

26th September 1929

THE  
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

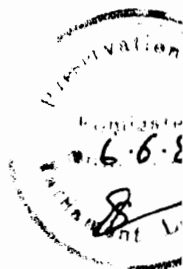
Volume V

*(18th September to 26th September, 1929)*

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FIFTH SESSION  
OF THE  
THIRD LEGISLATIVE ASSEMBLY  
1929

*Chamber Famigated...*



SIMLA  
GOVERNMENT OF INDIA PRESS  
1930

# **Legislative Assembly.**

## ***President:***

THE HONOURABLE MR. V. J. PATEL.

## ***Deputy President :***

MAULVI MUHAMMAD YAKUB, M.L.A.

## ***Panel of Chairmen :***

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

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

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

## ***Secretary :***

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

## ***Assistant of the Secretary :***

RAI SAHIB D. DUTT.

## ***Marshal :***

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

## ***Committee on Public Petitions :***

MAULVI MUHAMMAD YAKUB, M.L.A., *Chairman.*

MR. DWARKA PRASAD MISRA, M.L.A.

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

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

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

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# LEGISLATIVE ASSEMBLY.

Thursday, 26th September, 1929.

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

## QUESTIONS AND ANSWERS.

### PAY OF INDIAN SOLDIERS.

962. \*Maulvi Muhammad Yakub : Will Government be pleased to state what is the pay of an Indian soldier in the regiments in India ?

Mr. G. R. F. Tottenham : The Honourable Member is referred to paragraphs 49 to 53 of Pay and Allowance Regulations, Part I, a copy of which is in the Library.

### CIVIL EMPLOYMENT UNDER GOVERNMENT FOR COMBATANT TRIBES.

963. \*Maulvi Muhammad Yakub : (a) Will Government be pleased to state the number of persons belonging to combatant and non-combatant tribes, province by province, in civil employment under Government ?

(b) Is it a fact that the Government of India have no concession for combatant tribes for obtaining civil employment (superior and inferior both) under Government ? If so, why ? If there is any concession, will Government be pleased to lay on the table a copy of the rules concerned ?

The Honourable Sir James Grerar : (a) I am not aware of any distinction between combatant and non-combatant tribes in regard to civil employment under Government. If the Honourable Member is referring to classes now recruited to the Indian Army, it will involve a disproportionate amount of labour to ascertain from each province the number of such men in civil employment, and it is open to doubt whether the information will serve a useful purpose.

(b) Concessions in respect of civil employment have been granted in respect of actual service in the Army during the Great War. These are detailed in Home Department Resolution No. 1099, dated the 8th August, 1919, a copy of which has been placed in the Library.

### MUSLIM ENGINEERS.

964. \*Maulvi Muhammad Yakub : With reference to reply to question No. 96, dated 12th March, 1929, in the Council of State regarding paucity of Muslim engineers in each province in India, will Government be pleased to state what action has been taken towards increasing the number of Muslim engineers, province by province ?

The Honourable Sir Bhupendra Nath Mitra : The Honourable Member is referred to the reply given by Sir Cecil McWatters to the Honour-



able Mr. Mahmood Suhrawardy's question No. 167 in the Council of State on the 19th March, 1929. The rules alluded to in the last sentence of that reply will be issued shortly.

**EMPLOYMENT OF MUSLIM ENGINEERS IN THE PUBLIC WORKS DEPARTMENT,  
DELHI.**

965. \*Maulvi Muhammad Yakub : With reference to the reply to question No. 105, dated 12th March, 1929, in the Council of State, will Government be pleased to state how many vacancies of temporary engineers or Assistant Engineers or S. D. Os. occurred in the Delhi P. W. D. since 1st March, 1929 ? How many were given to Muslims ? If none, why not ?

**The Honourable Sir Bhupendra Nath Mitra :** Two vacancies have been filled, to neither of which have Muslims been appointed. One case was that of a temporary promotion in a leave vacancy ; in the other the most suitable candidate was appointed.

**EMPLOYMENT OF MUSLIM ENGINEERS IN THE PUBLIC WORKS DEPARTMENT,  
DELHI.**

966. \*Maulvi Muhammad Yakub : With reference to the reply to question No. 107, dated 12th March, 1929, in the Council of State, will Government be pleased to state what steps have been taken by the Delhi P. W. D. to safeguard the claims of Muslims in the case of temporary engineers or Assistant Engineers or S. D. Os. appointed in 1929 ?

**The Honourable Sir Bhupendra Nath Mitra :** The claims of all communities are considered when vacancies are being filled.

**EMPLOYMENT OF MUSLIM ENGINEERS IN THE PUBLIC WORKS DEPARTMENT,  
DELHI.**

967. \*Maulvi Muhammad Yakub : With reference to the reply to question No. 101, dated 17th September 1929, in the Council of State regarding Muslim candidates or apprentices for the post of Engineers in the Delhi P. W. D. since 1921, will Government kindly state whether all of them were considered unfit for the post of temporary or Assistant Engineers appointed in the Delhi P. W. D. in 1929 ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the negative.

**EMPLOYMENT OF MUSLIMS IN THE PUBLIC WORKS DEPARTMENT, DELHI.**

968. \*Maulvi Muhammad Yakub : Is it a fact that the higher authorities of the Delhi P. W. D. intentionally debar Muslim candidates from their rights considering them the brethren of a Muslim member (questioner) ?

**The Honourable Sir Bhupendra Nath Mitra :** The reply is in the negative.

**EMPLOYMENT OF MUSLIMS IN THE PUBLIC WORKS DEPARTMENT, DELHI.**

969. \*Maulvi Muhammad Yakub : Is it a fact that class monopoly is at its climax in the Delhi P. W. D. and Officers are compelled to crush the rights of Muslim candidates for the superior service ?

**The Honourable Sir Bhupendra Nath Mitra :** The reply is in the negative.

**REVERSION TO THEIR OWN PROVINCES OF ENGINEERS ON DEPUTATION.**

970. **\*Maulvi Muhammad Yakub :** With reference to reply to question No. 155, dated 19th March, 1929, in the Council of State, regarding more than 10 years' deputation from other provinces, do Government propose to revert these engineers to their provinces ?

**The Honourable Sir Bhupendra Nath Mitra :** The reply is in the negative.

**SERVICE OF INDIANS IN KENYA COLONY.**

971. **\*Maulvi Muhammad Yakub :** With reference to the reply to question No. 166, dated 19th March, 1929, in the Council of State regarding service of Indians in Kenya Colony recruited from India in 1919 by the military authorities of India, will Government be pleased to state whether the services of men recruited by the military authorities in 1919 for the German East Africa, Civil Administration, under agreement, were permanent ?

**Mr. G. R. F. Tottenham :** The men served on agreements for various periods and their services were regulated by the terms of their contracts.

**SERVICE OF APPRENTICES.**

972. **\*Maulvi Muhammad Yakub :** (a) Is it a fact that services of paid or unpaid apprentices are reckoned towards leave and pension under Fundamental Rules ? If so, will Government be pleased to lay on the table the copy of that paragraph of the Fundamental Rules ?

(b) Is it a fact that apprentices are given a lift or promotion upon their confirmation ? If so, under which rule ?

**The Honourable Sir George Schuster :** (a) It is not the policy of the Government of India to employ unpaid apprentices ; and for the meaning of the word " apprentice " in Government parlance I would refer the Honourable Member to the definition given in rule 2 (2) of the Supplementary Rules framed by the Government of India under the Fundamental Rules. Service as apprentice qualifies for leave as prescribed in Supplementary Rule 292. Pension is not regulated by the Fundamental Rules but by the Civil Service Regulations. Service as apprentice does not qualify for pension except in the cases mentioned in Article 372 of those Regulations.

A copy of the Fundamental Rules, of the Government of India's Supplementary Rules and of the Civil Service Regulations will be found in the Library of the Legislature.

(b) There is no general rule on the subject. Each case or class of cases is dealt with according to the circumstances of the establishment affected.

**EMPLOYMENT OF MUSLIM CLERKS IN THE PUBLIC WORKS DEPARTMENT, DELHI.**

973. \*Maulvi Muhammad Yakub : (a) Will Government be pleased to state how many clerks have been appointed in the P. W. D., Delhi, in 1929 and how many of them are Muslims ?

(b) Will Government be pleased to lay on the table a statement showing the names and qualifications of the clerks appointed in the Delhi P. W. D. in 1929 ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (b). The information is being obtained and will be furnished to the Honourable Member.

**EMPLOYMENT OF MUSLIMS IN THE PUBLIC WORKS DEPARTMENT, DELHI.**

974. \*Maulvi Muhammad Yakub : (a) Is it a fact that the Chief Engineer, Delhi, asked the Secretary, Muslim Association, Delhi, to forward the applications of Muslim clerks ? If so, will Government kindly state how many applications were sent by the Secretary of the Muslim Association, Delhi, and what action has been taken on them ?

(b) Is it a fact that the Secretary of the Muslim Association, Delhi, asked the Chief Engineer in June-July, 1929, "How many gazetted posts have been given to the Muslims from 1st April, 1929" ?

(c) Is it a fact that the Chief Superintendent, P. W. D., Delhi, wrote to the P. A. to the Chief Engineer, Delhi, why they should give the information to the Muslim Association Secretary, Delhi, and the P. A. to the Chief Engineer urged him to do so ?

(d) Is it a fact that the Chief Engineer, Delhi, replied to the Muslim Association Secretary, Delhi, that three gazetted posts occurred in the Delhi P. W. D. from 1st April, 1929, to 1st July, 1929, and all were given to non-Muslims ?

The Honourable Sir Bhupendra Nath Mitra : (a) Yes, in reply to a representation by the Association. 38 applications were forwarded. These have been recorded for consideration when vacancies occur, none having occurred since they were received.

(b) Yes.

(c) Government cannot disclose the contents of notes in their offices.

(d) Yes.

**NUMBER OF GAZETTED POSTS IN THE PUBLIC WORKS DEPARTMENT, DELHI, GIVEN TO MUSLIMS.**

975. \*Maulvi Muhammad Yakub : Will Government be pleased to state the number of gazetted posts which occurred in the Delhi P. W. D. from 1st April, 1929, up to now and how many of them were given to Muslims ?

The Honourable Sir Bhupendra Nath Mitra : Four vacancies occurred, none of which was filled by a Muslim.

**EMPLOYMENT OF MUSLIM SUB-DIVISIONAL OFFICERS IN THE PUBLIC WORKS DEPARTMENT, DELHI.**

976. \*Maulvi Muhammad Yakub : Will Government be pleased to state the number of S. D. Os. appointed in the Delhi P. W. D. in 1929 and how many of them are Muslims ?

**The Honourable Sir Bhupendra Nath Mitra :** One only. A non-Muslim was appointed.

**TRANSFER OF B. DURGA DAS, TO THE PUBLIC WORKS DEPARTMENT, DELHI.**

**977. \*Maulvi Muhammad Yakub :** (a) Is it a fact that B. Durga Das, S. D. O., 6th Division, P. W. D., Delhi, has been dismissed from Punjab Irrigation ?

(b) Is it a fact that B. Durga Das was a subordinate in the Viceregal Lodge, Delhi ? If so, will Government be pleased to state the reason of his transfer to P. W. D., Delhi ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The matter is under inquiry and the Honourable Member will be informed in due course.

**GRAZING OF SHEEP IN THE CENTRAL VISTA, NEW DELHI.**

**978. \*Maulvi Muhammad Yakub :** Will Government be pleased to state the name of the contractor whose sheep graze in Central Vista (P. W. D.), Delhi ? How many sheep are allowed to graze ? Is the contractor paid Re. 1 per sheep per month ? How long has this practice been going on and why ? Has this contract been given on tender ? If not, why not ? When will this contract terminate ? Where is the sheep pen of this contractor in New Delhi ?

**The Honourable Sir Bhupendra Nath Mitra :** Sheep grazing on the Central Vista was necessary as the soil was poor and continuous mowing without occasional manuring would exhaust the land in time. Sheep do no damage to the trees and nourish the grass. Tenders were called for in December, 1926 and opened in January, 1927. The only tender received was that of Sardar Sahib Sardar Sobha Singh which was accepted. Under it 3,000 sheep are allowed to graze on a rent of Re. 1 per annum, but only 800 are grazing at present. The agreement commenced from 1st February, 1927 and is current for a period of five years. The contractor has been allowed to pen the sheep in Block No. 1.

**EMPLOYMENT OF MUSLIM CLERKS IN THE CENTRAL ACCOUNTS OFFICE,  
PUBLIC WORKS DEPARTMENT, DELHI.**

**979. \*Maulvi Muhammad Yakub :** (a) Will Government be pleased to state the number of clerks appointed in the Central Accounts Office (P. W. D.), Delhi, in the year 1929 ?

(b) How many of them are Muslims ?

(c) How many applications have been received from Muslim clerks for service in the office of the Central Accounts Officer, Delhi, in the month of August 1929 ?

**The Honourable Sir George Schuster :** With your permission, Sir, I will deal with questions Nos. 979 and 985 together.

The information has been called for and will be supplied to the Honourable Member as soon as possible.

**APPOINTMENT TO THE CENTRAL ACCOUNTS OFFICE, DELHI, OF A HINDU CLERK  
FROM THE PUNJAB.**

980. \*Maulvi Muhammad Yakub : (a) Is it a fact that the Central Accounts Officer, Delhi, proposed to call a Hindu Clerk from the Punjab Irrigation Department and asked the sanction of the Officer on Special Duty (Finance Department) to his proposal ?

(b) Is it a fact that the Officer on Special Duty (Finance Department) gave sanction stating "As the Central Accounts Officer, Delhi, could not get a man of minority community I sanction his proposal" ?

(c) Will Government be pleased to state if the Officer on Special Duty made inquiries on this ?

(d) Did the Central Accounts Officer inform him on the subject ?

(e) How many Muslim candidates are on the register in the Central Accounts Office ?

**The Honourable Sir George Schnuter :** (a) Yes.

(b) The Officer on Special Duty approved the proposal "on the understanding that a suitable candidate of a minority community was not available to fill the post".

(c) and (d). A trained clerk with some actual experience in a Public Works Divisional Office was required for the post and the Central Accounts Officer, Delhi, reported that no suitable candidate of a minority community was available.

(e) The number of approved candidates on the Register in the Central Accounts Office is 64, out of whom 9 are Muslims. None of these candidates has experience in Public Works Accounts.

**PUBLICATION OF NAMES OF ENGINEERING INSTITUTES IN THE DISTRIBUTION  
RETURN, PUBLIC WORKS DEPARTMENT, DELHI.**

981. \*Maulvi Muhammad Yakub : Will Government be pleased to state the purport of publishing the names of the engineering institutes on page i to iii (abbreviation) of the Distribution Return corrected up to 30th June, 1928, in the P. W. D., Delhi ? Are these institutions chartered or recognised by the governing bodies ? Are the members of these institutions called qualified engineers ?

**The Honourable Sir Bhupendra Nath Mitra :** Some of the officers employed in the Public Works Department are members, associates or fellows of the various engineering institutions. This is indicated in the body of the publication in which their names appear by means of abbreviations to save time and labour. It is necessary to show in the beginning of the publication what the abbreviations stand for, and this is what the list on pages i to iii of the Distribution Return referred to by the Honourable Member purports to do. Certain of the institutions are chartered, while all are recognised in some shape or form by Government. The fact that an officer is a member, an associate or a fellow of one of the institutions included in the Return does not necessarily mean that he is a qualified engineer.

DOCTORS IN THE CIVIL HOSPITAL, NEW DELHI.

982. \***Maulvi Muhammad Yakub** : Is it a fact that there has been no Muslim doctor in the Civil Hospital of New Delhi for many years ? If so, will Government kindly state the length of service of each doctor of the New Delhi Civil Hospital, in Delhi Province ?

**Sir Frank Noyce** : There was a Muhammadan sub-assistant surgeon in 1923, and a Muhammadan assistant surgeon in 1922. At present the three medical assistants are Hindus. The present assistant surgeon has held his appointment since 18th April, 1926. Of the two sub-assistant surgeons, one joined the hospital in March, 1921 and the other in December, 1923.

ALLEGED ILL-TREATMENT OF MUSLIM PATIENTS BY HINDU DOCTORS AT THE CIVIL HOSPITAL, NEW DELHI.

983. \***Maulvi Muhammad Yakub** : (a) Is it a fact that Muslim outdoor and indoor patients are ill-treated by the Hindu doctors of the New Delhi Civil Hospital ?

(b) Is it a fact that a Muslim indoor patient (bearer of Gymkhana Club) died in the hospital of New Delhi in June or July, 1929, and that his body was left to fester for more than 30 hours ?

(c) Is it a fact that the Muslim clerks of New Delhi complained and brought the Civil Surgeon, New Delhi, to see the festered body of a Muslim patient ? If so, will Government be pleased to state what action has been taken against these doctors of New Delhi ?

**Sir Frank Noyce** : (a) No.

(b) A Muslim water carrier in the service of the Imperial Delhi Gymkhana Club died on the morning of the 4th June, 1929, in the New Delhi Hospital. The body was buried at Government expense within 28 hours of death as neither the Club, nor certain co-religionists who had asked to be allowed to make arrangements for burial, did so in time.

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

**Mr. Gaya Prasad Singh** : May I know on what authority the Honourable the Deputy President has made the serious charge against a body of Government officers in part (a) of his question ?

**Maulvi Muhammad Yakub** : The authority on which my Honourable friend, Mr. Gaya Prasad Singh, puts questions in this Assembly. (Laughter.)

PERMANENT CADRE OF THE PUBLIC WORKS DEPARTMENT, DELHI.

984. \***Maulvi Muhammad Yakub** : Is it a fact that the permanent cadre of the Delhi P. W. D. is prepared and submitted for sanction ? If so, will Government be pleased to lay on the table a copy of it ?

**The Honourable Sir Bhupendra Nath Mitra** : No. Proposals in respect of a permanent cadre for the Delhi Public Works Department are at present under consideration.

**CLERKS APPOINTED TO THE PAY AND ACCOUNTS OFFICE, PESHAWAR.**

†985. \***Maulvi Muhammad Yakub** : Will Government be pleased to state the number, qualifications and length of service of the clerks sent from the Office of the Accountant General, Delhi and other Offices, to the Pay and Accounts Office, Peshawar, in 1929, and how many of them are Muslims ? What increment has been given to each clerk ? Are these clerks chosen by the Officer on Special Duty himself ?

**CLERKS PROMOTED IN THE GOVERNMENT OF INDIA PRESS NEW DELHI.**

986. \***Maulvi Muhammad Yakub** : Will Government be pleased to state how many clerks have been appointed or promoted in the Government of India Press, Delhi, in 1929 and how many of them are Muslims ?

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

**EMPLOYMENT OF MUSLIMS IN THE OFFICE OF THE CONTROLLER OF PRINTING AND STATIONERY.**

987. \***Maulvi Muhammad Yakub** : Are Government aware that the Personal Assistant to the Controller of Stationery and Printing, Government of India, says to Muslims " No Muslim can enter this Department in a suitable position so long as I am Personal Assistant to the Controller " ?

**The Honourable Sir Bhupendra Nath Mitra** : There is no post of Personal Assistant to the Controller of Printing and Stationery.

**REPAIRS TO THE MINAL TANK OF DHOLKA.**

988. \***Mr. Jamnadas M. Mehta** : (a) Has Government's attention been drawn to the unsatisfactory state of repairs of the Minal tank of Dholka in Ahmedabad District which is a protected monument ?

(b) Have Government taken any steps towards repairing it ?

(c) Is it true that the attention of Government had been drawn to this question by the public and Municipality of Dholka for nearly 10 years ?

(d) Will Government please state why nothing has been done so far in spite of the passage of so many years ?

**Sir Frank Noyce** : (a) Yes.

(b) The Archæological Superintendent concerned was asked, in July last, to submit a report with a view to necessary conservation measures being put in hand.

(c) So far as the Government of India are concerned, the answer is in the negative. Their attention was drawn to this matter only in 1924.

(d) It has not been possible up to now to carry out any repairs, as certain questions relating to the ownership and the responsibility for the maintenance of the tank were under investigation. The Superintendent, Archæological Survey, Western Circle, has recently, however, been directed

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†For answer to this question, see answer to question No. 979.

to draw up a conservation note for submission to the Director General of Archaeology in India to enable the latter to judge what is necessary in the way of repairs to the monument.

**Mr. Jamnadas M. Mehta :** Does the Honourable Member realise that the same reply was given in 1924 ?

**Sir Frank Noyce :** I can assure the Honourable Member that we are much indebted to him for bringing the matter to our notice and that I will take personal steps to see that something is done as soon as possible.

**REPORTED THREATENING BEHAVIOUR OF CERTAIN SOLDIERS AT VICTORIA TERMINUS STATION.**

989. **\*Mr. Sarabhai Nemchand Haji :** (a) Has the attention of Government been drawn to the incident which took place on the 8th of June last at the Victoria Terminus in the Poona passenger train leaving that Station at 10.45 P.M., in which certain soldiers of the Royal Warwickshire Regiment, 2nd Battalion, were reported to have behaved threateningly towards some Indian fellow passengers of theirs, chucking away the luggage of one of the passengers, taking up the seat that he had occupied previously and threatening to throw another out of the window if he dared to take up any further the cause of the injured passengers ? If so, has any complaint been made to the authorities concerned by the aggrieved parties, and what steps have been taken in connection with the same ?

(b) Will Government be pleased to make a statement on the subject, particularly indicating the steps they propose to adopt in future to avoid the repetition of such outrageous incidents to the Indian travelling public ?

**Mr. G. R. F. Tottenham :** Government have received a report of the incident which differs in many material respects from the account given by the Honourable Member. They understand, that a criminal complaint has been preferred by one of the Indian gentlemen against one of the soldiers concerned ; and it would be improper to make any statement on the subject while this case is *sub judice*.

**APPOINTMENT AS CHIEF ACCOUNTANT, NORTH WESTERN RAILWAY OF A RETIRED ACCOUNTANT GENERAL OF RAILWAYS.**

990. **\*Mr. B. Das :** (a) Will Government be pleased to state if it is a fact that the former Accountant General of Railways, Mr. Hartley, is now working as the Chief Accountant of the North Western Railway ?

(b) Can a Government officer after his retirement, accept again a subordinate position in the very Department of which he was working as the head ?

(c) What salary is Mr. Hartley drawing as the Chief Accountant of the North Western Railway ?

(d) Is Mr. Hartley also drawing his pension since his retirement ?

(e) Do the Service Regulations provide that a State official can retire and occupy a subordinate position under Government after retiring from a high position ?



(f) Has not this action of Government blocked the promotions of junior officers of the Audit and Finance Departments ?

**Mr. P. B. Rau :** (a) Mr. Hartley, formerly Accountant General, Railways, is at present Chief Accounts Officer on the North Western Railway and was selected as specially suitable to start the separation of Accounts from Audit on that Railway on account of his vast and varied experience.

(b) Mr. Hartley is now working in a different department from the one from which he retired.

(c) and (d). As Chief Accounts Officer, North Western Railway, Mr. Hartley's pay has been fixed at an amount which, together with his pension, is equal to the pay (*viz.*, Rs. 3,000) which he was drawing immediately before retirement.

(e) I am not aware of any rule which this appointment has contravened.

(f) Mr. Hartley is not holding a post reserved for the Indian Audit and Accounts Service under the present arrangements.

#### IMPORTATION OF VEGETABLE GHEE.

991. **\*Mr. Gaya Prasad Singh :** (a) Have Government seen the article on " Importation of Vegetable Ghee " by Dr. S. N. De in the *Indian Medical Record* of Calcutta, for June, 1929 (page 161) ? If so, do they propose to prohibit the importation of the product ?

(b) Are Government aware that the so-called *banaspati ghee* is only a mixture of crude animal fat and vegetable oil ?

(c) Do Government propose to issue orders that vegetable ghee will not be allowed to come to India, unless " red ", " blue " or any other colour is given to it, so that its adulteration with ghee may not be possible ?

**The Honourable Sir George Rainy :** (a) and (c). Government have seen the article to which the Honourable Member alludes. They have consulted Local Governments on the subject of the policy to be adopted in regard to the importation, local manufacture and sale of vegetable ghee and have received, through Local Governments, the opinions of health officers, municipalities, Chambers of Commerce and trade associations. The replies are not yet complete.

(b) The answer is in the negative.

**Mr. Gaya Prasad Singh :** When was this matter referred to the Local Governments for opinion ?

**The Honourable Sir George Rainy :** Several months ago. I am afraid I do not accurately remember the precise date.

**Mr. Mukhtar Singh :** Has the Government taken any action on the Resolution passed by the Council of State on this point last Session ?

**The Honourable Sir George Rainy :** We have not yet received all the replies from Local Governments. Until we receive them, we cannot determine what our course of action is to be.

**Sardar Kartar Singh :** When was the Resolution passed in the Council of State ?

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

**Kumar Ganganand Sinha :** Do the Government realise the necessity of asking the Local Governments to expedite their replies ?

**The Honourable Sir George Rainy :** I will certainly do so.

**Mr. G. L. Winterbotham :** Is it not a fact that the so-called adulteration takes place after importation of vegetable ghee and not before ?

**The Honourable Sir George Rainy :** I have no information at present on the point.

**Sardar Kartar Singh :** Is it not a fact that this vegetable ghee is injurious for human consumption ?

**The Honourable Sir George Rainy :** The object of consulting the Local Governments was to ascertain the views of those who were qualified to speak on that point as well as on others. Until our replies are complete, I am afraid I cannot make a further statement.

**Mr. K. Ahmed :** Is it not a fact that my Honourable friend's Department has received a copy of the Resolution unanimously passed by the Calcutta Corporation asking the Government to prohibit the import of this vegetable ghee because it is injurious to health ?

**The Honourable Sir George Rainy :** I have seen in the newspapers a Resolution passed by the Calcutta Corporation on the point.

**Mr. E. L. Price :** Is the Honourable Member aware that it is forbidden by law to call margarine or any such vegetable product in England by the name of butter or any imitation thereof, and will he not agree that it would be a good thing in India if the name of ghee were especially reserved by law for what is ghee ?

**The Honourable Sir George Rainy :** That is a point that will undoubtedly have to be considered very carefully.

**Sardar Kartar Singh :** How long will the Government take to arrive at a decision ?

**The Honourable Sir George Rainy :** I have not yet started the consideration of the matter as I have not got all the replies.

#### INVESTIGATION OF COMPLAINTS BY TOWN INSPECTORS OF HEAD POST OFFICES.

992. **\*Mr. Anwar-ul-Azim :** (a) Will Government be pleased to state whether rule 315 of Chapter 4 of P. O. Manual, Volume VIII enjoins on the postal Town Inspectors of First Class Head Offices that the complaints received by them (Town Inspectors) direct from the public or communicated by the sub or branch postmasters directly subordinate to them, or sent to them by the Superintendents or the Postmasters, should be gone into with the determination to get to the bottom ?

(b) Do the Town Inspectors get, for inquiry, complaints relating to the irregularities committed by the clerks, postmen, lower grade staff and the sub and branch postmasters ?

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

### DUTIES OF TOWN INSPECTORS OF POST OFFICES.

993. \***Mr. Anwar-ul-Azim** : (a) Will Government be pleased to state whether, under the authority of the note "N.B." above Rule 345 of the old Post Office Manual, Volume 2, various duties not mentioned in Chapter 4 of the said volume, were imposed on the Town Inspectors of the Presidency towns and other G. P. Os. and that those duties were actually performed by the Town Inspectors ?

(b) Did these duties include the investigation into cases of fraud, loss, abstraction, theft, etc. ?

(c) For the performance of those duties, is it essential that the clerks and the sub and branch postmasters and all officials connected with the case should be examined and their statements recorded by the Town Inspectors ?

(d) If the reply to parts (a), (b) and (c) be in the affirmative, will Government be pleased to state whether these duties are identical with those done by the mofussil postal Inspectors ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) It is not possible to give a definite reply to the Honourable Member's question without undertaking an investigation, the public utility of which Government fail to appreciate. I should, however, in this connection, like to invite the attention of the Honourable Member to the reply given on the 24th September to part (b) of Mr. Jamnadas Mehta's question No. 793. A copy of the statement referred to therein will be placed in the Library of the House.

(b) Under Rule 347-2 of the old Post Office Manual, volume 2, the Town Inspector was required to make any personal inquiries entrusted to him by the postmaster.

(c) The answer is in the affirmative.

(d) Most of the duties of the two classes of Inspectors are identical in character.

### DUTIES OF TOWN INSPECTORS OF POST OFFICES IN CRIMINAL CASES.

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

(a) whether it is a fact that the postal Town Inspectors are required to lodge complaints to the police in criminal cases ?

(b) whether they are required to make joint inquiry with the police and help the prosecution in the court of law to secure conviction ?

(c) whether they (Town Inspectors) are required in some cases to cross-examine the witnesses when directed by the Court ?

(2) If the reply to part (1) be in the affirmative, will Government be pleased to state (i) if these duties are of a supervisory character, as compared with those done by officials of the clerical line, including the sub and branch postmasters and (ii) whether these are identical with those done by the postal mofussil Inspectors ?

**The Honourable Sir Bhupendra Nath Mitra** : (1) (a). Yes, if required to do so by the postmaster concerned.

(b) He assists the police, and the prosecution in the court of law, if required to do so by the postmaster concerned.

(c) Government have no information about any such case, but it would depend upon the Court.

(2) I have nothing to add to the reply given to part (d) of the Honourable Member's question No. 993.

#### DUTIES OF TOWN INSPECTORS OF POST OFFICES IN CRIMINAL CASES.

995. **\*Mr. Anwar-ul-Azim :** Will Government be pleased to state whether the duties mentioned in my previous questions were being performed by them (Town Inspectors) prior to 1st September, 1927 ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative, subject to the limitation mentioned in my replies to the Honourable Member's previous questions.

#### REVISED STORES PURCHASE RULES.

996. **\*Mr. Anwar-ul-Azim :** Will Government please state by which date the final revised Stores Rules about the Rupee Tender System are expected to be published ?

**The Honourable Sir Bhupendra Nath Mitra :** The revised Stores Purchase Rules are still under consideration : it is hoped that it will be possible to publish them soon.

#### CHARGE MADE TO DEPARTMENTS FOR ITS SERVICES BY THE INDIAN STORES DEPARTMENT.

997. **\*Mr. Anwar-ul-Azim :** Will Government please state whether the Indian Stores Department is treated as a commercial Department ? If not, why is a departmental charge made to Departments, etc., which utilise it ?

**The Honourable Sir Bhupendra Nath Mitra :** The Indian Stores Department is not treated as a commercial Department. Departmental charges are levied for the services rendered by the Department for the reason that it is considered appropriate that the Departments utilising the services of the Indian Stores Department should pay at any rate part of the cost of such services. Further, a charge must, for obvious reasons, be made for services rendered to commercial Departments of the Central Government, the major Local Governments, Indian States, public bodies such as municipalities, and private firms and individuals.

**Mr. G. L. Winterbotham :** Is it not a fact that, in the last Administration Report of the Indian Stores Department, the amount shown as loss by that Department was approximately 5½ lakhs ? Is it the intention of the Government to reduce this loss by centralising the purchase of stores and making full use of the Department which especially exists for that purpose ?

**The Honourable Sir Bhupendra Nath Mitra :** My recollection is that the matter has been dealt with in the last Report of the Public Accounts Committee, and the questions raised by them will, in due course, receive the proper consideration of Government.

## ARTICLES PURCHASED THROUGH THE INDIAN STORES DEPARTMENT.

998. \***Mr. Anwar-ul-Azim** : Will Government please lay on the table a statement showing the particular articles which the various Departments, etc., under the Central Government have been instructed to purchase through the Indian Stores Department ?

**The Honourable Sir Bhupendra Nath Mitra** : I invite the Honourable Member's attention to pages 5-10 of a pamphlet describing the organisation and functions of the Indian Stores Department (a copy of which is available in the Library of the House) where he will find a description of the classes of stores dealt with by that Department. A list of articles which the Railway Department have enjoined should be bought by State Railways through the Indian Stores Department is being sent to the Honourable Member.

The Army Department purchases all textiles supplies for general use and engineering plant for the Military Engineering Service through the Indian Stores Department. The Director General, Posts and Telegraphs, purchases all articles which can be purchased in India through the Indian Stores Department. Other lesser buyers, such as the Northern India Salt Revenue Department, the Andamans Administration and the Public Works Department, Delhi, also make the bulk of their purchases through the Indian Stores Department. The labour involved in detailing all the articles purchased for these authorities would be very great and it is hoped that the information given will meet the purpose of the Honourable Member.

**Mr. G. L. Winterbotham** : Is it a fact that a sum of six million pounds worth of stores is at present bought through the Director General of Stores, England ? Is it also a fact that all these stores will, when the rupee tender system comes into force, be bought in India under that system ? Will Government consider the advisability of making a definite pronouncement as to their policy with a view to centralise all the purchase of stores wherever possible by the Indian Stores Department ?

**The Honourable Sir Bhupendra Nath Mitra** : Sir, it is obviously not possible for me to answer large issues like those raised by my Honourable friend in reply to a supplementary question. I should be obliged if he will give me proper notice of that question.

PUBLICATION IN THE *Indian Trade Journal* OF CONTRACTS FOR STORES PURCHASED.

999. \***Mr. Anwar-ul-Azim** : Will Government please state if it is a fact that the Indian Stores Department publishes every week particulars of all contracts placed by it in the *Indian Trade Journal* which is published by the Director General of Commercial Statistics ? Do the Posts and Telegraphs Department, the Director of Contracts and the State Railways do the same ? If so, to what extent ? If not, do Government propose to consider the desirability of doing so ?

**The Honourable Sir Bhupendra Nath Mitra** : I presume that the Honourable Member has in mind contracts for the purchase of stores, and the reply to the first part of his question is in the affirmative.

As regards the other Departments, the position is as follows :—

*Posts and Telegraphs Department.*—No separate contracts are entered into by this Department for the supply of materials and equipment as, with unimportant exceptions, all such supplies are obtained through the agency of the Indian Stores Department and are therefore included in the contracts placed by that Department.

*Director of Contracts.*—All awards of contract to the value of Rs. 100 and over placed by him are notified monthly in the *Indian Trade Journal*, because the number of such contracts does not justify weekly notification.

*State Railways.*—The attention of the Honourable Member is invited to the reply given by my Honourable friend Mr. P. R. Rau on the 4th September, 1929, to Mr. Lalchand Navalrai's starred question No. 132.

#### PLATFORMS AT GUDUR JUNCTION RAILWAY STATION.

1000. \***Mr. B. P. Naidu** : Is it a fact that the construction of a new building for the railway station at Gudur Junction (Madras and Southern Mahratta Railway) is under contemplation ? If so, do Government propose to avoid the mistake of having low and uncovered platforms at least in the new construction ? If not, do they propose to consider the desirability of immediately raising and covering the platforms at that station, in view of the considerable inconvenience and discomfort the passengers are undergoing day in and day out ?

\* **Mr. P. R. Rau** : I am obtaining information on the point from the Agent, Madras and Southern Mahratta Railway and shall communicate it to the Honourable Member in due course.

#### TRAINS TO SINGARAYAKONDA RAILWAY STATION.

1001. \***Mr. B. P. Naidu** : (a) Is it a fact that, since the Madras-Calcutta mail train, the only up train that passes Singarayakonda Railway Station in the night, is not stopping at that station, up-passengers from there to Guntur, Bezwada and other important places in the North, are kept waiting at that station till the next morning ?

(b) Is it a fact that a special mail peon is taking all the mails from interior places like Kandukur and Kanigiri by the previous evening train from Singarayakonda to Bitragunta for exchanging them at the latter station ?

(c) Is it a fact that when the Calcutta-Madras Mail runs late, the mail peon is prevented from exchanging mails with that train, since he has to come back to Singarayakonda by the early morning passenger train with such mails as he has received, thereby delaying the delivery of mails by one day at Kandukur and Kanigiri ?

(d) Is it a fact that the mail motor bus from Singarayakonda, which reaches Kanigiri at about 10 A.M., is obliged to leave the same immediately afterwards at 12 noon ? Is it a fact that a day's delay thereby occurs to the business and other correspondence of the people at Kanigiri ?

(e) In view of all these difficulties, do Government propose to consider the advisability of stopping both the mail trains at Singarayakonda and spare the public a lot of inconvenience ?

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

(b), (c), (d) and (e). I have no information, but a copy of the Honourable Member's question will be forwarded to the Postmaster General, Madras, who will, if necessary, take the matter up with the Agent, Madras and Southern Mahratta Railway.

#### REPAIRS TO HOUSES IN PESHAWAR APPROPRIATED FOR MILITARY OFFICERS.

1002. \***Pandit Thakur Das Bhargava :** (1) Has the attention of Government been drawn to an article published in the *Cantonment Advocate* of August, 1929, under the heading "Appropriation of Houses in Peshawar and Extravagant Demands of repairs" ?

