objections to the object of the Bill but simply on a doubt as to its necessity. It is held by those who say that this Bill is unnecessary that the law already provides for the object which we are now seeking to provide for. The Bill has been circulated, and I think again it is fair to say that the overwhelming majority of the opinions received are in favour of legislation on these lines. Of the dissentient opinions that have been expressed, only one or two raise objections to the purpose of the Bill, and again I think it is fair to say that those objections really seem to me to be based upon a misunderstanding of its purpose.

In dealing with the question of opinions there is one matter to which I should like to call the attention of the House. When the Bill was under previous discussion, I took the opportunity to talk over its provisions at some length with one who used to be an Honourable Member of this House and whose opinion on these matters was always regarded as representative. I refer to my Honourable friend, Sir Purshotamdas Thakurdas. I had discussed this matter with him at the time and I had some further discussion with him at the end of the last Delhi Session, and this was followed by correspondence in the month of April. I should like to read to this House the final letter which I received from him closing this correspondence. I may explain to the House that we had some discussion as to whether, under the Bill as originally drafted, we should substitute the word "banker" for "bank". It was held by the Legislative Department here that it would be preferable to use the word "banker", but

[Sir George Schuster.]

Sir Purshotamdas Thakurdas, speaking for the interests which he represents, thought that that word might make the Bill a contentious one and I therefore agreed to meet his views and to retain the word "bank". After that decision had been communicated to him he wrote as follows :

"In continuation of my letter to you dated the 22nd instant I have now ascertained the view of the Committee of my Chamber and they see no objection to the Government proceeding with the Bill in the Assembly, although, as you know, they have said before now that in their opinion the Bill is not necessary and is almost redundant. But inasmuch as they do not consider it harmful to the interests of the commercial community, they have no objection to Government carrying it through the Assembly should the Honourable Finance Member consider that necessary."

Well, Sir, after a careful consideration of all the circumstances, we are definitely of the opinion that it is necessary. In conclusion, I should like to say a few words on the minor amendments which have been introduced into the Bill as a result of the discussions in Select Committee. These concerned themselves with two points only. The Select Committee has added words which in effect give a definition to the word "draft". It is a curious fact that no definition of the word "draft" occurs in the Negotiable Instruments Act. I presume the omission is really due to the fact that the word is considered to be so well understood that no definition is necessary. However, it was suggested in some of the opinions received—and as noted in the Report of the Select Committee, those opinions came from particularly authoritative quarters—I would refer for example to the opinion of the Honourable the Chief Justice of Bengal—that the word "draft" ought to be defined. Therefore we have added in the Select Committee a definition of the word "draft" by adding the words, "that is, an order to pay money". I think that ought to leave the matter with no possibility of doubt. The only other amendment was of a very minor nature. We have substituted the word "office" for the word "branch" in the case of a bank, it having been thought that the word "office" is clearer than the word "branch". I do not think that I am called upon to give any further explanations, and with these words, Sir, I move.

The motion was adopted.

Mr. President : The question is that clause 2 stand part of the Bill.

Mr. Saradindu Mukerjee (Calcutta Suburbs : Non-Muhammadian Urban) : Sir, I have an amendment* standing in my name, but in view of what has fallen from the Honourable Sir George Schuster's lips, I think the question of cheques does not arise in this case because the law is clear on this point, and since the Honourable the Finance Member wants to make clear only the law as regards drafts, I think he has practically accepted my amendment.

Mr. President : So you do not move your amendment ?

Mr. Saradindu Mukerjee : No, Sir, as my amendment has been accepted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

* * * That in clause 2 of the Bill to the proposed section 85A the following proviso be added :

' Provided that a draft does not include " cheques " used locally in India . '

The Honourable Sir George Schuster : Sir, I beg to move that the Bill, as amended, be passed.

The motion was adopted.

THE INDIAN FOREST (AMENDMENT) BILL.

Mr. G. S. Bajpai (Government of India : Nominated Official) : Sir,

I beg to move that the Bill further to amend the Indian Forest Act, 1927, for a certain purpose, be taken into consideration. The Bill is, as Honourable Members must have seen for themselves, a very small measure indeed. It is intended to meet a situation arising out of the fact that sub-clause (a) of clause (4) of section 2 of the Indian Forest Act (XVI of 1927) does not contain any provision whatsoever for the regulation of the movement of the commodity known as "kuth". "Kuth" is a forest produce, which has a certain value in China where it is burnt as an incense and, we find, that inasmuch as there is no provision under the law at the present moment to enable us to regulate the movement of this commodity, there is a considerable amount of smuggling going on. The commodity is produced largely in Kashmir, but it is also produced in certain parts of British India and in other Indian States. The authorities concerned met in conference last May at Lahore and came to the conclusion that the best way to prevent smuggling, which, I understand, is calculated also to disturb public tranquillity, is to add the word "kuth" after the word "seeds" in sub-clause (a) of clause (4) of section 2 of the Act. That, Sir, is the object of the amendment, and I hope that it will commend itself to the House. Sir, I move.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, I would like to know whether the present Bill is moved for the benefit of the Indian States or for the benefit of British India. The other thing, which I would like to request the Honourable the Mover to do, is to place before the House all the circumstances of the case which led the Government to bring forward this Bill, because there are a good many things talked about this affair and I should like to have some authoritative statement from the Member in charge of this Bill.

Mr. G. S. Bajpai : As regards the first question, Sir, asked by the Honourable Dr. Ziauddin Ahmad, I should say that the Bill is intended to meet not merely the requirements of the Indian States but also the requirements of British India, because, in the Kulu Sub-Division of the Kangra District of the Punjab the growing of "kuth" is being encouraged, and it seems desirable that the Punjab Government should have authority to deal with the movement in British India of "kuth" that they may produce in their own forests and plantations.

As regards the second point, my Honourable friend said that there was a good deal that was being talked about this matter. If he had been good enough to specify what the nature of these conversations was, I would have been probably in a position to answer him. So far as I

[Mr. G. S. Bajpai.]

am concerned, I think I have given all the facts relating to the necessity for this legislation. The position is that "kuth" finds a very valuable market in China and, because it finds a valuable market in China, and there is no provision under the existing law to regulate its movement through British India, people, both from British India and, more so, perhaps from Indian States, get hold of this commodity and smuggle it out of India. The State primarily concerned, namely, Kashmir, and also the British Indian authorities, find that they really cannot do much in the present situation to deal with these smugglers because, under the law as it stands at present, it is not illegal to take this commodity called "kuth" across British India. Inasmuch as both the Kashmir State and British India stand to lose revenue by the absence of any legal control over this smuggling, it is proposed to amend the Act.

Dr. Ziauddin Ahmad : Did the suggestion for the amendment of the Act come from Indian States or from the Punjab Government ?

Mr. G. S. Bajpai : The suggestion came from the State of Kashmir, but it was considered by the Punjab Government as well as by the North West Frontier Administration.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : Sir, the provision of the Bill, as proposed, appears to be of great importance. "Kuth" is of great monetary value. It is imported into British India and it has got a good sale. There was a lack of legislative sagacity when this word was not included and I am in support of the inclusion of this word "kuth" and therefore I support the Bill.

Mr. President : The question is :

"That the Bill to amend the Indian Forest Act, 1927, for a certain purpose, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. G. S. Bajpai : Sir, I beg to move that the Bill be passed.

The motion was adopted.

THE INDIAN TELEGRAPH (AMENDMENT) BILL.

The Honourable Sir Joseph Bhowe (Member for Industries and Labour) : Sir, I move that the Bill further to amend the Indian Telegraph Act, 1885, for a certain purpose, be taken into consideration. This is a small measure rendered necessary by modern developments in aerial transport. The existing Act makes provision for the grant of permission by rule to marine craft to operate wireless within Indian territorial waters. All that this Bill now seeks to do is to extend that provision to the case of aircraft in or flying over British India or over Indian territorial waters. Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President : The question is that Clause 1 stand part of the Bill.

The Honourable Sir Joseph Bhole : Sir, with your permission, I would like to move a purely formal amendment to this clause. It is this :

“ That in clause 1, for the figures ‘ 1929 ’, the figures ‘ 1930 ’ be substituted ”.

I ought to explain, Sir, that this Bill has been with the Legislative Assembly Department for over a year, and it is much regretted that this formal mistake was not noticed by me before. Sir, I move the amendment.

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Joseph Bhole : Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

THE BOMBAY CIVIL COURTS (AMENDMENT) BILL.

The Honourable Mr. H. G. Haig (Home Member) : Sir, I beg to move that the Bill further to amend the Bombay Civil Courts Act, 1869, for a certain purpose, be taken into consideration. This, Sir, is a small measure which has been introduced as a consequence of an amendment recently made in a local Act, the Bombay Civil Courts Act. Under that Act, the jurisdiction of a Subordinate Judge of the second class extended only to original suits and proceedings wherein the subject matter did not exceed in value Rs. 5,000. The amendment made in that Act has extended the limit for the jurisdiction of Subordinate Judges of the second class from Rs. 5,000 to Rs. 7,500. In section 26 of the Bombay Civil Courts Act, provision is made for appeals to the High Court from suits decided by Subordinate Judges, and as this matter relates to the jurisdiction of the High Court, it is necessary that any amendment should be undertaken in the Central Legislature. The provision in section 26 of the Bombay Civil Courts Act is that in all suits decided by a Subordinate Judge of the first class, of which the amount or value of the subject matter exceeds Rs. 5,000, the appeal shall be direct to the High Court. In consequence of the amendment already carried out in the Local Legislative Council, there are now suits of the value of more than Rs. 5,000 which will be decided by Subordinate Judges of the second class, and the object of this Bill is to provide that in such cases, the appeal from a Subordinate Judge of the second class as well as of the first class will go direct to the High Court.

Sir, I move.