(2) Is it a fact that as a preliminary to the appropriation of houses Nos. 9 and 21 in Peshawar Cantonment, the owners have been asked to execute repairs estimated to cost about Rs. 38,000 ?

(3) Is it a fact that even now these houses are occupied by military officers and are in a thoroughly habitable condition ?

(4) Are Government aware that the amount which the owner is asked to spend on the repairs of the two houses will ordinarily be sufficient to entirely re-build the houses with ample accommodation for a military officer ?

(5) Is it a fact that this extravagant demand for repairs has caused great discontent among the house-owners of Peshawar ?

(6) Do Government propose to issue instructions that ordinary repairs should not exceed 6 per cent. of the rental in a year ?

**Mr. G. R. F. Tottenham :** (1) The Government have seen the article referred to.

(2) to (5). The Government have no information but they have called for a report and I will supply the Honourable Member with answers to his question in due course.

(6) Government see no necessity at present to issue any such instruction.

#### HOUSE-TAX IN CANTONMENTS.

1003. \***Pandit Thakur Das Bhargava :** (1) Is it a fact that under the Cantonments Act of 1924, house-tax on property is charged on its gross rental value ?

(2) Is it a fact that in municipalities such a tax is charged on the "net rental" after deducting from the "gross rental" the amount spent on repairs ?

(3) Is it a fact that the principle laid down by Government is that in the matter of taxation, the cantonments should follow the system prevalent in adjoining municipalities ?

(4) If the reply to part (2) be in the affirmative, do Government propose to issue instructions that house-tax in cantonments be charged on the net rental ?

**Mr. G. R. F. Tottenham :** (1) Yes.

(2) Only in some provinces.

(3) Yes, as far as possible.

(4) The question of providing discretionary powers in the matter is under consideration.

**ISSUE OF NOTICES IN BAREILLY CANTONMENT BY THE EXECUTIVE OFFICER.**

1004. **\*Pandit Thakur Das Bhargava :** (1) Is it a fact that in Bareilly Cantonment " notices " requiring the sanction of the Board under the Act are generally issued by the Executive Officer with the sanction of the President under section 25 of the Cantonment Act, without any reference to the Board ?

(2) Is it a fact that section 25 is intended to be used only in case of an emergency when an immediate action is necessary for public safety and convenience ?

(3) Will Government be pleased to state why such a general use is being made of section 25 in that Cantonment ?

(4) Do Government propose to issue orders to stop this practice ?

**Mr. G. R. F. Tottenham :** The Government of India understand that the facts were as stated by the Honourable Member, but the practice has since been stopped.

**CONTRACT FOR THE SUPPLY OF AERATED WATERS AND ICE ON THE NORTH WESTERN RAILWAY.**

1005. **\*Pandit Thakur Das Bhargava :** (1) Is it a fact that the contract for the sale of ice and aerated water on the branch of the North Western Railway from Lahore to Delhi *via* Ambala, was given last year to a contractor without auction ?

(2) Is it a fact that, as a result of this arrangement, the travelling public have made several complaints about the inferior supply of aerated water in bottles of old pattern ?

(3) Will Government be pleased to state why such contracts are given without public auction with due notice beforehand ?

(4) Who is the present contractor, since when is he doing this contract, and what are the terms of his contract ?

(5) Are Government aware that " ice men " in railway compartments, are not generally in clean sanitary clothes ? Do Government propose to impose a condition about this in future contracts ?

**Mr. P. R. Rau :** I have called for a report on the point from the Agent of the North Western Railway and will address him later on the subject.

**ORDERS OF EXPULSION FROM CANTONMENTS UNDER THE OLD CANTONMENT CODE.**

1006. **\*Pandit Thakur Das Bhargava :** (1) Will Government be pleased to state how many persons are still under orders of expulsion from  
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the cantonments of India under section 216 (1) of the old Cantonment Code ?

(2) Has the All-India Cantonments Association approached Government for a general amnesty to all those persons and for the general cancellation of the orders of expulsion made under the old repealed code ? If so, what action have Government taken on this request ?

(3) Is it a fact that one Th. Amar Singh Laxman Singh of Mhow was expelled from Mhow Cantonment in 1922 and has not been permitted to return so far ?

(4) Will Government state the nature of the charge against this man ?

(5) If the charge against him be not of the nature under which expulsion can be ordered under the New Cantonments Act, do Government propose to consider the desirability of cancelling the order of expulsion in the case of this man ?

**Mr. G. R. F. Tottenham :** (1) and (2). The attention of the Honourable Member is invited to the replies given to the Honourable Sir Ebrahim Haroon Jaffer's question No. 122 in the Council of State on the 12th September, 1927, and to unstarred question No. 488 in this House on the 21st September, 1928. A similar reply was given to the All-India Cantonments Association when they approached the Government of India on the subject in May, 1928 ; but no further specific cases have been brought to their notice.

(3) (5). The attention of the Honourable Member is invited to the answer given by Sir Godfrey Fell to question No. 66 on the 10th January, 1922. Government have no information to show that this man was again expelled from the Cantonment in 1922, but I will make inquiries.

#### NOMINATED SEATS ON THE LAHORE CANTONMENT BOARD.

1007. **\*Pandit Thakur Das Bhargava :** (1) Has the attention of Government been drawn to an article headed " Abuse of section 14 in Lahore Cantonment " in the July issue of the *Cantonment Advocate* ?

(2) Will Government state why a nominated seat was given to a Muhammadan, when the Muhammadan community of Lahore had already more than their due share of representation on the Cantonment Board through election ?

(3) Is it a fact that in filling nominated seats the claims of the Sikh community, an important minority community, were ignored ?

(4) Did the Sikhs represent their claims to the Officer Commanding the Station ? If so, how was their representation disposed of ?

(5) Do Government propose to reconsider their distribution of nominated seats with a view to provide a seat for the Sikh community ?

**Mr. G. R. F. Tottenham :** (1) Yes.

(2) to (5). The information asked for is being collected and will be supplied to the Honourable Member in due course.

**REVISION OF THE ASSAM LABOUR RECRUITING LAW.**

1008. \*Mr. K. C. Neogy : (a) Have Government under their contemplation a revision of the Assam Labour Recruiting Law ?

(b) Is it a fact that the opinion of tea interests has been obtained on a proposed Bill in this behalf ? If so, will Government be pleased to state the present position of the proposals, and their future intentions in the matter ?

(c) What are the lines which these legislative proposals generally follow ?

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

(b) The answer to the first part is in the affirmative. As regards the second part, the matter is still under the consideration of the Government of India, but they do not anticipate that they will be in a position to introduce a Bill on this subject until the Royal Commission on Labour has reported.

(c) The attention of the Honourable Member is invited to the reply given by me in the Legislative Assembly on the 8th April, 1929, to part (c) of starred question No. 1453 by Pandit Nilakantha Das.

**Diwan Chaman Lall :** May I ask whether any other interests, barring the tea interests were consulted in regard to the proposed amendment of the Assam Labour Recruiting Law ?

**The Honourable Sir Bhupendra Nath Mitra :** I have said, Sir, the matter is still receiving the consideration of the Government of India, and in all probability the Bill on this subject will not be introduced until the Royal Commission on Labour has reported. I am pretty sure that, as my Honourable friend is a Member of that Commission, all interests will receive due consideration in connection with any recommendation that that Commission may make.

**Diwan Chaman Lall :** My question was a simple one. May I ask him whether, in addition to eliciting the opinions of the tea interests, he has taken any steps to elicit the opinion from any other interest so far ?

**The Honourable Sir Bhupendra Nath Mitra :** The Local Governments also have been consulted, and before answering us they must have consulted other interests.

**SPECIAL SUPPLY OF WAGONS FOR COAL TRAFFIC BY THE EAST INDIAN AND BENGAL NAGPUR RAILWAYS.**

1009. \*Mr. K. C. Neogy : (a) With reference to the Report of the Committee of Inquiry to investigate the question of special supply of wagons for coal traffic by the East Indian Railway and the Bengal Nagpur Railway during January to March last, will Government be pleased to state whether any attempt was made by the Railway Board, subsequent to the submission of the Report by the Committee of Inquiry, to fix the responsibility among the various officers of the East Indian Railway in regard to the defects in working brought to light by the Committee of Inquiry ? If so, will Government state what action, if any, was taken

on such an examination ? Will Government also state if they are satisfied that there was no lack of proper supervision on the part of the Coal Manager of the East Indian Railway ?

(b) Is it a fact that the officer now serving as Coal Manager was granted several extensions of his term of office ? Is it a fact that a further extension of term in respect of this officer is under the consideration of the Railway Board ?

**The Honourable Sir George Rainy :** (a) Yes. The officer held solely responsible for the irregularities admitted the same. He resigned the service, and, there being no proof of any *malafides*, his resignation was accepted.

From the report received from the Agent, East Indian Railway, Government see no reason to hold the Coal Manager responsible for lack of supervision.

(b) The answer to both parts is in the negative.

**Mr. K. C. Neogy :** Did this matter receive the consideration of the Central Railway Advisory Council ?

**The Honourable Sir George Rainy :** The Central Advisory Council ? No, Sir, it has not been brought before the Council.

**Mr. K. C. Neogy :** Is it intended to bring the matter before them ?

**The Honourable Sir George Rainy :** I must apologise to my Honourable friend. The Report of the Committee was laid before the Central Advisory Council at its last meeting. But no particular question as regards the officers concerned was specifically put before them.

**Mr. K. C. Neogy :** Is it intended to invite the opinion of the Central Advisory Council on the action that is proposed to be taken on this Report ?

**The Honourable Sir George Rainy :** Yes, Sir. The action that has been taken and is about to be taken on the Report was placed before the Council.

**Mr. M. S. Aney :** Do the Government propose to bring to the notice of the Central Advisory Council any action which they want to take against the officer concerned ?

**The Honourable Sir George Rainy :** No, Sir. I think the question of disciplinary action as regards officers is a matter for Government itself, and I know no precedent for placing a matter of that kind before the Council.

**Mr. M. S. Aney :** Do not the Government think that the advice of the Central Advisory Council on that point may be of some use to the Railway Board ?

**Mr. K. Ahmed :** It is a matter of opinion.

**Mr. K. C. Neogy :** Does the Honourable Member realise that, apart from the fact of disciplinary action, there is a question about the prevalence of abuse in a particular department of the Railway ?

**The Honourable Sir George Rainy :** Certainly, Sir. It was to examine that question that the Committee was appointed and as I have

said the Report of the Committee was placed before the Central Advisory Council.

**Mr. K. C. Neogy :** Is it intended to invite their opinion on this aspect of the Report ?

**The Honourable Sir George Rainy :** The only object with which we put questions before the Central Advisory Council is to elicit their opinion.

#### RAILWAY SIDINGS FOR THE COAL TRADE.

1010. **\*Mr. K. C. Neogy :** (a) Are Government aware that there is a considerable volume of grievance in the coal trade with regard to the allotment of siding space and the grant of siding projects for collieries by the East Indian Railway ?

(b) Are Government aware that the Coal Manager, East Indian Railway, refused to make available on a railway siding wagon-space for a working colliery in the interest of another colliery which has suspended working for a couple of years ?

(c) Is it a fact that a suggestion was made by the Trade in 1921 for appointment of a permanent committee, including representatives of the coal trade, to deal with all siding questions ? If so, do Government propose to revive their consideration of such a proposal ?

**The Honourable Sir George Rainy :** (a) Government are not aware of any grievances during recent years with regard to the allotment of space on existing sidings or in connection with requests for the construction of new sidings.

(b) Government have no information.

(c) A suggestion to the effect was made in 1921. At that time, mainly owing to lack of permanent way, there was difficulty in meeting the demands for siding accommodation, but the proposed Committee was not deemed necessary or advisable. It is not intended to revive the consideration of such a Committee.

#### THE INDIAN SUGAR COMMITTEE.

1011. **\*Mr. B. Das :** (a) Will Government be pleased to state the constitution and personnel of the Indian Sugar Committee ?

(b) Is it a fact that no action was taken on the Report of the Indian Sugar Committee of 1921 ?

(c) What special points have arisen since then for this new Committee of Inquiry ?

(d) Were the various Provincial Governments consulted as regards provincial representation on this Indian Sugar Committee ?

(e) Will Government be pleased to state if the Government of Bihar and Orissa were consulted and if that Government recommended any non-official representatives to sit on this Indian Sugar Committee ?

(f) Will Government be pleased to state if they, in every case, accepted the recommendations of the Ministers of Agriculture of Provincial Governments ?

(g) Will Government be pleased to state the cases where such recommendations have not been accepted and will Government be pleased to give reasons in each case ?

**Sir Frank Noyce :** (a) The Honourable Member's attention is invited to the Press Communiqué issued by the Imperial Council of Agricultural Research on the 23rd September, 1929, a copy of which has been placed in the Library of the House.

(b) No. The attention of the Honourable Member is invited to the answer given by Mr. Bore in the Legislative Assembly to Chaudhry Mukhtar Singh's question No. 1178 on the 25th March, 1927. A copy of the statement referred to in that answer, which was subsequently supplied to Mr. Mukhtar Singh, has been placed in the Library of the House.

(c) The attention of the Honourable Member is invited to the Government of India's circular to Local Governments No. 398-A., dated the 8th March, 1929, a copy of which has been placed in the library of the House.

(d) and (e). No : but the Imperial Council of Agricultural Research, by whom the Committee has been appointed, includes representatives of Provincial Governments.

(f) and (g). As it is not the Government of India but the Imperial Council of Agricultural Research which has appointed the Sugar Committee, these questions do not arise ; but I am in a position to assure the Honourable Member that the views of Ministers of Agriculture of Provincial Governments, who are ex-officio members of the governing body of the Council, have received every consideration.

**Mr. Gaya Prasad Singh :** Are Government aware that the Government of Bihar and Orissa, in the Ministry of Education, have recommended the name of a particular non-official gentleman to sit on this Committee ?

**Sir Frank Noyce :** I believe that is so.

**Sardar Kartar Singh :** Have the Government of India got anything to do with the Imperial Council of Agricultural Research ?

**Sir Frank Noyce :** Yes, Sir.

**Mr. B. Das :** May I inquire why Government went against the recommendation of the Ministry of Agriculture in Bihar and Orissa, and instead of appointing an independent expert like Mr. Sarangdhar Das to the Indian Sugar Committee, appointed the Director of Agriculture of Bihar and Orissa as an expert on the Indian Sugar Committee, thus making it a packed European Committee ?

**Sir Frank Noyce :** I have already pointed out that this is a matter for the Imperial Council of Agricultural Research, which has gone into the question most carefully, and which has power, under its rules and regulations, to appoint any Committee it thinks fit. The Committee was not appointed by the Government of India but was appointed by the Indian Council of Agricultural Research after taking into consideration all the names submitted to them.

**Mr. B. Das :** Will the Honourable Member convey to the Imperial Council of Agricultural Research that this House will not tolerate any packed Committee of so-called departmental experts ?

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

**RENEWAL OF CONTRACTS OF ROYAL AIR FORCE METEOROLOGISTS.**

1012. **\*Mr. B. Das :** (a) Will Government be pleased to state whether they have come to any decision regarding renewal of contracts with the Royal Air Force Meteorologists at present employed separately under the Army Department ?

(b) Will Government be pleased to state if it is not a fact that the Royal Air Force Meteorologists are doing almost similar work as the Meteorological Department is doing ?

(c) What are the reasons for this duplication of work of the Meteorological Department ?

(d) Is it a fact that most of the work done by the Meteorological Department is utilised by the Royal Air Force ?

(e) Will Government be pleased to state if they intend to abolish the posts of the Royal Air Force Meteorologists in the near future ?

**Mr. G. E. F. Tottenham :** (a) No, Sir. The matter is still under consideration.

(b) Both services perform meteorological functions, but the officers of the Royal Air Force are employed on the investigation of phenomena and the collection of data in direct relation to aviation with which the officers of the Meteorological Department are not concerned.

(c) There is no duplication of work.

(d) Certainly, Sir.

(e) No.

**INDIAN REPRESENTATION ON THE COUNCIL OF THE LEAGUE OF NATIONS.**

1013. **\*Mr. B. Das :** (a) Will Government be pleased to state if the Government of India or their delegates to the League of Nations have at any time demanded permanent representation on the Council of the League of Nations ?

(b) Is it a fact that the Indian Delegation to the League of Nations is always taken as part of the British Delegation, and are Government aware that European Powers are often suspicious of the Indian Delegations ?

(c) Will Government be pleased to state if there were ever occasions when the Indian Delegation went contrary to the British Delegation ?

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

(b) The Government of India have no information, but they are not disposed to believe that the allegations of the Honourable Member have any substance.

(c) The answer to this part of the question would involve the examination of every debate not only in the Assembly of the League but also in

each of the six committees of the League, a task which Government do not propose to undertake on behalf of the Honourable Member, who has access to the proceedings of the Assembly.

**Mr. B. Das :** Sir, may I point out to the Honourable Member that I did not make any allegation but only stated what the impression of the European Powers is ?

**The Honourable Sir George Rainy :** I do not think that there was any intention to imply that the Honourable Member had made himself responsible for the allegation ; but I am quite prepared to substitute the word " suggestion ".

**Diwan Chaman Lall :** Why is it that the Government of India have never demanded a permanent seat on the Council ?

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

#### **RULES FOR THE INSPECTION OF SUB AND BRANCH POST OFFICES.**

1014. **\*Mr. S. C. Mitra :** (a) Will Government be pleased to state whether, under Rule 231 of Inspection Report, Questions, an Inspecting Officer (Superintendent or postal Inspector—mofussil or town) is required, in course of inspection of a sub or branch post office, to ask the sub or the branch postmaster and each of his clerks a few questions on the rules in the Post Office Guide and the Post Office Manual and the Inspecting Officer, under the above rule, is required to be satisfied that the afore-said officials understand rules ?

(b) Does any rule of the Postal Department authorise the sub or branch postmasters or clerks to ask similar questions to the postal Superintendent or Inspector—town or mofussil ?

(c) If the reply to part (b) above is in the affirmative, will Government be pleased to cite the specific rule and supply a copy of the rule for information of the House ?

(d) Under rule 234 of Inspection, is an Inspecting Officer, in course of his inspection, required to certify the fitness or otherwise of the sub or branch postmaster irrespective of the fact of length of service of the sub or branch postmaster or clerks under sub or branch postmaster ? If so, will Government be pleased to state whether the Inspecting Officer (postal Superintendent or Inspector—of mofussil or town) is also superior in rank and qualification to the sub or branch postmasters or clerks whose work and conduct is so certified by the Inspecting Officer ?

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

(b) and (c). No.

(d) The first part of the question is in the affirmative. As regards the second part, the deduction which the Honourable Member wants to draw does not necessarily follow from the first part. But as I have already stated in replies to other questions, Government have no doubt that, generally speaking, the duties of Town Inspectors have been, and are, of a more responsible character than those of officials on the ordinary time-scale rates of pay.

**RULES FOR POSTAL INSPECTIONS.**

1015. **\*Mr. S. C. Mitra :** (a) Will Government be pleased to state whether the Superintendents of Post Offices who have rendered more years service in the Department are allowed to inspect the Offices of the Postmaster General or that of the Director General of Posts and Telegraphs if it so happens that the Postmaster General or the Director General has put in less service in the Department than the Superintendents of Post Office and Railway Mail Service ? If not, why not ?

(b) Had the clerks who rendered more years service in the Department any authority, before or after the year 1920, to certify the fitness and knowledge of the Post Office Rules of the Inspector (moffusil and town) ? If so, will Government be pleased to cite a specific instance in any postal Circle in which this system was followed ? If not, is it not a fact that, by virtue of superior position and qualifications, the Inspecting Officers including the Postal Town Inspectors of the First Class Head Offices, are vested with the power ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Superintendents of Post Offices do not inspect the offices of the Postmaster General or the Director General, because the duties allotted to them do not provide for this work.

(b) The answer to the first two parts of the question is in the negative. In regard to the third part of the question, I would refer the Honourable Member to the reply given to part (d) of his question No. 1014.

**INSPECTION OF TOWN, BRANCH AND SUB-POST OFFICES.**

1016. **\*Mr. S. C. Mitra :** Will Government be pleased to state whether the Postal Town Inspectors of the First Class Head Offices have been inspecting the town, sub and branch offices (both before and after 1920 and September, 1927), in charge of men with longer service ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative.

**RULES FOR INSPECTIONS BY TOWN INSPECTORS OF POST OFFICES.**

1017. **\*Mr. S. C. Mitra :** (a) Will Government be pleased to state whether under rule 306 of the Post Office Manual, Volume VIII (chapter 4) (rule 348, chapter 4 of the old Manual, volume 2), postal Town Inspectors of the First Class Head Offices are required to acquaint themselves with the character of all officials, clerks—senior or junior, sub and branch postmasters and postmen and menials in their jurisdiction of the Town Inspector ?

(b) Is it a fact that they (Town Inspectors) are so required to acquaint themselves with the character of clerks in order to control them effectively ?

(c) If the reply to parts (a) and (b) are in the affirmative, will Government be pleased to state (1) whether the postal Town Inspectors, irrespective of their length of service, have been acting in accordance with the Government rule cited above from the time the rule was in force and



prior to 1st September, 1927, and (2) whether the postal Town Inspectors who so controlled clerks and the branch and sub postmasters on the same scale of pay are in rank and status superior to clerks under the control of the postal Inspectors ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). I understand that Town Inspectors are not required to acquaint themselves with the character of all clerks in their jurisdiction, but only of such officials as are their subordinates. This will also be apparent if the rule quoted by the Honourable Member is read as a whole.

(c) Does not arise.

#### RULES FOR INSPECTIONS BY TOWN INSPECTORS OF POST OFFICES.

1018. **\*Mr. S. C. Mitra :** (a) Will Government be pleased to state, with reference to rule 307, chapter 4, Post Office Manual, volume VIII (corresponding to rule 349, chapter 4 of the old Post Office Manual, volume 2) whether it is essential that a postal Town Inspector must possess a practical knowledge of the post office work, as well as a thorough knowledge of the rules in the Manuals and in the Guide ?

(b) Is it a fact that his knowledge is so required in order to instruct his subordinates in their duties and also to be able to take charge of a sub or branch post office, if required, as laid down in the aforesaid rule ?

(c) If the reply to parts (a) and (b) are in the affirmative, will Government be pleased to state whether the Town Inspectors who are so required to instruct the clerks, old or young, are in status and position regarded as superior to clerks irrespective of length of service of the latter ?

(d) Is it a fact that the postal Town Inspectors have been discharging these supervisory duties over the clerks and the postmen and menials for a long time prior to 1st September, 1927, as well as prior to 1920 ?

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

(b) The rule lays down that " he should be qualified to instruct his subordinates in their duties ", and also that he " should be qualified to take charge of and work a sub or branch office if required ".

(c) As the rule stands, the Town Inspector is not required to instruct clerks or other officials. But he should be qualified to instruct his *subordinates* in their duties, and like any other official who has others serving under him in a subordinate capacity, he is expected to instruct his subordinates in the proper performance of their duties. An official selected for appointment as Town Inspector, must however possess certain special qualifications.

(d) The duties of Town Inspectors are laid down in chapter 4 of the Post Office Manual quoted by the Honourable Member, though there is a qualification at the head of the chapter giving Heads of Circles discretionary powers in regard to the duties of Town Inspectors of Calcutta, Madras, Bombay and Rangoon. I have no reason to suppose that Town Inspectors have not in the past discharged the duties allotted to them in the Manual subject to any subsidiary orders issued by Heads of Circles in the cases specified.

**RULES FOR INSPECTIONS BY TOWN INSPECTORS OF POST OFFICES.**

1019. \***Mr. S. C. Mitra :** (a) Is it a fact that under rule 311, chapter 4 of the Post Office Manual, Volume VIII (rule 353 of chapter 4 of old volume 2), Town Inspectors are required to test the efficiency and honesty of the sub and the branch postmasters ?

(b) Is it a fact that they have been so testing the efficiency and honesty of the sub and branch postmasters and the clerks, irrespective of the greater length of service of the latter and also irrespective of age limit of the clerks or sub or branch postmasters from even 1920 and earlier ?

(c) Is it not a fact that an officer who is appointed to supervise and control the work of another is regarded by Government as superior in status and rank to the officials whose work and conduct is supervised, irrespective of age and service of the two classes of officials, i.e., supervisory and subordinate ?

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

(b) Presumably so ; but it is not possible for me to give an exact reply without undertaking an investigation into the work done by every Town Inspector during the past ten years, particularly as the " N. B. " at the head of chapter 4 of the Post Office Manuals referred to clearly stipulates that the rules contained therein " may be modified in such way as the Head of the Circle may consider necessary, in the case of Town Inspectors of Calcutta, Madras, Bombay and Rangoon ".

(c) All I am prepared to say is that, generally, the duties of the former are of a more responsible character than those of the latter.

**Mr. Jamnadas M. Mehta :** Does the Honourable Member realise that he is loading the record of the Assembly by incorrect and misleading replies that have been given this morning ?

**The Honourable Sir Bhupendra Nath Mitra :** I absolutely refute that suggestion.

**Mr. Jamnadas M. Mehta :** Let him realise it all the same.

**RULES FOR MEMORIALS FROM MEMBERS OF PROVINCIAL SERVICES.**

1020. \***Mr. B. Das :** (a) Will Government be pleased to state if under section 96-B, sub-section 12 of the Government of India Act, the Government of India issued comprehensive rules with the approval of the Secretary of State for India, for the guidance of Provincial Governments in the Gazette of India of 21st and 28th June, 1924 (No. F. 472-II-1-23-Circular, Home Department) Rules of Memorials for a dismissed member of the provincial services ?

(b) Will Government be pleased to state, if when a memorial is not dealt under these rules by a Provincial Government, or when a memorial is withheld from transmission to the Governor General in Council or the Secretary of State for India or to His Majesty the King Emperor, what definite machinery Government have under them to exercise a check over Provincial Governments to see that no injustice is done to members of the provincial services ?

**The Honourable Sir James Orerar :** (a) The rules contained in the Home Department notification No. F. 472/II-1-23, dated the 21st June, 1924, were not issued under section 96B (2) of the Government of India Act.

(b) As provided in Instruction XIII of the Memorial rules, lists of memorials withheld by Local Governments are forwarded quarterly to the Government of India.

#### **RULES re DISMISSAL OF A MEMBER OF THE PROVINCIAL CIVIL SERVICE.**

1021. **\*Mr. B. Das :** (a) Will Government be pleased to state if rule XIV of the Civil Services (Governors' Provinces) Rules lays down the procedure in cases of dismissal, removal or reduction of a member of the Provincial Civil Service ?

(b) What supervision or machinery of control do the Secretary of State and the Government of India exercise to see that *specific enquiry under definite charges* was made by a Provincial Government ?

(c) Is it a fact that rule XIV requires that all evidences against the accused officer and his own evidence contradicting the same should be recorded in his presence ?

(d) Do the Government of India scrutinise every such case when an appeal is laid before the Governor General in Council to see that a proper inquiry was made in the particular case as laid down in rule XIV ?

**The Honourable Sir James Orerar :** (a) Yes.

(b) and (d). The Government of India exercise no supervision over inquiries conducted by a Local Government under rule XIV of the Civil Services (Governors' Provinces) Classification Rules, but they have no reason to doubt that such inquiries are conducted in accordance with the requirements of the rule. In the event of an appeal lying to the Governor General in Council, and of such an appeal being submitted, the question whether the inquiry was conducted in accordance with rule XIV of the Classification Rules would be examined by the Governor General in Council.

(c) No.

#### **APPEALS UNDER THE CIVIL SERVICES (GOVERNORS' PROVINCES) CLASSIFICATION RULES.**

1022. **\*Mr. B. Das :** (a) Is it a fact that rule 18 of the Civil Services (Governors' Provinces) Classification Rules lays down that, when a public servant drawing a salary above Rs. 500, is dismissed or suspended there is an appeal to the Governor General in Council and thereafter to the Secretary of State ?

(b) How many such appeals have been received by the Governor General in Council ? Will Government be pleased to state the number of appeals they received from affected persons in different provinces and the decisions, favourable or contrary to the petitions, province by province ?

**The Honourable Sir James Orerar :** (a) Rule XVIII of the Civil Services (Governors' Provinces) Classification Rules, lays down *inter alia*

that a member of a Provincial Service or an officer holding a special post, who was appointed by the Secretary of State in Council before the commencement of the Government of India Act, 1919, and who is in receipt of a salary of not less than Rs. 500 per mensem, may appeal to the Governor General in Council, and thereafter to the Secretary of State in Council.

(b) Government do not think that any useful purpose will be served by collecting the information asked for in respect of the class of officers referred to above.

LETTER FROM THE SECRETARY OF STATE *re* APPEALS FROM PROVINCIAL CIVIL SERVANTS.

1023. \*Mr. B. Das : (a) Is it a fact that the Secretary of State addressed a letter (letter No. S. & G. 1672/24) to the Provincial Governments drawing special attention that appeals from provincial civil servants should not be withheld ?

(b) Is it a fact that the following lines occur in that letter :

" We have had a good deal of trouble with ease of.....a provincial civil officer .....who was dismissed for various causes and has since got the ear of various people in Parliament and elsewhere at Home. The point that has given us most trouble is that some of those who have had to deal with the case have not been able to satisfy their consciences that the inquiry that preceded the termination of.....'s service really squared with the orders of the Government of India in respect of the judicial form and requirements of a personal hearing by the inquiry officer laid down in those orders.....'s case is at present, at any rate quiescent, and the reason I am now writing to you about is that the Rules under 96-B-2 of Act which have recently been published in India contain (in Rule 14) a reproduction of the nature of a properly constituted court before an officer can be dismissed."

" It, therefore, seems a matter of some importance that the rule should be strictly followed. No doubt it will come to the notice of Local Governments in due course but in view of the difficulty that any error in procedure in dismissal cases makes for us here (and for you too probably), I have thought it worth while to draw your attention to the matter"

(c) Did the Government of India issue any special circulars to the Provincial Governments on this letter ?

(d) Did the Government of India devise any special measures of check to see that proper inquiry in each case is made by a Provincial Government under the rule 14 referred to ?

The Honourable Sir James Crerar : (a) No.

(b) The passage referred to was contained in a demi-official letter from the India Office addressed to the Secretary in the Home Department.

(c) A copy of the India Office letter in question was forwarded to Local Governments, also under cover of a demi-official letter.

(d) No ; but rule XIV has been revised to make the position clear, and was published in Home Department Notification No. F.1/3/28, dated the 25th April, 1929.

APPOINTMENT OF A PERMANENT INDIAN DELEGATE TO THE LEAGUE OF NATIONS OF GENEVA.

1024. \*Mr. B. Das : (a) Is it a fact that at Geneva there are permanent offices of constituent nations to watch the interests of their particular countries at the League of Nations ?

(b) Is it a fact that several British Dominions have their permanent offices at Geneva ?

(c) Have Government considered the advisability of sending a permanent delegate to the League of Nations to watch the interests of India ?

**The Honourable Sir George Rainy :** (a) The Government of India are aware that certain countries have permanent representatives at Geneva, but with the exception of Canada, they have no information whether these countries also maintain permanent offices there. The purpose of maintaining such representatives is understood to be to keep the country informed of what is going on at Geneva and to be of use to delegates, rather than to watch the interests of the country concerned.

(b) Of the British Dominions, Canada and the Irish Free State are known to have permanent representatives at Geneva. Canada also maintains a separate office there but it is not known whether the Irish Free State does so.

(c) The expression " permanent delegate " is not understood. Government have, in consultation with the India Office and the High Commissioner, examined the question of maintaining a representative at Geneva for the purpose of rendering service to Indian delegations, and have reached the conclusion that, for the present, there would be no advantage in doing so.

#### REDUCTION OF PASSENGER TRAINS BETWEEN MOGHALSARAI AND MOKAMEH.

1025. **\*Mr. Siddheswar Prasad Sinha :** (a) Has the attention of Government been drawn to the action of the East Indian Railway authorities in reducing the number of passenger trains running between Moghalsarai and Mokameh from 2 to 1 each way ?

(b) Are Government aware that Dinapore has been chosen to be a suitable place for trains to start and terminate ?

(c) Has Dinapore any other importance except that it is the divisional headquarters of the East Indian Railway ?

(d) Will Government state reasons for giving Dinapore preference over Patna, the seat of the Local Government ?

(e) Will Government state the action they have taken or propose to take to stop such action of the Railway ?

**Mr. P. R. Rau :** The matter is one which is within the competence of the Agent, but a report will be called for and the result communicated to the Honourable Member in due course.

#### EXPENDITURE ON THE ECCLESIASTICAL ESTABLISHMENT.

1026. **\*Mr. Siddheswar Prasad Sinha :** (a) Is it a fact that expenditure on the Ecclesiastical establishment of the Government in the year 1911-12 was 19.15 lakhs ?

(b) Is it a fact that the Incheape Committee unanimously recommended a reduction of 2 lakhs a year in the expenses of the Department ?

(c) Is it also a fact that Sir Purshotamdas Thakurdas, a member of the said Committee, recommended a further reduction of 11.09 lakhs ?

(d) Is it a fact that, in the year 1927-28, the expenditure of the said Department was 33.94 lakhs ?

(e) If any of the facts or figures given in parts (a) to (d) be incorrect, will Government kindly correct them ?

(f) Will Government please state if the recommendations of the Inchcape Committee in respect of the Ecclesiastical Department were given effect to ? If so, to what extent and if not, why not ?

**The Honourable Sir George Rainy :** (a) I presume the Honourable Member is referring to the year 1913-14. The expenditure in that year was 19.15 lakhs.

(b) The Committee recommended that the provision for 1923-24 should be limited to 31.83 lakhs, 2 lakhs less than the budget estimate for 1922-23.

(c) Yes.

(d) In 1927-28 Ecclesiastical expenditure charged to Civil Estimates was Rs. 32.29 lakhs, but this amount included an expenditure of Rs. 40,000 on Ecclesiastical works in the United Provinces, which, prior to 1924-25, was debited to the Major Head " Civil Works ".

(e) The Honourable Member is referred to the replies to parts (a) and (d) above.

(f) Yes, Sir. The Ecclesiastical expenditure in 1927-28, exclusive of the expenditure on Ecclesiastical works in the United Provinces which in 1923-24 was debited to " Civil Works ", was Rs. 31.89 lakhs as against a figure of Rs. 31.83 lakhs recommended by the Indian Retrenchment Committee. The Committee recommended a reduction of 21 in the number of Chaplains. The number actually reduced was 28.

#### PARTICULARS OF ECCLESIASTICAL ESTABLISHMENT AND OF GRANTS GIVEN TO CHURCHES.

1027. **Mr. Siddheswar Prasad Sinha :** (a) Will Government please state the number of Bishops, Chaplains, and other officers of the Ecclesiastical Department maintained by them separately for each year during the last three years ?

(b) Will Government please state the amount of grants given to different Christian churches during the last three years, stating (i) the names of the churches, (ii) the amount paid to each of them, and (iii) the purpose of the grant ?

**The Honourable Sir George Rainy :** (a) The figures are as follows :

(i) Bishops, three throughout the period in question.

(ii) Chaplains of the Church of England,

139 in 1926,

140 in 1927,

140 in 1928,

(iii) Chaplains of the Church of Scotland,

18 in 1926,

17 in 1927,

17 in 1928,

(b) The information is being collected and will be supplied to the Honourable Member in due course.

**MISSION WORK BY OFFICERS OF THE ECCLESIASTICAL ESTABLISHMENT.**

1028. \*Mr. Siddheswar Prasad Sinha : (a) Are officers of the Ecclesiastical Department allowed to do mission work ?

(b) Is it a fact that servants of the Government of India are not allowed to be members of the Hindu Sabha ? If so, will Government please state reasons for it ?

**The Honourable Sir James Orerar :** (a) Chaplains of the Indian Ecclesiastical establishment do not engage in mission work.

(b) The Government of India have not issued any such orders. On the general question of the relations of public servants to political and communal organization, Government consider that it is in the interest of the public service that the activities of Government servants should not expose them to the charge of partisanship, or be the cause of any reasonable suspicion in the minds of any section of the community that their impartiality is impaired thereby.

**PUBLIC SERVICE EXAMINATION FOR "DEPARTMENTAL CANDIDATES".**

1029. \*Mr. Siddheswar Prasad Sinha : (a) Is it a fact that the next Public Service Commission examination for departmental candidates is going to be held in November next ? If so, will Government please define the term "departmental candidates" ?

(b) Is there any likelihood of a competitive examination being held simultaneously with the aforesaid examination in order to enable outsiders to qualify themselves for the ministerial services in the Government of India Secretariat ?

**The Honourable Sir James Orerar :** (a) The answer is in the affirmative. The term "departmental candidates" applies to qualified persons who are already employed in the Government of India Secretariat and attached offices, recruitment for which is made through the agency of the Public Service Commission.