Dr. Nand Lal : (West Punjab : Non-Muhammadan) : May I ask the Honourable Member whether there is no third class Subordinate Judge ? Is he aware of it ?

The Honourable Mr. H. G. Haig : I am not aware whether there is a Subordinate Judge of the third class. But in any case, if there is

[Mr. H. G. Haig.]

such a Judge, he is not empowered to deal with suits exceeding Rs. 5,000 in value.

Mr. President : The question is :

“ That the Bill further to amend the Bombay Civil Courts Act, 1869, for a certain purpose be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. H. G. Haig : Sir, I move that the Bill be passed.

The motion was adopted.

THE BENARES HINDU UNIVERSITY (AMENDMENT) BILL.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands) : Sir, I beg to move that the Bill further to amend the Benares Hindu University Act, 1915, for certain purposes, be taken into consideration.

Sir, the objects of the Bill are very fully stated in the Statement of Objects and Reasons and it is unnecessary, I think, for me to say more than a very few words in support of a brief, but by no means an unimportant, measure. The Government of India have recently, as the House is aware, increased their annual grant to the Benares Hindu University from 1½ lakhs to 3 lakhs, and have given the University a non-recurring grant aggregating 15 lakhs, with the object of enabling it to liquidate its indebtedness, to balance its budget, to improve its staff and to provide for the normal expansion of its Engineering College. In view of the fact that these grants amounted to a considerable sum, the Government of India felt that it was in the best interests of the University that a Standing Finance Committee should be established which would examine the annual accounts and financial estimates of the University and rule out expenditure in excess of its income and resources. This suggestion was very readily accepted by the authorities of the University and the present Bill is the outcome of their acceptance. The details of the constitution, powers and duties of the Committee will be prescribed by Statutes which will be framed under the provisions of the existing Act. As the House will see, opportunity is also being taken of the amendment to the Bill for this purpose to embody certain provisions taken from a Bill of which Pandit Madan Mohan Malaviya gave notice in 1926, but with which he was unable to proceed further. These relate to certain matters of domestic concern, but the Government of India have very willingly accepted the suggestions of the University authorities on these points.

The only point I wish to urge in conclusion is that this Bill has the full concurrence of the Vice-Chancellor and the Court of the University of Benares and that therefore there is nothing in any way contentious about it. Sir, I move.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : Sir, I support the Bill. I have examined the provisions of the Bill and I am of opinion that it is all right.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, I cannot see the significance of the unusual procedure adopted in this particular Bill, and why it has not been referred to any Select Committee. There was plenty of time ; the Select Committee could have met during the sittings of this Assembly and could have reported in time to pass the amended Bill. There are one or two very important considerations which I would certainly have brought to the notice of the Select Committee had it been suggested and I take the opportunity of bringing them before the Assembly now.

Mr. President : Has the Honourable Member sent any amendment to the motion of Sir Frank Noyce asking that the Bill should be referred to a Select Committee ?

Dr. Ziauddin Ahmad : I sent no amendment or proposal of that kind, for which I express my regret. So I shall speak on the original motion.

The Bill provides for an increase in the number of members of the Syndicate from 17 to 20. Of course this is an important consideration, and it would have been far better if Government had taken this opportunity to move for a fundamental change, that fundamental change being that the constitution of the Syndicate ought to have been provided for in the Statutes and not in the Act. That is the procedure adopted in the Aligarh and other Universities Acts, so that, whenever there is a change in the number, the Legislative Assembly is not troubled with it and it becomes only a question between the Government of India and the University authorities. In some other University we have seen that the number of the executive body was reduced from 30 to 3, and probably the time is not far distant when they will have to raise it again from 3 to some other number. It was very fortunate that, in the constitution of that University, the constitution of the governing bodies was not prescribed by the Act but by the Statutes. Therefore, I would have very much welcomed it, had Government brought forward a motion, on these lines instead of only increasing the number from 17 to 20. The question of number should be fixed by the Statutes and not by the Act, and the Assembly may be relieved from the discussion about the increase from 17 to 20 and perhaps after some time again another change may be made from 20 to 11, or so.

Coming to the merits of the question itself, I am very doubtful whether the increase in the number of the Executive Committee is an expedient and wise move. Under the old Universities Act, in the case of the Syndicate, which deliberated both on the academic and on the financial side of the Universities, the number of members never exceeded 17 or 18. Here in the Benares University the executive of the academic and financial sides are separated. The executive part is in the hands of the Council, the academic part is in the hands of the Syndicate. Besides, they have got faculties also to deal with important questions of common interest. It is very desirable that the executive academic committee should be a compact body of a smaller number which may be able to act in unison and quickly. It would not happen if the number was

[Dr. Ziauddin Ahmad.]

increased. Therefore I would have very much liked Government to consider whether, instead of discussing the question of numbers on the floor of the House, they could not have transferred this particular provision to the Statutes and left the University to change the number with the permission of the Government of India or the Local Government, as the case might be. I think that would have been a very desirable method, and had Government not been in precipitate haste in bringing forward this Bill, I would certainly have made a suggestion which I am sure they would have accepted, and the University would also have accepted it. The academic opinion also would have endorsed that this kind of change ought not to be discussed on the floor of this House but should be settled by the University and the Government by mutual consent.

Now, Sir, I come to the really important issue which has led to the introduction of this Bill. On the face of it, it appears to be a very innocent proposition. It aims at simply adding one more authority to the University in the shape of a Standing Finance Committee. But we know that there is something deeper in apparently innocent propositions. Government always present bitter things in sugar coated form, so that people may not look into the inner meaning of the whole thing. Why is the change needed? Section 27 of the Act says :

“ The following shall be the authorities and the officers of the University.....
..... and such other authorities and officers as may be provided for by the statutes.”

In the face of this provision that any authority can be created by the Statutes, is it necessary explicitly to provide it and add one more clause? I will give the answer myself. Here is another clause about the change of the Statutes. Section 17 of the Benares Hindu University Act says that the Statutes can be altered with the permission of the Governor of the United Provinces. But whenever they want to change the constitution of the Senate and Syndicate, the Court and the Council, the permission of the Local Government is not enough. They must also come to the Government of India for permission. Therefore, they wanted to provide in this Act that a change of the constitution of the Standing Finance Committee should not be made with the approval of the Local Government alone, but it must also come to the Government of India. It is evident that mention cannot be made of the Standing Finance Committee in the last proviso of the section unless it is also mentioned in section 7 of this Act. Why are the Government of India specially interested in providing this particular proviso? It is a truism that whenever the question of control comes in, both the Government of India and the Local Government vie with each other in claiming that these two unfortunate Universities, Aligarh and Benares, are under them. The Government of India on the one side maintain that they are the authority for them, the Local Government try to impose still greater authority over these two Universities. In fact every one claims to exercise authority over these Universities. The United Provinces Legislative Council several times, without division, sanctioned grants for the Benares and the Aligarh Universities. The unanimous wish of the Members of the United Provinces Council was always ignored by the United Provinces Government on the ground that these two Universities

do not come under them ; they have no concern with them. They are not transferred subjects, but they are subjects directly under the Government of India, and therefore they could not give any grant whatsoever.

Then we come to the question of State scholarships. The Government of India constituted special State scholarships, but they did not make them available to the Benares and Aligarh students. They said it was not their concern. They give scholarships to the Frontier Province, Delhi, Ajmer-Merwara and not to Aligarh and Benares. Whenever these scholarships are instituted by the United Provinces Government, they explicitly exclude the Aligarh and the Hindu Universities from the award of these scholarships. So that when it is a question of scholarships, one Government shoves these two Universities on to the other, but whenever the question of control comes in, each Government maintains that these two Universities are under them and tries to put as many screws on as possible. This thing would not have been needed if, in sub-section (4) of section 17, they had added that the change of Statutes would require the permission of the Government of India, and all these difficulties would have been solved and this double control, which is now being exercised over these Universities, would have been avoided.

Now coming to the subject matter of the Finance Committee, the University has been in existence for about 15 years now. There has been a Finance Committee working there for these 15 years and no action has been taken about it. If their expenditure had been irregular, it would have been very desirable to draw their attention to it in time and not to continue waiting for a long period of 15 years and then come forward in the end with a bomb shell in the shape of creating a special Finance Committee with a Government spy in it.

The Assembly then adjourned for Lunch till Twenty Five Minutes to Three of the Clock.

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

Dr. Ziauddin Ahmad : Sir, I pointed out before Lunch that, instead of moving a change in the number of members of the Syndicate, it would have been more profitable to the University, to the Government and certainly to the Legislature if they had amended the section, and transfer the constitution and powers of the Syndicate from the Act to the Statutes. Then it would have been open to the University and to the Government to go on playing with the change of numbers and we would have saved our time. This procedure is provided in the Acts of the modern Universities including Aligarh University, and I thought the present opportunity would be utilised for this particular change.

As regards this Standing Finance Committee proposed in the Bill, I would like to know from the Honourable Member in charge of the Bill as to what was the constitution of the Finance Committee from the beginning up to the present time, and what changes the Government of India have proposed in the constitution of this new Finance Committee which they are now introducing by this Bill. Of course, it is said that

[Dr. Ziauddin Ahmad.]

these suggestions have been accepted by the University. That may be true ; but since the Government give a very big grant, no University can refuse their demand. I should like to know whether the suggestion for the change in the constitution of this new Standing Finance Committee came from the Government of India, or whether it originated from the University. I would like to have information on this point as well.

Sir Frank Noyce : I am sorry that I did not catch the last point on which the Honourable Member desires to have information.

Dr. Ziauddin Ahmad : Whether the suggestion for the change in the constitution of the Finance Committee originated from the University or from the Government of India. The Honourable Member may say that there had been irregularities in the financial arrangements of the University. Supposing that was correct, why did not Government draw the attention of the University to it in time. Had timely action been taken by the University, there would not have been any necessity to adopt the measures which they are now proposing in the constitution of the Finance Committee. This is really one of the important defects in the present organisation of the Universities in general, that they have not got any organisation like the Grants Committee in England which might give timely advice to the Universities and avoid ultimate crises. When this new Advisory Board is established, then one of the important things they would look after would be that they would be giving timely advice to educational institutions, and these irregularities, which are now allowed to accumulate, will probably disappear and timely advice given to the Universities will certainly help in avoiding crises which might lead to some extraordinary action either by the University or by the Government. Therefore, it is very desirable that the Government of India should formulate some kind of policy about higher education. Of course I am not discussing other aspects of education at present, which may be entrusted to this new Advisory Board, and which I would very much like to be established at an early date. I sent in the notice of a Resolution to this effect last Delhi Session, and I sent in a notice again this time, but both times it was ruled out by the ballot, and so I did not get an opportunity to move it. Of course I do not want to discuss the Advisory Committee on this particular Bill, but I would certainly say that that Committee might function in the same manner as the Grants Committee, in the case of Universities. Of course it will have other functions as well in connection with other aspects of education, dissemination of information and advice to students who desire to go abroad. But I do not want to discuss those points now. I do feel that, although the Government have not utilised the present opportunity and have not moved the right motion, which they ought to have moved in order to make the affairs of the University more efficient, they had only one thing in their minds, namely, how to keep control over the affairs of the University. To my mind this is a very unimportant thing. The thing which we ought to look after is undoubtedly the efficiency of the University and not control either by the Local Government or by the Government of India in which alone the Mover of the Bill is interested, because the whole object of the Bill is to transfer the power of altering the constitution of the Finance Committee from the Local Government to the Government of India. I

say that this and this alone is the object of introducing this particular Bill. I maintain that Government ought to introduce some machinery which might help to avoid similar occurrences in this and other Universities in future by giving suitable, timely advice. I do not want to oppose this particular Bill, but I do regret that the Bill has not been rightly drafted ; if the Government had given us an opportunity to refer the matter to Select Committee, then probably it would have come out in a more useful form and included suggestions for more efficient working of the Universities. With these remarks, I close my observations.

The Revd. J. C. Chatterjee (Nominated : Indian Christians) : Sir, the Honourable and learned Member, Dr. Ziauddin, seems to have smelt a hare and has hunted extensively and long to unearth his quarry. But as I read this innocent looking Bill, it seems to me that the covert is not thick enough to hide even a rat, and therefore I think that the learned Member has to some extent unnecessarily exorcised himself. At all events, if we look at the Statement of Objects and Reasons of this Bill, we find at the end the following significant words : " This Bill gives effect to the above proposals, which have the full concurrence of the Vice-Chancellor and the Court of the University ". It seems to me that if the Vice-Chancellor and the Court of the University of Benares have given their full concurrence to these proposals, they could not have done so without the closest scrutiny. Although, I have the greatest admiration for the ingenuity and efficiency of the Education, Health and Lands Department, yet I am certain that even they are not astute enough to throw dust into the eyes of such astute and learned gentlemen as the Vice-Chancellor and the members of the Court of the University of Benares. So, if there had been something suspicious about this Bill, they would have certainly smelt it and would have raised a great deal of dust about it ; and since they have not done so, it seems to me that the fears and suspicions of my Honourable and learned friend are to some extent or largely unfounded. The main objection he has to the Bill apparently refers to the constitution of this Standing Finance Committee by statute. From the experience I have had for some years in the Standing Finance Committee it seems to me that the two Universities of Aligarh and Benares as well as others, are constantly coming up to the Central Government for large grants. The Universities of Aligarh and Benares have lately asked for very large sums of money—and I believe rightly—for the use of their Universities. Those sums of money were asked for and have been provided by the Central Government. It is therefore only right and proper that the Central Government, the custodian of the money of the taxpayer, when it makes such large grants, in however worthy a cause, should exercise a certain right to examine and scrutinise how that money is spent, and therefore it seems to me to be strange that the Honourable and learned gentleman should question the right of the Central Government having a certain amount of say in the constitution of this Standing Committee. The funds are not being provided by the provincial Governments on this occasion ; they are being provided by the Central Government, and therefore it is but right and proper that the Central Government should exercise some control over the expenditure of those funds.

Then there is another point, Sir. While these grants were asked for and various memoranda were presented to the Standing Finance

[The Revd. J. C. Chatterjee.]

Committee, it appeared that a great deal of criticism about the manner in which certain funds have been spent in a particular University was made. That is not a secret ; it is public knowledge. It is therefore necessary that a strong Standing Committee should be created by statute to regulate these funds and to make it answerable to Government, who provide the funds. I think it is only right that such a body should be created.

Then my Honourable and learned friend is well aware that a great many Universities have these Standing Finance Committees. Drawing a parallel from my own University of Delhi, we have got a body which is almost on all fours with the body which is now proposed for the Benares Hindu University. We have a Standing Committee which sits for three years. That is for the normal term of elections in our University, and that is what is being proposed for the Benares Hindu University. I am not aware what the exact composition of this Standing Finance Committee is going to be, but I have no doubt that with the one or two nominees, who ever they may be, of the Government or rather of the Chancellor or the Rector, there would be certain elected representatives on the Court. That I must say, my friend will agree, is very nearly the same as in the other Universities. There also we have Standing Finance Committees, and whether they are Standing Finance Committees created by the Universities or whether they have been actually created by statute, to my mind it makes very little difference.

Dr. Ziauddin Ahmad : On a point of order, Sir. The Finance Committee has been in existence for 15 years.....

Mr. President : That is not a point of order.

The Revd. J. C. Chatterjee : I am quite aware, Sir, that the Finance Committee has been in existence, and I believe the intention of this Bill is to strengthen it so as to make it responsible to the authority which provides the grants that the University is now asking for. I was just saying that, in my own University of Delhi, there is a Finance Committee, on which the nominees of Government sit, for the simple reason that the University of Delhi is dependent upon Government for a very large portion of its revenue, and nobody has taken objection to it, because people who provide the money must have a certain amount of say as to the manner in which it is going to be spent. I think, Sir, the Honourable Member is unduly suspicious and that he is unnecessarily worrying himself over a matter in which there is very little to fear.

The other point he has referred to is the proposal for raising the number of the members of the Syndicate. I again feel that it is a very healthy change, because to increase the number of members of the Syndicate of a large University like that of Benares, which is in some way an All-India institution, from 17 to 20, is all for the good. Even in a small University like that of Delhi, the members of the Syndicate, or the Executive Council as it is called, exceed 20. So in a University like that of Benares, where so many interests have to be represented, it seems to me that the raising of the number from 17 to 20 is a step in the right direction, and whether it is done by statute or by some other method, to my mind the procedure makes very little difference. It is

a practical proposal, and has the full support, as we are told, of the Vice-Chancellor and of the Court of the Benares University, and therefore we in this House ought to have no apprehension in passing this Bill.

Mr. M. K. Acharya (South Arcot *cum* Chingleput : Non-Muhamadan Rural) : Sir, I shall not take much time of the House, but I only want to say just one or two words. I found doctors on either side disagreeing. When doctors disagree, laymen like me have to be very cautious. The learned doctor on this side came forward with some of his objections, and the reverend gentleman from that side came forward with what he considered to be his replies to those objections, and I was simply wondering how I could best adjust the two sides, and it looked to me as if my reverend friend was trying to measure the scale of the Benares University with that of the Delhi University.....

The Revd. J. C. Chatterjee : Not at all.

Mr. M. K. Acharya :or possibly my Honourable and learned friend on this side was trying to compare the scale of the Benares University with that of the Aligarh University. Any way, I am not concerned with any scale, whether borrowed from Delhi or from Aligarh. All that I want to say is this. It is very unfortunate that my old friend Pandit Madan Mohan Malaviya is not here in this House today when a Bill like this is introduced, because probably he is the person best qualified to speak and to tell us once for all how far this Bill will satisfy the authorities of the Benares University. I am not at all concerned with the reconstitution of the Standing Finance Committee. I never take much trouble about these things. How many Members are going to be on the Standing Finance Committee or who is to appoint them, these are matters which I leave to the practical genius of practical gentlemen. I am a dreamer and philosopher ; and these numbers 17 or 20 do not trouble me at all. There is only one feature in this measure which I think I should welcome, and that is all that I wanted to say. There will be an examination in Hindu religion for all Hindu students. It seems to be one of the changes that are in contemplation, and I welcome that change. I believe it was about years ago that I paid a visit to the Benares Hindu University ; and I stayed there for three or four days with somebody, and it then impressed me that the so-called Hindu University in Benares was just as good or as bad as any of the big first grade colleges in South India. There was nothing particularly Hindu about it, except that all the students that were receiving education in that University happened to be students who are, I suppose, in the Census Report described as Hindus. Of course, in the Census Report a Hindu is one who is neither a Muhammadan nor a Christian.....

Dr. A. Subwardy : Is that the definition ?

Mr. M. K. Acharya : I believe it is so.

The Revd. J. C. Chatterjee : Nor a Parsi.

Mr. M. K. Acharya : Nor a Jew. So I do not believe that the Census Officers, or even the Government of India for that matter, are yet sure as to who a Hindu is. I am supposed to come from a non-Muslim constituency ; that is all. That is all the definition of my constituency, and I am a non-Muslim. I think, Sir, in that respect the

[Mr. M. K. Acharya.]