(b) No.

**ADMISSION OF CERTAIN ANGLO-INDIANS TO THE PUBLIC SERVICE COMMISSION EXAMINATION.**

1030. \*Mr. Siddheswar Prasad Sinha : (a) Is it a fact that employees of the late Army Canteen Board and some other Anglo-Indians who are working temporarily and have not passed the examination of the Public Service Commission have been allowed to appear at the next examination ?

(b) Is it a fact that other temporary unpassed hands who have been working in the same way as the Anglo-Indians have not been allowed to sit at the aforesaid examinations in spite of their applications ? If so, what is the reason for allowing Anglo-Indians and not others ?

(c) Do Government propose to reconsider their cases ?

**The Honourable Sir James Orerar :** (a) Employees of the late Army Canteen Board and a few employees of certain other offices have been admitted because they were given a guarantee in the past that they would be allowed to appear at the next qualifying examination. This exception is not confined to Anglo-Indians nor to any other community.

(b) Where no guarantee has been given in the past, applications from temporary unpassed clerks have been refused.

(c) No.

**CANDIDATES PASSED BY THE PUBLIC SERVICE COMMISSION.**

1031. **\*Mr. Siddheswar Prasad Sinha :** (a) Is it a fact that Mr. Abdul Ghani, a second division clerk in the Army, Headquarters, was recently declared fit for employment in the first division of the Secretariat by the Public Service Commission ?

(b) Is it a fact that Mr. Shamoan Ahmad was also declared passed for the first division of the Secretariat ?

(c) Is it a fact that both of them appeared at the last competitive examination of the Public Service Commission held in 1926 ?

(d) How many marks did they obtain ? Were there any other candidates who had obtained more marks but were not declared successful ? If so, will Government state their number, names, and marks ?

(e) If none had obtained more marks than the aforesaid two gentlemen will Government be pleased to lay on the table of the House the marks of all the candidates who appeared at the last examination of the Public Service Commission ?

(f) If the aforesaid two gentlemen were given preference over others, will Government state the reasons for it ?

(g) Is it a fact that others, though obtaining higher marks were not given preference in appointment simply because they belonged to a particular community ?

**The Honourable Sir James Orerar :** (a) to (c). Yes.

(d) to (g). I would refer the Honourable Member to the Home Department Notification No. F. 160/27-Public, dated the 22nd March, 1927. The name of Mr. M. A. Ghani was later added to the list of Muslim candidates qualified for employment in the Upper Division as he was next in order of merit.

**COMMUNAL DISCRIMINATION IN THE POSTAL SERVICE IN BIHAR AND ORISSA.**

1032. **\*Mr. Siddheswar Prasad Sinha :** Is it a fact that a circular letter has been issued to the effect that a certain percentage of services in the post offices of Bihar and Orissa should be reserved for members of a particular community ? If so, will Government be pleased to state the reasons for this communal discrimination in the services ?

**Mr. P. G. Rogers :** The reply to the first part of the question is in the negative, and the second part therefore does not arise.



**GRANT OF NON-ENTITLED PASSAGES TO INDIANS UNDER ARMY REGULATIONS.**

1033. \***Mr. Siddheswar Prasad Sinha** : (a) Is it a fact that under Army Regulations, India, Volume X, European clerks of the Army Headquarters are granted non-entitled or indulgence passages to the United Kingdom and back to India ?

(b) Is it a fact that there is nothing in the rules to prevent the concession from being granted to Indians ?

(c) If the reply to part (b) be in the affirmative, will Government please state whether passages under the rules have ever been granted to Indians ? If not, why not ?

**Mr. G. R. F. Tottenham** : (a) Yes, provided that spare accommodation is available on transports during the trooping season.

(b) Yes.

(c) No applications for such passages have been received from Indians. In actual practice the concession is now a dead letter because spare accommodation is now practically never available on transports.

**TRANSFER TO DELHI OF THE OFFICES OF THE DEPUTY CONTROLLER OF PRINTING AND STATIONERY AND THE IMPERIAL LIBRARY.**

1034. \***Mr. Siddheswar Prasad Sinha** : (a) Is it a fact that the offices of the Deputy Controller of Printing and Stationery and the Imperial Library were located at Calcutta when the Headquarters of the Government of India offices were in Calcutta ?

(b) Is it a fact that most of the other Central Offices have since been transferred from Calcutta to New Delhi ?

(c) When do Government propose to consider the question of transferring these two offices also to New Delhi ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) The answer is in the affirmative. As regards the office of the Deputy Controller of Printing and Stationery, I may explain that, though there was, at the time when Calcutta was the headquarters of the Government of India, an officer called the Deputy Controller of Printing and Stationery, he had no separate office but worked in the office of the Controller of Printing and Stationery, which has since 1924 been transferred from Calcutta to Delhi. There is now no longer a Deputy Controller of Printing and Stationery, but there is a Deputy Controller of Stationery in charge of the Central Stationery Office at Calcutta.

(b) A certain number of offices of the Government of India have been removed from Calcutta to Delhi.

(c) Government have considered the question of removing the Central Stationery Office and the Imperial Library to Delhi and have decided not to do so.

**SCALE OF PAY OF ARMY HEADQUARTERS CLERKS.**

1035. \***Mr. Siddheswar Prasad Sinha** : Is it a fact that the Government of India have under their consideration the question of revising the

scale of pay of the Army headquarters clerks ? If so, when is a decision likely to be arrived at ?

**Mr. G. R. F. Tottenham :** Yes ; but it is not possible to say when a decision will be arrived at.

**LATE HOURS OF WORK IN THE INDIAN STORES DEPARTMENT AND FINANCE DEPARTMENT.**

**1036. \*Mr. Siddheswar Prasad Sinha :** Is it a fact that on account of an insufficient number of hands, the ministerial staff is compelled to work beyond office hours in the Indian Stores and the Finance Departments ? If so, why is not the staff increased nor an extra allowance paid to the clerks working beyond office hours ?

**The Honourable Sir George Schuster :** As regards the Indian Stores Department, I have ascertained that it is not a fact that the ministerial staff is required to work extra hours on account of their strength being inadequate. As regards the Finance Department, the Honourable Member is correct in his surmise that work in the Finance Department is very heavy indeed ; and there are times in the year, notably during the budget season and the sessions of the Legislature, when to many of the officials of the Department, including the Finance Member himself, it is a physical impossibility for the necessary work to be accomplished between the official hours of 10-30 A.M. to 4-30 P.M. In the last year or so, the Standing Finance Committee and the Legislative Assembly have approved certain increases of staff which the Finance Department, in putting forward the proposals, considered to be fully justified, and on certain occasions, as I explained in my answer to starred question No. 945 yesterday, bonuses or other payments are made to members of the ministerial establishment for overtime work. But in general I can say, and it is with pleasure and pride in the Department that I can say it, the situation is met by a devotion to duty on the part of the staff which has more than once met with recognition from members of this Assembly. The hard work is not only done, but is done willingly and uncomplainingly, and while the point of view which the Honourable Member has put forward must always receive attention, I am afraid it is not practicable to secure that office hours shall always be rigidly observed, or, to prescribe precise and strict conditions as regards overtime work in the circumstances with which we have to deal.

**QUALIFICATIONS OF CERTAIN CLERKS EXAMINED BY THE STAFF SELECTION BOARD IN 1922.**

**1037. \*Mr. Siddheswar Prasad Sinha :** (a) Is it a fact that some of the men who qualified themselves as clerks, attached offices, in the examination held by the late Staff Selection Board in 1922 have since been declared qualified for higher grades, (e.g., second division Secretariat, 1st division attached offices, etc.), without passing any further examination ?

(b) If the reply to part (a) be in the affirmative, will Government please state the names of such clerks together with their educational qualifications and the reasons for their being so treated ?

**The Honourable Sir James Ogerer :** (a) Yes ; in three cases.

(b) I am not prepared to disclose the names. The candidates in question appeared in the 1922 examination as outsiders and had entered their

names only for examination as clerks in an attached office. As, however, they had the educational qualifications required for higher categories, and had obtained the requisite number of marks, they were declared qualified for those categories.

#### HEAVY RAILWAY TRAFFIC FROM SIMLA ON THE 15TH OF OCTOBER.

1038. \*Mr. Siddheswar Prasad Sinha : (a) Is it a fact that the Assistant Operating Officer, North Western Railway, Simla, has informed the Government of India that it will not be possible for the Railway Administration to cope with the heavy rush on the 15th of October and on the following days on account of almost all the offices of the Government of India moving on or about the 15th October ?

(b) If the reply to part (a) be in the affirmative, do Government propose to issue instructions to the various offices so that some of them may fix an earlier date to avoid rush on one particular date ?

The Honourable Sir James Crerar : (a) The railway authorities have informed Departments of the Government of India that an extra strain will be placed on the Kalka Simla section of the line from the 7th to 19th October this year, and have asked the Departments to assist the railway by forwarding their advance records and office equipment at an earlier date if it is possible to do so.

(b) No. The present orders admit of some latitude in the matter of dates.

#### POSTPONEMENT OF THE PUBLIC SERVICE COMMISSION DEPARTMENTAL EXAMINATION.

1039. \*Mr. Siddheswar Prasad Sinha : (a) Is it a fact that the public Service Commission proposed to hold in November, 1929, an examination confined to departmental candidates for promotion to 1st and 2nd divisions ?

(b) Is it also a fact that, owing to retrenchments in Army Headquarters offices, several permanent 1st and 2nd division clerks have become surplus and are shown as supernumerary ?

(c) Is it a fact that these supernumerary men are not actually required in the grades in which they are shown as supernumerary but are kept only till such time as they can be absorbed in their own or other offices ?

(d) Is it a fact that 1st division supernumerary men, when absorbed elsewhere are to be replaced by 2nd division men and 2nd division supernumerary men by 3rd division men, and that so long as this is not done Government are being put to extra expense ?

(e) Is it a fact that so far there have not been sufficient vacancies in which these men could be absorbed ?

(f) In view of the above, do Government propose to postpone the Public Service Commission examination referred to in part (a) in order that the supernumerary men in the Army Headquarters offices might be absorbed as early as possible and the Government relieved of the extra expenditure on their account ? If not, why not ?

**The Honourable Sir James Crerar :** (a) to (e). Yes.

(f) No. No examination has been held since 1926, and postponement would be unfair to the men concerned in other Departments.

**POSTPONEMENT OF THE FORTHCOMING PUBLIC SERVICE COMMISSION EXAMINATION.**

1040. **\*Mr. Siddheswar Prasad Sinha :** (a) Is it a fact that the Government of India offices will open in full in New Delhi not earlier than the last week of October ?

(b) Is it a fact that the move involves a considerable dislocation of work and there is usually accumulation of work after the move ?

(c) If the replies to parts (a) and (b) be in the affirmative, do Government propose, in the interests of office work, that the forthcoming examination of the Public Service Commission for the Government of India offices should be postponed to a later date so that the candidates may have sufficient time after settling in New Delhi to prepare themselves for the examination without interference with their office duties ?

**The Honourable Sir James Crerar :** (a) The date fixed for the opening of the Government of India offices at Delhi is the 21st October, 1929.

(b) Some temporary dislocation and accumulation of work at the time of the move is I am afraid unavoidable.

(c) Government see no reason to think that the work of the Government of India offices will suffer. In the interests of some of the candidates themselves postponement of the examination is impossible.

**POSTPONEMENT OF THE FORTHCOMING PUBLIC SERVICE COMMISSION EXAMINATION.**

1041. **\*Mr. Siddheswar Prasad Sinha :** (a) What is the number of candidates likely to appear at the forthcoming Public Service Commission examination for ministerial establishments of the Government of India ?

(b) Is it a fact that there is already a large number of supernumerary men in Army Headquarters offices who have to be provided in permanent vacancies ?

(c) If the reply to part (b) is in the affirmative, do Government propose to consider the desirability of postponing the proposed examination till all or most of the supernumerary men in the Army Headquarters have been absorbed ?

**The Honourable Sir James Crerar :** (a) It is expected that about 500 departmental candidates will appear at the forthcoming Ministerial Selection Branch qualifying examination of the Public Service Commission.

(b) Yes, they will be treated as supernumeraries until absorbed in vacancies.

(c) No, for the reason already given by me in reply to question No. 1040.

## NUMBERS OF OFFICERS, CLERKS, ETC., IN ATTACHED OFFICES.

1042. \***Mr. Siddheswar Prasad Sinha** : (a) Will Government please lay on the table a statement showing the total number of officers, clerks, assistants, stenographers, and Superintendents (including Chief Superintendents) in each of the attached offices of the Government of India ?

(b) Will Government please state the number of men in each of the attached offices employed (i) in Cash Branch (ii) in General Section ?

**The Honourable Sir James Crerar** : (a) I regret that the information is not readily available and could not be collected without an undue amount of labour.

(b) I understand there are one or more Cashiers in each attached office, according to the amount of work involved. There are General Sections in some, but not in all such offices, as the nature of the work varies. If the Honourable Member wishes to obtain information showing the comparative staffing of these branches, I am afraid the information for which he asks will not help him, since a mere statement of persons employed will be of no value for this purpose without a statement of the work to be done. If he will be good enough to state the object of his question, I will be glad to consider whether the collection of the information will assist him.

## APPOINTMENT OF SIKHS IN THE OFFICE OF THE DIRECTOR GENERAL OF ARCHAEOLOGY.

1043. \***Sardar Kartar Singh** : (a) With reference to the reply given to my question on the 5th September, 1929, will Government please state the qualifications of the best Sikh applicants for appointment in the office of the Director General of Archaeology ?

(b) How many of them were graduates ?

(c) What are the educational qualifications of men actually appointed in that office during the past three years ?

(d) In what respect were the qualifications of Sikh applicants considered unsuitable ?

(e) Will Government please state the reasons for their decision to appoint a Muslim in the Muslim vacancy in July last ?

(f) Is this principle followed in all offices under Government or was it specifically framed for filling this particular vacancy ?

(g) Will Government please quote an instance in which a Sikh was appointed in a Sikh vacancy ?

(h) In what sort of vacancy do Government propose to appoint a Sikh and when is it likely to occur ?

(i) What steps do Government propose to take to invite applications from suitable Sikhs for this office ?

**Sir Frank Noyce** : (a) The best of the Sikh applicants were graduates, but none of them had any office experience.

(b) Two.

(c) A statement showing the qualifications of the men appointed during the past three years is laid on the table.

(d) Because they had had no office experience.

(e) Not to let their representation in the Department fall lower, and as a suitable Muhammadan candidate was available, he was appointed.

(f) It is not contrary to the principle of keeping adequacy of representation of communities in mind when filling fresh vacancies.

(g) That would need issuing a circular to collect information on the subject.

(h) & (i). The representation of Sikhs in the Department of Education, Health and Lands is 5.62 per cent., and cannot be said to be inadequate in any way, though in the office of the Archæological Department there is no Sikh.

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*Statement showing the qualifications of the men appointed in the office of the Director General of Archaeology in India during the past three years.*

- (1) Shastri, M.A., M.O.L., Trained Librarian.
- (2) Matriculate. Passed the examination held by the Public Service Commission. Knows shorthand and typewriting. Had one year's office experience.
- (3) Matriculate. Passed the examination held by the Public Service Commission. Knows shorthand, typewriting and accounts. Had six years' office experience.
- (4) Matriculate. Knows shorthand, typewriting and accounts. Had five years' office experience.
- (5) Transferred from another Government office where he had three years' permanent service.
- (6) Read up to the Intermediate. Passed the Berlin Standard Examination, which is believed to be equivalent to the B.A. Degree of an Indian University. Knows shorthand, typewriting and German. Had four years' office experience.
- (7) Was appointed in a three months' temporary vacancy in view of his previous experience of work in the office of the Director General of Archaeology.

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PROPORTION OF MUHAMMADANS APPOINTED IN THE OFFICE OF THE DIRECTOR GENERAL OF ARCHÆOLOGY.

1044. \*Sardar Kartar Singh : (a) Is it a fact that the assistant in charge of establishment cases in the office of the Director General of Archæology is a Muhammadan ?

(b) When was he appointed ?

(c) Since then how many vacancies have occurred in that office and how many of them have been filled by Muhammadans ?

(d) What was the proportion of Muhammadans in this office prior to his appointment and what is it now ?

Sir Frank Noyce : (a) No.

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

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SHORT NOTICE QUESTIONS AND ANSWERS.

SHORTAGE OF QUARTERS IN NEW DELHI.

Kumar Ganganand Sinha : Sir, I beg to ask the short notice question of which I have given notice (a) Is it a fact that the move dates

of the Government of India have been fixed earlier this year than last year ?

(b) Is it a fact that more offices are moving to New Delhi this year than last year ?

(c) Is it a fact that, owing to this cause, there is a great dearth of quarters for allotment to assistants and clerks and officers in Departments which have been moving down to New Delhi all along ?

(d) How is it proposed to provide quarters for clerks and others for whom it may be decided at the last moment that no quarters can be allotted ?

(e) Do Government propose to consider the desirability of giving at least three months' notice to clerks and assistants who cannot be given any Government quarters, so that they may be able to make their own arrangements ?

(f) Is it a fact that allotments for the coming Delhi season have not yet been received in Simla in all the Departments though less than a month remains for the move ?

(g) Is it a fact that, last year, the allotments were received very late and thereby great hardship was caused to clerks and others who were not provided with quarters ?

(h) Do Government propose to consider the advisability of allotting quarters in full to those offices which must move down to Delhi of necessity, giving to the other offices the remainder, if any ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) It is a fact that date fixed for the move from Simla to New Delhi will be earlier this year than it was last year.

(b) Yes.

(c) There is a great dearth of quarters for allotment to staff of all grades, and the shortage is of course increased when a larger number of staff move to New Delhi.

(d) Staff to whom quarters cannot be allotted make private arrangements. The question of building additional quarters is engaging the attention of Government.

(e) and (h). Government intend to recast the house accommodation rules and will do all that is possible to ensure that allotments are made in the manner which will cause the least general inconvenience, with due regard to the requirements of the offices whose staff have to be provided for.

(f) I understand that most of the allotments have been made. I have caused instructions to be issued to the Estate Officer to expedite the issue of any allotments still to be made.

(g) I understand that the allotment orders were issued about the 20th September last year. As I have stated, special attention will be paid in recasting the rules to making such provision as is possible to prevent the recurrence of inconvenience of this kind.

REPORTERS APPOINTED FROM ENGLAND FOR THE ROYAL COMMISSION ON LABOUR.

\***Mr. Jamnadas M. Mehta :** Sir, with your permission I beg to ask the short notice question of which I gave notice : (a) With reference

to the reply to starred question No. 543 in the Legislative Assembly on the 1st March, 1924, will Government be pleased to state whether it is a fact that the Royal Commission on Labour proposes to bring two reporters all the way from England at a cost of nearly Rs. 2,000 each per mensem ?

(b) Will Government be pleased to state why, in spite of the representations made to the India Office, as promised in the reply to part (7) of the question referred to in part (a), English reporters are engaged to report the proceedings of the Commission ?

(c) Do Government propose to protest against the employment of reporters from England at such a heavy cost to the Indian taxpayer and to utilise the service of Indian reporters ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes. The cost will be about Rs. 1,900 *per mensem* for each Reporter while in India.

(b) As the practice in the selection of reporting staff for Royal Commissions is to consult the Chairman's views and to follow them wherever practicable, the Secretary of State was unable to give any undertaking which would limit the choice of the reporting staff. Sanction to the entertainment of the English reporters in the present instance was given by the Secretary of State at the request of the Chairman of the Royal Commission on Labour.

(c) The Government of India have already made a representation to the Secretary of State in this connection, and the latter has agreed to reconsider the question in time before the 1930-31 tour of the Commission, it being too late now to reconsider the terms sanctioned for the English reporters for the 1929-30 tour.

**Mr. Gaya Prasad Singh :** Do Government realise that this Legislature is put in a somewhat awkward position if this matter has to be voted upon ?

12 Noon.

**The Honourable Sir Bhupendra Nath Mitra :** I believe the expenditure is non-votable.

**Mr. Jamnadas M. Mehta :** Does not that imply some reflection upon the Indian reporters whose efficiency is so well-known to every Member of this House ?

**The Honourable Sir Bhupendra Nath Mitra :** That is a question of opinion, but I do not think that any such reflection is intended.

**Mr. Gaya Prasad Singh :** Are Government aware that Sir Malcolm Hailey, in reply to the question referred to by my Honourable friend Mr. Jamnadas Mehta, said, " We believe that the work can be satisfactorily done in India without importing reporters from England " ? Further on, he said, " We have always held ourselves that adequate reporting can be obtained in India ".

**The Honourable Sir Bhupendra Nath Mitra :** I have no reason to disbelieve that. I have already explained the reasons which led to the engagement of these particular reporters.

**Mr. Gaya Prasad Singh :** What are the special qualifications of those reporters which are not to be found in the reporters in this country ?

**The Honourable Sir Bhupendra Nath Mitra :** I have never suggested that any special qualifications are possessed by these people.



**Mr. Jamnadas M. Mehta :** They are being engaged because they are Europeans, that is the only reason.

**Diwan Chaman Lall :** Is it the intention of the Government of India to make a strong protest to the Secretary of State against the action taken by him in this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already stated that we have made representations to the Secretary of State on the subject.

**Mr. Gaya Prasad Singh :** Is it not a fact that reporters from England were brought out on the occasion when the Simon Commission came out ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no knowledge of that fact, Sir.

**Mr. Gaya Prasad Singh :** The Honourable the Home Member may be able to enlighten us. He is here.

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### UNSTARRED QUESTIONS AND ANSWERS.

#### INCONVENIENT TIMINGS OF CERTAIN TRAINS.

**221. Pandit Thakur Das Bhargava :** (a) Is it a fact that previously there used to be three trains from Delhi and the Rewari Fazilka section of the Bombay, Baroda and Central India Railway and that since the revision of the time table last year, the connection between the Delhi Express leaving Delhi at 8-25, and the passenger train No. 24 between Rewari and Bhatinda has been discontinued, resulting in great inconvenience to the passengers destined for stations between Rewari and Bhatinda ?

(b) If the reply to part (a) is in the affirmative, will Government kindly state why this connection was discontinued ?

(c) Do Government propose to restore the connection in the near future ?

**Mr. P. R. Rau :** I am afraid it is not possible for Government to take part in the preparation of time tables, but I will send a copy of the Honourable Member's question and of my answer to the Agent of the Bombay, Baroda and Central India Railway for such action as he may consider necessary.

#### BOOKING OFFICES AT DELHI JUNCTION STATION.

**222. Pandit Thakur Das Bhargava :** (a) Are Government aware that there is a general complaint that booking offices are not kept open for issue of tickets at the times fixed by the Railway Administrations ?

(b) Were any instructions issued by any of the Railway Administrations in this behalf during the last two years ?

(c) Have Government taken any action in this behalf against the booking clerks of Delhi Junction during the last two years ?

**Mr. P. R. Rau :** (a) This question has been receiving special attention from the Railway Board, the Central Advisory Council and Railway

Administrations during the last year or two. Special instructions have been issued to railways, and in May last they were asked to submit a report by November next as to what practical steps have been taken to ensure that booking office windows are opened at the times fixed by the Railway Administration.

(b) Yes.

(c) Government are not aware of any special complaints having been made with regard to the arrangements for booking at Delhi Junction.

**PROVISION OF INTERMEDIATE CLASS ACCOMMODATION ON CERTAIN SECTIONS OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

**223. Pandit Thakur Das Bhargava :** (a) Are Government aware that, except in one train, there is no intermediate class accommodation provided on the Bombay, Baroda and Central India Railway on the Delhi-Colaba (metre gauge) section as well as the Rewari to Fazilka section ?

(b) Do Government propose to arrange that intermediate class accommodation be provided in every train running between the above mentioned sections ?

**Mr. P. E. Rau :** I would invite the Honourable Member's attention to the reply given by Mr. Parsons to Rai Bahadur Tarit Bhusan Roy's question No. 233 on the 30th of January, 1929.

**THIRD CLASS FARES ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

**224. Pandit Thakur Das Bhargava :** (a) When were the third class fares last reduced on the Bombay, Baroda and Central India Railway, for distances below 300 miles ?

(b) Is it a fact that the incidence of fare per mile on the Bombay, Baroda and Central India Railway is greater than on the North Western, East Indian, and Great Indian Peninsula Railways in regard to all the classes, for distances below 300 miles ? If so, by what amount ?

**Mr. P. E. Rau :** (a) On the 1st of August, 1928.

(b) I would refer the Honourable Member to the statement laid on the table by me in connection with Mr. Gaya Prasad Singh's question No. 1440 on the 3rd April, 1929, which contains the information which he desires to know.

**THIRD CLASS FARES ON EXPRESS TRAINS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

**225. Pandit Thakur Das Bhargava :** (a) Is it a fact that 3rd class passengers travelling by Express trains on the Bombay, Baroda and Central India Railway have to pay the fares fixed for mail trains ?

(b) If the reply to part (a) is in the affirmative, will Government kindly state if the rule is the same on North Western, East Indian and Great Indian Peninsula Railways ?

(c) What is the ground of distinction, if any ?

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

(b) No.

(c) The fares are not entirely uniform on all railways, owing to the diversity of financial and other conditions.

**INTRODUCTION OF RETURN TICKET CONCESSION ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

**226. Pandit Thakur Das Bhargava :** (a) Is it a fact that no ordinary or week-end return tickets are issued by the Bombay, Baroda and Central India Railway to intermediate and third class passengers ?

(b) Are such tickets issued to intermediate and third class passengers on any State Railways ?

(c) Have Government ever insisted on the Bombay, Baroda and Central India Railway Administration bringing the concessions to passengers of the various classes into line with those of the State Railways ?

**Mr. P. R. Rau :** (a) I presume by ordinary tickets the Honourable Member refers to return tickets at a reduced rate, and the reply is in the affirmative.

(b) Yes.

(c) It is for the Agent to decide whether the issue of such tickets is likely to be profitable. A copy of the Honourable Member's question and of this reply will be sent to him.

**RECRUITMENT OF ENGINEERS FROM ENGLAND FOR THE NORTH WESTERN RAILWAY.**

**227. Pandit Thakur Das Bhargava :** Is it a fact that short-term covenanted engineers were recruited from England and posted to the open section of the North Western Railway, and that their terms of covenant were extended, and is it also a fact that qualified Indian engineers holding Indian and English University degrees could be found in sufficient numbers ? If so, will Government please state the reasons and circumstances why the former were recruited and their terms extended ?

**Mr. P. R. Rau :** Thirteen short-term engineers from England and nine Indian short-term engineers were recruited mainly for the period from the end of 1925 to the early months of 1927 to enable the railways to cope with the increased programme of new open line works and new construction. Temporary engineers are frequently posted for open line new works and maintenance work to replace temporarily officers in the permanent cadre who are posted to new construction, in order that the latter may obtain experience of this class of work.

Covenants of short-term engineers are occasionally extended when there are vacant posts for which they possess special qualifications.

**REDUCTION OF MR. BRIJ LAL FROM THE POST OF TICKET COLLECTOR, NORTH WESTERN RAILWAY.**

**228. Pandit Thakur Das Bhargava :** (a) Is it a fact that Brij Lal, ticket collector at Lahore Railway Station, was at first transferred to Amritsar as a consequence of his having helped a passenger by

asking a coolie to charge proper dues from him and then he was reduced to the post of a train clerk ?

(b) What was the length of service of Brij Lal, ticket collector ?

(c) Was the case of the said Brij Lal commented upon in *The Hindu Herald* and if so, was the amount of punishment influenced by the fact of such comment ?

**Mr. P. R. Rau :** Government have seen the article which appeared in the *Hindu Herald*. The matter is one with which the Agent of the Railway is fully competent to deal and I am sending a copy of the question to him.

#### ARTICLE IN THE *Hindu Herald*.

229. **Pandit Thakur Das Bhargava :** Has the attention of Government been called to the piece of news contained under the heading "Through the Window" in *The Hindu Herald*, dated 31st August, 1929 ? Have the Railway authorities taken any action in the matter ? If so, what ?

**Mr. P. R. Rau :** The reply to the first part of the question is in the affirmative. Regarding the second part of the question, Government have no information, but think it very unlikely that any useful inquiry could have been made by the Railway Administration unless the writer of the newspaper article wrote to the Railway giving his name and was prepared to identify the ticket collector in question.

#### FREE ALLOWANCE OF LUGGAGE FOR INTERMEDIATE AND THIRD CLASS RAILWAY PASSENGERS.

230. **Pandit Thakur Das Bhargava :** (1) Are Government aware that there is a very widespread dissatisfaction about the weight of luggage allowed free for passengers of the third and intermediate classes (15 and 20 seers, respectively) as well as in respect of the rates charged for such luggage ?

(2) Have Government seen the comment in this connection appearing in *The Hindu Herald*, dated 31st August, 1929 ?

(3) Do Government realise that these high freight rates cause great loss to the earnings of the railways and corruption in the subordinate staff of the railways ?

(4) Do Government propose to consider this question at an early date ?

**Mr. P. R. Rau :** (1) Government are aware that there is a widespread demand for an enhancement in the free allowance of luggage, but it has not been represented to Government that the existing rates charged are unduly high.

(2) Yes.

(3) No.

(4) The question of free allowance is already under consideration. The luggage rates were reduced by 15 per cent. in January last and further reduction is not contemplated at present.

## STAFF OF THE OFFICE OF THE ROYAL COMMISSION ON LABOUR.

231. **Mr. S. C. Mitra :** (1) Is it a fact that the selection of staff for the Office of the Royal Commission on Labour has recently been made? If so, will Government be pleased to lay on the table a statement giving the names of Superintendents, assistants, clerks, etc., appointed and the different communities to which they belong?

(2) Is it a fact that the selection of men has been made by the Assistant Secretary of the Commission?

(3) Is it a fact that Mr. Harbans Lal, a clerk of the Central Board of Revenue on Rs. 120 p. m., has been appointed as Cashier of the Commission on Rs. 300 per mensem? If so, on what considerations?

(4) Will Government be pleased to state the names of the Committees and Commissions in which Mr. Green and Mr. Harbans Lal have worked together? Is Mr. Green entirely responsible for the appointment of Mr. Harbans Lal on the Commission?

(5) Is it a fact that while Messrs. Green and Harbans Lal were employed on the Hartog Committee, each had a peon employed at his house in Delhi and they continued to draw the usual travelling and daily allowances admissible to them as on tour?

**The Honourable Sir Bhupendra Nath Mitra :** (1) The selection of the staff has almost been completed, but only a small proportion of the men have been appointed. A statement giving the names of the men appointed or selected and showing the communities to which they belong is being sent to the Honourable Member, and a copy will be placed in the Library of the House.

(2) No. The selection is made in every case by the Joint Secretary to the Royal Commission on Labour.

(3) No selection has yet been made for the post of Cashier. Mr. Harbans Lal is one of the candidates for the post.

(4) Mr. Green and Mr. Harbans Lal have worked together on the following Committees :

The Indian Mercantile Marine Committee,

The Education Committee of the Indian Statutory Commission, and

The Primary Education Committee for Centrally Administered Areas.

The second part of the question does not arise.

(5) The answer is in the negative.

## CONTRIBUTIONS BY INDIAN SOLDIERS TO THE KSHATTRIYA SAMITY.

232. **Mr. Gaya Prasad Singh :** (a) Will Government be pleased to state if it is a fact that some eight or ten years ago, the Commanding Officers of some Royal Garhwal Regiments asked the soldiers and Indian commissioned officers to contribute one month's pay towards the funds of the Kshattriya Samity? If so, how much money was collected, and to whom was it paid?

(b) How much of that money is already spent ; and what is the balance left ; and where it is kept ?

(c) What sum out of it has been awarded to sons of soldiers in the shape of scholarships ? And how much is spent in the publication of a newspaper ?

(d) Is the account audited, and made available to soldiers for their information ?

(e) How is the balance of the money, if any, to be utilized ?

**Mr. G. R. F. Tottenham :** The information is being collected and will be furnished to the Honourable Member in due course.

#### TRANSFERS IN THE POSTAL DEPARTMENT.

**233. Mr. Gaya Prasad Singh :** (a) Is it a fact that the Government of India have issued orders under No. 77/Pte., dated the 20th October, 1927, that transfers in the Postal Department from a higher to a lower scale of pay should be made only at the request of the official, it being clearly understood that no pressure should in such a case be brought to bear upon the individual concerned who is free to accept or decline the transfer ?

(b) Is it a fact that the Director General, Posts and Telegraphs, in his letter No. E.A.O.-251/28, dated the 23rd June, 1928, has ordered that an official who has passed the Postal Accountant's Examination should not be transferred from a higher to a lower time-scale of pay except with his consent and request ?

(c) Is it a fact that Mr. G. N. Ghose, Accountant, Benares City Post Office, in the scale of Rs. 40—140 was transferred on a lower scale by the Postmaster General, United Provinces Circle, as Accountant, Gazipore Post Office, in the scale of Rs. 35—135 without the official's consent and request, and that even his appeal to re-transfer him back to his original scale was rejected ?

(d) If the reply to points (a), (b) and (c) be in the affirmative, will Government be pleased to state why in contravention of their orders transfers from a higher to a lower scale of pay have been effected in the United Provinces Circle ? Do Government propose to cancel such transfers, restoring the officials to their original scales ?

**Mr. P. G. Rogers :** (a) Yes, the gist of the orders referred to is substantially as stated by the Honourable Member.

(b) Yes.

(c) and (d). The matter is being inquired into and the result will be communicated to the Honourable Member in due course.

#### PROMOTIONS TO THE SECOND DIVISION IN THE TRAFFIC BRANCH OF THE TELEGRAPH DEPARTMENT.

**234. Mr. Amar Nath Dutt :** (a) With reference to the reply to question No. 369 given in the Assembly on the 22nd March, 1929, regarding the introduction of an examination for promotion to the second division, will Government be pleased to state whether they have come to any conclusions ?

(b) If the answer to part (a) be in the negative, will Government be pleased to state whether they propose to stop nominations from the Telegraph Master's grade to the second division till a final decision is reached ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No decision has been reached as yet.

(b) The reply is in the negative.

#### TASK WORK MESSENGERS.

235. **Mr. Amar Nath Dutt :** (a) With reference to the reply to question No. 1222 put by Mr. M. S. Sesha Iyengar on the 27th March, 1929, regarding the Task Work Messengers, will Government be pleased to state whether they have issued any orders on the subject ?

(b) If the answer to part (a) be in the negative, will Government be pleased to state when they propose to do so ?

(c) Will Government be pleased to state how the amount of Rs. 40,000 recommended by the Standing Finance Committee on the 31st January 1928 regarding the task work messengers has been utilised ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). Not yet, as the matter is still under consideration and it is not possible to say when a final decision will be reached.

(c) The saving was utilised in reducing the deficit in the Posts and Telegraphs Budget Estimate for the year 1928-29.

#### LOSS SUSTAINED BY TELEGRAPH MESSENGERS IN THE DELIVERY OF MESSAGES.

236. **Mr. Amar Nath Dutt :** With reference to the reply to question No. 176 put by Mr. N. M. Joshi in the Assembly on the 4th February, 1929, regarding the loss sustained by the telegraph messengers in the delivery of messages, will Government be pleased to state whether they have reconsidered and issued orders ? If not, when do they propose to do so ?

**Mr. P. G. Rogers :** The matter is still under consideration.

#### GRANT OF PENSIONS TO BAUDOT MISTRIES.

237. **Mr. Amar Nath Dutt :** With reference to the reply to question No. 173 put by Mr. N. M. Joshi on the 4th February, 1929, regarding the grant of pensions to Baudot mistries, will Government be pleased to state when they propose to give effect to it ?

**Mr. P. G. Rogers :** The matter is still under the consideration of Government and no decision has yet been arrived at.

#### GRANT OF HOUSE RENT ALLOWANCE TO LOCAL SERVICE TELEGRAPHISTS.

238. **Mr. Amar Nath Dutt :** (a) Will Government be pleased to state whether they are aware of the fact that Local Service Telegraphists appointed after 1st March, 1913, are also transferable within the Circle ?

(b) Will Government be pleased to state whether transfers are taken into consideration in granting house-rent allowance for Local Service Telegraphists appointed before 1st March, 1913 ?

(c) If answer to parts (a) and (b) be in the affirmative, will Government be pleased to state the grounds under which they refuse to grant house-rent allowance to the men appointed after 1st March, 1913 ?

(d) With reference to reply to question No. 1222 (b) put by Mr. M. S. Sessa Iyengar in the Assembly on the 27th March, 1929, regarding the number of Indians and Anglo-Indians, do Government propose to reconsider and grant the said allowance for Local Service Telegraphists appointed after 1st March, 1913 ?

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

(b) No.

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

(d) No.