Hindu University is non-Muslim and non-Christian. There was no Muslim or Christian religious teaching given in that University. I myself graduated from a Christian college, and I learnt plenty of the New Testament in my college, and I do not ever regret that I did learn it. In any case, it struck me in those days that, although something was shown in the time table by way of religious instruction to the boys, yet very little was actually given. And in passing I may say that in the days in which I was a teacher myself in charge of an educational institution, I always made it a great point to impart religious instruction on non-sectarian lines to the pupils—in fact at one time I even went to the length of moving the Madras Government to appoint a Committee on the subject. I had to write a book on the subject for the benefit of the High School boys in the Madras Presidency—that was all in the old days. Any way, I took some interest to see what kind of religious instruction was imparted to the students of the Benares University ; and it struck me that very much more might have been done than was actually done in those days. I hope there is a change now coming on, and that the students of the Benares Hindu University will not be just nominally receiving instruction in the Hindu religion, in Hindu ideals and Hindu Dharma, but they will receive really sound and good instruction so as to be able to stand the test of an examination, if need be, in the instruction which is supposed to be imparted to them.

Therefore, I think that this provision that there would be an examination also and not merely instruction so as to make sure that the boys do learn something is, on the whole, a fairly satisfactory innovation. I admit one may know all the scriptures and yet may be as bad a renegade as anybody can be. Therefore, there is a good deal of difference between learning and actual conduct in life. However, there is this fact of being the knower of one's religion, whether one follows it or not. Knowing one's religion, one may be tempted to follow it in due course. That was an innovation which I thought was welcome. That is all that interested me in this Bill. For the rest, I hope that now that the expert on one side has been answered by the expert on the other side, a layman like myself may on this occasion at least vote with the Government and see the Bill passed.

Sir Frank Noyce : Sir, my Honourable friend Mr. Chatterjee has made such an able defence of this measure that it is unnecessary for me to add very much to what he has said. Dr. Ziauddin has accused Government of precipitate action in bringing the Bill forward. The papers I have in front of me are, I think, sufficiently thick to rebut that charge. This Bill has been under consideration for at least a year, and short and simple as its provisions appear to be, they have been the subject of very prolonged discussion with the Vice-Chancellor of the University. I myself have spent several hours with him in devising a measure which will be equally satisfactory to Government and to the authorities of the University.

Dr. Ziauddin has asked why the Bill was not referred to a Select Committee. It was because we were satisfied that it was acceptable to the authorities of the University, and because, as I have said, that its provisions are simple and no question of drafting arose, that we did not

consider that it was necessary to refer it to a Select Committee. Dr. Ziauddin thought that, if that had been done, opportunity might have been taken so to amend the Benares Hindu University Act as to bring such questions as the number of the Syndicate within the operation of the Statutes instead of that of the main Act. I think, if he had looked up the history of University legislation in this country, he would have realised why such an amendment would not have been desirable nor acceptable to the University. The Benares Hindu University Act dates from before the Report of the Calcutta University Commission. Since that Commission reported, its advice in regard to the drafting of University Acts has been followed, and such matters as Dr. Ziauddin has mentioned are now brought within the operation of the Statute. If we had made an amendment bringing the number of the Syndicate within the Statutes, we should have had to do likewise with regard to the constitution of the other authorities of the Benares Hindu University and that would have meant a very extensive remodelling of the Act, which hardly appears necessary.

Now, I come to the main point, which is the necessity for a Standing Finance Committee for the Benares Hindu University. Dr. Ziauddin referred to this requirement as a bombshell to the University. I think myself that Universities would welcome bombshells of this kind which "burst with blessings on their heads". The bursting of such a bombshell has its advantages and disadvantages and the disadvantage in this case is, of course, that the grants to the University have been made on the condition that it sets up a strong Standing Finance Committee. It has in the past had a Finance Committee, but it is an entirely informal body which was not constituted under the Act or under the Statutes. I venture to think that when Government increase the annual grant of the University from Rs. 1½ lakhs to Rs. 3 lakhs and give it non-recurring grants to the extent of Rs. 15 lakhs, they are justified both in their interests, in the interests of the taxpayer and in those of the University in taking steps to see that the grants are properly administered. That is also the opinion of the University, as I have said. The University authorities have never raised any objection whatever to the constitution of a Standing Finance Committee. The only objections they did raise were as to the manner in which it should be constituted, and those objections have now been met fully and completely. I was asked how this Standing Finance Committee is to be composed. It will consist of the Vice-Chancellor *ex-officio*, who will preside over its meetings, one member of the Court, who will be nominated by the Lord Rector, one member who will be nominated by the Vice-Chancellor, and two members of the Court who will be elected by the Court. I submit that there is no Government spy on that Committee; it consists entirely of the members of the Court who presumably enjoy the confidence of the University.

Dr. Ziauddin Ahmad : No representative of the Government of India ?

Sir Frank Noyce : The nominee of the Lord Rector. There is no question of the Government of India controlling the activities of the Standing Finance Committee: it will have full power in its own sphere. All that the Government of

3 P.M.

[Sir Frank Noyce.]

India insist on—and I think they are justified in insisting on—is that any change which may be made in the Statutes constituting the Standing Finance Committee shall come up to the Governor General in Council for approval. This House has constituted a Standing Finance Committee of its own and I cannot but conceive that a Standing Finance Committee cannot but be of great advantage to a University. It is, I submit, from the Standing Finance Committee thus constituted that the University can expect the advice which Dr. Ziauddin thought should be tendered by the Government of India or by a body constituted by the Government of India. I hardly think that the Education Board, whose formation he envisages in the near future, would be in a position to give the University advice in regard to the management of its finances, or that, if such advice was given, it would be altogether welcome to the University which is very jealous of its autonomy.

I think, Sir, I have said sufficient to show that the Bill is a salutary measure, and I repeat once more—and I am sure the House will agree—that there cannot be anything radically wrong with a measure which is acceptable both to the University authorities and to the Government of India.

Dr. Ziauddin Ahmad : Will the Honourable Member please answer two of my questions which I have already put ? One is, who originated the proposal of a Standing Finance Committee, and the other is, whether the decision of the Standing Finance Committee shall be final or subject to revision by the Council of the Court ?

Sir Frank Noyce : I am sorry I omitted to answer those questions. I think the reply is really implicit in what I have stated. The suggestion that there should be a Standing Finance Committee emanated from the Government of India, which felt, as I have said before, that, in making grants of the large amounts I have mentioned, they ought to have some means of assuring themselves that they were properly administered and that there would be no more bombshells coming in another fifteen years' time. The second question is whether the constitution of the Standing Finance Committee has the approval of the Court. I can assure the Honourable Member that that is the case. I have before me the draft Statutes regarding the constitution of the Standing Finance Committee, which have been sent to us by the Court.

Dr. Ziauddin Ahmad : It has been imposed on the so-called autonomous University.

Mr. President : The question is :

“ That the Bill further to amend the Benares Hindu University Act, 1915, for certain purposes, be taken into consideration.”

The motion was adopted.

Clauses 2, 3, 4 and 5 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Frank Noyce : I move that the Bill be passed.

The motion was adopted.

RESOLUTION *RE* CONVENTION FOR PROTECTION OF WORKERS AGAINST ACCIDENTS.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I move :

“ That this Assembly having considered :

- (1) the Draft Convention concerning the protection against accidents of workers employed in loading or unloading ships ;
- (2) the Recommendation concerning reciprocity as regards the protection against accidents of workers employed in loading or unloading ships ; and
- (3) the Recommendation concerning the consultation of workers' and employers' Organisations in the drawing up of regulations dealing with the safety of workers employed in loading or unloading ships ;

adopted by the International Labour Conference at its Twelfth Session recommends to the Governor General in Council that he should examine the possibility of giving effect to the above Convention and the Recommendations and that the results of this examination should be placed before the Assembly within eighteen months from this date.”

I have only a few words to say in respect of this Resolution, but I think it is due to the House that I should tell them what exactly are the reasons which have made it necessary to bring it forward. As the House will see from its terms, it does not commit the House to any definite expression of opinion, but it conveys an injunction to the Government of India to proceed with its examination of the question, and to place its proposals before the Legislature within a period of 18 months. The necessity arises in this way. Under Article 425 of the Treaty of Versailles, the member Governments have bound themselves to bring any draft convention or recommendation adopted by the International Labour Conference before the competent authority empowered to take action, within 18 months from the date when the draft convention or recommendation was adopted. In this case the period of 18 months will expire on the 21st December next, and as legislation will be necessary before the Government can ratify the Convention, it is necessary in order to comply with the provisions, of the Treaty, that the draft Convention and the Recommendations should be brought before the Indian Legislature this Session, because before the next Session begins, the period of 18 months will have expired. The nature of the Resolution being what it is, I do not think it is necessary for me to go into any great detail as to the terms of the Convention. It provides a pretty complete code for the protection of workers, employed whether ashore or afloat, in loading and unloading ships. In a matter of this kind, it is obvious that we could not in any case come to decisions without consulting Local Governments, commercial bodies, shipping interests and the Port Trusts and we started consulting them some time ago. We have not, however, yet received the opinions of all Local Governments, and we shall not be in a position to formulate our proposal until we have their replies. Thereafter the whole matter will be taken up and in due course the proposals of the Government of India will be placed before this House. Sir, I move.

Mr. N. G. Ranga (East Godavari and West Godavari *cum* Kistna : Non-Muhammadan Rural) : I learn from the reports submitted to the Government of India by its delegates to the International Labour Conference that this particular proposal was placed before them by the Government of India in April last. Their delegates to the International Labour Conference claimed that it was not possible for them to ratify

[Mr. N. G. Ranga.]

or to accept this particular convention on behalf of the Government of India, in view of the fact that the Government of India had such short notice. In fact this was the same claim that they advanced in reply to my Honourable friend, Mr. Matin Chaudhury, who criticised their attitude. Sir, I learn from the Honourable the Leader of the House that the Government of India has not yet had sufficient time to consult Local Governments and also the other organisations which are concerned with this particular matter. It is also learnt from him that the Government of India have had replies only from a few provinces and not from all. I should be very grateful to the leader of the House, Sir George Rainy, if he would inform me whether they received the proposal from the International Labour Office in April, 1930, or April, 1929. If it was in April, 1929, that the Government of India were appraised of this convention of the International Labour Conference, certainly they have had more than enough time to consider this. If they had notice only in April last, that is three months ago, then to ask for 18 months' time to give the necessary consideration for this particular convention, in order to arrive at their own recommendations, is rather an extraordinary thing, because it shows that the Government of India are not really anxious to help the workers of this country—dockyard workers and workers employed on steamers—as soon as possible.

It is a notorious fact that in most of our docks and shipyards, no attention has been paid till now by the Port Trusts or the employers to take the elementary precautions to prevent accidents to the workers ; and even when accidents have occurred, very little attention is given to the question of giving necessary compensation to these workers. I am conscious of the fact that there is a Workmen's Compensation Act, but by reason of the fact that these dockyard workers have not been organised properly, this Act has failed to give sufficient redress or sufficient assistance to these workers. Government have not taken care to see that the employers are persuaded to take the necessary precautions, and what is worse, there has been negligence on the part of employers as well as of Government. But to-day Government come to us and ask for a period of 18 months in order to formulate their own proposals. The other day (*i.e.*, 7th July, 1930), when my Honourable friend, Mr. Matin Chaudhury, drew the attention of the Honourable Sir Joseph Bore to this question and inquired why Government should ask for six months' time to consider that particular convention regarding the industrial accidents of workers, he was given the answer that Government had to circulate that particular convention to all the Local Governments and to get the necessary replies before they could formulate their own conclusions and place them before this House. Sir, a period of six months was found necessary for that particular convention, so is not that period long enough for this particular convention also ? If this period is not long enough, at most one year should be quite enough. Why do Government want 18 months ? This question is very important, and I sincerely hope that the Honourable Sir George Rainy will try his best to see that proposals are placed before this House within at most one year from now. Secondly, Sir, there is a third section—the recommendation concerning consultation between workers and employers over the drawing up of regulations dealing with the safety of workers employed in loading and unloading ships. Here I learn that

some of the urban workers working in the dockyards of cities are organized into trade unions and therefore it is quite possible for them, or it may not be impossible for them, to safeguard their own interests when this particular question comes up for discussion, but what about those workers employed on small sailing ships and also in inland ports ? These workers are not at all protected because they have no organisations for themselves. Therefore it is quite easy for Government to ignore them if their case is not placed before them properly. I would request the Honourable Sir George Rainy to take note of this fact and to try his best to see that proper representation is given to these people also on any committees or councils which may be held to get this particular convention discussed at the proper time. Thirdly, Sir, I do not know whether the Government of India propose to apply this particular convention only to the seaports or to inland ports as well. There was a discussion on this point at the International Labour Conference, and the majority of the delegates were of opinion that this particular convention should be made applicable to workers employed both at the seaports and also in the inland ports, and to workers employed on the shore and also on board steamers. Now I would suggest that it would be in the interests of the dockyard workers in this country, and those workers employed on the steamers and sailing ships, if this particular convention were to be made applicable not only to workers at the ports, but also to the workers in the inland ports of this country and to workers on the shore as well as workers on board steamers. Lastly, Sir, there is a provision made in this convention that a Government, if it was found to be necessary, should be authorised to exempt any small steamer or any small inland port from the provisions of this particular convention. Sir, I think this is a very dangerous provision. If this particular authority to exempt sailing ships or certain inland ports were to be given to the Government of India, I am perfectly sure, Sir, that the Government of India would try to exercise this power in as many cases as possible, to the detriment of the ultimate interests of the unorganised and helpless workers of the inland ports. Therefore I give this particular caution to the Government of India not to try to take advantage of this particular provision, but to try their best to extend the benefits accruing from the application of this convention to the workers employed in inland ports also.

The Honourable Sir George Rainy : Sir, I should like to say a few words in reply to what has fallen from my Honourable friend. He seemed to think that, in this case, the Government of India have been extraordinarily dilatory. Now what actually happened was this. The Convention and the Recommendations were adopted by the International Labour Conference in its Twelfth Session in May and June, 1929. Owing to the procedure of double discussion which obtains in the International Labour Organization—first discussion in one year and a second discussion in the next—and owing to the delay which takes place before papers reach the Government of India from the International Labour Organization, we had literally no time whatever to consult Local Governments and the other interests concerned. In these circumstances it was clearly impossible for the Government delegates at the Twelfth Session to take a decided line ; and it was the more necessary, after we received the draft Convention and Recommendations,

[Sir George Rainy.]

that we should take steps to see that these important questions were fully examined. The papers were issued from the Office of the International Labour Organization at Geneva in September, 1929, and they finally reached the Commerce Department about the middle of November. There was no delay in issuing a circular to Local Governments asking them to give their own opinions and to obtain the opinions of the interests concerned, and considering that this is the first occasion on which we have had a real opportunity of examining them, I do not think there has been any undue delay. Now my Honourable friend put a question. He wanted to know whether these provisions in the Convention and in the Recommendations would apply to the inland ports. Sir, my Honourable friend is in a position to answer his own question. If he will read the draft Convention and Recommendations, as no doubt he has already done, he will find that the provisions do apply in many cases to the inland ports as well as to the seaports. Now when the International Labour Conference have adopted a Convention, the member-Governments can decide for themselves whether they will ratify or not, but they cannot ratify with reservations. Therefore, the answer to the question is that, if the Government of India finally decide that the Convention should be ratified, and if the Legislature should concur in that decision, because in order to make it effective legislation is necessary, then in that case the provisions will apply both to the seaports and to the inland ports. I think, Sir, that really answers most of what fell from my Honourable friend, and it is perhaps unnecessary that I should say more.

Mr. N. G. Ranga : Does the Honourable Sir George Rainy propose to give due representation to inland workers employed in inland ports who are not properly organised at present ?

The Honourable Sir George Rainy : I am afraid I cannot give an answer to that question at this stage, but I will certainly promise that what my Honourable friend has suggested will be considered.

Mr. President : The question is that the following Resolution be adopted :

“ This Assembly having considered :

- (1) the Draft Convention concerning the protection against accidents of workers employed in loading or unloading ships ;
- (2) the Recommendation concerning reciprocity as regards the protection against accidents of workers employed in loading or unloading ships ; and
- (3) the Recommendation concerning the consultation of workers' and employers' Organisations in the drawing up of regulations dealing with the safety of workers employed in loading or unloading ships ;

adopted by the International Labour Conference at its Twelfth Session recommends to the Governor General in Council that he should examine the possibility of giving effect to the above Convention and the Recommendations and that the results of this examination should be placed before the Assembly within eighteen months from this date.”

The motion was adopted.

**RESOLUTION *RE* CONVENTION CONCERNING THE MARKING
OF WEIGHT ON HEAVY PACKAGES TRANSPORTED BY
VESSELS.**

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I move :

“ That this Assembly recommends to the Governor General in Council that he should ratify the Draft Convention concerning the marking of the weight on heavy packages transported by vessels, adopted by the International Labour Conference at its 12th Session held at Geneva in May-June, 1929.”

This Convention, Mr. President, is a very simple one. It requires that any package or object weighing one metric ton or more consigned for transport by sea or inland waterway, shall have its gross weight plainly and durably marked upon it on the outside before it is loaded on a ship or vessel. The object of this Convention is to protect the worker against the danger to which he is exposed if heavy packages which must be loaded or unloaded on a ship by mechanical means do not have their weight marked on them. Obviously, it must seldom be possible to move a package weighing more than one metric ton by hand, and therefore it has to be moved by mechanical means. If the weight is not marked, a crane or derrick may be used to lift the package though it is not really strong enough to carry it. If the crane broke, there might be great danger to the life and limb of those who were employed in working the cargo. Since that Convention was adopted, we have consulted Local Governments, Local Administrations, commercial bodies and the other interests concerned on the question whether we should ratify the Convention or not. The opinions we have received are practically unanimous that the Convention should be ratified, and the only two dissentient opinions we have received are from the Bombay Chamber of Commerce and a firm in Madras. After considering the opinions, the Government of India are clearly of opinion that it is desirable that the Convention should be ratified.

Then we have also considered the question whether special legislation will be necessary, but as far as we can judge there is no present need for such legislation. The Port Trusts under their various Port Trust Acts have the power to frame bye-laws for the safe and convenient use of wharves, docks, piers, etc., and we believe that it will be quite possible to enforce the Convention by means of such bye-laws. In one port, namely, Chittagong, the position is rather exceptional, because the jetties belong to the Assam Bengal Railway Company. The Company, however, is willing to enforce the necessary rules to secure compliance with the Convention by virtue of their powers under the Indian Railways Act.

As regards the inland waterways, our information is that cranes are very seldom employed in the loading and unloading of vessels, and packages weighing one metric ton and upwards have very rarely to be dealt with. Therefore it appears to us that no legislation is necessary at present on that point, but should it appear, as the result of further experience, that legislation to enforce the Convention is necessary, then, undoubtedly, the Government of India would come to the House and ask for the necessary powers. Sir, I move.

The motion was adopted.

RESOLUTION *RE* TERMINATION OF CONTRACT OF THE ASSAM BENGAL RAILWAY.

The Honourable Sir George Rainy (Member for Commerce and Railways) : Sir, I move :

“ That this Assembly recommends to the Governor General in Council that, in view, firstly, of the requirements for new construction and open line works on railways which will have to be met in the course of the next ten years, and of the demands which the provision of adequate funds to meet the capital expenditure required for these projects will make on the resources of Government, and secondly of the fact that the purchase of the Assam Bengal Railway Company's interest in the Assam Bengal Railway will not at the present time be financially profitable, and that another opportunity for acquiring that interest will occur in 1941, notice should not be given to the Company on the present occasion of intention to terminate their contract unless it should prove possible to devise some expedient by which the purchase money can be found on terms which will neither involve the Government in substantial financial loss nor necessitate any serious curtailment in the programme of new capital expenditure required for the proper development of the railway system in accordance with the economic needs of the country.”