#### RESOLUTIONS PASSED BY THE MADRAS BRANCH OF THE ALL-INDIA TELEGRAPH UNION.

239. **Mr. Amar Nath Dutt :** With reference to reply to question No. 364 given in the Assembly on the 22nd March, 1929, regarding the decision on the Resolutions passed by the Madras Branch of the Union, will Government be pleased to furnish the same ?

**Mr. P. G. Rogers :** A copy of the reply given to Mr. A. Rangaswamy Iyengar, Chairman of the meeting of the All-India Telegraph Union, Madras Branch, is being supplied to the Honourable Member for his information.

#### NUMBER OF INDIANS, ANGLO-INDIANS AND EUROPEANS IN CERTAIN CLASSES IN THE TELEGRAPH DEPARTMENT.

240. **Mr. Amar Nath Dutt :** With reference to the question No. 370 put in the Assembly on the 22nd March, 1929, regarding statistics, will Government be pleased to furnish the information now ?

**Mr. P. G. Rogers :** The information was supplied to the Honourable Member in my letter No. S.A.-14/29 (103), dated the 22nd August, last, a copy of which will be found in the Library of the Legislative Assembly.

#### APPOINTMENT OF AN INSPECTOR OF PEONS FOR NEW AND OLD DELHI.

241. **Mr. Amar Nath Dutt :** With reference to the reply to question No. 1403 put by Mr. V. V. Jogiah in the Assembly on the 2nd April, 1929, regarding the appointment of Inspector of peons in New Delhi Office, will Government be pleased to state whether they propose to reconsider the appointment of a permanent Inspector of peons in the above office for first six months and in the Old Delhi Office for the rest of the period ?

**Mr. P. G. Rogers :** No such proposal is at present under the consideration of Government.



**GRANT OF COMPENSATORY ALLOWANCE TO NON-GAZETTED OFFICERS OF THE  
POSTS AND TELEGRAPHS DEPARTMENT.**

**242. Mr. Amar Nath Dutt :** (a) Is it a fact that compensatory allowance was granted to the gazetted officers of the Posts and Telegraphs Department about six years ago ?

(b) Is it a fact that the case of compensatory allowance for the non-gazetted officers has been under consideration of Government for the last six years, and has not yet been settled ?

(c) If reply to (a) and (b) be in the affirmative, will Government be pleased to state the reasons for delay in the case of non-gazetted officials, and when it is likely to be finally settled ?

(d) Will Government be pleased to name the places for which compensatory allowance will be sanctioned ?

(e) Is it a fact that no compensatory allowance has been sanctioned for the Rangoon Telegraph Office ?

(f) Are Government aware that high cost of living prevails at Rangoon ?

(g) If reply to (b) and (c) be in the affirmative, do Government propose to grant compensatory allowance at Rangoon ? If not, why not ?

(h) With reference to the reply given to the starred question No. 478 (c) of Mr. Abdul Latif Sahib Farookhi on 11th February, 1929, regarding compensatory allowance, will Government be pleased to state if all the subordinate staff of Traffic and Engineering Branches in the Burma Circle of the Telegraph Department have been included in the scheme for compensatory allowance that has been sanctioned ? If not, which of the staff has been excluded ?

(i) Do Government propose to include the names of those thus excluded in any further scheme of compensatory allowance ? If not, why not ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes, in 1924, at Bombay, Calcutta, Karachi, Madras and Rangoon only.

(b) No. A general review of existing compensatory allowances granted to low paid subordinates of the Posts and Telegraphs Department was initiated by the Director General in 1926.

(c) I would invite the attention of the Honourable Member to part (c) of the reply given in this House to Mr. Abdul Latif Sahib Farookhi's starred question No. 478 on the 11th February, 1929.

(d) Until the general review now in progress is completed, it is not possible to specify the places for which compensatory allowance will be sanctioned.

(e) No, except in the case of classes of officials whose pay has been fixed with reference to local conditions.

(f) Yes.

(g) It is presumed that the Honourable Member refers to parts (e) and (f), not to (b) and (c). In view of the reply to part (e), this part

does not arise. Compensatory allowances have actually been sanctioned for certain classes of officials at Rangoon where necessary.

(h) and (i). The compensatory allowance scheme sanctioned for Burma applies only to ordinary time-scale clerks and other lower paid subordinates. In this connection I would invite the attention of the Honourable Member to paragraph 5 of the Memorandum, dated the 24th January, 1928, discussed at the meeting of the Standing Finance Committee dated the 31st January, 1928. The cases of other officials will be reviewed later on.

#### RECRUITMENT OF CANDIDATES TO THE SIGNALLING BRANCH OF THE TELEGRAPH DEPARTMENT.

243. **Mr. Amar Nath Dutt :** (a) Is it a fact that the Director General has issued a circular for recruitment of candidates in the Signalling Branch of the Telegraph Department ?

(b) Is it a fact that in working the new rules, a candidate getting a higher place in order of merit in the competitive examination will be superseded by a candidate of another community getting a lower place in the same competitive examination to adjust communal inequalities ?

(c) If reply to (b) be in the affirmative, will Government be pleased to state what will be the proportion or percentage of such communal recruitment, and what will be the basis for the same ?

(d) Will Government be pleased to state if direct recruitment in General and Station services has been started according to the new rules ?

(e) If reply to part (d) be in the affirmative, will Government be pleased to state whether recruitment through schools and homes will be still continued ? If so, how long ?

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

(b) This may possibly occur.

(c) To the extent of one-third of the vacancies to be filled by direct recruitment from outside the Department. With regard to the basis, the attention of the Honourable Member is invited to part (a) of the reply given on the 3rd September, 1929, to Mr. Anwar-ul-Azim's starred question No. 85.

(d) Recruitment according to the new rules has not yet commenced.

(e) Recruitment through approved schools will definitely cease from the 31st December, 1929.

#### RE-EXAMINATION FOR GENERAL SERVICE OF STATION SERVICE TELEGRAPHISTS.

244. **Mr. Amar Nath Dutt :** (a) Is it a fact that Mr. Sams, the then Director General, in an interview granted to the Station Service Telegraphists at Calcutta, in January, 1929, admitted that there was no necessity for re-examination in signalling and medical tests of the candidates for General Service from amongst those Station Service Telegraphists who had already appeared and been declared fit on the last occasion ?

(b) Is it a fact that he, on return to New Delhi, intimated that the rules could not be relaxed, and all those telegraphists would have to re-appear for those tests ?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state what is the rule referred to above ?

**Mr. P. G. Rogers :** The matter is being inquired into and the result will be communicated to the Honourable Member in due course.

#### NUMBER OF STATION SERVICE TELEGRAPHISTS TRANSFERRED TO THE GENERAL SERVICE.

**245. Mr. Amar Nath Dutt :** With reference to the Director General's communication calling for volunteers from Station to the General Service, will Government be pleased to state :

- (a) how many vacancies there were at the time ;
- (b) how many Station Service Telegraphists were examined ;
- (c) how many have since been transferred to the General Service :  
and
- (d) if reply to (c) be in the negative, the reasons for delay ?

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

#### ABSORPTION OF LOCAL AND STATION SERVICE TELEGRAPHISTS IN THE GENERAL SERVICE.

**246. Mr. Amar Nath Dutt :** With reference to the Director General's communication calling for volunteers from Station to the General Service, will Government be pleased to state whether it was under contemplation of the Government to absorb all Local and Station Service men in the General Service ? If not, will Government please state why all the candidates were examined by the Medical Board ?

**Mr. P. G. Rogers :** No. Previous examination by a Medical Board as to the physical fitness of the volunteers for General Service is a condition which is necessary to enable selection to be made.

#### EXAMINATION OF DEPARTMENTAL CANDIDATES FOR GENERAL TELEGRAPH SERVICE.

**247. Mr. Amar Nath Dutt :** (a) Is it a fact that departmental candidates volunteering for General Service were examined in January, 1929 ?

(b) Will Government be pleased to state if travelling expenses and medical fees of these candidates were borne by the Government ?

(c) If reply to part (b) be in the affirmative, what was the total expenditure under those two heads ?

(d) Is it a fact that the candidates in some places were examined in August, 1929 ? If so, do Government propose to allow those candidates, who were temporarily disqualified at the time of their first examination, to sit again for re-examination ? If not, why not ?

**Mr. P. G. Rogers :** (a) and (d). The examination of Station and Local Service telegraphists, who volunteered for General Service, was conducted at different times to obviate any dislocation of work. There is therefore no question of a re-examination.

(b) Yes.

(c) The information asked for is being collected and will be supplied to the Honourable Member in due course.

#### RECRUITMENT OF GENERAL SERVICE TELEGRAPHISTS.

**248. Mr. Amar Nath Dutt :** (a) Is it a fact that advertisements have been issued through newspapers calling for candidates for recruitment in General Service from outside the Department ?

(b) If so, do Government contemplate to absorb all the willing Local and Station Service telegraphists in General Service before any outsider is recruited direct as General Service probationer ? If not, why not ?

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

(b) No. Because in the opinion of Government the arrangement contemplated in the first part of the question will be prejudicial to the efficiency of the Department.

#### APPOINTMENT OF STATION SERVICE TELEGRAPHISTS TO GENERAL SERVICE.

**249. Mr. Amar Nath Dutt :** Is it a fact that there are many Station Service telegraphists who accepted that service because there was no opportunity for them to enter the General Service direct ? If so, do Government propose to give them a chance to exercise their option for General Service, before any outsider is recruited as probationer in General Service ?

**Mr. P. G. Rogers :** Government have no information on the point raised in the first part of the question. In any case the men never had any claim of exercising an option for General Service.

#### RULES FOR RECRUITMENT OF GENERAL SERVICE TELEGRAPHISTS.

**250. Mr. Amar Nath Dutt :** Is it a fact that, according to the new rules of recruitment, departmental clerks are not eligible for appointment in General Service ? If so, do Government propose to modify the rules ? If not, why not ?

**Mr. P. G. Rogers :** The answer to the first part of the question is in the affirmative. The question of allowing departmental clerks below the age of 20 to compete for the examination for the recruitment of General Service telegraphists is under consideration.

#### RULES FOR RECRUITMENT TO THE SIGNALLING BRANCH OF THE TELEGRAPH DEPARTMENT.

**251. Mr. Amar Nath Dutt :** (a) Is it a fact that only 10 per cent. of appointments in the Signalling Branch has been reserved for the sons and relatives of the employees of the Telegraph Department according to the new rules of recruitment ?

(b) Will Government be pleased to state if any such percentage was observed at the time of recruitment through homes and schools ?

(c) Will Government be pleased to state if any such reservation is observed in the clerical vacancies of the Telegraph Department ?

(d) Do Government propose to increase the percentage of such reservation in signalling and clerical vacancies ?

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

(b) No.

(c) No.

(d) Government do not propose to increase the percentage of such reservations in signalling vacancies. As regards clerical vacancies the question as to whether there shall be any similar reservation, and if so, to what extent, is under consideration.

#### SCALES OF PAY FOR FUTURE STATION SERVICE TELEGRAPHISTS.

**252. Mr. Amar Nath Dutt :** Is it a fact that the scales of pay for future entrants in the Station Service at Cuttack, Muzaffarpur, Ajmer, Indore, Bellary, Coconada, Cochin, Calicut, Mangalore, Nagapatam, Bezwada, Ootacamund, Trichinopoly, Tuticorin and Vizagapatam, have been reduced ? If so, why ?

**Mr. P. G. Rogers :** The reply to the first part of the question is in the affirmative but the reduced scale of pay is not applicable to the existing incumbents. With respect to the second part, the attention of the Honourable Member is invited to the second sentence of part (a) of the reply given in this House to his unstarred question No. 362 on the 22nd March, 1929.

#### TESTS FOR GENERAL SERVICE TELEGRAPHISTS.

**253. Mr. Amar Nath Dutt :** (a) Is it a fact that in the case of transfer of Station Service telegraphists to General Service, they are subjected to signalling and medical tests ? If so, will Government be pleased to state why the same procedure is not observed in case of promotion of D. S. II to D. S. I., D. S. to S. T. T., T. M. to D. S. or S. T. T., General Service to Station service, and T. L. to T. M. (medical only) ?

(b) Is it a fact that the Posts and Telegraphs Manual provides for exemption of Local Service telegraphists from type-writing tests ? If so, why was this rule of exemption not observed in the last examination for recruitment of telegraphists to General Service ?

**Mr. P. G. Rogers :** Yes. In the case of the promotions referred to by the Honourable Member, a medical certificate is unnecessary as there is no change in the conditions of service.

The reply to the first portion of the second part of the question is in the affirmative. As regards the second portion, orders are under issue to exempt volunteers from the Local Service from the typing test in their qualifying signalling examination for transfer to the General Service.

### RULES FOR RECRUITMENT TO THE SIGNALLING BRANCH OF THE TELEGRAPH DEPARTMENT.

254. **Mr. Amar Nath Dutt** : Is it a fact that clauses 12 (f) and (h) of the memorandum for recruitment in the Signalling Branch require medical certificates twice from a candidate for service in India and Burma ? If so, will Government be pleased to state the reasons for requiring such certificates twice ?

**Mr. P. G. Rogers** : Yes. A preliminary medical certificate is asked for so as to eliminate the obviously unfit. The final examination by a Medical Board is considered necessary in order that the Department may satisfy itself that the probationers selected are really fit for service anywhere in India and Burma.

### EXAMINATIONS FOR THE SIGNALLING BRANCH OF THE TELEGRAPH DEPARTMENT.

255. **Mr. Amar Nath Dutt** : (a) With reference to the memorandum for recruitment in the Signalling Branch of the Telegraph Department, will Government be pleased to state whether they propose to have the *viva voce* examination before the candidates are allowed to sit for the preliminary examination, as was done in the recent examination for recruitment of Engineering Supervisors, to safeguard the candidates from incurring heavy loss ? If not, why not ?

(b) Do Government propose to reduce the fees in all to Rs. 5 ? If not, why not ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) No, because the number of candidates for this examination is expected to be far in excess of the number that appeared for the Engineering Supervisors' Examination, and it would not be possible to examine *viva voce* all the candidates who present themselves.

(b) No. Rs. 5 is considered too low a fee to cover the cost of the examination.

### RECRUITMENT IN THE POSTAL DEPARTMENT OF THE SONS AND RELATIVES OF EMPLOYEES IN THE TELEGRAPH DEPARTMENT.

256. **Mr. Amar Nath Dutt** : Are Government aware that the sons and relatives of the employees of the Telegraph Department are not given the same preference in the Postal Department as the sons and relatives of the Postal employees are given in the Telegraphs ? If so, what are the reasons for such differential treatment ?

**Mr. P. G. Rogers** : If by " preference " the Honourable Member means preference for employment in the Department, the reply to the first part of the question is in the negative and the second part does not arise.

### RE-INTRODUCTION OF THE POINT-TO-POINT SYSTEM.

257. **Mr. Amar Nath Dutt** : With regard to the reply to unstarred question No. 367 of 22nd March, 1929, will Government be pleased to state whether they propose to take any steps to re-introduce the point-to-point system ? If not, why not ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India do not propose to re-introduce the point-to-point system which, as pointed out in the answers to previous questions on this subject, is opposed to the statutory rules regulating pay and allowances. It is considered that the operation of those rules in the matter of fixation of pay on transfer from one scale to another is on the whole fair and reasonable, while provision exists in the rules themselves for rectifying cases in which they would otherwise cause hardship.

#### HOURS OF DUTY OF TELEGRAPHISTS IN GREAT BRITAIN AND IN THE EASTERN TELEGRAPH COMPANY.

**258. Mr. Amar Nath Dutt :** Will Government be pleased to state the comparative duty hours in the Posts and Telegraphs in the United Kingdom of Great Britain as well as in the Eastern Telegraph Company ?

**The Honourable Sir Bhupendra Nath Mitra :** Government have no information.

#### OFFICIATING ALLOWANCE FOR HIGHER CLASS WORK IN THE TELEGRAPH DEPARTMENT.

**259. Mr. Amar Nath Dutt :** Is it a fact that the clerks in classes III and IV in the Telegraph Department are not granted any officiating allowance when they are asked to do work of a higher class ? If so, why ?

**Mr. P. G. Rogers :** An inquiry is being made and the result will be communicated to the Honourable Member in due course.

#### PAY OF STATION SERVICE TELEGRAPHISTS.

**260. Mr. Amar Nath Dutt :** Is it a fact that the qualification, nature and hours of duties of Station Service telegraphists are the same as that of the General Service ? If so, will Government be pleased to state whether they propose to improve the scales of pay of the Station service ? If not, why not ?

**The Honourable Sir Bhupendra Nath Mitra :** Part I. Yes.

Parts II and III. No, because the conditions of service of Station Service telegraphists are different in essential from those of General Service telegraphists, and Government do not consider that there is any case for increasing the scales of pay of the former.

#### APPOINTMENT OF AN ANGLO-INDIAN AS JUNIOR READER IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

**261. Mr. Mukhtar Singh :** (a) Is it a fact that a departmental test examination was held by the Manager, Government of India Press, Simla, for the post of a junior reader, and as a result an Anglo-Indian, who was earmarked, has been promoted to the said post ignoring the claims of all others in the office ?

(b) Is it a fact that this vacant post was not advertised in any of the newspapers, thus debarring qualified candidates from outside the office to appear in this test examination ?

(c) Is it a fact that the Manager subsequently issued orders that all the other candidates who passed this examination would have no claims for any future vacancies occurring in that Press ?

(d) If the answer to the above is in affirmative, will Government be pleased to state why the other passed candidates have been deprived of their rights for promotion to vacancies occurring in future ?

**The Honourable Sir Bhupendra Nath Mitra :** I propose to deal with questions Nos. 261 to 263 and 274 together. The Controller of Printing and Stationery is responsible to Government generally for the efficient administration of the Government of India Presses and Government do not propose to call for information regarding these administrative details, which are matters for his discretion.

**PROMOTION OF MR. NUR MOHAMMAD AS A SENIOR READER IN THE GOVERNMENT OF INDIA PRESS. ' 1**

†262. **Mr. Mukhtar Singh :** (a) Is it a fact that one, Mr. Nur Mohammad, a junior reader, had recently been promoted to the vacant post of a senior reader in the Government of India Press, Simla ? If so, will Government be pleased to say what are his educational qualifications ?

(b) Was any test examination held by the Manager for filling up the post of senior reader as it was done in the case of a junior reader's post ? If not, why not ?

(c) Will Government be pleased to state whether the post of this senior reader was ever advertised in the newspapers ? If not, why not ?

**SELECTION OF A CANDIDATE FOR THE POST OF SENIOR READER IN THE GOVERNMENT OF INDIA PRESS, SIMLA.**

†263. **Mr. Mukhtar Singh :** (a) Is it a fact that the Manager, Government of India Press, Simla, has advertised in the newspapers for the post of a senior reader in the Press and that numerous applications have been received by him ?

(b) If the answer to part (a) is in affirmative, do Government propose to select a candidate possessing the highest educational and practical qualifications ?

**APPOINTMENT OF MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA,**

264. **Mr. Mukhtar Singh :** (a) Is it a fact that the Manager, Government of India Press, Simla, has recently been appointed as Deputy Controller of Forms, Calcutta ?

(b) Is it a fact that he is still working as officiating Manager in the Simla Press ?

(c) Is it a fact that the post of Manager has thus fallen vacant in the Simla Press ?

(d) Will Government be pleased to state if this post has been advertised in the newspapers ? If not, why not, and whom do they intend to appoint as Manager of the Simla Press and when ?

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†For answer to this question, see answer to question No. 261.



**The Honourable Sir Bhupendra Nath Mitra :** (a), (b) and (c). The substantive appointment of Mr. Bruce, Officiating Manager of the Government of India Press, Simla, was that of Assistant Manager in the same Press. He received, from last February, substantive promotion from Assistant Manager of the Simla Press to Deputy Controller of Forms, Calcutta, but was permitted to continue to officiate as Manager of the Simla Press. His substantive appointment as Deputy Controller of Forms does not therefore create any vacancy, substantive or officiating, in the post of Manager of the Government of India Press at Simla.

(d) Does not arise.

**APPOINTMENT OF ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA.**

**265. Mr. Mukhtar Singh :** (a) Is it a fact that the post of Assistant Manager in the Government of India Press, Simla, is vacant at present ?

(b) Will Government be pleased to state if they propose to advertise the post in the newspapers and to hold a test examination of all the qualified candidates before the vacancy is filled up ?

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

(b) No.

**EMPLOYMENT OF MR. JAWAHIR KHAN AS ASSISTANT MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA.**

**266. Mr. Mukhtar Singh :** (a) Is it a fact that one Mr. Jawahir Khan, a time-checker in the Government of India Press, Simla, who does not possess any educational qualifications has been allowed to officiate as Assistant Manager ?

(b) Is it a fact that this man was once fined Rs. 5 and was not well-spoken of by the late Manager, Mr. E. G. Aylmer, when he submitted a report against him to the Controller (Mr. Coombs) ?

(c) Is it a fact that this man recently represented to the Controller of Printing and Stationery, India, praying to be confirmed in the post of Assistant Manager in the Simla Press ?

(d) Is it a fact that the Controller, after taking everything into consideration, did not see his way to confirm him in the post of Assistant Manager ?

(e) Will Government be pleased to state if they have received a petition from this man appealing against the decision of the Controller which was submitted by him about a month ago, and if so, do Government propose appointing a well-qualified graduate worthy for the post of Assistant Manager in the Simla Press instead of confirming Mr. Jawahir Khan in that post ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Mr. Jawahir Khan is at present officiating as Assistant Manager.

(b) Government have no information.

(c) and (d). Yes.

(e) Government have received a representation submitted by Mr. Jawahir Khan, which is at present under their consideration.

**ISSUE TO EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, SIMLA, OF ORDERS ISSUED FROM TIME TO TIME BY THE CONTROLLER OF PRINTING AND STATIONERY.**

267. **Mr. Mukhtar Singh :** (a) Is it a fact that the orders issued from time to time by the Controller of Printing and Stationery, India, and the Government of India, concerning services, leave, pensions, gratuities, funds, allowances, appointments, etc., are kept secret from the employees by the Manager, the Government of India Press, Simla, and that in very rare cases only a copy out of many orders, is simply pasted on a notice board ?

(b) Will Government be pleased to state whether they propose to issue instructions to the Manager to distribute copies of all the orders issued during the last three years to each and every employee for their information and guidance and follow the same practice in future ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). Government have no information, but the Honourable Member's question will be brought to the notice of the Controller of Printing and Stationery for such action as he may consider necessary.

**QUARTERS FOR PEONS OF THE GOVERNMENT OF INDIA PRESS, SIMLA.**

268. **Mr. Mukhtar Singh :** (a) Is it a fact that some of the peons' quarters are being used for some other purposes and some have been allotted to those employees who are not entitled to free quarters ?

(b) Is it a fact that, in one small room, two peons are forced to stay and some have no quarters at all to live in and thus they are put to a lot of inconvenience ?

(c) Do Government propose to issue necessary instructions immediately to the Manager to redress the hardship of these peons ?

**The Honourable Sir Bhupendra Nath Mitra :** Government have no information but are making an inquiry into the matter.

**NUMBERS OF CHRISTIANS AND SIKHS EMPLOYED IN THE GOVERNMENT OF INDIA PRESS, SIMLA.**

269. **Mr. Mukhtar Singh :** Will Government be pleased to state the number of Christians and Sikhs employed in the Government of India Press, Simla, during the last three years ?

**The Honourable Sir Bhupendra Nath Mitra :** The information is given in the following table :

—					1927.	1928.	1929 (up to August).
Christians	..	..	..	..	11	13	12
Sikhs	..	..	..	..	5	5	6

**PRIVATE FUNDS CONDUCTED IN THE GOVERNMENT OF INDIA PRESS,  
SIMLA.**

**270. Mr. Mukhtar Singh :** (a) Is it a fact that two private funds are running on business lines in the Government of India Press, Simla ?

(b) Is it also a fact that the whole of the fund business is conducted in the office buildings, by the office clerks and in the office hours ?

(c) If the answer to the above is in affirmative, do Government propose to inquire into the matter and put a stop to this business in the office and during office hours ?

**The Honourable Sir Bhupendra Nath Mitra :** (a), (b) and (c). A " B. B. Fund " and a " Monotype Co-operative Thrift and Aid Society " were established in 1879 and 1906 respectively by the employees of the Simla Press. The latter fund is registered under the Co-operative Credit Societies Act. The B. B. Fund was established on voluntary contributions from certain senior assistants of the late Government Central Branch Press, Simla. Subscriptions for this fund are not taken at present from the Press employees, but loans are given to them on interest. The interest realised is distributed among destitute widows and children of deceased employees. Government have already issued instructions that the business of the funds should not be conducted during office hours.

**APPOINTMENT OF A TIME-CHECKER IN THE GOVERNMENT OF INDIA PRESS,  
SIMLA.**

**271 Mr. Mukhtar Singh :** Is it a fact that strict orders were issued by Government to the effect that the post of time-checker should not be filled up except by a technically experienced man, and, if so, are Government aware that a man who does not possess technical qualifications in the least has been appointed to officiate in this post by the Manager, Government of India Press, quite contrary to Government orders ?

**The Honourable Sir Bhupendra Nath Mitra :** The selection of persons for appointment as time-checker is a matter of administrative detail which is left to the discretion of the Controller of Printing and Stationery.

**PIECE-WORK EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS, SIMLA.**

**272. Mr. Mukhtar Singh :** Will Government be pleased to state as to why the pressmen and inkers are employed on piece rates in the Government of India Press, Simla, whereas the whole of the establishment is employed on time-scale of pay ?

**The Honourable Sir Bhupendra Nath Mitra :** I am having the point looked into and will communicate the result to the Honourable Member in due course.

**HEATING OF WORK ROOMS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.**

**273 Mr. Mukhtar Singh :** Will Government be pleased to state what arrangements they propose for installing wall chimneys and providing sufficient fuel for heating purposes in the Government of India Press, Simla, during the months of November to March ? Is it a fact that

the present system of heating the work-rooms with hot water boiler has proved a useless plant ?

**The Honourable Sir Bhupendra Nath Mitra :** Government do not propose to replace the hot water heating plant by wall chimneys as the plant is giving satisfactory results.

#### APPOINTMENT OF GRADUATES IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

†274. **Mr. Mukhtar Singh :** (a) Is it a fact that there is not a single graduate in the whole of the Accounts Branch and the clerical establishments of the Government of India Press, Simla ?

(b) If the answer to part (a) is in the affirmative, do Government propose to transfer some graduates from other Presses or Departments of the Government of India to the Simla Press ?

#### PAY OF THE SUPERVISING STAFF OF CURRENCY OFFICES.

275. **Mr. Sarabhai Nemchand Haji :** (1) Is it a fact that the scales of pay of the supervising staff of the Currency Offices have not been revised in the last revision of 1924 ? If so, when do Government propose to revise their scales of pay ?

(2) Is it a fact that the Controller of Currency had promised in 1924 that the scales of pay of the Superintendents would be revised when the scales of the Superintendents' pay in the Accountant General's would be revised ? If so, has the scale of pay of the Superintendents in Currency Offices been revised and if not, why not ?

**The Honourable Sir George Schuster :** I would invite the attention of the Honourable Member to the final replies to questions Nos. 88, 89 and 90 asked by Mr. N. M. Joshi in the Legislative Assembly on the 1st February, 1929, a copy of which is available in the Library of the House. These will give him full information on the subject.

#### HEAVY DEBITS PAID BY SHROFFS OF THE BOMBAY CURRENCY OFFICE.

276. **Mr. Sarabhai Nemchand Haji :** Will Government be pleased to state whether it is a fact that the Shroffs of the Bombay Currency Office are required to pay heavy debits from their monthly pay ? If so, what was the amount recovered as debits from the Shroffs who worked in defective coins during the last six months from January, 1929 ? What is the pay of these Shroffs who were asked to make good such a heavy debit ?

**The Honourable Sir George Schuster :** As regards the first portion of the Honourable Member's question, I would invite his attention to the final reply to part (a) of starred question No. 700 asked by Mr. M. S. Aney in the Legislative Assembly on the 23rd February, 1929, a copy of which is available in the Library of the House. The rest of the information required by the Honourable Member is being obtained and will be furnished to him as soon as possible.

#### SCALES OF PAY OF SHROFFS AND CLERKS OF THE BOMBAY CURRENCY OFFICE.

277. **Mr. Sarabhai Nemchand Haji :** Is it a fact that before 1912 scales of pay for the Shroffs and the clerks were identical ? If so, will

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†For answer to this question, see answer to question No. 261.

Government please state their reasons for introducing a difference between those two classes ?

**The Honourable Sir George Schuster :** Government are obtaining certain information in order to enable them to reply to the Honourable Member's question. A further communication will be sent to him as soon as possible.

#### PAY OF CLERKS IN CURRENCY OFFICES IN BOMBAY.

278. **Mr. Sarabhai Nemchand Haji :** Is it a fact that there is a difference of Rs. 80 in the maximum, of the scale of pay applied to the clerks in the Currency Office, Bombay and those of the Deputy Controller of the Currency, and if so will Government please state the steps they propose to take to remove this disparity of scales ?

**The Honourable Sir George Schuster :** I propose to reply to questions Nos. 278 and 279 together.

It is a fact that the rates of pay of clerks in the office of the Deputy Controller of the Currency, Bombay, are higher than those in the Currency Office, the reason being that the work required in the former is of a superior character.

#### PAY OF CLERKS IN CURRENCY OFFICES IN BOMBAY.

†279. **Mr. Sarabhai Nemchand Haji :** (a) Is it a fact that the annual increments given to the Currency Office clerks are only Rs. 5 and Rs. 4 while the Deputy Controller of Currency's clerks are given Rs. 8 and Rs. 6, respectively ? If so, will Government please give their grounds for maintaining this divergence in increments ?

(b) Is it a fact that some men formerly working in the Currency Office, Bombay, are now working in the office of the Deputy Controller of Currency, Bombay ? If so, why should they not get the same scale as that of the Deputy Controller of Currency's Office ?

#### PENSION RULES FOR MENIAL SERVICES IN BOMBAY.

280. **Mr. Sarabhai Nemchand Haji :** Is it a fact that the Bombay Government have revised their pension rules for the menial services and accordingly the menials are to get their pay as pension ? Will this rule be applied to the peons and menials in the Currency Office in Bombay ; if so, from what date ?

**The Honourable Sir George Schuster :** The Bombay Government have made a rule under which their menial servants will be entitled to pensions equal to half their average emoluments during the last three years of their service. The rule has not been applied to similar servants of the Government of India. They will continue, until further orders, to draw the temporary increases of pension which were originally sanctioned in 1921, and which, with the approval of the Standing Finance Committee, it has been decided to continue for another two years.

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†For answer to this question, see answer to question No. 278.

### AMOUNT OF FINES COLLECTED FROM THE STAFF OF THE BOMBAY CURRENCY OFFICE.

281. **Mr. Sarabhai Nemchand Haji :** Will Government be pleased to state the total amount collected by way of fines from the staff of the Bombay Currency Office, during the last five years ? Is it utilised for the benefit of the staff ? If not, why not ?

**The Honourable Sir George Schuster :** Inquiry is being made, and a reply will be sent to the Honourable Member in due course.

### PROVIDENT FUND AND BONUS SCHEME FOR CURRENCY OFFICES.

282. **Mr. Sarabhai Nemchand Haji :** Will Government be pleased to state whether it is a fact that the Honourable the Finance Member had promised to expedite the consideration of the Provident Fund and Bonus scheme ? If so, have Government come to any final decision on the subject ? If not, will they be pleased to state what action they have taken during the last six months to expedite the matter ?

**The Honourable Sir George Schuster :** The Government of India have obtained the approval of the Standing Finance Committee to a proposal that a contributory Provident Fund, on the usual terms, should be instituted for the non-pensionable employees in the Treasurers' departments of the Currency Offices. The proposal will now be placed before the Currency Association, and it is hoped that final orders will be issued before the beginning of the next financial year.

### GRANT OF GRATUITIES ON RETIREMENT TO EMPLOYEES OF CURRENCY OFFICES.

283. **Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state whether it is a fact that the employees of the State Railways and Port Trusts are given gratuities at the time of retirement ?

(b) Do Government propose to consider the desirability of setting up a similar system of gratuities in the Currency Office ?

**The Honourable Sir George Schuster :** (a) Under the rules of the Railway Department, employees of State Railways may be given a gratuity on retirement as a reward for faithful service. The rules of the Port Trusts of Calcutta, Bombay, Madras, Rangoon, Karachi and Chittagong also allow discretion to the Port Trust Boards to grant, subject to certain conditions, gratuities on retirement to their employees as a reward for good, efficient and faithful service.

(b) Government have recently considered the question and have decided that no such system of gratuities should be set up in Currency Offices.

### SUBSTITUTION OF PROVIDENT FUND FOR PENSION IN GOVERNMENT SERVICE.

284. **Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state whether they have consulted Local Governments and Service Associations in regard to certain definite proposals regarding the substitution of Provident Fund for pension as stated in answer to starred question No. 132 of Mr. Lalchand Navalrai on the 29th January, 1929 ?

(b) Have they gathered any opinions from any Service Association and Local Governments, and if so, will they please state or lay on the table their views on the subject ?

**The Honourable Sir George Schuster :** (a) A letter was addressed to Local Governments on the subject in July last. The letter contained, *inter alia*, a proposal that, subject to the concurrence of the Local Governments, Service Associations should be consulted.

(b) No opinion on the proposals to which the Honourable Member refers has yet been obtained from any Local Government : I hope to be in a position to give the Honourable Member full information before very long and suggest that after a month or two he should communicate with the Financial Secretary on the subject.

#### GRANT OF EXTENSIONS OF SERVICE IN THE BOMBAY CURRENCY OFFICE.

285. **Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state how many persons from the higher grades were due to retire in the year 1928-29 for having completed the age of fifty-five years or above in the Bombay Currency Office and how many out of these had applied for extension and how many were granted ? If so, will Government be pleased to state whether they have given any consideration to the prospects of immediate juniors when they granted extension to all ?

(b) Will Government please state if it is a fact that extensions are refused especially to persons of higher grades in the offices of the Accountant General and the Commissioner of Income-tax, Bombay, on the ground that the prospects of juniors are thus barred ? If so, do Government propose to issue orders to stop the practice of granting extensions in the Bombay Currency Office ?

**The Honourable Sir George Schuster :** As regards the first portion of part (a) of the question, I would refer the Honourable Member to the reply I gave on the 9th instant to part (a) (iii) of Mr. Jamnadas M. Mehta's starred question No. 264.

As regards the remainder of the question, inquiries are being made and a final reply will be sent to the Honourable Member in due course.

#### ADMINISTRATION OF KIRKEE CANTONMENT.

286. **Pandit Thakur Das Bhargava :** (1) Is there any proposal to place Kirkee Cantonment under the subordination of Poona with regard to cantonment administration ?

(2) If so, what is the nature of the proposal, and what has necessitated it ?

(3) Have the elected members of Kirkee Cantonment Board and other prominent residents of Kirkee protested against the proposal ?

(4) What action have Government taken on the protest ? What are the reasons for the new proposal ?

(5) Do Government propose to keep the proposal in abeyance till the residents of Kirkee have an opportunity to express their views thereon ?

**Mr. G. R. F. Tottenham :** (1) No, Sir.

(2) to (5). Do not arise.

# ORDER OF THE DEOLALI CANTONMENT BOARD CLOSING CERTAIN WELLS.

287. **Pandit Thakur Das Bhargava :** (1) Is it a fact that in 1918-19, the areas round the Rahgoor Road, Dhondy Road, and Nasik Road were included in the Cantonment, without their being acquired on payment under the law governing land acquisition ?

(2) Are Government aware that these areas have large gardens all irrigated by wells, which also form the source of drinking water to the population of those areas ?

(3) Is it a fact that the Cantonment Board, Deolali, has ordered the closing-down of these wells, on the ground that they are the breeding places of mosquitos ?

(4) Are Government aware that these localities are considered to be the sanitariums of Bombay ?

(5) Are Government aware that there is great discontent and commotion among the population of these areas owing to this order of the Cantonment Board ?

(6) Have Government obtained the expert opinion of health officers that these wells are mosquito-breeding places ? If so, whom have they consulted and with what result ?

(7) Have Government collected statistics of malaria cases in these localities and, if so, how do they compare with the rest of the Cantonment ?

(8) Do Government still require these areas within the Cantonment limits ? If so, for what military purpose ?

(9) Do Government propose to restore these areas to the position they had before the inclusion in the Cantonment ?

**Mr. G. R. F. Tottenham :** I am making inquiries and will let the Honourable Member know the result in due course.

# LACK OF SUITABLE DRAINS AND OTHER AMENITIES IN CAWNPORE CANTONMENT.

288. **Pandit Thakur Das Bhargava :** (1) Are Government aware that in most parts of Cawnpore Cantonment there are no *pucca* drains ?

(2) What is the malaria-mortality in the Cantonment ?

(3) Is it a fact that in a part of the Cantonment near *Kola Ghat*, having a population of more than 200 people, there is no street-lighting and no sanitary arrangements and no road, *kachha* or *pucca*, to connect the area with the rest of the Cantonment ?

(4) Will Government be pleased to state why the people of this area are deprived of ordinary civic amenities ?

(5) Do Government propose to draw the urgent attention of the Cantonment Authority to the absence of *pucca* drains in the Cantonment and of all municipal amenities in the area specified above ?



**Mr. G. R. F. Tottenham:** The matter is one for the Cantonment Authority to deal with, and I am communicating a copy of the question, and of my reply, to them.

#### PROMOTION OF CERTAIN TOWN INSPECTORS OF POST OFFICES.

**289. Kfmar Ganganand Sinha :** (1) Is it a fact that a part sanction of two posts only on the scale of Rs. 100—5—175 was given by the Director General on the recommendation dated June, 1923, made by the Postmaster General, Bombay, for conversion of all the posts of Town Inspectors on the scale of Rs. 100—5—175 ?

(2) Is it a fact that one of these two newly created posts was given to the then-existing seniormost Town Inspector and the other to another then-existing Town Inspector ?

(3) Is it a fact that Mr. J. R. Mehta was the then existing seniormost Town Inspector and that Mr. V. A. De Souza was also the existing Town Inspector at that time and that the latter did not pass the Town Inspector's examination ?

(4) Is it a fact that Messrs. V. H. Karandhikar and M. N. Phatterfold were existing Town Inspectors available at that time with qualification of having passed the Inspector's examination ?

(5) Is it a fact that (i) at that time many officials of the clerical cadre who had rendered greater length of service than the then existing Town Inspectors were available, and (ii) that the two newly created posts were not given to men in the clerical line irrespective of greater length of service rendered by them or to any passed official ?

(6) Is it a fact that the officials mentioned in part (4) who passed the Inspector's examination also did not get these posts ?

(7) Is it a fact that Mr. J. R. Mehta, mentioned in part (3) was subsequently transferred to the other Town Sub-division under P. P. M.'s letter ?

**The Honourable Sir Bhupendra Nath Mitra :** I propose to deal with questions Nos. 289, 290 and 296 together. Complete information on the various questions asked by the Honourable Member is not available at headquarters. Necessary inquiries have been made and complete information, so far as available, will be communicated to the Honourable Member in due course.

#### APPOINTMENTS AND DUTIES OF CERTAIN TOWN INSPECTORS OF POST OFFICES.

**†290. Kumar Ganganand Sinha :** (1) Is it a fact that the Postal Town Inspectors of Bombay in the time scale of pay had to carry on the investigation work ?

(2) If the reply to part (1) is in the negative, will Government be pleased to state whether under P. P. M.'s letter, Mr. J. R. Mehta, mentioned in the previous question (on the scale of Rs. 100—5—175), was transferred to the other sub-division and Mr. P. B. Parek drawing time scale of pay at that time was appointed in the Investigation branch as Inspector and had to make investigation into cases ?

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†For answer to this question, see answer to question No. 289.

(3) Under P. P. M.'s memo. was Mr. D. J. Panday, Town Inspector on the time-scale of pay at that time, appointed as Inspector Sadar Sub-division from his post as Investigating Inspector and Mr. G. V. Pradhan, Town Inspector, Dadan Sub-division, transferred to the post of Investigating Inspector in place of the former ?

**EMPLOYMENT OF CERTAIN OFFICERS ON SPECIAL DUTY WITH THE RAILWAY BOARD.**

291. **Kumar Ganganand Sinha :** (a) Will Government be pleased to state whether the following officers are meant for perpetual Special Duty with the Railway Board : (i) Rai Bahadur B. D. Puri, (ii) Mr. Jones, and (iii) Mr. Ghulam Muhammad ?

(b) What total period has each of them been employed on Special Duty ?

(c) What work has each of them done ?

(d) Is it a fact that they are often asked to report on the same matter and that they often disagree with each others conclusions ?

(e) How do Government come to a decision on such subjects ?

**Mr. P. B. Rau :** (a) No, Sir.

(b) Rai Bahadur Puri and Mr. Ghulam Muhammad were each on special duty with the Railway Board for about a year in 1926 and 1927. For other periods on which they were employed on special duty I would refer the Honourable Member to the History of Services of Indian State Railways, a copy of which is in the Library. I am not aware which Mr. Jones the Honourable Member is referring to—there are eight of them in the History of Services. Mr. C. E. W. Jones was on special duty with the Railway Board in connection with the investigation into the expenditure by railways on the education of the children of their employees for about a year from November 1926.

(c) I am afraid it is impossible for me to give details of the work done by each of these officers in the space of an answer to a question in this House.

(d) Not that I am aware of.

(e) Does not arise.

**INTRODUCTION OF THE SYSTEM OF MECHANISED ACCOUNTING ON THE EAST INDIAN RAILWAY.**

292. **Kumar Ganganand Sinha :** During the sitting of the Public Accounts Committee did Mr. Scott point out that the "muddle" in the East Indian Railway Stores Accounts Branch would be remedied by introducing the mechanised system on the lines of that followed on the North Western Railway ? Is it a fact that the "muddle" so admitted accumulated there rather quickly since the introduction of tabulators ?

**Mr. P. B. Rau :** The introduction of the system of mechanised accounting is under contemplation as suggested in the question. No

Tabulators have been used on accounts work on the East Indian Railway so far.

### HOLLERITH AND POWER ACCOUNTING MACHINES.

293. **Kumar Ganganand Sinha :** (a) Is there any truth in the rumour that Mr. Scott is personally interested in the Hollerith and Power machines and that they are getting preference by turns ?

(b) Will Government be pleased to lay on the table a statement showing the comparative cost of work done by machine and the cost incurred when the work was done by clerks ?

**Mr. P. R. Rau :** (a) The suggestion in this question is entirely without foundation.

(b) It is too early to prepare a statement of the sort, as it is still in an experimental stage.

### PROMOTION IN THE RAILWAY BOARD OF CERTAIN OFFICERS RELATED TO MR. HAYMAN.

294. **Kumar Ganganand Sinha :** (a) Will Government be pleased to state the reasons for the promotion of Messrs. Myers, Morgan and Hayman ?

(b) How many senior and qualified Indians were superseded by the promotions given to the officers mentioned in part (a) ?

(c) Is it a fact that all of the officers mentioned in part (a) are related to Mr. Hayman, a Member of the Railway Board ?

**Mr. P. R. Rau :** (a) I do not know what promotion the Honourable Member refers to. The officers referred to were selected for appointment to their present posts in view of their suitability for the work which they are now required to perform.

(b) So far as I know, no supersessions were involved.

(c) No. Only the last named officer is.

### APPOINTMENTS AND PROMOTIONS OF ANGLO-INDIANS IN CERTAIN RAILWAY OFFICES.

295. **Kumar Ganganand Sinha :** (a) Is it a fact that there has been increasing recruitment of Anglo-Indian officers in the Railway Accounts Service ?

(b) Is it a fact that by the promotions of Messrs. Brewster Browne, Jones, Bion, Dewes, Freitas and Cunningham, the claims of several qualified Indian seniors were overlooked ?

(c) Is it a fact that the post of an Accounts Officer on State Railways was filled by a man in the Telephone Department, and that a hotel keeper in Simla was appointed as a Cash and Pay Officer of the Railway Clearing Office, both belonging to the Anglo-Indian community ?

(d) If the answers to parts (a), (b) and (c) are in the negative, do Government propose to examine and state on what principle promotions and appointments are made in the Departments under Mr. Hayman, Member of the Railway Board ?

**Mr. P. B. Rau :** (a) In addition to the officers of the Indian Audit and Accounts Service lent by the Auditor General, the recruitment in the Railway Accounts Service was made from two sources, (1) officers who already held an appointment of a corresponding rank in the Audit and Accounts Department of the East Indian Railway and Burma Railways, and (2) other officers with railway accounts experience, including those promoted from subordinate grades. The number of the latter was 10, of whom only 3 were Anglo-Indians.

(b) The Officers mentioned in the question held the rank of temporary or officiating Assistant Accounts Officers and have not been appointed to the Railway Accounts Service. Their promotion to the rank stated above did not, so far as I am aware, involve any supersession.

(c) The answer to the question is in the negative. An Accounts Officer of the Telephone Revenue Accounting Office, who is an Anglo-Indian, has been appointed as an Assistant Accounts Officer in the office of the Chief Accounts Officer, North Western Railway, but not because he was an Anglo-Indian. The Cash and Pay Officer of the Clearing Accounts Office is not an Anglo-Indian.

(d) The Railway Accounts Department is under the Financial Commissioner of Railways and not under Mr. Hayman. The rules under which recruitment in this Department is made are in the Library of the House.

#### TRAFFIC AND INVESTIGATION WORK IN THE POSTAL DEPARTMENT IN BOMBAY.

†296. **Kumar Ganganand Sinha :** Is it a fact that :

- (a) There were two postal City Superintendents in the Town of Bombay ?
- (b) Whether in 1924-25, the Traffic was placed under the control of one Superintendent and the Investigation in charge of another Superintendent ?
- (c) Whether five Town Inspectors were under the control of the Superintendent in charge of Investigation irrespective of the pay of the Town Inspectors and six Town Inspectors were placed under the control of the Superintendent in charge of the Traffic ?
- (d) There were only two posts of Inspectors for Investigation work and that five Town Inspectors were appointed for such work ?

#### REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

**The Honourable Sir George Schuster** (Finance Member) : I beg to lay on the table the Report of the Public Accounts Committee on the Accounts for the year 1927-28.

# REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE ACCOUNTS OF 1927-28.

## I.—Excess Votes.

### General Summary.

The following table compares the total grants voted by the Legislative Assembly with the total expenditure against those grants :

(In lakhs of rupees.)

	Original grant.	Supple- mentary grant.	*Final grant.	Actual expenditure.
Expenditure charged to Revenue ..	1,02,44	5,65	1,08,09	1,07,46
Expenditure charged to Capital ..	26,93	5,75	32,68	33,87
Total Expenditure ..	1,29,37	11,40	1,40,77	1,41,33
Disbursements of Loans and Advances ..	4,82	4,93	9,75	9,74
Grand Total ..	1,34,19	16,33	1,50,52	1,51,07

2. The following table compares the non-voted appropriations sanctioned by the Government of India with the total expenditure against such appropriations :

(In lakhs of rupees.)

	Original Appropriation.	Supple- mentary Appropriation.	Final Appropriation.	Actual Expenditure.
Expenditure charged to Revenue ..	1,12,01	21	1,12,22	1,11,44
Expenditure charged to Capital ..	3,59	1	3,60	1,19
Total Expenditure ..	1,15,60	22	1,15,82	1,12,63

3. If the total voted and non-voted expenditure is taken, the position is as follows :

(In lakhs of rupees.)

	Original grant.	Final grant.	Actual Expenditure.
Expenditure charged to Revenue .. ..	2,14,45	2,20,31	2,18,90
Expenditure charged to Capital .. ..	30,52	36,28	35,06
Total Expenditure ..	2,44,97	2,56,59	2,53,96
Disbursements of Loans and Advances ..	4,82	9,75	9,74
Grand Total ..	2,49,79	2,66,34	2,63,70

4. It will be seen that against grants aggregating 266·34 crores the **Savings.** actual expenditure was 263·70 crores—a saving of 2·64 crores or 1 per cent. against a saving of 10·17 crores or 3·8 per cent. in 1926-27. The savings are made up as follows :

(In crores of rupees.)

Railway expenditure charged to Capital ..	·67
Military expenditure .. ..	·52
Disbursements of Loans and Advances ..	·01
Other items .. ..	1·44
Total ..	2·64

5. The percentage of savings in the final grants for 1927-28 and in the two preceding years are given below for purposes of comparison :

	1925-26.	1926-27.	1927-28.
	Rs.	Rs.	Rs.
Expenditure charged to Revenue .. ..	3·0	2·9	·6
Expenditure charged to Capital ..	15·5	5·8	3·4
Total Expenditure ..	4·6	3·3	1·0
Grand total, including Loans and Advances ..	6·7	3·8	1·0

These figures show that the improvement in the estimating under the various heads taken as a whole noticed last year has been maintained during the year under report.

6. The following table compares the percentage of savings under voted grants with that of the savings in non-voted appropriations :

1927-28.	Savings +    Excess —	
	Voted.	Non-voted.
Expenditure charged to Revenue ..	+·58	+·69
Expenditure charged to Capital .. ..	—3·64	+66·94
Total Expenditure .. ..	—·40	+2·75
1926-27.		
Total Expenditure .. ..	+5·2	+1·0

7. The most important feature here is that, unlike previous years, there is an excess of ·4 per cent. under voted grants against savings of 5·2 per cent. in 1926-27 and 7·8 per cent. in 1925-26. This result shows that the tendency deliberately to over-estimate voted expenditure as to which previous committees expressed apprehensions has become much less marked.

The increase in the saving under non-voted expenditure was mainly due to the fact that while the budget provided for railway debentures to be renewed as well as those to be discharged, the actuals show only the debentures discharged. This accounts for a saving of over Rs. 2½ crores. We are informed that the question of altering the method of budgeting for these items is under the consideration of the Railway Board.

8. The improvement noticed above is partly due to the system of lump cuts introduced in 1925-26 but the persistent over-budgeting which still exists under a number of items which have been brought to our notice in the Appropriation Reports indicate that even more severe pruning is required. As regards provision for pay of establishment and leave salary, we consider that the only way of arriving at more accurate results is to make lump deductions for probable savings on the basis of previous actuals. We are informed that certain provisional orders were issued by the Finance Department to the accounts officers in September 1928 and that that Department propose to issue further orders when the actuals of a few years are available.

9. In view of the large number of cases of defective budgeting which have been brought to our notice by the Auditor General, we consider that there is still scope for improvement in the methods of budgeting. The arrangements made in the Finance Department to have a whole time Budget Officer (who is also Secretary to the Public Accounts Committee) to watch the operation of the budget throughout the year and test its accuracy have been explained to us. This is a step in the right direction; but what is required now is a special effort to work up to a higher standard of accuracy in budgeting in all Departments, and we share the doubts referred to by the Financial Secretary as to whether a mere scrutiny of results within the Finance Department will be sufficient for this purpose. We think that, at least until

a higher standard all round has been attained, a more intensive effort may be necessary and that it would be most advantageous if a specially experienced officer from the Finance Department could personally visit all the estimating offices, look into and co-ordinate their work and have occasional conferences with the estimating officers. We are also informed by the Auditor General that his experience of the past few years had been that the Finance Department was under-staffed and that it was absolutely necessary to increase the staff in order to work up to a high standard of efficiency. We agree with the Auditor General and recommend that the Finance Department should be adequately staffed and consider that it is justifiable to err on the side of being over-staffed in the initial stages in order to work up to a high standard of efficiency. We wish also to emphasise the great importance during the initial stages of securing continuity in the staff of the Finance Department which is to be employed on this special work.

10. In the following cases the actual expenditure exceeds the voted **Excesses** grants and an excess vote of the Assembly is accordingly required :

Item No.	Number of grant.	Grant.	Amount voted by the Assembly.	Actual expenditure.	Excess.
			Rs.	Rs.	Rs.
1	41A	<i>Civil.</i> General Administration— Miscellaneous ..	..	231	231
2	43	Administration of Justice	68,000	68,009	9
3	72A	Miscellaneous Adjustments between Central and Provincial Governments	3,47,000	3,50,431	3,431
4	73	Refunds .. ..	75,58,000	77,15,481	1,57,481
5	91	Commuted value of pen- sions .. ..	25,73,000	26,79,529	1,06,529
6	94	Loans and Advances bear- ing interest .. ..	8,74,23,000	8,80,35,971	6,12,971
		<i>Posts and Telegraphs.</i>			
7	23	Indian Posts and Tele- graphs Department ..	10,54,16,998	10,62,25,766	8,08,768
		<i>Railways.</i>			
8	4	Revenue—Working Ex- penses—Administration	12,49,00,000	12,69,93,000	20,93,000
9	10	Revenue—Appropriation from Depreciation Fund	10,20,00,000	10,95,11,000	75,11,000
10	14	Revenue—Strategic Lines	1,55,10,000	1,56,48,000	1,38,000
11	7	Capital—New construction	8,45,44,000	9,90,24,000	1,44,80,000
12	8	Capital—Open Line Works	21,02,92,000	21,56,37,000	53,45,000
13	15	Capital Strategic Lines ..	95,25,000	95,75,000	50,000



11. A brief explanation of each excess is given below :

*Items 1 and 2.*—The excesses are negligible. In the first case the excess was due to the adjustment after the close of the year of the leave salary of an officer on foreign service in Iraq.

*Item 3.*—The excess was due to the adjustment after the close of the year on account of the refund to the Government of Bombay of customs duty paid in cash on stores imported by them during the year 1926-27. The adjustment should have been made in the accounts of 1928-29.

*Item 4.*—The expenditure under this head is of an inevitable nature and the excess was due to certain unforeseen items which had to be incurred towards the close of the year.

*Item 5.*—This was the second year in which commutations were charged to capital and the estimate had to be framed practically in the absence of actuals which are the only guide in framing an estimate under this head.

*Item 6.*—The excess was due to larger expenditure on the Sutlej Valley Project during the closing months of the year. We understand that the question of obtaining more accurate estimates is being considered by the Finance Department.

*Item 7.*—A supplementary grant for Rs. 20,11,000 was obtained from the Assembly in March 1928 but in applying for this grant the Department had to make certain assumptions regarding the extent of the effect of the numerous concessions granted to the staff during the year. The results show that these assumptions were not accurate.

*Item 8.*—The excess was due to the fact that certain economies in administration, which the Railway Board anticipated, were not fully realised and a larger amount was also required for new items of expenditure.

*Items 9, 11, 12 and 13.*—It is admitted by the Railway Department that these excesses signify the breakdown of the system of over-allotment introduced in 1925-26. We are glad to note that the amount over-allotted has been drastically reduced in the budget estimates for 1929-30, the amount over-allotted in that year being only a little over a crore as against 18 crores in 1926-27. We also note with approval the statement made by the Finance Department that the Finance Member has assumed much closer control over capital expenditure than hitherto, and that, as a further measure to prevent over expenditure, the powers of re-appropriation of Railway Agents have been considerably curtailed. We are of opinion that the results of these changes must be carefully watched and that the control of the Finance Department must be rigidly maintained. It is a matter for serious consideration whether the present system according to which the Railway capital expenditure programme for any year is settled

during the preceding autumn and also according to which the Railway budget is presented to the Legislative Assembly before the General Budget, is conducive to the general interests or to the proper information of the Legislative Assembly as to the factors affecting the situation and the issues involved.

*Item 10.*—The total excess under the grant, taking voted and non-voted together, is just under 1 per cent.

12. The total number of voted grants in which there has been an excess is 13 and the total amount requiring the vote of the Assembly is Rs. 3,13,06,420, of which Rs. 2,73,86,000 is due to the system of over-allotment in the Railway Budget. We recommend that the Assembly assent to the excess grants for 1927-28 which the Governor General in Council will place before them for the following sums in respect of the heads referred to in paragraph 10 :

			Rs.
Expenditure charged to Revenue	..	..	1,14,31,420
Expenditure charged to Capital	..	..	1,98,75,000
Total	..	..	3,13,06,420

13. Rule 52 (2) of the Indian Legislative Rules requires that we should bring to the notice of the Assembly every re-appropriation from one grant to another grant; every re-appropriation within a grant, which is not made in accordance with such rules as may be prescribed by the Finance Department; and all expenditure which the Finance Department have requested should be brought to the notice of the Assembly. We are glad to be able to report that there have been no re-appropriations falling under these categories during the year; nor have the Finance Department requested us to bring to the notice of the Assembly any particular item of expenditure.

**Irregular  
Re-appropriations.**

## II.—Comments on matters outstanding from previous Reports.

14. We are glad to note that the Auditor General has prepared an Epitome of the Reports of our predecessors from 1923—27 and of the Government orders thereon. We are informed that copies of the Epitome will be supplied to the Members of the Committee and to such other Members of the Assembly as ask for it.

15. We are gratified to learn that the Government of India have issued orders on the following questions which have been outstanding for a long time :

- (a) introduction of the system of token votes,
- (b) formulation of rules to regulate the placing and control of contracts, and
- (c) formulation of general principles to regulate the enforcement of responsibility for losses sustained by Government through fraud or negligence of individuals.

16. The following items included in Appendices II and III may be considered as settled :

*Appendix II.*—Items 7, 8, 10, 11, 14, 15, 16, 23, 25, 29, 34, 35, 39 and 40.

*Appendix III.*—Item 7.

Our observations on some of the outstanding items are contained in the following paragraphs.

17. *Supplementary Demands.*—The Resolution issued by the Government of India on the Report of last year says that steps will be taken to present belated supplementary demands to the Assembly provided that on each occasion the programme of work in the Legislature permits. We consider that it should be accepted as an obligation by the Government that opportunities should be found during the session for the presentation of such demands and that, inasmuch as the voting of grants is the primary function of the Assembly, the excuse that time is not available ought in no circumstances to be accepted.

18. *Reserve at the disposal of the Finance Department.*—Under the arrangement in force at present, when a new item of expenditure is sanctioned and it is not possible to meet it by re-appropriation, funds to cover it are sanctioned from the small reserve at the disposal of the Finance Department and a supplementary grant is obtained from the Legislative Assembly later on. There are thus two grants to cover one item of expenditure and one of them has to be surrendered. Hitherto the practice was to surrender the grant sanctioned by the Legislative Assembly. The Finance Secretary has now agreed with the Auditor General that the correct procedure would be to surrender the appropriation from the reserve ; this procedure will accordingly be followed in future.

We are also informed that the real reason for providing a reserve is that, if there were no reserve and if in any individual case the expenditure could not be met by re-appropriation then a supplementary grant sanctioned by the Assembly for meeting that expenditure would cause an excess over the total budget provision for expenditure during the year. The reserve provides a margin within the limits of which variations are possible without producing an excess over the total Budget vote. The Financial Secretary has agreed to discuss this question further with the Auditor General.

19. *Internal check on Customs Receipts.*—We are informed that with a view to improving the immediate check on appraisements, a large number of superior officers described as Principal Appraisers have been appointed at Calcutta and Bombay from the 1st April 1929 to ensure that every appraisement is scrutinised by a superior officer immediately after the original appraisement and that the results of this experiment are being watched before introducing the scheme in other ports. We are also informed that a scheme drawn up by the officer on special duty in the Finance Department to improve the audit checks and costing about Rs. 3½ lakhs for all the Departments under the control of the Central Board of Revenue is now under the consideration of that Department. We consider that, as a matter of principle, it is desirable that the most effective form of audit should be applied but that the cost must be taken into account. In this particular case, we think it right that the Finance

Department should have an opportunity to study the details of the scheme more thoroughly before making a final recommendation. It is, however, desirable that that Department should arrive at an early decision.

20. *Concessions to firms.*—In connection with a case in which the representative of an important business concern having large business transactions with the Posts and Telegraphs Department had been allowed for some years a free use of the trunk telephone line between two important places as an act of courtesy, our predecessors recommended that such concessions should be given in future only by the Government of India, who should scrutinise the cases jealously and communicate their sanctions to audit. This raises the further question whether Government have any power to waive revenue which it is authorised to levy under a statute. We recommend that the Government of India should consider this question and obtain authoritative opinion on the legal position.

21. *Inventory of Government property.*—We are prepared to accept the general conclusion arising from the Memorandum on the subject furnished to us by the Finance Department and printed as Appendix VI to this Report.

22. *Expenditure relating to Moplah Settlement.*—We are informed that, although it is not feasible to prepare a complete account of expenditure in connection with all the Moplah settlers in the Andaman Islands, it ought nevertheless to be quite possible for the additional expenditure on the 12 villages occupied by Moplah settlers to be shown separately. As this would cover the bulk of such settlers, we recommend that this should be done, as the cost of this settlement is a matter of considerable public interest.

23. *Remedying defects in the machinery for executing repairs to buildings in the Posts and Telegraphs Department.*—We are informed that the decision to transfer the maintenance of these buildings to the Posts and Telegraphs Department was the result of a recommendation of the Public Works Reorganisation Committee that mere maintenance work should not be one of the main functions of the Public Works Department. We shall be glad to have a thorough report next year showing how the new system of making Departments responsible for the maintenance of their own buildings has worked so far as the Posts and Telegraphs Department is concerned.

24. *Contributions to the Posts and Telegraphs Depreciation Fund.*—The Financial Adviser has furnished us with a Memorandum on this subject, which has been printed as Annexure I to the proceedings of our second meeting, in which it has been suggested that, judging from the expenditure hitherto incurred on renewals and replacements, the present contribution to the Depreciation Fund is unduly high. It appears to us that it is incorrect in principle to compare the contribution in any one year with the amount actually spent in that year, as the contribution is intended to meet renewals and replacements at the end of their effective life. Nor can a series of two or three years even provide a decisive test. It is also incorrect to consider the accuracy of the rules regarding depreciation without considering at the same time the accuracy of the other bases of the commercial settlement. For example, if, as is possible, the capital on which the Department is now paying interest

is smaller than what it would be if the whole undertaking had been commercialised from the very beginning and as it will increase as the old assets are replaced by new ones, it might not unreasonably be argued that the contribution to the Depreciation Fund now being paid, even if it were on the high side, which is at least doubtful, might be taken as a set-off against the low amount of interest now paid by the Department on its capital. Further, in considering the commercial position of the undertaking, it is not entirely safe to be guided by present results, for, account must be taken of the inevitable future increase of expenditure due to the numerous concessions as regards pay and allowances, which have recently been sanctioned for the staff. It is questionable whether this increase will be offset by the normal growth of revenue of the Department. A further point, of which account must be taken, is that the basis on which the contribution to the Depreciation Fund has been fixed may produce misleading results. For, when the life which has been assumed for any particular asset is completed, all contributions to the Depreciation Fund in respect of that asset cease although it may actually continue in use ; and further when it is actually replaced, the expenditure on its replacement will in practically every case amount to several times the amount available in the Depreciation Fund. As we have not got sufficient information at present to deal with the question as a whole, we suggest that a small committee be set up to consider how far the system of accounting at present in force really provides a true picture of the commercial results of the Department's working, and, as the chief part of this enquiry, to investigate the actual results of the present provision for depreciation and to consider in particular its adequacy having regard to replacements which are likely to be necessary, and to the foundation on which the capital account as it stands at present has been built up.

25. *Credit due to the Posts and Telegraphs Department for railway telegraphs and enhancement of rent due from canal administrations.*—The settlement of these items should be expedited, as the commercial results of the working of the Department can not be ascertained accurately till this and the other outstanding questions regarding adjustments are settled.

26. *Special Officer's report on the system of preparing budget estimates by Railways.*—We are informed that the report has just been received and is under the consideration of the Railway Board. We desire to record, however, that it is very regrettable that the presentation of this report, which was asked for by our predecessors in 1926 and called for ever since, should have been delayed so long. We must also note that it is a somewhat depressing fact that, although we are now informed that most of the recommendations that the special officer has made after three years' study have in the meanwhile actually been introduced, nevertheless it is not possible to observe any substantial improvement. We understand, however, that in the case of certain railways some of the recommendations of the special officer still remain to be introduced and that this is likely to lead to improvements. In view of the long delay that has already occurred, we suggest that such action as remains to be taken on the report should be expedited, so that the improvements may be given effect to in the next budget.

27. *Crew system.*—As the report required by our predecessors comparing the expenditure on the crew system on the lines where it is in force with the recoveries made from passengers travelling without tickets is not yet ready, it is difficult for us to make any final recommendations on the subject, and we therefore desire to have a full report next year on the above and also on the question of the efficiency with which the system is being applied and administered. We also suggest that the Railway Board should consider whether it will not be more appropriate to place the crew system under the control of the accounts department instead of under the traffic department.

28. *Audit on company lines.*—We are informed by the Auditor General that he is not at all satisfied with the present scale of audit on company lines, and that his recommendation to introduce on company lines the same system of audit as is now in force on State lines is now under the consideration of the Finance Department. In view of the serious irregularities which have been brought to our notice in the Appropriation Accounts, we consider that the system of audit on company lines should be strengthened, the actual details being settled by the Finance Department and the Railway Board in consultation with the Auditor General. We are very strongly of opinion that the decision on the question should be expedited.

We find that the explanations given to us by the Railway administration in a number of cases are substantially different from the facts mentioned in the Accountant General's Report, which indicates a lack of co-operation between the Government Examiner and the Company's auditor.

In this connection, we note with great appreciation that as an immediate sequel to our examination of the Railway Department this year, the Railway Board have decided to appoint an officer on special duty to investigate the causes of the irregularities to which our attention has been called, and to devote particular attention to cases which indicate a lack of proper co-operation between the Railway accounts staff and the Government Examiners. Although the audit staff must always preserve an independent position, there is much to be gained by a mutual spirit of helpfulness on both sides and discrepancies in the evidence as to particular cases such as we have noted in our recent examination ought to be avoided. The existence of such discrepancies makes it extremely difficult for this Committee to exercise its function of conducting an impartial examination into all cases. The special enquiry which is now to be conducted will, it is hoped, point the way for improving the present position in this respect and we shall be glad to have a report on the question next year.

29. *Supply of Administration Reports to members of the Public Accounts Committee.*—We accept the suggestion of the Financial Secretary that in future a list of all the Administration Reports available should be circulated to the Members of the Committee simultaneously with the Appropriation Reports, on the understanding that if any member returns the list to the Finance Department marking on it such reports as he requires, the marked reports will be sent to him.

**Discussion  
of Report  
in Assem-  
bly.**

30. We have again devoted our careful consideration to the question of what procedure should be adopted for the discussion of the Annual Report of the Public Accounts Committee in the Legislative Assembly (cf., paragraphs 11 and 16 of Reports for 1925-26 and 1926-27, respectively).

We desire at the outset to state what we conceive to be the position of this Committee in respect of the preparation of its report and of the procedure to be adopted for its discussion in the Assembly. The Public Accounts Committee is a body created by statutory rule and appointed by the Assembly itself, and its report once made must remain in existence and cannot be unmade. The question as to the procedure which should be adopted for the consideration of the Report in and by the Assembly is a question which must ultimately be decided by the Legislative Assembly. We conceive it to be our duty, however, to consider the various alternative proposals which have been suggested and we have taken the memorandum prepared by the Finance Department (annexed as Appendix V to this report) as a basis for our discussion.

The proposals which have come forward in the course of this discussion fall under three main heads :

- (a) That on a motion that "the report be taken into consideration", there should be a general discussion on the report as a whole analogous to that which takes place at the general discussion stage of the budget.
- (b) That in addition, or possibly as an alternative to a motion that "the report be taken into consideration", there should be afforded to the Assembly an opportunity to discuss, on definite resolutions moved, special topics referred to, or recommendations made, in the report.
- (c) That after the motion that "the report be taken into consideration", there should be a further motion that "the report be adopted", and that it should be open to the Assembly to discuss the vote upon amendments moved to the report.

We have in the first place given our very careful consideration to the course outlined in (c), which, according to the report of the last conference of the Presidents and Deputy Presidents of Provincial Legislative Councils, was the line of procedure favoured by that conference. We must of course attach considerable weight to such a recommendation but, nevertheless, we venture to express the view that there are serious objections to this course if it follows the exact form suggested above. It seems to us that it would in practice mean that the Legislative Assembly must commit itself *either* to accepting or rejecting *en masse* every one of the recommendations made in a long report embodying opinions and recommendations on perhaps a hundred points of varying nature, or that the Legislative Assembly should have power to amend the report, in which case it would cease to be the report of the Public Accounts Committee.

As to the latter alternative, we think that the function which the Legislative Assembly would wish and indeed ought to exercise is that of calling the attention of the Executive Government to the matters arising out of the

report to which it attaches special importance, and to the action which it considers ought to be taken on the Committee's recommendations, rather than that of making actual amendments in the text of the report, which, as indicated above, when once made, must remain in existence and cannot be unmade. It must of course be open to the Legislative Assembly to criticise the recommendations of the Committee, but for this purpose it is not necessary that amendments should be moved to the report itself, nor does it seem to us that such action would be appropriate.

For these reasons we have felt that the choice should lie rather between courses (a) and (b).

There is much to be said on both sides. It must be remembered in the first place that the time available for discussion will inevitably be limited (probably to one day), and the question of practical importance is how this limited time can be employed to the best advantage. On the one hand, it may be argued that a general discussion would probably make it possible to cover more ground and bring to light practically all the points to which the Members of the Assembly attach importance; while on the other hand, it may be said that a discussion focussed on certain specific recommendations would be more effective, particularly if this took the form of debate on definite resolutions on which members could express their opinion by voting.

The opinion of our Committee on the choice between these two alternatives has been divided; but we are all agreed that it is desirable to avoid fixing any procedure without ascertaining the views of the Assembly. We further consider that whatever form of procedure may be adopted at the outset it should not be regarded as rigid and unalterable, but rather as experimental, so that it can be varied in the light of practical experience.

Subject to these reservations we put forward the following proposal, viz., that as a practical step it would be best at the outset to establish a convention analogous to that which is observed in settling the order of priority for the discussion of Demands for Grants during the consideration of the Budget. We think it might be possible for each party to consider the procedure which they wish to have adopted as a matter for special decision annually in connection with each individual report. If, for example, the general view in connection with a particular year's report is that it contains recommendations which deserve special and individual discussion, the procedure contained in alternative (b) could be adopted for the year, and the choice of the subjects taken and the order of priority as between them could be settled in the same way as is done in the case of Demands for Grants. On the other hand, if, as is quite possible, on another occasion the balance of opinion is in favour of no more than a general discussion, the procedure provided for in alternative (a) would suffice. We think indeed that the form of the discussion which is desirable is likely to vary according to the nature of each report, but, in any case, if the recommendation which we have made above is accepted, it will provide an elastic method of procedure which, after a few years, is likely to crystallise into a regular and accepted form which has been proved by experience to be appropriate to actual requirements.

We believe that this procedure would secure substantially the same object as that aimed at by those who have advocated alternative (c). We wish to



record, however, that we have also considered a further suggestion which approximates more closely in form to that alternative, and which, if a suitable working convention could be established, might be adopted without involving the objections to which we have called attention above. We think, therefore, that this further proposal should also be considered by the Legislative Assembly. This further proposal is that the report might be treated on the lines on which the King's Speech is dealt with in the House of Commons. The motion for the Address to the King is not touched, but the criticism or suggestion as to Government policy is always added as an addendum thus: "but this House regrets that His Majesty's Ministers have not.....(or urges that steps be taken, etc.....)". The motion in the case of the Public Accounts Committee report might be "That this House adopts the report of the Public Accounts Committee (and recommends to the Governor General in Council to give effect to its proposals) in particular to the following (or with the following modifications), (or conveys to the Governor General in Council its regret that.....)". If this procedure is followed, the objections to which we called attention above in discussing alternative (c) would not arise, provided that it is established as a regular working convention that the "adoption" of the report is automatic, and that the recommendations made by the Assembly take the form of an addendum. In fact, subject to this convention, the procedure would not differ very materially from the other suggestion which we have made, and we suggest that it could be worked on the same plan so far as concerns the settling of the special points which would be selected each year for consideration.

### III.—Comments on general matters arising out of the present Report.

#### **New Service.**

31. Our predecessors last year agreed with the Auditor General that, as experience has shown in England, it is not possible to frame any rigid rule for the interpretation of the term "New Service", but that the application of the term to concrete cases can best be governed by the evolution of a body of case law. In order to help the future committees to evolve such a body of case law, we suggest that the Auditor General should in future years furnish a Memorandum to the Committee giving a collection of all doubtful cases with full details. This year we have had to deal with the specific cases mentioned in paragraphs 31—36.

32. *Erection of a boiler and an electric generating plant at the Ghazipur Opium Factory.*—As it was explained to us that this was only a replacement and not even a new instrument of service, we agree that this need not be treated as a "New Service".

33. *Expenditure of Rs. 4,35,785 on the conversion of the R.I.M.S. "Dufferin" into a training ship against a budget provision of Rs. 1,40,973.*—As the intention from the beginning was to acquire the ship and refit it as a training ship, we consider that this is a case of defective budgeting rather than one of undertaking a "New Service".