I should like to express at the outset my regret that it was not possible to give longer notice of my intention to move this Resolution. Certain discussions have been in progress, and until they had terminated, it was very difficult to formulate the exact terms of a Resolution. As soon as I was in a position to do so, the Resolution was drafted and was sent in. It was considered by the Central Advisory Council for Railways yesterday, and copies of the Memorandum, which was placed before the Advisory Council, together with a note showing what the recommendation of the Council was, have been placed on the desk before every Member. As I said, I regret very much that it was not possible to give longer notice. Now, Sir, Government, in considering this question, and in deciding what their line ought to be, have constantly kept before their mind the strong feeling that is entertained by very many sections of Indian opinion and which has often found expression in this House in favour of terminating the contracts of the guaranteed Companies at the earliest opportunity. All Honourable Members are of course aware that this was the recommendation of the Acworth Committee. I should, however, like to read to the House exactly what the Acworth Committee said about the Assam Bengal Railway. In the first place their general recommendation was this :

“ We recommend that the system of management by guaranteed companies of English domicile should not be continued after the termination of their existing contracts.”

The Committee then went on to deal with the various railways giving the dates on which their contracts terminated, and what they said about the Assam Bengal Railway was this :

“ The position of the Assam Bengal Company is exceptional. All the other guaranteed companies earn, in the shape of their share of surplus profits, a substantial dividend above the guaranteed minimum, and their shares, even under the exceptional market conditions of the present moment, stand in the neighbourhood of par. The Assam Bengal net receipts do not even meet the 3 per cent. guarantee. The shares are consequently quoted at present at about 45. We should hesitate to advise that the Secretary of State should pay off at par in 1931 shares now standing at 45. But the Company is not important, and there is ample time for consideration of this exceptional case between now and 1931. In any case, the amount at issue is not large.”

I have quoted that passage to show that the Acworth Committee recognised that the Assam Bengal Railway stood in a somewhat different position from others, owing to the fact that they earned sufficient in the way of surplus profits to keep their shares above par, even at that time,

that is, 1921-22, whereas the Assam Bengal Railway was not even earning its guaranteed interest.

Now, Sir, we come to the question as to how matters stand at the present moment. First of all let us take the revenue position and try to ascertain how the bargain looks from the point of view of Government, which means the point of view of the taxpayer. Let us see how the bargain would look if we were to carry out the purchase in accordance with the terms of the contract. The ordinary share capital of the Company is $1\frac{1}{2}$ million sterling and the guaranteed rate of interest is 3 per cent, that is to say, the Government have to pay annually £45,000 as interest on the Company's capital. In addition, there is the Company's share of the surplus profits. In the years 1920-21 to 1925-26, no surplus profits were earned. But in the following four or five years, there have been surplus profits which in one or two years have amounted to as much as Rs. 4 lakhs a year. We have considered very carefully what these surplus profits might amount to during the next decade. The two years in which they amounted to as much as Rs. 4 lakhs were rather exceptionally good years, and we feel that it would be dangerous to count on the Railway making surplus profits to that extent as an average during the decade, although I certainly hope that in good years—good years for the railway, I mean, for the term good is somewhat ambiguous, since high receipts in the Railway may mean a bad rice harvest in Bengal and very heavy rice imports from Burma to Chittagong, still I do not doubt that in particular years, the surplus profits might amount to or might even exceed Rs. 4 lakhs a year. On the other hand, we must be prepared for years that are bad from the point of view of the Railway, a year for instance in which serious damage might be done to the hill section by heavy rainfall and consequently the working expenses be high. Therefore, our view is that, taking one year with another, we are not entitled to calculate that on the average the surplus profits payable to the Company would amount to more than Rs. $3\frac{1}{2}$ lakhs. In sterling that would be nearly £24,000, or more exactly £23,750. Now, if we were to purchase the Railway, we should of course no longer have to pay the guaranteed interest on the capital of the Company, and we should not have to pay surplus profits but in addition we should not have to pay the administrative expenditure of the London Board of Directors, and that amounts to about £8,500. Altogether the total amount of the charges of which we should be relieved, if we made the purchase, is between £76,000 and £77,000. On the other side of the account in the first place, we lose the Indian income-tax and the super-tax on the Company's profits, which amount to a little over £3,000, and also of course, we should have to pay interest on the money that we should have to borrow in order to pay the Company's capital. Now, it seems very unlikely, conditions being what they are, that the Government of India would be able to borrow money required for paying off the capital in London at less than 6 per cent.....

Mr. B. Das (Orissa Division : Non-Muhammadan) : Why not in India ?

The Honourable Sir George Rainy : I will come to that. Therefore as against the charges, of which we should be relieved of a sum amounting to something like £7,000, we should on the other hand have additional charges to meet to £93,000. That is to say, we anticipate that, if we made the purchase, we must lay our account for a recurring loss of something like £17,000 a year. Therefore, on the face of it, the transaction does not look like good business. It means that the Railway is not really profitable at

[Sir George Rainy.]

present and that, if we take it over now, the loss will fall on us, but if we do not take it over at present, part of the loss falls upon the Company.

The next point I want to make is this. According to the most recent information that I have, the market price of the shares in London is £78. Last year they rose higher, I understand, there was an impression that the Government of India was likely to purchase the Company and the price went up to 98, but it has now dropped back to 78. My own feeling is that when the London money market values shares at only 78 per cent. of their par value and when we are obliged, if we buy the Railway, to purchase them at par, I feel a certain instinctive reluctance—possibly due to my Scottish nationality—in placing that extra £22 in the pockets of the shareholders.

So far, I have been speaking of the matter almost entirely from the revenue side. Let us now look at it for a moment from the capital side. As Honourable Members know, during the last two years, it has become increasingly evident that it is going to be difficult to raise all the money that we should like to be able to spend upon railway development in India. Every Honourable Member knows that we have had to curtail our programme of capital expenditure rather drastically. We have not, I am glad to say, had to shut down any construction which we had actually begun, but we have been compelled to postpone the commencement of new projects; and as far as I can foresee, it is not going to be an easy matter in the next three, four or five years to provide funds for more than a very modest programme of capital development. Now, Honourable Members who hold strongly the view that the contracts with the Companies should be terminated may very well say to me: "But surely in any year when a contract falls in, if you devote part of the money, you can raise by borrowing, to buying out the Company, then you will have so much less to spend on railway development. Do the terms of the Resolution mean that the Government of India are asking the Assembly to commit itself to the general proposition that the shares of these Company railways ought not to be acquired when opportunity offers?" If the language of the Resolution on the paper has conveyed to any Honourable Member an impression that Government are asking the House to commit itself to a proposition from which it could be inferred that opportunity ought not to be taken of these opportunities when the contracts fall in, I should be very sorry, because that is not the intention of Government at all. The reason why these points were emphasised in the Resolution was this, that at the present juncture and in the existing circumstances, it is particularly difficult to raise the money we require for railway development. If we have to purchase the Assam Bengal Railway, it will not mean that we should still have a fairly good programme, though not quite so large as we could have wished. It would mean that a programme which, as I have already said, we regard as totally inadequate would become more inadequate still. It might mean that we should have to put off for a year or for two years the beginning of such important projects as the Bombay Sindh connection and the Dacca Aricha Railway in Eastern Bengal. That being so, Government are bound to put the position clearly before the House and

explain to them what the consequences are likely to be if we decide to purchase this Railway.

Now, Sir, there is another point connected both with the capital and revenue sides. The main reason why there have been surplus profits for the last four or five years is, we believe, the policy adopted in recent years of building short branch feeder lines on the Assam Bengal Railway. It is this which has brought about an increase in receipts and has finally provided surpluses. Now, it might be urged, "Is it not likely that with the construction of more feeder lines the financial results of the line will improve, and if this prospect exists, might not the purchase of the line be profitable?" My answer to this line of argument is this. I believe it is quite true that, if we could build several more feeder lines, the financial results of the main line would be substantially improved. But if we spend large sums of money to acquire the line, then I fear we shall not be able to afford to build the feeder lines and in that case we shall not get these additional profits. For that reason I do not feel that we can take into account any additional surplus profits arising from the construction of new feeder lines, because if we acquire the line, we shall not be able to build them.

There is another point which I ought to have mentioned earlier, and about which I must say something now. We have very carefully considered whether, in addition to the saving of administrative expenditure owing to the abolition of the London Board, there might not be administrative savings in India owing to the purchase of the line. It has been suggested for instance, that the management might be amalgamated with that of the Eastern Bengal Railway. That is a possibility, but after going into the matter very carefully, we are satisfied that on the balance there is not likely to be any saving. The Assam Bengal line has always been very economically managed, and as soon as we took it under State management, we should be faced with a very firm demand that the scale of salaries and emoluments of all ranks should be raised to the same standard as on other State-managed railways. That being so, I am afraid that any saving expected in this region would prove to be illusory.

That, Sir, I think very nearly concludes what I desire to place before the House. We have been exploring the subject to see whether any practical expedient can be devised in order to meet what I know are the wishes of a very large number of Members of this House, without sacrificing any important financial interests of Government, which means of the taxpayers. We shall continue our search, because it is not necessary to give notice until the end of December. But I should be misleading the House if I were to lead them to believe that I am very hopeful that we shall be able to devise any such expedient. As far as I can judge, it will not be possible to arrive at any scheme which would not either involve a substantial recurring loss to Government or which on the other hand would not lead to a drastic curtailment of our capital programme. Nevertheless we shall still see whether anything can be done. Meanwhile, owing to the fact that it must be in the interest of the shareholders to be paid off at an early date, so long as the line is not profitable to them and their shares stand below par, we believe it may be possible to obtain an additional option to purchase the line in 1936 instead of in 1941. If we are able to arrange for this—and I may say that it is the course recommended by the Central Advisory Council—we shall not be committed to the continuance of

[Sir George Rainy.]

the contract for any long period. The Government of India in 1936 will be able to decide whether, in the circumstances of that year, it is expedient to purchase or not.