34. *Purchase of the Anand Creamery at a cost of Rs. 60,000.*—It has been argued on two grounds that this should not be treated as a "New Service"; first, that as funds were voted by the Assembly for running the Creamery in

1925-26 and 1926-27, no further payment in connection therewith need be regarded as a "New Service"; secondly, that it had merely been taken over by one Department from another, the Creamery having been purchased by the Agricultural Department from the Army Department. As regards the second argument, though theoretically the whole budget (including both voted and non-voted grants) should be considered as a single unit so that an item provided under the vote for one Department need not on strict technical grounds be treated as a "New Service" when it is transferred to another Department, nevertheless, if the transfer is (as in the present case) from a non-voted to a voted Departmental grant, this circumstance does in practice import a new factor which, in fairness to the Legislative Assembly, ought to be taken into account. Moreover, although the transfer of cash was only from one Department to another, it did in fact put the Department receiving the payment into the possession of funds provided for in another budget, which funds, as a result of the transfer, might have been disposed of on a non-voted service without reference to the Legislature. Turning to the first argument, the Standing Finance Committee and the Legislative Assembly had only approved expenditure for running the Creamery, and not for its purchase; the practical result is that while under the arrangement originally contemplated by the Standing Finance Committee and the Legislative Assembly, the Government could have terminated it at any time without loss except the loss incurred on the working during the period approved by them, now that the Creamery has been purchased, it is necessary to consider not only the working loss but also the possibility of a loss on disposal of the undertaking. We therefore consider on both the grounds that this item should be treated as a "New Service".

35. *Installation of an electrolytic silver refinery at the Bombay Mint.*—We are informed that prior to the installation of this refinery, the only means of refining silver at the Mint was by cupelling furnaces which were mainly used for refining silver recovered from drosses and were quite unsuitable for refining large quantities of fairly high touch silver as the losses would be excessive and the cost high and the quality of refined silver would not be good. The new refinery not only refines Government silver but also undertakes work for the bullion merchants and the public. The installation is therefore not a replacement but represents a new manufacturing unit and implies a definite policy on the part of the Government. There is thus a double reason for regarding this as a "New Service". Not only was the plant a new plant and not an extension of the existing plant, but the installation of this new plant involved the adoption of a new policy on the part of the Government. We consider this latter feature to be an important determining factor when considering whether any particular expenditure amounts to a "New Service". We therefore agree with the Auditor General that this ought to have been treated as a "New Service".

36. *Re-armament of the Quetta-Peshin Police.*—We are informed that funds for this purpose were voted by the Assembly in 1926-27 and that the stores were actually supplied in that year, but owing to some delay the debit was raised by the Military Department in the following year. We are of opinion that an item for which money had been voted by the Legislature in a previous year should not be treated as a "New Service" merely because the expenditure was incurred in another year.

37. *Construction of new Railway lines.*—We are glad to note that there is no difference of opinion between us and the Railway Board that a new construction should be regarded as a “New Service” and that a supplementary grant ought normally in every case to be applied for. The Financial Commissioner, however, has represented to us that in some cases it may be legitimate and desirable for the Railway Board to start a new construction without actually obtaining a supplementary grant from the Assembly provided always that the Standing Finance Committee for Railways has approved of the construction. The point made by the Financial Commissioner was that sometimes, owing to special unforeseen circumstances, it may be found impossible to start work on a particular project included in the budget, but that there may be another project equally desirable on which work could be begun immediately, and that if the latter project could not be started till the vote of the Assembly is obtained, a whole working season might be lost and a substantial part of the construction staff left idle. The main question involved is what latitude is to be allowed to the executive to start a new service with the approval of the Standing Finance Committee in anticipation of the approval of the Legislature. We consider that whatever latitude is allowed, the executive should not be allowed to substitute for a project approved by the Legislature another project the full cost of which will be considerably more, although in the particular year in which it is started the expenditure might not exceed the amount already provided for in the budget. We also urge that in all such cases of substituting one project for another, the control of the Finance Member should be rigidly exercised.

Further, when alternative projects are under consideration, particulars of all of these might be given to the Legislative Assembly when the Railway budget is presented, and it might be possible by adding token votes to get approval in advance from the Assembly for power to select one out of the various projects mentioned. We think that the procedure for this purpose ought to be carefully considered and then formulated in definite terms.

38. In the course of our discussions a question was raised whether in the case of construction of quarters and other amenities for government servants the money limit for determining whether the expenditure relates to a “new service”, should not be lower than in other cases. We could not however pursue the point as sufficient information was not available about the particular item of expenditure on which the question was raised. We hope that the report to be furnished by the Auditor General in future years (*vide* paragraph 31 *ante*) will enable succeeding committees to deal with the question.

39. We also suggest that in future the Standing Finance Committee and also the Standing Finance Committee for Railways, when asked to approve of any scheme placed before them, should consider, in the light of the case law promulgated by this Committee, whether the scheme constitutes a “New Service”. In order to enable that Committee to perform this function, the Department of the Government of India responsible for presenting the demand to that Committee should call attention to all the relevant facts and considerations.

40. The Auditor General has suggested, and we entirely agree with him, that the amount of a supplementary grant should be distributed between the various sub-heads and demand units like that of the original grant. **Supplementary grants.**

41. On paragraph 59 of the report of the Accountant General, Posts and Telegraphs, the Auditor General has raised the important point whether re-appropriations should be made in the course of the year as soon as necessity for the expenditure is foreseen or whether lump sum re-appropriations made at the end of the year would suffice. We consider that in order to enable the departmental officers to watch the progress of expenditure with the help of the accounts officers, it is necessary that re-appropriations should be sanctioned as soon as necessity for additional expenditure is foreseen. **Re-appropriations.**

42. In the course of our discussions a few cases were brought to our notice in which there was a great disparity between the charges levied for telegrams and those levied for the use of trunk telephone lines. In view of the increasing competition between the telegraphs and telephones, we suggest that the Government should consider whether the relative rates of the two should not be revised so as to secure the best possible economic results. **Telegraph and Telephone rates.**

43. The Chief Controller of Stores in evidence before us stated that until the Government departments placed a larger share of their orders through the Indian Stores Department, that department cannot be self-supporting; and that while several departments and especially the Army would be of great importance, the really decisive factor in the situation must always be the Railways. He said in fact that without the bulk of the Railway business, the department could not become self-supporting. In view of these statements we think that the time has come for the Government to adopt a definite and decisive policy in relation to the Indian Stores Department. We wish therefore to record a recommendation that if the Government are satisfied that the department is so organised that it is capable of purchasing stores with efficiency (as regards testing quality, etc.), and economy, on a standard comparable to that attained by the departments when purchasing on their own account, then the Government should issue orders that all stores (other than stores of a special technical nature) required by any Government Department should in future be purchased through the Indian Stores Department; and that if the Government are not so satisfied then they should appoint a committee of the Legislative Assembly to enquire into the present position and working of the Indian Stores Department. We are prepared to recognise that there may be reasons against the immediate universal application of orders such as are envisaged in the first part of our recommendation stated above, and that time may be required for the development of the Stores Department in certain directions, but this admission is not inconsistent with a declaration of policy by the Government such as we have recommended. Moreover, if the Government were to adopt a definite policy, the development of the Department might be greatly accelerated. We received, for example, a very valuable suggestion from the Chief Commissioner of Railways in this matter. He informed us that, except for certain big items the purchase of which has been centralised with the Railway Board, the Railways were prepared to effect purchases through the Indian Stores Department in every case where it was to their advantage to do so—subject always to the reservation that they could not hand over to any outside **Indian Stores Department.**

agency their responsibilities regarding rolling stock—an exception which we accept as coming under the heading of special technical stores. The Chief Commissioner went on to say that a year ago the Railway Board had agreed to purchase through the Indian Stores Department a number of additional items of stores and that he would be prepared to consider at intervals of six months or a year further additions to the list. The criterion he would apply would be that it must be to the advantage of the Railways to do so, and if there was any doubt about the advantage to be obtained in regard to certain items, he would suggest that for a year or two the Railways should purchase half the quantity of such stores departmentally and half through the Indian Stores Department. He hoped that he would thus obtain a reliable test of the practical efficiency of the latter. If such a practice is applied on a sufficiently large scale and with a genuine and whole-hearted desire to assist the development of the Indian Stores Department, not only by the Railways but by all other Government departments, it might be reasonable to defer further orders until this practical experiment had been completed. But we maintain that the Government should definitely announce their policy to this effect. We further wish to emphasise that, in considering whether the Indian Stores Department operates economically, all the factors which affect the Government of India as a whole should be taken into account. For example, while it may happen that the Army Department purchasing oil on their own account could get oil cheaper than if they were to buy it through the Indian Stores Department, after allowing for the addition of the 2 per cent. commission which the latter charges, nevertheless the financial results to the Government of India as a whole might be better if the purchases were made through the latter Department.

**Commercial undertakings.**

44. Profit and loss accounts and balance sheets of commercial undertakings are at present incorporated in the Appropriation Accounts, but owing to the form in which the accounts are presented, and to the fact that in all cases we are dealing with accounts which are two years old, we can carry out no useful or practical review of the commercial results and efficiency. As it is very material to our task to be able to form an opinion on these points, we recommend that in the case of commercial undertakings, including the Railways, there should be an annexe to the Appropriation Accounts reviewing the general results of the working of the undertakings on the basis of the latest figures available and giving a general account of the business, containing the sort of information which is given in the annual report of a commercial company and in the speech made by the chairman of a public company to the shareholder at the annual meeting. Such reports would in any case be of general interest to the public.

**Departmental manufacture.**

45. The Accountant General, Railways, has brought to our notice a case in which a Railway suffered some loss by the departmental manufacture of bricks. Although we realise that in commercial undertakings mistakes like this in calculating probable savings by departmental manufacture are liable to occur, and although the loss in the particular case was of a relatively small amount, nevertheless an important lesson can be learnt from the incident under review, viz., that when Railways desire to undertake a manufacturing business of this kind, which, is outside their ordinary business, special care should be devoted to checking

the estimates. As there is some danger of the Railway undertakings in India growing to an unmanageable size, any tendency to expand outside their own special task, should be checked. Such expansion is justifiable only if conditions are such that a particular article required by the Railways cannot be obtained on any sort of reasonable terms unless they manufacture it themselves; and the mere prospect of making an ordinary commercial profit should be no inducement for the undertaking of such business. It must always moreover be remembered that it is difficult enough to provide adequate capital for meeting the needs of actual railways, without locking up money in side shows.

46. At present the Railway budget is presented in the Assembly by the Railway Member. Under the Indian Legislative Rules, however, the Budget has to be presented by the Finance Member, and we are informed that the definition of the term 'Finance Member' as given in Rule 2 of the Indian Legislative Rules permits the Governor General to appoint any Member of the Assembly other than the regular Finance Member for a special purpose to exercise the functions prescribed by the rules for the Finance Member. We desire to recommend that when the Governor General exercises this power of appointing any Member as the Finance Member for the purpose of any particular rule in the Indian Legislative Rules, the order of such appointment should be laid on the table of the House. We also suggest that the Railway Board should obtain the opinion of the Legislative Department as to the interpretation of the definition referred to above.

47. A question of great importance which has been raised on several occasions at our meetings is whether the existing convention as regards Railway Finance was intended to exclude the Public Accounts Committee from being consulted or giving advice about the form of the Demands for Railway Grants.

Rule 44 (3) of the Indian Legislative Rules lays down that the Budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Assembly; and it would be in accordance with English constitutional theory and practice that in deciding such matters the Finance Member, if he desired advice or suggestion from outside the Finance Department, should consult the Public Accounts Committee rather than any other body connected with the Legislature. On the other hand, under the Resolution regarding the separation of Railway from General finances adopted by the Legislative Assembly on the 20th September, 1924, the form which the Railway Budget shall take after the separation, the details it shall give and the number of demands for grants into which the total vote shall be divided has to be considered by the *Railway Board in consultation with the Standing Finance Committee for Railways*. While this Resolution clearly gives to the Standing Finance Committee for Railways a definite function in the matter, there is no evidence to show that the Legislative Assembly, in adopting this proposition, took into consideration the further implication of an intention altogether to exclude the form of Railway accounts from the purview of the Public Accounts Committee. In any case, it appears to us that the decision, however strictly interpreted, does not necessarily mean that the constitutional powers of the Finance Member and his right to act, if so desired, in consultation with the *Public Accounts Committee* are abrogated, and we submit that it would require very definite and explicit decisions based on due

**Presentation of Railway budget.**

**Form of Railway Demands-Functions of the Public Accounts Committee and the Standing Finance Committee for Railways.**

constitutional authority to abrogate such powers and rights. We therefore record the view that even now, that is to say, without any further affirmation from the Legislative Assembly being required, the position is that all changes in the form of Demands for Railway Grants initiated by the Railway Board in consultation with the Standing Finance Committee for Railways may be subject to further consideration by the Finance Member who, before arriving at a final decision, will be entitled to consult the Public Accounts Committee. In expressing this view, we do not at all wish to suggest trenching on the powers or limiting the scope of the Standing Finance Committee for Railways. The main work will still be theirs, and normally, in view of the Assembly Resolution and the convention thereby adopted, the initiation and preliminary consideration of all proposals for changes in the form of Railway Accounts will rest with them. On the other hand, it may on occasions happen that the Public Accounts Committee, while examining the Appropriation Accounts of the Railways, may consider that some change is required in the form of the Demands for Railway Grants.\* In such a case it would be proper for the Finance Member, in deference to the arrangement authorised by the Legislative Assembly in 1924, to ask that the Standing Finance Committee for Railways should consider the suggestions of the Public Accounts Committee, leaving himself the liberty thereafter if he thought it necessary, to make a further reference to the Public Accounts Committee before he came to his own final conclusion.

We believe that in practice the interpretation of the position which we have set out above will provide a satisfactory working arrangement which will be the best in the public interest and will ensure that both the Standing Finance Committee for Railways and the Public Accounts Committee can render to the Government the very valuable services of which they are capable.

**R.I.M.S.  
"Dufferin".**

48. An estimate amounting to Rs. 2,27,645 was prepared by the Director of the Royal Indian Marine for the conversion of the "Dufferin" as a training ship. The appropriation in the budget for 1927-28 for this work was Rs. 1,40,973. The actual cost of the conversion amounted, however, to Rs. 3,56,373, i.e., an excess of Rs. 1,28,728 or 56·5 per cent. over the estimate, and of Rs. 2,94,812 over the appropriation. The reasons for the excess as given in paragraph 6 of Appendix XIII may be valid, but we must call attention to a very unsatisfactory feature in this case, namely, that the expenditure was actually incurred by the Marine Department in 1927-28 without their giving any intimation of the fact to the Commerce Department. The first notice that the Commerce Department received was in February 1928 through a proof copy of the Demands for Grants for the year 1928-29 sent to them by the Finance Department. This case clearly proves that it is necessary that when one Department of Government employs another to do work for it, there ought to be a proper business arrangement made in order to insure that the Department undertaking the work does not exceed the estimate without the authority

\* A case actually occurred which we quote as an illustration. The Public Accounts Committee of 1926-27 and 1927-28 urged that the Railway Demands for Grants, as presented to the Assembly at the time of the Budget, should conform to the form of accounts presented before the Public Accounts Committee—the latter shewing under each Grant expenses charged to respective Railways. The Financial Commissioner of Railways accepted this suggestion and the demands of 1928-29 were presented accordingly.

of the employing Department. We also suggest that the Auditor General should investigate what precise procedure could be adopted in a case like this to keep the Department responsible for providing the funds informed of the progress of expenditure on the work.

49. A case was brought to our notice in which an officer was placed on special duty for work which was estimated in the first place to last only six months, but actually continued to eighteen months. We consider that it should be possible in the case of temporary employment of an officer on special duty to frame a more accurate estimate of the period required for the special work.

**Officers on special duty.**

#### **IV.—Comments on matters relating to particular departments arising out of the present Report, etc.**

##### **REPORT OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES.**

###### *Grant 18—Salt.*

50. We desire to record that an examination of the accounts of the Northern India Salt Revenue Department for 1927-28 reinforces the recommendation made by our predecessors in paragraph 18 of their report of last year. We reserve further recommendations until we have had an opportunity of examining the special full report on the commercial results which will be placed before the Committee next year.

51. We understand that at present no commercial system of accounts is maintained for the Government salt producing sources in Bombay, Madras and Burma. We are of opinion that the commercial system of accounts should be introduced in all Government salt producing undertakings.

###### *Grant 47—Meteorology.*

52. We desire to have a report next year analysing the services which are rendered by the Meteorological Department to the Royal Air Force and the reciprocal services rendered by the latter in the study of Meteorology, new routes for civil aviation or otherwise. The report should mention specifically those activities which the Department would not have undertaken but for the Royal Air Force. While asking for this report we recognise that meticulous accuracy as regards claims and counter claims during the present experimental period is neither practicable nor desirable.

###### *Grant 49—Botanical Survey.*

53. In considering the position as regards the large stocks of quinine held by the Government and the policy to be adopted by the Government as regards the production of quinine, it has been suggested to us, first, that the supply and consumption of quinine in the malarial districts of India may not have been developed on a scale desirable having regard to the well-being of the people, secondly, that spurious quinine is being sold in substantial quantities. Further, from our own examination of the position, we have formed the conclusion first, that having regard not only to their own financial interests but also to the proper development of medical benefits for the people, it is desirable that



the Government of India should formulate a definite policy as regards the production and distribution of quinine, secondly, that as no such policy can be effectively introduced without some action for encouraging the consumption of quinine, and as this latter side of the matter lies in the hands of the Provincial Governments, the Central Government cannot initiate any effective and businesslike policy without the co-operation of the Provincial Governments. We therefore recommend that the Government of India should investigate this whole question, in consultation with Provincial Governments, without delay.

*Grant 66—Indian Stores Department.*

54. We find that the figures of net loss in the working of the Indian Stores Department, as given in the Administration Report, differ considerably from the figures in the Appropriation Accounts. A memorandum has been circulated to us by the Audit Officer, Indian Stores Department, explaining the differences (Appendix XII). We desire to record that in future the two sets of figures should be prepared on the same lines or at least on a reconcilable basis.

*Grant 73—Refunds.*

55. We suggest that the Finance Department should consider whether, in the case of the non-voted refunds, which represent inevitable items of expenditure, there should be no time limit for the acceptance and sanctioning of re-appropriations and additional appropriations, provided, of course, that the orders are actually passed within the financial year.

*Grant 76—Delhi.*

56. We are informed that at present the Chief Commissioner is solely and entirely responsible for the preparation of the initial local estimates of all fluctuating charges in his budget and does not obtain any assistance or advice on the subject from his Pay and Accounts Officer. It appears to us that the special knowledge and experience of the Pay and Accounts Officer would be of the greatest value to the Chief Commissioner and that without the aid of these the Chief Commissioner can hardly be expected to frame really accurate budgets. We suggest therefore that the Finance Department should enquire into the possibility of improving the present procedure for the preparation of budgets in areas like Delhi where there is a separate Pay and Accounts Officer.

57. We were informed that the expenditure shown under the head 'Agriculture' under this grant relates to the maintenance of gardens in the Delhi city and not to the improvement of agriculture in rural areas. We suggest that this should be made clear in future Demands for Grants and Appropriation Accounts, if possible, by the exhibition of the expenditure under the sub-head 'Horticulture'.

*Grant 78—Andaman and Nicobar Islands.*

58. We suggest that when considering the preparation of accounts of the dairy farm and the slaughter house on a commercial basis, the Auditor General should consider whether any portion of the loss on the working of these undertakings can properly be charged against Army estimates.

*Grants 82 and 83—Expenditure in England under the control of the Secretary of State and the High Commissioner.*

59. We recommend that the persistent over-budgeting under these two grants should be brought to the special notice of the Secretary of State and the High Commissioner.

*Report of the Accountant General, Posts and Telegraphs.*

60. *Paragraph 33 of the Report.*—We consider that the fraud referred to in this paragraph should be taken as an occasion to issue circular instructions drawing attention to the rules requiring the verification of signatures.

*Report of the Accountant General, Railways.*

61. *Paragraph 2 of the Annexure.*—We suggest that a further enquiry should be made regarding this case to fix the responsibility for the loss of measurement sheets. We are also of opinion that an entry should be made in the record of service of the Assistant Engineer concerned, though we recognise that his good conduct since then will naturally diminish the effect of such an entry.

62. *Paragraph 6 *ibid.**—We desire that legal opinion should be obtained whether criminal proceedings could have been taken in this case.

63. *Paragraph 9 *ibid.**—We are not quite satisfied with the explanation given and we endorse the suggestion of the Financial Secretary that the Railway Board should study the elaborate set of rules drawn up by the Army Department regulating the acquisition, custody and relinquishment of State lands and buildings by Military authorities, and consider whether similar rules could not be introduced for the Railways.

64. *Paragraph 12 *ibid.**—We are glad to be assured that, since the separation of Railway Finance, considerations of the budgetary position of the Government of India have not been allowed to govern allocation of expenditure between capital and revenue. As regards the relative responsibility of the Railway Board and the Government Examiner for the allocation of the expenditure between capital and revenue, we think that at the time of the preparation of the budget estimates, the Railway Board should make an attempt to bring up-to-date the allocation between capital and revenue, but that the responsibility for checking the actual allocation when the expenditure is actually incurred should lie on the Government Examiner, to whom all the material necessary for making a correct allocation must be made available.

65. *Paragraph 13 *ibid.**—As the explanation furnished by the Manager is not quite satisfactory the attention of the Manager should again be invited to the Accountant General's remarks and a more instructive report should be furnished to the Committee next year.

66. *Paragraphs 11 and 93 of the Report.*—We are informed that though, according to the Government of India Resolution regarding the construction of unremunerative lines on the guarantee of a local Government or other local body, the actual loss in the working of such lines ought to be borne by the local Government or other local body, in practice it is generally necessary to limit the liability of these

bodies to a definite maximum figure of loss based on such estimates as the Railway Board can frame. We understand that in cases of this kind it has not been the practice to prepare detailed estimates of capital expenditure before arriving at an agreement with the local body, as the cost of preparing such estimates would be wasted if such body were subsequently to decline the terms offered to it. We recommend that before entering into any such agreement with a local Government or other local body, especially in cases involving difficult construction, detailed estimates should be prepared on the understanding that if the local Government or the local body did not accept the terms offered by the Railway Board, the cost of preparing such detailed estimates would have to be borne by the local Government or the local body concerned.

As regards the Kangra Valley Railway, we refrain from detailed comment first, because it is acknowledged that the case was exceptional and that the procedure followed in that case ought certainly not to be repeated and, secondly, because the matter is now under investigation by the Railway Board.

67. *Paragraph 12 ibid.*—We are very much concerned to hear from the Controller of Railway Accounts that the state of affairs regarding Stores Accounts on the East Indian Railway is a very bad one and that it has been so for a long time. We hope a radical alteration of the present procedure and the introduction of machines proposed by the Controller will enable him to evolve order out of the present chaos. We shall be glad to have a report on the situation next year.

68. *Paragraph 30 ibid.*—We are informed that the difference in the figures of capital at charge as given in the Administration Report and those given in the Appropriation Accounts is due to the difference in the rate of exchange at which sterling figures have been converted into rupees. We understand that certain proposals of the Auditor General in this connection are still under the consideration of the Railway Board and we recommend that in future an attempt should be made to present the two sets of figures on a uniform basis.

69. *Paragraphs 38 to 40 ibid.*—We recommend that the Railway Board should follow a definite policy of adjusting rates on Company-managed lines to rates on State lines, unless in any special case there are definite economic reasons against such a course.

70. *Paragraph 45 ibid.*—Our attention has been called to the fact that the increase in expenditure on fuel on the Bengal Nagpur Railway is not due to increased consumption but to higher cost of coal. As there was no general rise in coal prices throughout India, this higher cost has been explained to us as being the result of the fact that the coal (which is supplied from the company's own collieries) consumed in 1927-28 was taken from collieries at a greater distance, the increase therefore being due to higher freight charges. This seems to indicate that the prices of coal charged to the railways are dependent on the cost of production and delivery rather than on the fair market price of the coal. We think that the collieries of the company should be treated as an independent commercial undertaking and that the price charged to the

Railways should be a competitive commercial price. This means that a system of proper commercial accounts should be introduced on all collieries worked by Railways and that the loss or profit in working such collieries should be shown separately.

71. *Paragraphs 103 and 104 ibid.*—See paragraph 28 *ante*.

72. We concur in the conclusions and recommendations (*vide* Appendix XX) of the Sub-Committee appointed by us to investigate such of the items in the Report of the Accountant General, Railways, as were not dealt with in detail by the main Committee.

As regards the sub-paragraph to paragraph 8 of the Report of the Sub-Committee we are satisfied that the points raised by us have for the present been adequately dealt with in the letter addressed by the Railway Board to the Agent, B. N. Railway, but we desire to have a full report next year, on the action taken as a result of this letter.

*Report of the Military Accounts Committee.*

73. We cordially approve of the change made in the current year in the constitution of the Military Accounts Committee, namely, the substitution of the Controller of Civil Accounts as a member of the Committee in the place of the Army Secretary. We also record our appreciation of the efficient and thorough manner in which the Military Accounts Committee has dealt with the Appropriation Accounts. We concur in the conclusions and recommendations of that Committee.

74. We desire to receive a memorandum from the Army Department on their policy as regards purchases of stores through the Indian Stores Department and whether the Army could increase their purchases through that Department.

75. We consider that the result of the examination of the Financial Adviser mentioned in paragraph 54 of the Military Accounts Committee's report should be communicated to us.

*Miscellaneous observations.*

76. In the course of our examination this year we have noticed one or two cases where, owing to oversight, there has been a failure to take action on some of the recommendations of our predecessors. In order to avoid such delays in future, we recommend that as soon as the report of this Committee appears, the Finance Department should prepare lists enumerating the points and recommendations, including those in the proceedings attached to the Report, which concern each Department and circulate them to the Departments concerned for immediate action. The Departments concerned should then report by a fixed date what action they have taken as regards each item and further render supplementary returns at regular periods until all the recommendations have been disposed of to the satisfaction of the Finance Department.

77. We have to note that in some cases the representatives of the departments, who appeared before us, have not always been able to answer our questions with full responsibility. We wish to emphasise our view that the

officer responsible for the control of any department must always include the control of expenditure and accounts as an important part of his own direct responsibility and should be ready, if necessary, to appear before the Public Accounts Committee.

78. We are glad to note the inauguration this year of the practice of the Financial Secretary being present at all our meetings. This is of great value and we consider that it should be adopted as a regular practice.

79. In view of Sir Frederic Gauntlett's impending retirement and of the fact that this is the last session of the Public Accounts Committee that he will attend in his capacity as Auditor General in India, we desire to place on record our great and genuine appreciation of the very valuable service which he has consistently rendered ever since the Public Accounts Committee was instituted—service not only to the Public Accounts Committee but also to the Legislature and the Executive Government. Sir Frederic Gauntlett by his devotion to his duties and by his able maintenance of the efficiency and independence of audit has done much to strengthen the financial control of public expenditure and by the advice and guidance which he has at all times generously given, he has greatly assisted the Public Accounts Committee in developing the exercise of its functions and in fulfilling the important part assigned to it under the constitution.

80. In conclusion we desire to acknowledge the services of our Secretary, Mr. K. Sanjiva Row.

GEORGE SCHUSTER.

T. A. K. SHERVANI.

B. DAS.

CHOWDHURY MD. ISMAIL KHAN.

S. C. MITRA.

GANGANAND SINHA.

ABDUL MATIN CHAUDHURY.

K. C. NEOGY.

MD. YAKUB.

K. C. ROY.

H. A. J. GIDNEY.

*The 26th September, 1929.*

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#### MOTION FOR ADJOURNMENT.

REPRESENTATIONS MADE BY THE EAST AFRICAN DELEGATION *re* THE  
SITUATION IN EAST AFRICA.

**Diwan Chaman Lall** (West Punjab: Non-Muhammadan): Sir, I beg to ask for leave to move the adjournment of this House, notice of which I have already given, to discuss a matter of urgent public importance,

namely, the failure of the Government of India to give a full and satisfactory reply to the recent representations made to it by the East African Delegation.

**The Honourable Sir James Crerar** (Home Member): Sir, the subject is, no doubt, a matter of public importance, but I submit that it is not a matter of urgency and I shall endeavour to explain very briefly why I am of that opinion. The views of the Delegation and of the Standing Emigration Committee have been fully communicated to the Secretary of State for India, and are now under his consideration. I submit, therefore, that at this juncture, a motion of this kind, so far from being urgent, would have a prejudicial effect upon the negotiations upon which Sir Muhammad Habibullah is engaged, and it would embarrass not only him but the Secretary of State in their endeavour to secure a favourable consideration of the Indian case. I am authorised to state that the Secretary of State intends to do his utmost to secure that favourable consideration. I submit further that the House would be in a much better position to discuss the whole matter after the publication of Sir Samuel Wilson's Report which, as the House is aware, is shortly to be published. Finally, I am in a position to assure the House that a final decision by Parliament will be postponed until after the Assembly has had an opportunity of debating the matter. I am also in a position to assure the House that every opportunity will be given for a full representation of the Indian case. That, Sir, being the state of affairs, I submit once more that a motion for adjournment at this stage, so far from being urgent, would be calculated to prejudice discussions and negotiations, in the happy result of which Government are at least not less concerned than Honourable Members in any part of the House. (Applause.)

**Mr. K. C. Roy** (Bengal : Nominated Non-Official): I wish to call your attention to page 17 of the Manual of Business and Procedure of this House, paragraph 44 (*iv*), which reads thus :

“ The motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given.”

There is a notice standing in my name on today's Order Paper, and should you decide that Diwan Chaman Lall's motion is in order, I shall ask your permission to withdraw mine.

As regards urgency, I am not convinced by the advocacy of the Leader of the House. The whole question on which the Delegation from East Africa have made representations to the Government has been discussed by all interested legislative bodies in the British Empire. The British Parliament has discussed it in both its Houses ; the Kenya Legislative Council has discussed it ; the matter has been mentioned to the Mandates Commission at Geneva ; and the only Houses which have been precluded from discussing the matter are the Central Legislature of India. And the Central Legislature of India is vitally interested in the matter.

**Mr. President**®. Whose fault is it ? Is it Government's fault ?

**Mr. K. C. Roy** : It is absolutely Government's fault. They ought to have given us a day. Request was made more than once to the Leader of the House last cold weather, and it was systematically denied, and the Report was taken by backstairs to a Committee, or Conference which is not responsible to this House. The Leader of the House has told us that Sir Muhammad Habibullah is in delicate negotiations with the Colonial Office.

[Mr. K. C. Roy.]

May I ask, what is the brief on which he is negotiating ? Is it the brief of the Government of India ; is it the brief which was placed before this House the other day by my Honourable friend Sir Frank Noyce ? In my opinion, there is not a thing which is more urgent at the present moment than a discussion of the situation in East Africa as raised by the Deputation. I hope, Sir, that you will permit the motion.

**\*Diwan Chaman Lall :** I do not agree with the remarks made by the Leader of the House when he said that he opposed this adjournment motion on the ground that there was no urgency disclosed in the motion which I have placed before the House. The only argument that he advanced in regard to the question of urgency was not based upon the matter of urgency at all, but on the embarrassment that it might cause to the representatives of the Government of India. The whole tenor of his remarks is this, that if this question is debated on the floor of this House, not that there is not an urgency for the debate, but if it is debated upon, then the hands of the representatives of the Government of India, who are now engaged on this matter with the Secretary of State and with the Government in Great Britain, would be tied, and they would be embarrassed in the negotiations they are carrying on. I submit there is nothing in the Standing Orders or the Rules governing the procedure of this House which prevents a motion for adjournment being tabled on the ground that it might cause embarrassment to the representatives of the Government of India. The question is the question of urgency. Is that denied ? I submit most humbly that the Leader of the House has not proved his case that there is no urgency with regard to this matter.

**Mr. President :** The Honourable Member has not proved that it is urgent. The burden of proof lies on him, not on the Leader of the House.

**Diwan Chaman Lall :** Objection is taken by the Leader of the House. His objection is that there is no urgency. My Honourable friend Mr. K. C. Roy has definitely stated, and I take it that there can be no reply to the statement that he has made—the urgency is that these negotiations that are being conducted in Great Britain should be conducted in the spirit in which this House wants them to be conducted, and unless and until an opportunity is given to this House to place its views before the representatives of the Government, there will be no possibility of the correct views of the House being taken into consideration by the representatives of the Government who are negotiating....

**Mr. President :** The Leader of the House gives an assurance that no decision will be taken before this House has had a full opportunity of discussing the question.

**Diwan Chaman Lall :** An assurance has been given by the Leader of the House that the views of this House will be consulted before a final decision is taken. But what is going to happen in the interval ? What is going to happen in regard to the negotiations now being conducted ? What guarantee has the Honourable Member given that the views the Government of India are placing before their representatives in Great Britain are the views which find favour in this House ? They have given no guarantee whatever. My Honourable friend Mr. K. C. Roy put a pertinent question, what are the representations that you are making ? What

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\*Speech not revised by the Honourable Member.

are the views that you are placing before your representatives ? Are they the views of the East African Indian Delegation, of the Indians settled in East Africa ? Are they the views of public bodies in India, or are they the views of your Department ? What are the views that you are going to place before the Secretary of State for India ? What is going to happen in the meanwhile ? What is the sort of lead that you are going to give your representatives ? We have seen the sort of lead which the Government of India gave in the past in regard to this matter. It was a perfectly hopeless lead, which satisfied nobody in this country and nobody in East Africa. If the Honourable Member gives me an assurance that the views which are placed before them by public men in this country and by the deputation which met him in regard to this matter will be pressed by the Government of India on the authorities in Great Britain, I am perfectly willing to withdraw this Resolution and await the decision of the House next Session. Until that assurance is given, I submit that it is our right to debate this question in order that the views of this House should be placed before the authorities in Great Britain.

**Sir Darcy Lindsay** (Bengal : European) : I must say that I cannot see how my Honourable friend Diwan Chaman Lall has made out a case of urgency in this matter. I also contend that he has entirely ignored the work of a Committee of this House, that is the Emigration Committee. The Emigration Committee had the assistance of some of the leaders of the House when they met the delegation from East Africa to hear their views. The Committee have expressed their opinions to the Department, and so far as I am aware, the Government of India are in accord and have forwarded those views to the Secretary of State for India. To discuss this question now would in my opinion take away a great deal of the good work that has already been done. I hold the view that it would be most impolitic at this juncture to discuss in any way the matters that are likely to be reported on by Sir Samuel Wilson. We hope that at the next winter Session we shall have full opportunity to discuss the Report in this House. On these grounds I ask you not to allow the adjournment motion.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Sir, I think the House has reason to be grateful to my friend Diwan Chaman Lall for bringing up this motion for adjournment. I may say that I was taken by surprise when I heard about half an hour back that this motion was coming up. But in view of what I have heard just now, and especially from my friend Sir Darcy Lindsay, I do think that this motion will at least clear up the atmosphere. There can be no more urgent reason for discussing this subject today than this. This is the last day, as far as I know, of this Session. After this Sir Samuel Wilson's Report is going to be published about the fifth of next month, and the British Cabinet is likely to take a decision in this important matter about 16th October next. It is perfectly true that the Standing Emigration Committee has submitted to Government their very elaborate opinions on this question. Being a member of that Committee, and being committed to keep things confidential as a member of that Committee, I am not in a position to say anything more, but the House is aware that that Committee worked on the last two Sundays for the best part of four or five hours at a stretch in consultation with the deputation from East Africa, in connection with what should be the opinion of that Committee, as far as the position of Indians in those colonies is concerned. Supposing, Sir, that the



[Sir Purshotamdas Thakurdas.]

motion which is last today on the paper and I see that there is a rather longish agenda today in the name of my Honourable friend Sir George Schuster, to which my friend Mr. K. C. Roy has given notice of an amendment, is not reached today and does not come up for discussion, then what happens ? The country has been in a condition of suspense....

**Mr. President :** Since when has the country been in suspense ?

**Sir Purshotamdas Thakurdas :** Ever since the beginning of this question. They do not know what the Government of India has said on this Report.

**Mr. President :** Then you should have brought forward this motion on the opening day of the Assembly.

**Sir Purshotamdas Thakurdas :** A motion would have been tabled much earlier but for the fact that the members of the Standing Emigration Committee came to know only at a later stage that the Government of India had not completely endorsed the opinions expressed by the Standing Emigration Committee in March last.

**Mr. President :** When did they come to know of it ?

**Sir Purshotamdas Thakurdas :** About ten days ago.

**Mr. President :** Then why was not the motion brought earlier ?

**Sir Purshotamdas Thakurdas :** The Government of India were to revise it.

**Mr. President :** And you knew only this morning that they did not revise ?

**Sir Purshotamdas Thakurdas :** What we were told was that the Government of India had wired to the Secretary of State in accordance with the latest decision of the Standing Emigration Committee. Every moment I was told, they were expecting to be able to inform us about it. What is more important is this. The Members of this House know nothing at all about it. Whether the Government are in a position to put that information at the disposal of this House or not is a different thing, but the House should have an opportunity of saying what they want to say.