My Honourable friend, Mr. Das, put me a question about the difference between borrowing in England and borrowing in India and I said I would come to it later. But I think I shall be better advised to leave my Honourable colleague the Finance Member to deal with that point, and I have no doubt that he will be able to intervene in the debate somewhat at a later stage. Sir, I move.

Maulvi Abdul Matin Chaudhury (Assam : Muhammadan) : Sir, I rise to oppose this Resolution. This Resolution on the face of it looks innocent enough, but it involves a very serious and a very dangerous departure from the accepted policy of this House. The Resolution is intended to give a new lease of life for ten years to Company management on the Assam Bengal Railway. Honourable Members are aware that the Acworth Committee, as Sir George Rainy pointed out, unanimously recommended that these English domiciled guaranteed companies should cease to exist at the termination of their contracts. I should like to supplement the quotation that was made by Sir George Rainy by another quotation from the same Report. The Committee said :

“ Advantages may be claimed for the exercise by the London Boards of the functions to which we have referred and for the technical and expert knowledge which many of the Directors possess. But conditions in India have changed so greatly in the last few years, and are changing so rapidly at this moment, that whatever may have been the position in the past, we think the advantages of English management are now outweighed by the great disadvantages of absentee control and the difficulty of keeping in close touch with the modern social and trade conditions of India.”

Now, Sir, this Committee consisted not only of two Presidents of the Railway Board, but of Indian public men of eminence like the Right Honourable Srinivasa Sastri, Sir R. N. Mukherjea, Sir Purshotamdas Thakurdas. In pursuance of the recommendations of this Committee, this House passed a Resolution in the year 1923 for taking over the Great Indian Peninsula and the East Indian Railways under State management and the contracts of those railways were terminated accordingly. In the year 1929 also, according to the same policy, the Burma Railways were brought under State management. This House and the public outside have always been very keen, very zealous about this question of State management, and we had thought that this battle for State management had been fought and won. But we are surprised today to find that the Government have tabled this motion this Session.

4 P.M.

Probably taking advantage of the peculiar constitution of this House now, Government want to smuggle in this proposal for Company management for the Assam Bengal Railway for another ten years. I am sure, Sir, that, apart from every other consideration, on the question of policy and principle, this House will throw out this Resolution. As to the merit of the question, the capital of the Assam Bengal Railway really comes to over Rs. 23 crores ; out of this only about Rs. 2 crores is the Company's share in the capital. About 11|12ths of the capital is Government money, and 1|12th only is the Company's property. Still, the Government of India, holding 11|12ths of the capital, are going to hand over this undertaking to the British investors.....

Mr. A. H. Ghuznavi (Dacca Division : Muhammadan Rural) : Does the Honourable Member suggest that the shares are owned by the Government ?

Maulvi Abdul Matin Chaudhury : I mean to say that Rs. 21 crores of Indian Government money have been sunk in this enterprise.....

An Honourable Member : More substantial than shares is cash.

Maulvi Abdul Matin Chaudhury : And the Government wish to hand over to the British Investor and the Board of Directors in London, who own only 1/12th of the shares, the management of the whole show. The position is, on the face of it, absurd. Then it has been suggested that it would not be financially profitable. This is a doubtful proposition to us. According to this memorandum that has been submitted to us this morning, we are paying 3 per cent. guaranteed interest on a capital of £1,500,000—that comes to £45,000, or about Rs. 6 lakhs. It has been admitted by Sir George Rainy that the company has been making a surplus profit for the last few years—the figures being :

				Rs.
1925-26	..	..	..	1,70,000
1926-27	..	..	..	2,19,000
1927-28	..	..	..	4,04,000
1928-29	..	..	..	3,96,000

When a newly constructed line like the Habigonj-Balla, Karimganj-Dhurlabeheria, Mohanganj-Netrakona line and Jorhat-Furkating and other sections are fully worked up, the surplus profit is bound to go up ; and on a modest estimate, we can calculate that at least for the next ten years we shall have a surplus profit of Rs. 4 lakhs every year. That makes the total Rs. 10 lakhs ; and as Sir George Rainy has pointed out, there is a saving in expenditure because of the abolition of the London Board ; that makes it about Rs. 12 lakhs. And so we make about Rs. 12 lakhs saving by taking over the Company's share. The question really before the House is whether this amount, which in ten years amounts to Rs. 120 lakhs, is to be handed over to the British investor or is going to be kept in India ; that is the real question before the House. The Government say that if we are to purchase the line, where are we to get the money from ? The value of the Company's share is £1,500,000. The Acworth Committee remarked :

“ We should hesitate to advise that the Secretary of State should pay off at par in 1931 shares now standing at 45.”

The present market quotation is 78 for a £100 share and so the present market value of the undertaking is £1,170,000 ; and that is the money we have to provide. (*An Honourable Member* : “ No, no.”)

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot : Non-Muhammadan Rural) : We have to purchase at par.

Maulvi Abdul Matin Chaudhury : Supposing we have to purchase at par and pay this sum of £1,500,000 and have to find the money, the purchase may be effected either in cash or by the issue of India stock or by annuities.

Mr. A. A. L. Parsons (Financial Commissioner, Railways) : On a point of information, Sir, under the contract, the purchase money must be paid in cash on the 31st December, 1931.

Maulvi Abdul Matin Chaudhury : I agree ; but in the year 1928-29 the Railway Board spent about 28 crores of rupees on capital expenditure ; and a Railway Board, that can afford to spend Rs. 28 crores for capital expenditure, can surely afford to make provision for Rs. 1½ crores for the purchase of the Assam Bengal Railway. Then again there is the Reserve Fund. Rs. 18 crores are locked up in the Reserve Fund and one of the main functions of the Reserve Fund was to provide money for writing down capital ; money from the Reserve Fund can be very properly used for the purchase of this Company's share. If, Sir, you are to raise a loan, then, as the Honourable Sir George Rainy has pointed out, we have to pay £90,000 by way of interest. I have shown, Sir, that we are going to make a saving of Rs. 12 lakhs, and £90,000 come approximately to that amount. So we can pay the interest from the saving we can expect by bringing it under Government control. So, Sir, neither on the question of policy nor on the question of the merits is there the least justification for continuing the Company management. On these grounds I oppose the motion.

Mr. R. K. Shanmukham Chetty : Mr. President, I must lodge a very emphatic protest against the shortness of notice given to this House for the consideration of a question of such vital importance as the one raised by the Resolution before the House. My Honourable friend the Commerce Member attempted to give some sort of an explanation for the delay in giving notice of this Resolution. Sir, whatever might be the difficulties that he might have had to encounter with the Secretary of State in coming to a final decision on this matter, the fact remains that this House is asked to give its verdict on a very important Resolution without being given a chance to examine the whole question in all its various aspects. We have been told in this memorandum that has been placed before the House only this morning, that the Central Advisory Council for Railways has approved of the suggestion of the Government of India with certain modifications. On making inquiries, I found, that this matter was placed before the Central Advisory Council for Railways only yesterday, that is, after the Honourable the Commerce Member had tabled his Resolution. That procedure, I submit, is unfair not merely to this House but even to the Central Advisory Council. Sir, the object of the Central Advisory Council is to examine in detail proposals of this nature, so that this House may be in a position to know what exactly is the result of such a detailed examination by the representatives of this House who serve on that Committee. Giving such a short notice even to the Central Advisory Council on a matter of this nature is, I again submit, unfair to this House and unfair to the Central Advisory Council.

My friend the Honourable the Commerce Member recognised the feeling that we on this side entertain on the question of the State taking over the Company-managed railways as the terms of their contracts terminate. As a result of the recommendations of the Acworth Committee, it is now the recognised policy of this House, to which the Government of India also is pledged, that as the period of contract of each of the railways terminates, the management must be taken over by the Government of India. The time has now come for the Government of India to decide about the taking over of the Assam Bengal Railway in 1931. The reasons for postponing this transfer to Government control are given in the Resolution which the Honourable the Commerce Member has tabled. He gives

two reasons why this option ought not to be exercised at the present moment. In the first part of the Resolution he says that the requirements for new construction and open line works, which will have to be met in the course of the next ten years and of the demand which the provision of adequate funds to meet the capital expenditure required for these projects will make on the resources of Government, will be rather heavy, and therefore this option ought not to be exercised now. I must frankly confess that I do not at all like this part of the Resolution. Whatever my friend the Commerce Member might say, the meaning of this Resolution is that, if, in the opinion of the Government of India, any available money can be more usefully spent on new construction or open line works, which would be more advantageous, it would be advisable to spend that available money for such purposes rather than expend it on Company-managed railways. That, Sir, is a proposition which we on this side of the House are not prepared to agree to. In a vast country like this with immense possibilities of railway development awaiting in the future, for a long time to come the state of affairs will be that it would be desirable to expend money on new construction and on open line works. Now, if that is going to be a consideration, Sir, then, I am afraid that, even in 1937 or 1941, or 1945 or 1950, this consideration will have as much validity as it has at present moment. When the Bengal Nagpur Railway contract terminates in 1950, we will still be in the same position. (*An Honourable Member* : "By that time you will have Dominion Status.") And, if it is really the intention of the Honourable the Commerce Member that this option ought not to be exercised merely for the financial reasons mentioned in the second part of his Resolution, I would earnestly ask him to omit the first part of the Resolution.