**Mr. President :** Then why did you come up today ?

**Sir Purshotamdas Thakurdas :** Because it is the last day. There is no subsequent day.

**Mr. President :** Every motion for adjournment must come up on the last day ?

**Sir Purshotamdas Thakurdas :** Because there is no other opportunity.

**Mr. President :** Why did you not move it yesterday or the day before yesterday ?

**Sir Purshotamdas Thakurdas :** We saw this item in the name of Mr. K. C. Roy and we thought we would have an opportunity to raise the discussion on that. It was not reached yesterday. Some Members of this House, including myself, make mistakes at times. I submit, for your information, that we thought at least the whole question would be raised

on Mr. K. C. Roy's amendment. We wanted an opportunity of ventilating our views. It is not a question of this House taking a definite decision, but as was said by one of the Honourable Members in the course of the discussion, it is significant that, while every other part of the British Empire interested in this matter of the Hilton Young Report....

**Mr. President :** I quite see the importance of the question, but what I do not understand is why Honourable Members did not raise it earlier.

**Sir Purshotamdas Thakurdas :** We knew that the whole question could be raised on Mr. Roy's amendment in connection with the tour of the Right Honourable Sastri to Kenya.

**Mr. President :** Honourable Members did nothing during the whole Session, and come up with this matter on the last day.

**Sir Purshotamdas Thakurdas :** The matter is absolutely in your hands. I am not challenging your decision. I am only explaining my point.

**Mr. President :** I should have been perfectly willing to consider this motion if it had come up some days earlier.

**Sir Purshotamdas Thakurdas :** It was felt that we should not avoidably burden the already overburdened business of the House. All I can say is that Diwan Chaman Lal has brought up this point and it is for you to decide. I wish to submit one thing finally. If you feel that it is likely that we shall reach the end of the agenda today, I would suggest that it may not be necessary to have this motion for adjournment discussed at all. We can have our say on Mr. K. C. Roy's cut. If, however, we do not get that opportunity, I feel that, at any rate as far as the non-official Members are concerned, they will have performed their duty by bringing it to your knowledge and suggesting to you that there is an opportunity which may be made available to us before the House adjourns *sine die*, namely, by a motion for adjournment.

**The Honourable Sir George Schuster (Finance Member) :** Sir, the Honourable the Leader has asked me to reply, as I was the Member of Government who was present with my Honourable colleague, Mian Sir Fazl-i-Hussain at the last meeting of the Emigration Committee, and I think that some reference to that last meeting and what has happened since then is pertinent to this discussion. My Honourable friend, Diwan Chaman Lal, has asked, on what brief are Sir Muhammad Habibullah, or any other representatives of the Government of India, who are now in England, speaking ? Have they any knowledge of what is the opinion of this House ? Now, Sir, I think it is fair to assume that the views which were expressed by the Standing Emigration Committee do represent the views of this House. (*An Honourable Member :* "Not necessarily.") That is an assumption which I would say that it is fair to make, and I would put it to the House that it is a fair assumption. It is not possible for the Government of India, at the present stage, for reasons which I am sure all Honourable Members will appreciate, to publish, to make public, the actual telegram which they sent to the Secretary of State. We can state very definitely that every single point, which was made by the representatives of this Assembly on the Standing Emigration Committee, has been communicated to the Secretary of State, so that I think we may take it that the views of, at any rate a very representative Committee of this Assembly, are fully known in London.

[Sir George Schuster.]

Then, Sir, there is one other point to which I would refer. My Honourable colleague has put it to the House that it might prejudice the case if violent statements were made now. Speaking on behalf of Government, Sir, I wish to make it clear that Government do not in any sense want to burke discussion on this subject. They fully recognise the interest which is felt on this subject in the Assembly and indeed they would be anxious that the Secretary of State's hands should be strengthened by an expression of opinion from this House. But, Sir, at the present stage—and I speak with direct knowledge of the issues that are involved and the interests that are involved—we do feel that it might prejudice the handling of the case by our advocates in London if very extreme statements were made. The position of the Indians in Kenya is admittedly an extremely difficult problem. It is a problem which can hardly be solved without goodwill on all sides ; and it is very important that, at the present stage, every thing should be done to avoid creating a bitter atmosphere. That, Sir, is our position ; and we think it fair to put that position to this Assembly, speaking with one object and one object only in our mind, which is to secure the best practical result, to maintain the best possible chance of obtaining a favourable result for the Indian case. Having said that, Sir, and having reiterated that it is not the desire of Government in any case to burke discussion on this subject, I would leave it to you, Sir, to decide what course of action should be taken. (Applause.)

**Mr. Jamnadas M. Mehta** (Bombay City : Non-Muhammadan Urban) : Sir, as regards the Standing Emigration Committee, it is well-known that it is a purely nominated Committee of this House, and particularly the Congress Benches take no place in nominated Committees.

**Sir Purshotamdas Thakurdas** : May I inform the Honourable Member that Pandit Motilal Nehru and Mr. A. Rangaswami Iyengar were present at the meeting ?

**Mr. Jamnadas M. Mehta** : I am referring to the Standing Emigration Committee.

**Sir Purshotamdas Thakurdas** : My Honourable friend may know that these two meetings where the final decision was taken were attended by Pandit Motilal Nehru and Mr. A. Rangaswami Iyengar for no less than a period of three to four hours each time.

**Mr. Jamnadas M. Mehta** : I am simply stating that the Congress Party takes no part in nominated Committees. It struck me from the beginning when this Report was published that Government.....

**Mr. President** : I would like to know from the Honourable Member when the final decision was taken.

**Sir Purshotamdas Thakurdas** : Speaking from memory, Sir, but I think it is fairly accurate, last Sunday. The Honourable the Secretary of the Department will correct me if I am wrong.

**Sir Frank Noyce** (Secretary, Department of Education, Health and Lands) : Last Sunday, Sir, and Sunday fortnight previously.

**Mr. President** : The decisions were taken in the presence of the Leader of the Opposition and other Members !

**Sir Frank Noyce** : The Leader of the Opposition and Mr. A. Ranga-swami Iyengar, to the best of my recollection, were present throughout the most important parts of both meetings.

**Mr. President** : Then why was this motion not brought up before ?

**Sir Purshotamdas Thakurdas** : No motion was brought up earlier, because the decision taken on last Sunday was merely the decision of an Advisory Committee : we do not know what the Government of India have done with that advice. We were able to know on last Tuesday or so that they had sent a wire to the Secretary of State, and I am very glad to know from the statement of the Honourable Sir George Schuster that the Government of India have wired in full accordance with the recommendations of the Emigration Committee. Do I understand that correctly, Sir ?

**The Honourable Sir George Schuster** : No, Sir. (Laughter.) I must re-refer to my own statement. I informed my Honourable friend that we could not, at this stage, make public what the Government of India itself had said ; and my Honourable friend, I think, expressed his appreciation that it was impossible for us, at the present stage, to make public what we had said. What I did say was that we had communicated to the Secretary of State every single point and every single recommendation that was made at that meeting.

**Sir Purshotamdas Thakurdas** : The difficulty, Sir, is this. The Emigration Committee made a recommendation. The Government of India have sent a message to the Secretary of State. The House now feels that it ought to be able to say what it wants to, irrespective of what the Government of India have said. That is the whole point. We do hope that the Government of India have said all that we wanted them to say, but we have no information on that point for obvious reasons.

**The Honourable Sir George Schuster** : I think it is rather unfair of my Honourable friend to press the matter any further.

**Mr. President** : Are the Government of India prepared to disclose what they have stated to the Secretary of State ?

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour) : They cannot say....

**The Honourable Sir James Crerar** : We are precluded from doing so, Sir, under Standing Orders relating to correspondence.

**Mr. President** : How then can I prevent Honourable Members from expressing their opinion on this question ?

**Mr. K. C. Roy** : This, Sir, really arises out of the reply of my Honourable friend Sir Frank Noyce to a question by Mr. B. Das yesterday, saying that he could not give full information regarding the outcome of the representation of the East African Deputation. Really that is the point. It is, I think, based upon the reply given by Sir Frank Noyce to Mr. B. Das only yesterday.

**Diwan Chaman Lal** : I would, Sir, with your permission, say one word in regard to the urgency of the matter, as to why it is that we want today to move this motion. Sir Purshotamdas Thakurdas has given you, Sir, the history of the whole affair. The reason why we are moving this adjournment motion today is plain from the terms of the motion itself,

[Diwan Chaman Lall.]

namely, the failure of the Government to give a full and satisfactory reply. Sir, what was the reply ? The reply was given yesterday by Sir Frank Noyce. He gave the reply yesterday which we considered to be absolutely unsatisfactory. That reply was that the Government of India was not in a position to inform the House as to what they are going to do in regard to the deputation that waited on the Viceroy. I realise the difficulty of the Government as to why they are not in a position to inform the House. They say that there are certain Standing Orders that stand in their way. If that is so, we on this side of the House are completely in the dark. We therefore want, in view of the fact that this matter arose only yesterday, to express our opinions in regard to this matter by moving this motion for adjournment.

**Mr. Jamnadas M. Mehta :** I had not yet completed my remarks, Sir, when this discussion began.

**Mr. President :** Will the Honourable Member be able to throw any light on the question ?

**Mr. Jamnadas M. Mehta :** My point is that the question of urgency still remains. The Congress Party is not committed to anything that the Standing Emigration Committee might have done, and it is altogether unjustifiable to mention the names of Pandit Motilal Nehru and Mr. Rangaswami Iyengar because they were simply interested spectators. They have expressed their opinion on the floor of this House and it is not right that they should be mentioned as having participated in the discussion.

**The Honourable Sir Bhupendra Nath Mitra :** From the point of the Congress Party the urgency then arose before last Sunday.

**Mr. Jamnadas M. Mehta :** It arose after the reply given by Sir Frank Noyce. We are not concerned with what happened in the Standing Emigration Committee.

**Sir Frank Noyce :** I can assure the Honourable Member that neither Pandit Motilal Nehru nor Mr. Rangaswami Iyengar was an interested spectator.

**Mr. S. C. Mitra** (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : Are the members of the Advisory Committee on Emigration ?

**Sir Frank Noyce :** They were invited to the meeting.

**Mr. Jamnadas M. Mehta :** Not to participate in the discussion, but only to watch it.

**Mr. President :** After listening to the Honourable Members I have come to the conclusion that the matter is really urgent and the House should have an opportunity to discuss it. But my difficulty is that pointed out by Mr. Keshab Chandra Roy, namely, that the motion must not anticipate a matter which has previously been fixed for consideration.

**Mr. Jamnadas M. Mehta :** He has withdrawn it.

**Mr. President :** That won't solve the difficulty. The motion was on the paper yesterday and if the House did not reach it, it was not due to any fault of Government. If the Honourable Members had put some

restraint on themselves yesterday, they could have reached it. But even today I am willing, on a consideration of all the circumstances, to permit discussion of this question. And for that purpose I am prepared to sit as long as possible to enable Mr. K. C. Roy's motion to be reached. In these circumstances, I propose to withhold my consent to the moving of this motion of adjournment.

I hope, in view of what I have said, Honourable Members will help me to get through other business as quickly as possible.

#### THE RESERVATION OF THE COASTAL TRAFFIC OF INDIA BILL.

**Mr. President :** The first business on the agenda is the motion in the name of Mr. Sarabhai N. Haji. With regard to that motion, I just want to make a few observations. The motion is for the consideration of the Coastal Traffic Bill. The Report of the Select Committee has made a unanimous recommendation that the Bill be republished. It has been the practice of this House extending over nine years, that, when a Bill has been reported upon by the Select Committee and that Committee has made a recommendation that the Bill be republished, the only motion that follows is that the Bill be recirculated for the purpose of eliciting public opinion thereon. That has been the practice of this House all these years, so far as I have been able to ascertain. I shall be grateful if Honourable Members can cite any instance in which a Bill, which has been recommended to be republished, has been taken up straight away for consideration. That is a question on which I find some difficulty ; but I do not wish to hear the arguments of the Honourable Members today on that point of order. Today I only wish to ask the Member in whose name this motion stands to consider whether he should not take this motion up next Session in view of the statement which, I understand, was made the other day with the approval or, at any rate, with the concurrence of the Member in charge of this Bill—by Sir George Rainy to the effect that, when Lord Irwin returns to India, immediate steps will be taken by Government to convene a conference of all interests concerned to see if some way could not be found out of the difficulty. Unless the Honourable Member wants to prejudice that conference, he should agree to take this matter up next Session.

I know that the preliminary point which has been raised by me will take more than an hour to discuss in this House before I could give any decision. It is a very important point and I do not want to give any decision offhand. I should rather prefer that that question be taken up at the next Session. In view of these observations, I ask Mr. Haji whether he would not really agree to take this matter up next Session ?

**Mr. Sarabhai Nemchand Haji** (Bombay Central Division : Non-Muhammadan Rural) : Sir, in view of the remarks that have just now fallen from you in connection with my motion,\* which I understood to be that, because of the various reasons which you mentioned, I should take over this motion to the Delhi Session, I have, Sir, very great pleasure in accepting that suggestion of the Chair.

**Mr. President :** Thank you.

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\*“ That the Bill to reserve the Coastal Traffic of India to Indian Vessels, as reported by the Select Committee, be taken into consideration.”

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : May I say one word, Sir ?

**Mr. President** : There is no motion before the House.

**Sir Purshotamdas Thakurdas** : If you will give me an opportunity, I have only one thing to say. I understood the Chair to say that the statement of the Honourable the Commerce Member was made with the concurrence of Mr. Haji. As I had something to do in the matter....

**Mr. President** : I should say that it was made with the concurrence of Sir Purshotamdas Thakurdas.

**Sir Purshotamdas Thakurdas** : No, Sir. There is a misunderstanding on the point which I think it is due both to Mr. Haji and myself that I should explain here.

**Mr. President** : I act only on the written information. Sir George Rainy handed over to me two documents which clearly go to show that there was some understanding between Mr. Haji and Sir Purshotamdas Thakurdas on the one hand and the Government on the other.

**The Honourable Sir George Rainy** (Member for Commerce and Railways) : I should like to say merely this that the responsibility for the statement I made rests entirely on the Government, but I showed it to the Honourable Members whom the Chair has named, and on one or two small points slight changes were made in the wording. In that sense only it was an agreed statement, but for the substance of it the responsibility rests entirely with the Government.

**Mr. President** : That must satisfy the Honourable Member (Sir Purshotamdas Thakurdas).

**Sir Purshotamdas Thakurdas** : If it satisfies the Chair, it also satisfies me.

**Mr. President** : It does not satisfy me at all.

**Sir Purshotamdas Thakurdas** : Then I hope you will let me make a statement at once.

**Mr. President** : I understand Pandit Thakurdas Bhargava does not wish to move his motions\*. Mr. Neogy.

#### THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

**Mr. K. C. Neogy** (Dacca Division : Non-Muhammadan Rural) : I beg to move that the Bill further to amend the Indian Merchandise Marks Act, 1889....

**Mr. President** : Would not the Honourable Member take it up next Session ?

**Mr. K. C. Neogy** : If you so desire, I have no objection.

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\* " That the Bill further to amend the Code of Criminal Procedure, 1898 (amendment of section 552), be referred to a Select Committee (the names of the Members to be mentioned at the time of making the motion) and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be....," and

" That the Bill further to amend the Code of Criminal Procedure, 1898 (amendment of sections 205 and 540-A), be circulated for the purpose of eliciting opinions thereon."

**Mr. President :** I am anxious to reach Sir George Schuster's motion, and therefore I would ask the Honourable Member to take up his motion the next Session.

**Mr. K. C. Neogy :** May I make one submission ? I understand that this motion is not going to be opposed by the Government.

**The Honourable Sir George Rainy** (Member for Commerce and Railways) : The Government are prepared to accept the motion.

**Mr. President :** Then the Honourable Member might, in a short speech, move his motion.

**Mr. K. C. Neogy :** Sir, I beg to move :

" That the Bill further to amend the Indian Merchandise Marks Act, 1889, be referred to a Select Committee consisting of the Honourable Sir George Rainy, Mr. G. L. Winterbotham, Kumar Ganganand Sinha, Mr. M. S. Sesha Ayyangar, Mr. B. Das, Mr. Fazal Ibrahim Rahimtulla, Mr. Muhammad Rafique, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, according to the present law, importation of goods into India is permitted without the application of any trade mark or the indication of the place of origin of the goods. This enables foreign manufactured goods to be palmed off as Indian manufacture. This Bill seeks to arm the Government of India with authority to make it compulsory that imported goods shall be stamped with an indication of the place of origin in the case of particular classes of goods in regard to which they may publish a notification.

Sir, I move.

**Mr. G. L. Winterbotham** (Associated Chambers of Commerce : Nominated Non-Official) : Sir, in view of the fact that the Honourable the Commerce Member has not stated the Government's position in this matter, and as I understood that he would speak, it falls to me to take up one minute and explain that it is only on the distinct understanding that the principle of this Bill applies to goods on importation only, that I am not opposing reference to Select Committee. I understand that the Honourable the Mover agrees to that, that is to say that reference to Select Committee is made on the understanding that the Bill will not be made to apply to goods at the time of sale.

**Mr. K. C. Neogy :** That is hardly a matter of principle. I take it that it is a question of detail which can very well be dealt with in the Select Committee.

**Mr. G. L. Winterbotham :** I take it to be a matter of principle and must make my position plain on the subject.

**The Honourable Sir George Rainy :** Sir, in deference to your appeal that we should be brief in dealing with this matter, I will merely indicate the changes which, if the House accepts the motion for reference to Select Committee, the Government will ask the Select Committee to make. In the first place, Government feel that, if the marking of goods were made compulsory at the time of sale, the legislation would be altogether ineffective. We have not got the necessary machinery to enforce it. Therefore Government will, in Select Committee, move that the marking should only be at the time of importation. In the second place, there is an alternative suggestion which might be considered by the Select Committee. It has been made by the United Provinces Government, namely, that, instead of



[Sir George Rainy.]

making the marking of foreign goods compulsory at the time of sale, a particular mark might be introduced and protected by legislation, which any Indian manufacturer could apply to his goods. I think that that is a suggestion that is very well worth considering, because I believe that it would be far more easy to prevent foreign manufacturers from using the Indian mark than to compel them to mark their goods with indications of origin at the time of sale. Finally, Sir, in the Select Committee, Government will be quite ready to consider and discuss by what method inquiries should be made before any order for compulsory marking is made. The Government have quite an open mind on that subject and will be ready to discuss it fully in the Select Committee.

**Mr. President :** The question is :

“ That the Bill further to amend the Indian Merchandise Marks Act, 1889, be referred to a Select Committee consisting of the Honourable Sir George Rainy, Mr. G. L. Winterbotham, Kumar Ganganand Sinha, Mr. M. S. Sessa Ayyangar, Mr. B. Das, Mr. Fazal Ibrahim Rahimtulla, Mr. Muhammad Rafique, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

### THE SPECIAL LAWS REPEAL BILL.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) :

Sir, I beg leave to introduce a Bill to repeal certain special enactments supplementing the ordinary criminal law.

Sir, in asking for leave to introduce this Bill, I have very few words to submit before the House. Considering that most of these enactments are not at all necessary, as you, Sir, observed—in fact it is the same Bill without any alteration whatsoever—if it was not necessary at that time when you, Sir, introduced the Bill, it is still more unnecessary at the present moment. Probably at that time, Sir, you had some handicap, but at the present moment we have got in the present Home Member a generous, warm-hearted gentleman full of sympathy with our aspirations and struggle for liberty and I hope that this Bill will have a better chance than the Bill which was formerly introduced.

**Mr. President :** Is the motion for circulation of the Bill ?

**Mr. Amar Nath Dutt :** No, Sir, I am only asking for leave to introduce.

**Mr. President :** No speech is necessary.

**Mr. Amar Nath Dutt :** All right, Sir. I move for leave to introduce the Bill.

**Mr. President :** The question is :

“ That leave be given to introduce a Bill to repeal certain special enactments supplementing the ordinary criminal law ”.

The motion was adopted.

**Mr. Amar Nath Dutt :** Sir, I introduce the Bill.

**Mr. President :** Honourable Members do not seem to be fully conversant with the conventions of this House in this matter. One convention is that no motion for leave to introduce a Bill shall be opposed. That convention carries with it a further convention, that no Member shall, on that very day, make any further motion, namely, that the Bill

be referred to a Select Committee, or that it be taken into consideration, or that it be circulated for the purpose of eliciting opinion. I mention this fact because the Honourable Member, Mr. Mukhtar Singh, has put down a motion that the Bill which he seeks to introduce today should be referred to a Select Committee. That motion, I may point out to him, is against the convention which has been established and I hope he will not move it.

**Mr. Mukhtar Singh** (Meerut Division : Non-Muhammadan Rural) : I shall not move it, Sir.

#### THE HINDU WIDOWS' RIGHT OF INHERITANCE BILL.

**Rai Sahib Harbilas Sarda** (Ajmer-Merwara : General) : Sir, I beg to move for leave to introduce a Bill to secure a share for Hindu widows in their husbands' family property.

The object of the Bill has been clearly stated in the Statement of Objects and Reasons and I do not wish to add anything. Sir, I move.

The motion was adopted.

**Rai Sahib Harbilas Sarda** : Sir, I introduce the Bill.

#### THE INDIAN MAJORITY (AMENDMENT) BILL.

**Kumar Ganganand Sinha** (Bhagalpur, Purnea and the Santhal Parganas : Non-Muhammadan) : Sir, I rise to move for leave to introduce a Bill further to amend the Indian Majority Act, 1875. Sir, this Bill proposes to repeal those provisions of the Indian Majority Act, 1875, which make it possible for a minor to attain majority even at the age of 18 years, and to fix the age of majority uniformly at 21 years. Sir, I move.

The motion was adopted.

**Kumar Ganganand Sinha** : Sir, I introduce the Bill.

#### THE ARYA MARRIAGE VALIDATION BILL.

**Mr. Mukhtar Singh** (Meerut Division : Non-Muhammadan Rural) : Sir, I beg to move for leave to introduce a Bill to finally recognise and place beyond doubt the validation of inter-marriages of Arya Samajists. Sir, I move.

The motion was adopted.

**Mr. Mukhtar Singh** : Sir, I introduce the Bill.

#### THE PREVENTION OF EXPORT OF DRIED MEAT BILL.

**Kumar Ganganand Sinha** (Bhagalpur, Purnea and the Santhal Parganas : Non-Muhammadan) : I rise to move for leave to introduce a Bill to provide for the protection of Cattle. The object of the Bill is quite clearly stated in the Statement of Objects and Reasons and I have nothing to add.

[Kumar Ganganand Sinha.]

Sir, I move.

The motion was adopted.

**Kumar Ganganand Sinha** : Sir, I introduce the Bill.

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#### THE INDIAN BAR COUNCILS (AMENDMENT) BILL.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Bar Councils Act, 1926. Sir, I move.

The motion was adopted.

**Mr. Amar Nath Dutt** : Sir, I introduce the Bill.

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#### THE IMPERIAL BANK OF INDIA (AMENDMENT) BILL.

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Sir, I beg to move for leave to introduce a Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes.

Sir, I have clearly set down the objects of this Bill in the Statement of Objects and Reasons. I would only point out that, under the Imperial Bank Act, the contract is to be renewed very shortly, and no contract should be renewed without the permission of this House. Also the Imperial Bank entered into certain definite agreements which they have not fulfilled about Indianisation and so forth. Sir, I move.

The motion was adopted.

**Mr. B. Das** : Sir, I introduce the Bill.

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#### THE ADOPTION VALIDATING BILL.

**Mr. M. R. Jayakar** (Bombay City : Non-Muhammadan Urban) : Sir, I beg to move for leave to introduce a Bill to remove certain existing disabilities in respect of the power of adoption amongst Hindus. Sir, I move.

The motion was adopted.

**Mr. M. R. Jayakar** : Sir, I introduce the Bill.

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#### THE HINDU GAINS OF LEARNING BILL.

**Mr. M. R. Jayakar** (Bombay City : Non-Muhammadan Urban) : Sir, I beg to move for leave to introduce a Bill to declare gains of learning by a Hindu to be his separate property. Sir, the objects are clearly stated in the Statement of Objects and Reasons. Sir, I move.

The motion was adopted.

**Mr. M. R. Jayakar** : Sir, I introduce the Bill.

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#### THE JUDICIAL PROCEEDINGS REGULATION BILL.

**Diwan Chaman Lall** (West Punjab : Non-Muhammadan) : Sir, I beg to move for leave to introduce a Bill to regulate the publication of

reports of judicial proceedings in such manner as to prevent injury to public morals. Sir, I move.

The motion was adopted.

**Diwan Chaman Lall** : Sir, I introduce the Bill.

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#### THE ABOLITION OF CAPITAL PUNISHMENT BILL.

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Sir, I beg to move for leave to introduce a Bill to abolish the punishment of death for offences under the Indian Penal Code. Sir, I move.

The motion was adopted.

**Mr. Gaya Prasad Singh** : Sir, I introduce the Bill.

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#### THE COURT-FEES (AMENDMENT) BILL.

**Rai Sahib Harbilas Sarda** (Ajmer-Merwara : General) : Sir, I beg to move for leave to introduce a Bill further to amend the Court-fees Act, 1870, for a certain purpose. Sir, I move.

The motion was adopted.

**Rai Sahib Harbilas Sarda** : Sir, I introduce the Bill.

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#### THE HINDU LAW (AMENDMENT) BILL.

**Mr. V. V. Jogiah** (Ganjam *cum* Vizagapatam : Non-Muhammadan Rural) : Sir, I move for leave to introduce a Bill to make better provision for certain heirs, under Hindu Law, especially with respect to women regarding their rights of inheritance. My reasons have been given in the Statement of Objects and Reasons.

The motion was adopted.

**Mr. V. V. Jogiah** : Sir, I introduce the Bill.

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#### THE SONTHAL PARGANAS CRIMINAL JUSTICE BILL.

**Kumar Ganganand Sinha** (Bhagalpur, Purnea and the Sonthal Parganas : Non-Muhammadan) : Sir, I move for leave to introduce a Bill to provide for the better administration of criminal justice in the Sonthal Parganas, by further extension of the Code of Criminal Procedure, 1898, to cases tried therein. I have given my reasons in the Statement of Objects and Reasons and have nothing to add to it.

The motion was adopted.

**Kumar Ganganand Sinha** : Sir, I introduce the Bill.

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#### THE MUSSALMAN WAKF VALIDATING (AMENDMENT) BILL.

**Mr. A. H. Ghuznavi** (Dacca Division : Muhammadan Rural) : Sir, I beg to move for leave to introduce a Bill to amend the Mussalman Wakf Validating Act, 1913. As Honourable Members are aware, my little

[Mr. A. H. Ghuznavi.]

Bill is a grandchild of the Honourable Mr. Jinnah. The Mussalman Wakf (Validating) Bill was introduced in the late Imperial Legislative Council to restore the Mussalman Wakf law as it had been understood and was applied by the courts before their decisions were overruled by their Lordships of the Privy Council, who denounced all such wakfs in favour of "*Aul Aulad*" as illusory and obnoxious to the doctrine against perpetuation. The cases in which it was so held will be found quoted in the Statement of Objects and Reasons, to which I would invite the Honourable Members' attention.

As the Validating Act has restored the pre-existing law and removed the cloud of doubt which had been cast upon it for a few years by the Privy Council, it is clear that the Validating Act was never intended to be merely prospective, but being a declaratory Act,—an Act declaratory of the existing personal law of the Mussalmans,—it was necessarily retrospective. But in a series of cases, to which reference is made in my Statement of Objects and Reasons, the High Courts of India have held that this Bill is merely prospective and not retrospective. The wakfs and endowments prior to its enactment are thus practically excluded from its operation, which almost defeats the object for which the Wakf Validating Act was enacted. It is to clarify a doubt which has again been cast upon the position and extent of the Validating Bill and thus to give retrospective effect to the aforesaid Act of 1913 and save wakfs and endowments of considerable value and historic importance from destruction that this Bill has become necessary.

I do hope the Honourable Members will give me the support which my Bill deserves.

The motion was adopted.

**Mr. A. H. Ghuznavi** : Sir, I introduce the Bill.

#### THE INDIAN PENAL CODE (AMENDMENT) BILL.

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Sir, I move for leave to introduce a Bill further to amend the Indian Penal Code.

Sir, man-made law has always been harsh on the women-folk. The mother of an unwanted child always gets punished for doing away with the child, but the alleged father always escapes. I want him also to be punished.

The motion was adopted.

**Mr. B. Das** : Sir, I introduce the Bill.

#### THE SPECIAL MARRIAGE (AMENDMENT) BILL.

**Mr. M. R. Jayakar** (Bombay City : Non-Muhammadan Urban) : Sir, I move for leave to introduce a Bill further to amend the Special Marriage Act, 1872.

The motion was adopted.

**Mr. M. R. Jayakar** : Sir, I introduce the Bill.

## THE BENGAL STATE-PRISONERS REGULATION (REPEALING) BILL.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadian Rural) : Sir, I beg to move for leave to introduce a Bill to repeal the Bengal State-Prisoners Regulation, 1818.

The motion was adopted.

**Mr. Amar Nath Dutt** : Sir, I introduce the Bill.

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## THE INDIAN ELECTRICITY (AMENDMENT) BILL.

**Mr. B. Das** (Orissa Division : Non-Muhammadian) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Electricity Act, 1910, for certain purposes.

I have given my reasons in the Statement of Objects and Reasons.

The motion was adopted.

**Mr. B. Das** : Sir, I introduce the Bill.

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## STATEMENT *RE* THE PROPOSED AIR SERVICE FROM KARACHI TO DELHI.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour) : Sir, I propose, with your permission, to fulfil a promise which I made on the 4th of this month, in reply to questions asked by my Honourable friends Mr. K. C. Neogy and Mr. Gaya Prasad Singh, when I said that I hoped to make a statement during this Session on the subject of the proposed air service from Karachi to Delhi and future extensions. The revised proposals of the Government of India in regard to the air service between Karachi and Delhi, and their present ideas in regard to the extension of the service from Delhi to Calcutta, and ultimately to Rangoon, were placed before, and explained fully to, the Standing Finance Committee at its meeting of the 20th September, 1929, and full details on the subject will be found in the published proceedings of that Committee, which are now in the possession of Members of this House. That being the position, it is not necessary for me to take up the time of the House by making a lengthy statement on the subject, repeating for this purpose the information placed before the Standing Finance Committee and summarised in their proceedings. Government will now proceed with the particular proposal which has been approved by the Standing Finance Committee for the establishment of a Karachi-Delhi service.

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## RESOLUTION *RE* RECOMMENDATIONS OF THE ROAD DEVELOPMENT COMMITTEE.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour) : Sir, I beg to move the first of the  
1 P.M. Resolutions which stand in my name in the supplementary List of Business for today, and which runs as follows :

“ This Assembly, after taking into consideration paragraphs 70 to 79 of the Report of the Indian Road Development Committee, recommends to the Governor General in Council that :

- (1) The increase in the import and excise duties on motor spirit from 4 to 6 annas per gallon, introduced by the Indian Finance Act for the current year, shall be maintained for a period of five years in the first instance ;

[Sir Bhupendra Nath Mitra.]

- (2) The proceeds of the additional duty during the same period shall be allotted as a block grant for expenditure on road development to be credited to a separate road development account, the unexpended balances of which shall not lapse at the end of the financial year ;
- (3) The annual grant shall be divided as follows :
  - (a) A certain proportion shall be retained by the Government of India as a reserve, and such proportion will be 10 per cent. for the two years ending March, 1931, and the position shall be reviewed thereafter and the balance, if any, on 31st March, 1931, or any subsequent date of review, which is not required for the purposes approved in paragraph 75 of the Report, will be distributed among the provinces in the manner indicated in clause (b) ;
  - (b) Out of the remainder :
    - (i) An apportionment shall be made among the provinces in the ratio which the consumption of petrol in each province bears to the total consumption in India in the preceding calendar year ;
    - (ii) The balance, representing the consumption of petrol in minor provinces and administrations and Indian States, shall be allotted as a lump sum to the Government of India.
- (4) If any part of the amount apportioned to a province in any financial year remains unexpended at the end of that year, it shall be carried over for expenditure in that province in the following year.
- (5) Grants shall be made to each province, up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads. As an exception to this rule, the amount available for Burma, may, for the present, be spent on any scheme of road development that is approved by the Local Government with the concurrence of the local Legislature ; but if at any future time the question of road connection with India becomes a live issue, the position shall be reconsidered.
- (6) A Standing Committee for Roads shall be constituted every year after the financial year 1929-30 consisting of one nominated official Member of the Legislative Assembly, a second nominated official Member, three Members elected by the Council of State from their body, and six Members elected by the Legislative Assembly from their body. The Member of the Governor General's Executive Council in charge of the Department that deals with roads shall be the Chairman of the Committee ; and the members of the Committee who are Members of the Legislative Assembly shall form its Finance Sub-Committee, which will be presided over by the Chairman of the Committee if he is a Member of the Legislative Assembly, and otherwise by the official member of the Committee who is a Member of the Legislative Assembly.
- (7) The functions of the Standing Committee for Roads shall be :
  - (i) To consider the annual budget and accounts of the separate road development account of the Government of India ;
  - (ii) To consider all proposals submitted by Local Governments to the Government of India, for which grants from the road development account are requested ; provided that the function of the Standing Committee will be confined to determining whether the scheme is one for which an allotment from the Central Road Development Account should be made.
  - (iii) To advise the Government of India generally on all questions relating to roads and traffic on roads and, in particular, on :
    - (a) any action to be taken by the Government of India on the proceedings of periodical Road Conferences ;
    - (b) central research in all matters connected with roads, road construction and maintenance ;
    - (c) statistics and intelligence, the preparation and publication of maps, and the collection and dissemination of information relating to road

development, administration and finance in India and in other countries.

All proposals for expenditure from the annual grant, or its accumulated balance, shall be submitted for approval to the Finance Sub-Committee."

The Resolution seeks to obtain the approval of the House to the acceptance by the Government of India of certain recommendations of the Indian Road Development Committee, subject to one modification to which I shall refer presently. The recommendations are those contained in paragraphs 70 to 79 of the Report of the Committee, and they deal with the question of financing of road development from the proceeds of the additional duty on petrol which was imposed in the Indian Finance Act of the current year, and with the procedure to be adopted in that connection.

Clauses (1) and (2) of the Resolution follow the recommendation in para. 71 of the Report. Clause (3) is based on the recommendation in paras. 74 and 75. Sub-clause (b) of that clause follows the recommendation of the Committee. It will be seen from Appendix II to the Committee's Report that the Touring Sub-Committee of the Committee suggested various formulae for the division among provinces, etc., of the proceeds of the additional taxation. The Committee, after considering these various formulae, recommended, in para. 74 of the Report, that the division should be on the basis of the consumption of petrol in the various provinces, etc. As was anticipated by the Committee, the matter is one in which it is not possible to secure unanimity of opinion among the Provincial Governments. Subject to the approval of the House, the Government of India are willing to accept the recommendation of the Committee.

In regard to sub-clause (a) of clause (3) the Committee recommended that one-sixth of the proceeds of the additional taxation should be retained by the Government of India for the purposes mentioned in paragraph 75 of the Report. After discussion with the representatives of Provincial Governments, the Government of India are willing to agree to retain only ten per cent. in the first two years, and to reconsider the position thereafter. The necessary provision has been made in sub-clause (a) of clause (3).

Clause (4) of the Resolution follows the recommendation in the last sentence of paragraph 75 of the Committee's Report.

Clause (5) follows the recommendations in paragraphs 76 to 78 of the Report.

I have already dealt with the provisions incorporated in clause (6) on a previous occasion and do not propose to take up the time of the House further with the matter.

Clause (7) follows the recommendations in the latter part of paragraph 79 of the Committee's Report, except that sub-clause (ii) has been amplified to bring out what appears from paragraphs 76 and 77 of the Report to have been the intentions of the Committee. I may mention in this connection that Provincial Governments are generally opposed to any form of control by the Central Government, or the Central Legislature through its Standing Committee, on expenditure by the Provincial Governments from sums allotted to them from the proceeds of the additional taxation; and they hold generally that their respective shares should be handed over to them from year to year, leaving them complete freedom to spend the monies in any way they may like on road development. Indeed, one of the Provincial Governments wants to have freedom to spend a portion of its share



[Sir Bhupendra Nath Mitra.]

on general purposes. The Government of India are inclined to think that, as the taxation was voted by this House for a particular purpose, this House would be perfectly justified in assuring itself, through its Standing Committee, that the money is being spent for that purpose. Sub-clause (ii) of clause (7) merely provides for this safeguard, while it protects the Provincial Governments from any interference by the Central Legislature in matters of detail.

In conclusion I should like to mention that the terms of the draft Resolution were discussed with the Standing Committee of the Legislature last week and certain amendments were agreed to unanimously. These are being submitted for the acceptance of the House by my Honourable friend Mr. Jayakar and they will be supported by Government. Sir, I move.