Now, coming to the financial aspect, I need not go over the arguments advanced by my Honourable friend, Sir George Rainy, as these arguments are embodied in the memorandum that is before us. The argument, stated briefly, comes to this. We will have to pay in cash on the 31st December, 1931, a million and a half pounds for the purchase of the shares of the Assam Bengal Railway. The nett yield of the Assam Bengal Railway to Government will be about £73,000. We cannot raise money in London at less than 6 per cent., which means that we will have to pay £90,000 by way of interest on the capital, while we will be getting only £73,000 in return. That, in short, is the financial argument against exercising the option at present. It is mentioned in this memorandum, and it was reiterated by my friend, that money could not be raised in London today at less than 6 per cent. Sir, with the Bank of England rate at 3½ per cent., I would hesitate to take the statement that the credit of India is so low that money cannot be raised on India's revenues in the London market at less than 6 per cent. at present. My friend Mr. Das raised a very pertinent question and asked why the money should not be raised in India. I am sure the Finance Member will give some reason, but we all know what that reason is. If the money is raised in India, my friend the Finance Member will find it next to impossible to remit it to London, and if he is in that position today, Sir, he has himself and his currency policy to thank for it, and cannot hold this House or the Indian money market responsible for this state of affairs. As I stated a little while ago, it will lead us to controversial topics, which it will not be advisable to raise on this motion.

[Mr. R. K. Shanmukham Chetty.]

Looking at the financial position, Sir, I am of opinion that a yield of £73,000 on an investment of a million and half pounds is certainly an investment which is not very bad, and if at all it is possible for my friend the Finance Member to raise this money, he must leave no stone unturned to raise the requisite capital and purchase the Assam Bengal Railway.

There is another factor which the House ought not to forget. It may be that, as a result of the political situation in India, it may not be possible to raise money in the London market at less than 6 per cent. ; but I would remind the House that this cash has to be paid not on the 31st December, 1930, but on the 31st December 1931. If we decide to exercise the option, notice has to be given before the 31st December, 1930, and it may be that if all goes well, if good sense prevails at the Round Table Conference in October, before 1931, money conditions may be easy and the credit of India may be restored in foreign markets and we might be in a position to raise money at about 4½ per cent. I would therefore ask most earnestly my Honourable friends the Finance Member and the Commerce Member to consider this question very carefully before they decide not to give notice to the Assam Bengal Railway at the end of this year.

Mr. B. Das : I listened to my Honourable friend the Railway Member very attentively and it seems to me that he is in the confidence of the Honourable the Finance Member, who has told him that he is not going to foot the bill for the purchase of the Assam Bengal Railway, which is to the tune of £1½ millions sterling. Well, I hope that when my Honourable friend, Sir George Schuster, rises to take part in this debate, he will give us the attitude of the Finance Department towards this question.

To me the issue is confined to two points. One point is—and I am glad that Sir George Rainy realises it—that the non-official Members of this House are all agreed and keen that all Company-managed railways should be purchased by the State. I am glad that he recognises that and that he accepts that. The second point, over which the Railway Member and the Railway Board are agitated, is that a sum of £17,000 may be lost to the taxpayers in India, and under those circumstances the Railway Member cannot advise Members of this House and also the Finance Member to take a loan of £1½ millions to purchase the Assam Bengal Railway. I am indebted to my Honourable friend, Mr. Chetty, for having raised the point about the status and dignity of the Central Advisory Council for Railways. To me no Advisory Committee has any status, and I know when their recommendations go before the departmental heads how they are treated as scraps of paper. I would ask a pertinent question of the Honourable the Railway Member. Did he consult the Standing Finance Committee on Railways to find out what was their opinion ?

Mr. A. A. L. Parsons : Had there been a proposal on behalf of the Government to spend money on the purchase of the Assam Bengal Railway, then it would have been placed before the Standing Finance Committee for Railways. But until there was a proposal to do so—and it could not arise until this motion was discussed in this House—it could not properly be put before the Railway Standing Finance Committee.

Mr. B. Das : If I understand the Honourable Member correctly, it means that the Railway Standing Finance Committee, which body, as far as I know, is given a very sacrosanct place in the management of railways in India, has no power, has got no status to advise the Railway Board regarding the purchase of the different railways. That is a matter which I think the Members of this House who are members of the Railway Convention Committee—I think that Committee will soon be a defunct body because the Assembly is going to be dissolved—will have to take the matter up whether the Standing Finance Committee for Railways have any control over the policy of the Railway Board. As I have stated, it is a matter of £17,000, and if I have read the little leaflet that was placed on the table of the House this morning correctly, my Honourable friend, Sir George Rainy, tells us that £78 is the price of a £100 share. As a business man, I would ask the Honourable the Finance Member why he did not ask the Secretary of State to buy up a certain amount of these shares instead of waiting till the last day to pay at par.

The Honourable Sir George Schuster (Finance Member) : I might answer that question at once. If it was known at the London market that the Secretary of State was going to buy these shares, I venture to prophesy that they would not remain at 78, and that before he could pick up more than a few thousand pounds of the stock, the price would go up to par and it would be impossible to buy below that.

Mr. B. Das : I may observe, I did anticipate that reply. However, the House stands committed to the principle of purchasing the Company-managed railways. To-day we are discussing the purchase of the Assam Bengal Railway. I think next year at this time we will have to discuss the purchase of that dilapidated railway over which my Honourable friend Mr. Gaya Prasad Singh travels, the Bengal and North Western Railway, over which we have to foot a bill to the extent of £10 millions. If to-day we accede to this request on the part of the Government, then strengthened with that idea, they will come to us next year and say, "We cannot purchase the Bengal and North Western Railway", which my Honourable friends of the European Group are very anxious should not be purchased by the Government of India because it pays a dividend of 16 per cent. at the cost of the travelling public, at the cost of the Government of India. Sir, I cannot accede to this request, and when I see that the financial loss to Government is only a trifle of £17,000, it cannot stand in the way of our purchasing the Railway. It may go up on the profit side ; it may not be a loss at all. Here is my Honourable friend Mr. Abdul Matin Chaudhury the Member from Assam who is very much interested in this particular Railway ; there are my Honourable friends Mr. Srish Chandra Dutta, of Assam and other Bengal Members from Eastern Bengal ; and they will give their view points and how anxious they are to see this Railway become a State Railway. As my Honourable friend Mr. Abdul Matin Chaudhury has already stated, why not pay this £1½ millions from the Railway Reserve Fund which has accumulated to the tune of Rs. 17 crores. My Honourable friend Sir George Rainy smiles. The truth is that the Honourable the Finance Member does not allow him to utilise that money for any of these purposes. This is a fit occasion when we must utilise a portion of the Railway Reserve Fund to purchase this Railway. I will suggest another source from which this money can be tapped. India gets a share

[Mr. B. Das.]

annually from the War Reparation money paid by Germany. Will the Honourable the Finance Member kindly say how much this amounts to ?

The Honourable Sir George Schuster : I should be very glad to give an answer to my Honourable friend's question, but I have not understood him clearly.

Mr. B. Das : I want to know what amount is received from Germany as India's share of the War Reparation from Germany. I think it is £250,000. As far as I recollect, that sum goes to-day to the Sinking Fund for the reduction and avoidance of debt. Why not utilise that money to purchase the Assam Bengal Railway ? Those of us who know how the Assam Bengal Railway came into existence know that it was not originally a commercial proposition. It is really a strategic line. We know how the Government of India, as it was then constituted, tried and the Government of India as it is now constituted try to build strategic lines and show them as commercial lines, so that this House will not grumble much, though such railway lines are really for the exploits of my Honourable friend Mr. Macworth Young the Army Secretary. This Assam Bengal Railway is really a strategic line. Of course my Honourable friend Sir George Rainy said, and also my friend Mr. Matin Chaudhury pointed out, that the new extensions are the paying lines in that particular area. As the previous Government is committed to that expenditure, we are bound to buy it up and I do maintain that there is no other alternative but to buy it up. Otherwise it will produce a disastrous feeling in Indian India. Sir, my Honourable friend the Railway Member said that if we acquire this Railway labour will have to be paid better wages and the revenue might decrease. The revenue may decrease, but the money that will be paid to labour will remain in India and indirectly it is a gain. There is another point that I would like to mention. The Honourable the Railway Member knows that in the Company-managed Railways, there has been only Indianisation up to 42 per cent. When the State takes over the control of this railway, it will be rapidly Indianised to the extent of 75 per cent. in its superior establishment and therefore the money paid to the Indian employees of the Railway and the Indian officials will be a distinct gain to India, and the money that is paid to the British officials passes out of India. My Honourable friend Mr. Chetty has rightly alluded to my interjection why the money was not borrowed in India. As far as I know, there was much heart-burning in the Indian financial circles in Calcutta and Bombay because the recent loan was floated by the Honourable the Finance Member in London at 6 per cent. and not floated in India. I think it is only fair to India that the Honourable the Finance Member should float the loan in India at 5½, and if that loan was not subscribed in India, then he was justified in going to London. If the Honourable the Finance Member will float a loan here, in spite of the financial depression,—which is due not to us, but to the Treasury Benches, for not settling the constitutional question— at 6 per cent., he will get it.

Sir Cowasji Jehangir (Bombay City : Non-Muhammadan Urban) : Will you underwrite it ?

Mr. B. Das : I am sorry I am not a financier and I think you can ask my Honourable friend, Mr. Kikabhai Premchand, to do it and I think he will most gladly do it.

Mr. President : Will the Honourable Member let me know how long he is going to take ?

Mr. B. Das : About 10 or 15 minutes more.

Mr. M. A. Jinnah : The Honourable Member has got only 15 minutes, unless you give him permission to speak longer.

Mr. President : He has not exhausted his time. I feel that Honourable Members have not had sufficient time to go into this Resolution. Moreover, I feel that there is a large number of Members who want to discuss this important Resolution and I do not want to stop the debate. Therefore I think it would be better if I give another opportunity to Honourable Members to go into this Resolution and have a full discussion on the subject. I think that will meet the wishes of Honourable Members.

There is one thing more. I would like to inform Honourable Members that particular seats have been allotted to them and they cannot expect me to see them if they are not in their seats.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 15th July, 1930.