**Mr. M. R. Jayakar** (Bombay City : Non-Muhammadan Urban) : Sir, I beg to move the amendments which stand in my name. As the Honourable Member has just stated, they represent the unanimous opinion of the Standing Committee on Roads, which was consulted last week. The first amendment runs as follows :

"In clause (2), after the words 'during the same period' the following be inserted :

'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

This carries out the suggestion contained in the Report of the Indian Roads Development Committee that petrol, if consumed for aviation purposes—aviation purposes not being connected immediately with roads,—should for the present be excluded from the tax levied for road purposes. This amendment carries out that recommendation.

**Mr. G. L. Winterbotham** (Associated Chambers of Commerce : Nominated Non-Official) : Sir, if it is the desire of the House that no remarks should be made on this Resolution, I shall resume my seat. In the circumstances I feel a certain amount of diffidence in rising, but the interests which I happen to represent feel that this is really a very important all-India subject and I would myself, with reluctance, give up an opportunity of stating my views on this occasion.....

**Mr. President** : The Honourable Member is a bit too late.

**Mr. G. L. Winterbotham** : What I have to say deals with the amendment.

**Mr. President** : If that is so, the Honourable Member is entitled to speak.

**Mr. G. L. Winterbotham** : On the question of Mr. Jayakar's amendments, I should like to say that in this matter I and those interests which I represent strongly support the attitude of the Government of India and are inclined to deplore the attitude which we understand has been taken up by the Honourable Ministers from the provinces. This might be said to be a constitutional point of interference with the provinces ; but I would like to let my opinion go on record that that is not a correct way for the provinces to look at the matter. They should, I think, take the view that this is a very large question of all-India importance in which the

best results could only be obtained by the willing co-operation of the Provincial Governments with the Central Legislature ; and I very much hope that, in due course, the representatives of the provinces will come to that view themselves.

**Mr. K. C. Roy** (Bengal : Nominated Non-Official) : What about the Ministers ?

**Mr. G. L. Winterbotham** : I am not advocating, as my Honourable friend behind me suggests, the knuckling down of the Provincial Governments to the Central Legislature. Very far from it. What I am advocating is a spirit of co-operation between the provinces and the Central Legislature on a very large and very important all-India question. I maintain that there is no reason why common agreement on these lines should not be reached ; and I very much hope that, in due course, it will be. To take only one instance how can it be said that the provinces should take this money and spend it exactly as they like without any control from the Central Legislature, when the question of competition between roads and railways immediately comes up ? Can it be said that the provinces can fairly claim to receive a grant from this Legislature, which they may proceed to use in the construction of roads in their provinces, which will directly compete with the State Railways ? I put that consideration before the House, as there are other considerations which I want to mention, but I particularly put that consideration before the House, and I hope that, in due course, the attention of the Local Governments will be drawn to this particular aspect and that they will come to see that this Legislature is not seeking to impose its will on the provinces, but is anxious to co-operate with them in a scheme, the benefits of which for India it would be almost impossible to exaggerate.

Sir, I should have liked to make some remarks on the question of financing schemes of road development, but possibly they are not relevant at the present moment, and I will not weary the House at this stage as I know Honourable Members want to get on to the next business. But there is one point which I should like to make, and that is that as we see the problem, that is to say, I and those whom I have the honour to represent, what is wanted in the first stage is a survey of all really important roads in India, so that some really useful programmes can be drawn up by the provinces with a view to co-ordinating the work of road construction throughout India. I very much hope, Sir, that the Roads Committee will bear this very important desideratum in mind and will, at the first favourable opportunity, turn their attention to this particular matter.

Sir, the other points of large importance I would pass over, but I should like to put two or three questions to the Honourable Member who moved the Resolution. Those points are really of minor importance, but they require an answer so that we may know what is the intention of Government. Sir, take the case of Burma. Burma is exempted from any control of the Central Legislature, quite properly, in my opinion, under Part V of the Resolution. But, Sir, if that is conceded, should it not also be conceded that Burma's share of the one-tenth of the whole, which Government propose to keep to themselves, should also be excluded ? The matter may seem a small one, but on the basis of the actual revenue produced by this 2 annas per gallon amounting to one crore of rupees a year—that may be looking ahead two or three years, but I take the figure for the sake of convenient calculation—the amount involved in any one year is Rs. 75,000. Well, Sir,

[Mr. G. L. Winterbotham.]

that is a large amount from the point of view of Burma, and I submit that if Burma is excluded from the control of the Central Legislature, Burma's proportion of the 10 per cent. which Government propose to retain should also be given back to Burma.

There is another point, Sir, in connection with Native States about which I am not quite clear. Under section 3 (b) (ii), it is stated that, "The balance representing the consumption of petrol in minor provinces and administrations in Indian States will be allotted in a lump sum...."

**Mr. E. L. Price** (Bombay : European) : Not for "keeps".

**Mr. G. L. Winterbotham** : As my Honourable friend very succinctly puts it, not for keeps, and I trust that that is not the intention, Sir, and that Native States and minor administrations will be given their allotment from this extra taxation on the basis of the consumption of petrol in their particular States. I should be very grateful if the Honourable Member would make that point clear.

Finally, Sir, there is the question of an expert adviser on this very important question of all-India roads. I do not know what the intention of Government is, but I trust that, out of the 10 per cent. which they are reserving from this additional taxation, they will provide for some really competent technical expert adviser, so that in this all important question they will not be proceeding on the advice possibly of men with merely departmental experience. Sir, this is a fringe of a very large subject, and I should have liked to enlarge on the question at very much greater length, but I think possibly that the points that I particularly desired to make have already been made, and I will not proceed any further.

**Kumar Ganganand Sinha** (Bhagalpur, Purnea and the Santhal Parganas : Non-Muhammadan) : Sir, I should like.....

**Mr. President** : Does the Honourable Member wish to speak on the amendment ?

**Kumar Ganganand Sinha** : I should like to say a few words on this.....

**Mr. E. L. Price** : Shall I not be in order, Sir, if I make a few general observations on the amendment ?

**Mr. President** : Certainly.

**Mr. E. L. Price** : Sir, I shall be very brief. I have seen all this Session, a series of attacks on Provincial Governments, and now Mr. Winterbotham has joined in the game.....

**Mr. G. L. Winterbotham** : That is an entirely unjustified remark. I protest against it.

**Mr. E. L. Price** : So I understood him. I will take one instance. I understand that the Punjab spends a crore of rupees a year on roads ; they stand to get 5 lakhs out of this dole, and they are expected by Mr. Winterbotham to sell their birth-right for a mess of pottage, to part with their provincial autonomy in that matter for 5 lakhs a year....

**Mr. G. L. Winterbotham** : Nonsense.

**Mr. E. L. Price** : I will not give way, Sir. All I can say, Sir, is that I respect the various Provincial Ministers for their objections. And if

they are to have it put across them by this Assembly or by the Government of India acting in the name of this Assembly, and their rights thus infringed, I at least will not stand by in silence.

**Mr. G. L. Winterbotham** : Then vote against the Resolution.

**Mr. M. S. Aney** (Berar Representative) : Sir, I have no desire to detain this House very long, but this is a Resolution which it is difficult for me at least to reply to without being in a position to know what the attitude of the Ministers of the various Provinces is towards the proposals which are now before us for consideration. It cannot be said that this Resolution does not entrench upon the province of transferred subjects, and that being the case, before this Assembly comes to any decision, it is necessary that the Honourable Member should have enlightened this House about the detailed opinions which he might have received from the various Provincial Governments on these points. As my Honourable friend Mr. Price has it, possibly it may be that the Provincial Governments are called upon to sell their liberty for a mere mess of pottage. It is rather a strong term, but those who care for provincial autonomy are perfectly justified in putting the thing as high as my friend has done....

**Mr. G. L. Winterbotham** : You sang a different tune yesterday.

**Mr. M. S. Aney** : I did not speak at all yesterday. Somebody else might have spoken, and my Honourable friend is under misconception. We know perfectly well that this subject deals to a large extent with matters that have been transferred under the constitution, and it is necessary that, on the Committee which is going to control this road development affair in this country, there should be some representatives from the provinces, so that their views may be given due weight before it comes to any decision. I do not want a conference where the resolutions of the conference will be matters of advice and this Committee may accept them or reject them. I want a definite right given to them that their views will be given due weight. There was an amendment to that effect given notice of by my Honourable friend Mr. Kelkar, which could have been of great use in elucidating the point at issue, but unfortunately Mr. Kelkar is not present and it would be difficult for anybody else to move it. So I think this is a matter which it would be better for the Government of India not to press for consideration at this time, but to defer it for further consideration till the next Session. This will also solve another difficulty, in that the discussion will not be unnecessarily handicapped, because it requires to be debated fully in this House before the House can be called upon to come to a final decision, and the advice which you have given to some Members and which they have accepted may properly be given to the Honourable Sir Bhupendra Nath Mitra so far as this Resolution is concerned.

**Mr. President** : I was told that the Resolution was non-controversial.

**Mr. M. S. Aney** : This is controversial, thought the Honourable Member wants it to be taken as non-controversial.

**Mr. E. L. Price** : I want to make no controversy if only those remarks about Provincial Governments and Ministers are withdrawn.

**Mr. M. S. Aney** : I therefore make a suggestion which the Honourable Member may consider for what it is worth, that this question should be held over for further consideration till the next Session. I move that amendment, Sir, with your permission.

**The Honourable Sir Bhupendra Nath Mitra :** Sir, in the course of my speech introducing this Resolution, I think I have mentioned what is the attitude of the Provincial Governments in the matter. I also said that, as the taxation has been voted by this House for a particular purpose, this House would be justified in retaining control only to the extent necessary to watch that the money is spent for the purpose for which it has specifically been raised. Beyond that, it is not intended by this Resolution to impose further control. I doubt very much whether the question is really one of controversy. We have discussed it for quite a long time, not in this House, but in the Standing Committee and with the Ministers. A Committee of the Legislature has examined the matter in its various aspects, and there is a whole paragraph in its Report which deals with this question of control. Further, I do not think there is anything in the existing constitution which stands in the way of this particular form of control being imposed. If the constitution is changed, say, in the next two or three years time, well, this Resolution may also be modified.

**Mr. President :** I was clearly given to understand that this was not controversial. I am sorry to find that it has turned out to be otherwise. Kumar Ganganand Sinha.

**Kumar Ganganand Sinha :** Sir, I also did not think that this motion would raise a controversy. I would, in view of your observation this morning that you would like the business on today's agenda paper gone through rather expeditiously, be as brief as possible. I shall make only one or two observations on this Resolution. During the course of its inquiry, the Indian Road Development Committee found that roads in India were passing beyond the financial capacity of the Local Governments and local bodies and were becoming a matter of national interest which might to some extent be a proper charge on Central revenues. Well, Sir, this state of things in this country was quite in keeping with the state of things prevailing in other countries. If Honourable Members would refer to chapter V of the Report, they would find that the Committee has summarised the position of road development in some of the countries of the world. Formerly, in all those countries, roads were merely a matter of local concern. But with the advance of time it has become a matter of national concern, and Governments are alive to the fact that this new adjustment so far as roads are concerned must be made. In Great Britain, in the United States of America, in Canada, in New Zealand, and even in China, efforts are being made to make roads a national concern. But I quite see that there is some misapprehension in the minds of Honourable Members in this House with regard to the action proposed by the Central Government. Roads is a provincial transferred subject. The Ministers are very jealous of their rights. But the whole question is, when the grant is made by the Central Legislature with a view to the road development of India as a whole and the petrol duty from which the grant is going to be made is a source of Central taxation, whether the Central Government should or should not divest itself of the right of suggesting to the Provincial Governments, who are going to spend the grant, how they should spend it. My Honourable friend Mr. Aney wanted to know what the Provincial Ministers wanted. As a member of the Indian Road Development Committee, I had the opportunity of knowing the provincial opinions, and I may tell the House that, wherever we went, each province wanted the matter to be decided in a way which would be more favourable to itself. If you go to Bengal, there is one

formula suggested ; if you go to Bombay, there is another formula suggested ; if you go to Bihar, there is a third formula suggested ; and it was this delicate problem which required the closest attention of the members of the Committee. If you look at the recommendations, you will find that the provinces are given the fullest opportunity of making their needs known to the Central Legislature and to the Central Government, and the power which rests in the Standing Committee of the Central Legislature is simply to see whether the particular object for which the grant is asked by the Provincial Government is or is not one for which a grant can suitably be made. So, this Resolution has restricted the power of the Finance Committee of the Central Legislature and of the Standing Committee on Roads of the Central Legislature to a very limited sphere. I think, Sir, that should satisfy the various provinces. If that does not satisfy them, the only alternative would be to raise the revenue and distribute it among the various provinces. What would that mean ? That would mean that the provinces, irrespective of the consideration whether a particular project is a project which could be called an all-India project, will spend the money according to their provincial programme and there will be no co-ordination in the matter of road development throughout India. That is not the object with which the Committee was appointed. That is not the object underlying the whole scheme which the Committee has recommended. If it is considered by this House that the road system in India should be developed on the lines of an all-India concern, then that can only be done by accepting the proposal that has been put forward. But if it be the intention of the House to dole out to provinces the revenue which they have raised and let them spend it in whatsoever manner they like, that is a different matter, and the House should, in that case, reject the Resolution. That is the whole question which faces us to-day. If this scheme is adopted, it will prevent the different provinces from utilising the newly created Road Development Fund for purely provincial objects, and they will develop the all-India roads within their territory with money which they will get from the Central Government. Sir, in the course of giving evidence, as a matter of fact, no representative of the Local Government seriously contested before the Committee the view that grants from Central Revenues should only be spent on projects approved by the Governor General in Council, on the advice of the Standing Committee on Roads.

**Mr. Anwar-ul-Azim** (Chittagong Division : Muhammadan Rural) : On a point of information, Sir. May I ask whether the Honourable Member was not agreeable to the amendments of Mr. Jayakar when they were discussed in the Committee ?

**Kumar Ganganand Sinha** : I am coming to that. I may tell now that I fully agree with all the amendments.....

**Mr. President** : The Honourable Member might continue after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

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**Kumar Ganganand Sinha** : Sir, when the House adjourned for lunch I was dealing with the point that the principle which will guide the central

[Kumar Ganganand Sinha.]

authority will be to confine the expenditure from central revenues to projects which may be fairly regarded as benefiting India as a whole ; of course with the co-operation of the Provincial Governments. The money allotted, it should be noted, will be spent through the agencies of the Provincial Governments and the Central Government will not look into the details. So the House will see that the Central Legislature has got very limited control over the finances that it votes, and the latitude given to the provinces is to the maximum limit to which it could be given. I venture to submit that, if such a provision would not have been made, it would have been very difficult to co-ordinate the road development policy. The inter-provincial roads would not have received the attention which is due to them. The main principle guiding the recommendations of the Committee is co-ordination of road development policy in India with the co-operation of the Provincial Governments. Sir, if by alluding to other countries I have left any impression in the minds of any Honourable Member that, in effect, the proposal is going to create a centralised Department of the Government which is going to boss over all the Ministers and the Provincial Legislatures, I say at once : ' remove it '. It is exactly the thing we fought against. We recommended road Conferences of Provincial Ministers, and we held that much weight should be attached to the decisions of those road conferences.

There is only one point, Sir, which I want to mention before I resume my seat. I am somewhat apprehensive of the fact that the ten per cent. which has been set apart for the reserve will not be sufficient for the purpose for which the reserve is being created. If Honourable Members will look at paragraph 75 of the Report, they will find what the Committee says on the point :

" Apportionment according to the petrol consumption means that the larger share will go to the provinces in which there are large towns. But the terms of reference to the Committee required consideration of the road system of India as a whole, and it is desirable therefore that there should be a reserve available for special grants where, for some reason, there is need for special aid. Such cases will include projects which are beyond the resources of the Local Government immediately concerned and are of sufficient all-India importance to justify a special grant, or, again, projects which concern more than one province or State, as for instance a bridge over a river on a provincial or State boundary."

But I have submitted to the decision of my colleagues on the Standing Committee because, in the first place, the whole thing is in the nature of an experiment and time alone will show how far our conclusions with regard to details are justified, and secondly because the matter is going to be revised only after two years. So I thought that not much harm would be done by letting things remain as they are for the present. I trust the Provincial Governments will do their best to make the experiment a success and help to complete the development of the road system in India as a whole. This Resolution, I submit, marks the beginning of a new era in the matter of road development—a subject which has received scant attention during many years in the past. Sir, I support the Resolution with the amendments of Mr. Jayakar.

(Mr. Gaya Prasad Singh rose in his place.)

**Mr. President :** Does the Honourable Member wish to speak ?

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Yes, Sir.

**Mr. President :** In that case, I would suggest that the Government should agree to take this matter up next Session, as proposed by Mr. Aney.

**The Honourable Sir Bhupendra Nath Mitra :** I am quite willing to do so, Sir.

**Mr. President :** The question is :

“ That further consideration of this Resolution be postponed to the Delhi Session.”

The motion was adopted.

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**RESOLUTION RE DRAFT CONVENTION AND RECOMMENDATION  
OF THE ELEVENTH INTERNATIONAL LABOUR CONFERENCE  
FOR FIXING MINIMUM WAGES.**

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour) : Sir, I beg to move that :

“ This Assembly, having considered the Draft Convention and Recommendation regarding the machinery for fixing minimum wages in certain trades adopted at the Eleventh International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendation.”

**Diwan Chaman Lall** (West Punjab : Non-Muhammadan) : Sir, before the Honourable Member proceeds with his speech, may I make a similar suggestion to him that this matter may also be held over until the next Session, as it is much more controversial than the previous subject ?

**The Honourable Sir Bhupendra Nath Mitra :** Sir, it is my duty to<sup>\*</sup> place the Resolution before the House and therefore I will have to make a speech placing the Resolution before the House. Thereafter I shall leave it to the House, Sir, to decide whether action should be taken on this Resolution also on the lines which the House has decided in regard to my previous Resolution.

At the Eleventh Session of the International Labour Conference, a draft Convention and a Recommendation were adopted on the subject of the creation of minimum wage-fixing machinery for certain trades. The text of the Convention and of the Recommendation will be found in Bulletin No. 421 of the Indian Industries and Labour which was circulated among Members of this House last Delhi Session. Under Article 405 of the Treaty of Versailles the draft Conventions and Recommendations adopted at a Session of the International Labour Conference have to be brought before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action, within a year of the closing of the Conference, or in exceptional circumstances within 18 months. The Eleventh Session of the Conference terminated on the 16th June 1928. Normally, the Government of India would have placed the matter before the Legislature during the Winter Session of 1929, after having previously consulted Local Governments and public bodies. Shortly after the close of the Eleventh Session of the International Labour Conference, it was, however, decided to appoint a Royal Commission to investigate the conditions of labour in India. The Government of India considered it desirable to await the settlement of the scope of the inquiry of the Royal Commission before taking any action in connection with this



[Sir Bhupendra Nath Mitra.]

particular draft Convention and Recommendation of the International Labour Conference ; for, if the particular matter came within the scope of that inquiry, no advantage would be gained by consulting Local Governments, etc., in regard to the particular matter in advance of the general inquiry. The Government of India, accordingly, decided to take advantage of the period of 18 months provided for exceptional circumstances in the Treaty of Versailles before bringing the particular matter before this House. The scope of the inquiry of the Royal Commission has since been announced, and one of the items which they will specifically investigate is the advisability and possibility of a statutory establishment for the minimum wages. Obviously, therefore, the proper course for the Government of India to take in the particular matter is not to ratify the draft Convention or accept the Recommendation for the present, but to await the recommendations of the Royal Commission on Labour.

Now, Sir, those are the reasons which have led me to move this particular Resolution in the House, and so far as I am concerned, I fail to see why the matter should be one of controversy. If the Government of India were at this particular moment to ratify the Convention or to accept the Recommendation, it would be incumbent on them to undertake legislation to give effect to the Recommendation of the Convention forthwith. That the Government of India are not in a position to do, because of the appointment of a Royal Commission on Labour on which my friend Diwan Chaman Lall will sit, and also my friend Mr. K. Ahmed, and that Commission will examine whether it is possible to establish a statutory machinery in India to fix minimum wages. If that Commission, after making its investigations, makes certain recommendations, then will be the time for the Government of India to come to a conclusion whether those recommendations should be given effect to or not, and this House will have ample opportunity of expressing its views on the question. That, Sir, is the simple position and, that being so, I find it rather difficult to understand why the matter should be one of controversy at all. Sir, I move.

**Mr. President :** Resolution moved :

" This Assembly, having considered the Draft Convention and Recommendation regarding the machinery for fixing minimum wages in certain trades adopted at the Eleventh International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendation."

I understand it is the unanimous wish of the House that further consideration of this Resolution should also be postponed till the next Session of this House.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : May I, Sir, ask a question from the Honourable Member, who has moved this Resolution, before you put it to the House? May I know if the Honourable Member is prepared to modify this Resolution to postpone the ratifying of the Draft Convention and the acceptance of the Recommendation till the report of the Labour Commission?

**The Honourable Sir Bhupendra Nath Mitra :** There is no such thing as postponement. Under the procedure of the International Labour Conference we either ratify the Convention within the prescribed period, or we do not ratify it. If we do not ratify it within the prescribed period, it does not mean that we are not going at any time thereafter to take action

on the lines of the particular Convention or Recommendation. It is really what I may call a technical point. We either ratify it within the period or we do not ratify it at all. If we were to ratify it within the period, then it would mean that we must undertake legislation immediately, but, as I have pointed out, it is not feasible to do so. As a matter of fact, even the postponement of the debate to the January Session would mean nothing from the practical point of view, because we should have failed to ratify the Convention within the prescribed time. But, as I have said, if it is the general opinion of the House that the matter is one of any controversy, although I do not agree with that view, and therefore should be left over for discussion in January, Government will have no objection. They have done their duty in the matter.

**Diwan Chaman Lall** : May I say one word, Sir ?

**Mr. President** : Does the Honourable Member wish to move that the further consideration of the motion be postponed ?

**Diwan Chaman Lall** : Yes, Sir. I move that the further consideration of the Resolution be postponed till the Delhi Session.

**Mr. President** : The question is :

“ That further consideration of the Resolution be postponed till the Delhi Session.”

The Assembly divided :

**The Honourable Sir Bhupendra Nath Mitra** : With your permission, Sir, I should like to make the position of the Government clear in this connection.....

**Mr. President** : Order, order. During the division time the Honourable Member cannot make a statement.

AYES—17.

Abdul Matin Chaudhury, Maulvi.  
Acharya, Mr. M. K.  
Aney, Mr. M. S.  
Chaman Lall, Diwan.  
Chunder, Mr. N. C.  
Das, Pandit Nilakantha.  
Dutt, Mr. Amar Nath.  
Kartar Singh, Sardar.  
Mehta, Mr. Jamnadas M.

Moonje, Dr. B. S.  
Neogy, Mr. K. C.  
Shervani, Mr. T. A. K.  
Siddiqi, Mr. Abdul Qadir.  
Singh, Mr. Gaya Prasad.  
Singh, Mr. Ram Narayan.  
Sinha, Kumar Ganganand.  
Sinha, Mr. Siddheswar Prasad.

NOES—5.

Ahmed, Mr. K.  
Jogiah, Mr. V. V.  
Price, Mr. E. L.

Rahimtulla, Mr. Fazal Ibrahim.  
Yusuf Imam, Mr.

The motion was adopted.

## THE INDIAN TERRITORIAL FORCE (AMENDMENT) BILL.

**Mr. G. R. F. Tottenham** (Army Secretary) : Sir, I beg to move :

“ That the Bill further to amend the Indian Territorial Force Act, 1920, for a certain purpose, as passed by the Council of State, be taken into consideration.”

Sir, this is a very small and simple Bill and I hope that it will prove entirely non-controversial. A territorial force, as its name implies, is a force, the units of which are constituted for, and associated with, particular territories or local areas ; and the local areas for which units of the Indian

[Mr. G. R. F. Tottenham.]

Territorial Force are constituted must necessarily be local areas in British India. The subjects of Indian States are entitled to enrol themselves in the Indian Territorial Force, but they cannot enrol themselves in a unit which is constituted for an area in which they do not reside. That is to say, if they reside in their own States, they are technically ineligible for enrolment in the Indian Territorial Force. Some months ago it came to the notice of the Government that a certain number of men who were living in Indian States had been enrolled in certain units of the Indian Territorial Force under a misapprehension of the law. Two alternatives were then open to deal with the situation—either to discharge the men on the ground that they had been illegally enrolled, or so to amend the law as to regularise their enrolment. After due consideration Government decided that the second course would be preferable, but before coming to that decision, they placed the whole matter both before the Central Advisory Committee of the Indian Territorial Force and also before the Standing Committee of the Chamber of Princes. Both those bodies were unanimously in favour of the proposal, and the result is the Bill now before the House. Sir, I move.

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. R. F. Tottenham :** Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

#### THE INDIAN COTTON CESS (AMENDMENT) BILL.

**Sir Frank Noyce** (Secretary, Department of Education, Health and Lands) : Sir, I move :

“ That the Bill further to amend the Indian Cotton Cess Act, 1923, for certain purposes, as passed by the Council of State, be taken into consideration.”

This very brief Bill has been necessitated by the fact that, as a result of the recommendations of the Royal Commission on Agriculture in India, the duties of the Agricultural Adviser to the Government of India are being taken over by the Vice-Chairman of the Imperial Council of Agricultural Research. As the Agricultural Adviser is the *ex-officio* President of the Indian Central Cotton Committee, it is necessary that the Vice-Chairman of the Imperial Council of Agricultural Research should now become President of that Cotton Committee. Opportunity has also been taken to add the Agricultural Expert Adviser to the Council of Agricultural Research to the Indian Central Cotton Committee. I may say that these changes have been welcomed by the Central Cotton Committee which is the body that is solely concerned. Sir, I move.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**Sir Frank Noyce** : Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

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### THE INDIAN REGISTRATION (AMENDMENT) BILL.

**The Honourable Sir James Crerar** (Home Member) : Sir, I move :

“ That the Bill further to amend the Indian Registration Act, 1908, for a certain purpose, as passed by the Council of State, be taken into consideration.”

The short point of this Bill is that section 56 of the Registration Act provides that a Sub-Registrar shall forward to the District Registrar duplicate copies of certain indexes. It has been represented that this duplication involves a great deal of time and trouble and serves no useful purpose. All the Local Governments have agreed in that and it is proposed to amend the Act in the sense proposed by this Bill.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir James Crerar** : Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

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### THE BURMA SALT (AMENDMENT) BILL.

**The Honourable Sir George Schuster** (Finance Member) : Sir, I move :

“ That the Bill further to amend the Burma Salt Act, 1917, for certain purposes, as passed by the Council of State, be taken into consideration.”

This is a very simple measure the object of which is sufficiently explained in the Statement of Objects and Reasons, and I propose to take no more time in dealing with it.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir George Schuster** : Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

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### THE GUARDIANS AND WARDS (AMENDMENT) BILL.

**The Honourable Sir James Crerar** (Home Member) : Sir, I move :

“ That the Bill further to amend the Guardians and Wards Act, 1890, for a certain purpose, as passed by the Council of State, be taken into consideration.”

[Sir James Crerar.]

This is merely to provide a legal basis which does not at present exist for the proper auditing of accounts of estates under the Guardians and Wards Act. It has been accepted by all the Local Governments and I hope it will be accepted by this House.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir James Crerar** : Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

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### THE INDIAN SUCCESSION (AMENDMENT) BILL.

**The Honourable Sir James Crerar** (Home Member) : Sir, I move :

“ That the Bill further to amend the Indian Succession Act, 1925, for certain purposes, as passed by the Council of State, be taken into consideration.”

I do not think I need add to what is stated in the Statement of Objects and Reasons. Briefly, the present Bill is intended to rectify certain drafting oversights in the Consolidating Act of 1925 and the amending Act of 1926, which had consequences which were not then intended. The object of this Bill is to rectify omissions which, I regret to say, escaped the notice of the Government and the Legislative Assembly at the time.

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1 was added to the Bill.

The Schedule was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir James Crerar** : Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

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### DEMAND FOR SUPPLEMENTARY GRANT.

#### MISCELLANEOUS.

**The Honourable Sir George Schuster** (Finance Member) : Sir, I beg to move :

“ That a supplementary sum not exceeding Rs. 17,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of ‘ Miscellaneous ’.”

**Mr. President** : There are two amendments on paper, one by Dr. Moonje and the other by Mr. K. C. Roy. Dr. Moonje wants to raise a debate on the Banking Inquiry Committee, which has nothing to do with the Demand which the Honourable the Finance Member has made, and therefore his amendment is entirely out of order. I shall therefore call upon Mr. K. C. Roy to move his amendment.

*The Right Honourable Sastri's visit to East Africa and the Hilton Young Report.*

**Mr. K. C. Roy** (Bengal : Nominated Non-Official) : Sir, I beg to move :

“ That the demand for a supplementary grant of a sum not exceeding Rs. 17,000 to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of ‘ Miscellaneous ’, be reduced by Re. 1.”

My object in moving this amendment, as I have given in the notice paper, is to call attention to the visit of the Right Honourable Srinivasa Sastri to East Africa and also to call attention to the recommendations of the Hilton Young Commission's Report. Sir, the House is aware that the Hilton Young Commission's Report has been before the country for several months and we understood from Sir Frank Noyce yesterday that no final decision has yet been arrived at. I therefore make no apology in bringing the matter to the notice of the House. The attitude of the Members of the House, as shown this morning, has fully convinced me of the deep and abiding interest which they take in the Indians overseas problem as well as in the welfare of the 70 thousand Indians, mainly Muhammadans, who reside in the East African territories. Sir, the importance of the subject has been fully appreciated by the Hilton Young Commission's Report. In page 17 onwards of that Report there are references to the importance of the Indian community to the British Protectorates, the British Dominions and the Crown Colonies in East Africa. In page 26 of the Report, reference is made to the Indian community from the earliest times. This is what the Report says :

“ The connection of India with the east coast of Africa is of a very long standing. Several references in the Puranas show that the ancient Hindus had a fairly accurate idea of the locality and its peoples.”

It then goes on to describe how the connection between East Africa and India arose from time immemorial. Therefore, Sir, in that part of His Majesty's Dominions our interest is not only ancient but abiding, and will be of a far-reaching character as we progress as free citizens in the British Commonwealth of Nations. I therefore make no apology to the House for bringing it to its notice. My complaint is that this document, which is of the utmost importance to the future progress of the Indian nation in and out of India, has been withheld from discussion by this House or by the Council of State. This valuable document has been discussed in the British House of Commons, not once but twice, the last occasion being on the Colonial Office estimates. It was discussed by the Kenya Legislative Assembly ; it was discussed in the House of Lords ; it was discussed by the Mandatory Commission at Geneva ; but it has been systematically withheld from the purview of this House. The House will remember that, in the inaugural address which Lord Irwin delivered to this House last cold weather, he sketched out the policy which was to be followed in treating this Report, that this Report was to be taken to the Emigration Committee ; and you know the position of that Committee. It was indeed taken to that Committee and the Committee discussed and deliberated over the matter and produced recommendations which were never placed before this House. Such, Sir, is the position so far as the Government of India are concerned. I feel that the Government of India have failed in their duty to take this House into their full confidence,

[Mr. K. C. Roy.]

and the House is fully entitled to an explanation from the Treasury Benches over this matter of the Hilton Young Report.

Sir, there has been a misrepresentation. The misrepresentation has been about the mission of the Right Honourable Srinivasa Sastri to East Africa. We were given to understand that Mr. Srinivasa Sastri was sent in a sort of an ambassadorial capacity, that he was a free agent of the Government of India to negotiate not only with Sir Samuel Wilson and the European community, but also with the Indian community. But, Sir, what do we find ? What is the statement made before the Standing Finance Committee ? We find that the Department of Education, Health and Lands comes to the Standing Finance Committee for a supplementary grant for Rs. 17,000. What for ? Because they say that Mr. Srinivasa Sastri went at the invitation of His Majesty's Government. We should like to see that invitation. The second point mentioned was that he was a representative to help the Indian communities. Did the Indian communities want him there ? I have the authority of the East African Delegation to inform the House that the Indian Community did not want him to be there. The third point—and this is the most humiliating—was that Mr. Sastri should be at the disposal of Sir Samuel Wilson if he wished to make any use of him in dealing with the Indian problem. I cannot conceive that a man of Mr. Sastri's standing, of his great services not only to India but to the British Empire, should have been sent on a fool's errand. We should like to know what Mr. Sastri has done in East Africa ; we should like to see Mr. Sastri's report placed on the table of this House. I should not like to say a word against Mr. Sastri ; he is one who has rendered unique service and has increased our self-respect and prestige throughout the world. (Hear, hear.) I should be the last person to say a word against him ; but he was sent on a wrong mission, and I make myself bold to say so. I shall not be doing any injustice to Mr. Srinivasa Sastri if I mention that the Nairobi correspondent of the *London Times* described his mission as a dismal failure, and stated that the mission of Sir Samuel Wilson was a great success. If newspaper testimony is to be of any value, the matter is of the highest importance to this House. I shall leave Mr. Srinivasa Sastri at that.

I shall now take up the Hilton Young Report. Sir Hilton Young took slightly over a year to write that very momentous Report. It is a very valuable contribution to the development of Crown Colony Government and we are proud that one of the authors of that memorable document is sitting now on the Treasury Benches here. (Hear, hear.) It is a strange coincidence that he should be here to-day, and it is a strange coincidence also that I should be making this motion to-day as I did in 1926. Sir, what has the Government of India done ? As I said, Sir Hilton Young took more than a year to write his Report ; and the Government of India has taken over seven months but still has not been able to arrive at a final conclusion. On this, we are entitled to an explanation. But, Sir Frank Noyce placed the tentative conclusion of the Government of India before the House on the 19th instant. It is a very strange document, and I fail to appreciate how a man of such commendable experience as Sir Purshotamdas Thakurdas, who has had considerable experience of the East African problem, and who has given a good deal

of time to the subject, could have been a party, as a member of the Conference, to such recommendations. I will go over the recommendations one by one. This is how it begins—a most strange beginning for the Government of India :

“ The Hilton Young Report has been examined, and we now submit our main points. This is an eminently fair document.”

This is a most unwarranted testimony. Such a testimony has not been borne even by the British House of Lords. Whom did the Government of India speak for ? Did they speak for the Members of this House ? I deny that it is an eminently fair document. (Hear, hear.) I have carefully scanned the Indian papers, and I have not been able to find any Indian paper praising the Hilton Young Report in the way that the Government of India have done. The utmost tribute that was paid to the Report was by the *Hindu* of Madras, which described it, like the curate's egg, only good in parts. May I ask my friend Sir Frank Noyce to tell me when he wrote that it was an eminently fair document, what he had in mind—the Majority Report or the Minority Report ?

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Does the Honourable Member think that Sir Frank Noyce could have written those words ? He was not in his present office then.

**Mr. K. C. Roy** : I stand corrected ; but he is the responsible officer to-day here.

**Sir Purshotamdas Thakurdas** : Say, the Secretary of the Department, and I shall have no quarrel.

**Mr. K. C. Roy** : Would you like, Sir, now to hear what the British Parliament thought of this Report ? As I said, it was discussed by the House of Lords. Lord Buckmaster described the Report as full of valuable suggestions, and the Archbishop of Canterbury, who also spoke, said that it gave a new orientation to the whole of their Colonial policy. But, Sir, I shall quote textually the words of a very distinguished authority in the colonial world—Sir Francis Lugard, who is now Lord Lugard. He said :

“ The chief merit of the Report was that it boldly faced the issue now when they stood on the threshold of new developments in Africa.”

These are the maximum encomiums which were passed on the Report in the House of Lords, and yet the Government of India had the cool courage to describe it as an eminently fair document ! I suppose the Government will give an explanation which will satisfy the House on this Report.

The next point that I take is that the Government of India say that they accept the basic principles. May I know what the basic principles are that they have accepted ? If the basic principles are the development of the native races or trusteeship, or what is known as the dual policy, or the principle of federation of East African States—then which are the basic principles that they have accepted ? I am very sorry that the Government should have committed themselves so far as to say that they have accepted the basic principles of the Report. Even the British statesmen did not do it. I shall presently tell the House what the House of Lords thought of the basic principles. I shall begin with the Under



[Mr. K. C. Roy.]

Secretary (Lord Plymouth). This is what he says, that some of the Commissioners went beyond their terms of reference and that the British Government was not in a position to accept certain of the conclusions of the Hilton Young Committee on the basic principles. These are his words :

“ To the extent that those principles are merely an amplification of the principles set out in those White Papers (that is, the Devonshire papers) they are, of course, acceptable to His Majesty's Government, but I think I should say that there are certain points in regard to which it may be thought that the Commissioners—not all, but some of the Commissioners—have travelled beyond the principles laid down in those Papers.”

This is how His Majesty's Government accepted the basic principles ! And, Sir, the Government of India go out of their way to say that they accept the basic principles of the Report.

Now, I will come to what Lord Olivier said ; he is a very responsible member of the Labour Party which is now in power. Talking of the native trusteeship, Lord Olivier referred to forced labour and this is what he told Lord Lugard. “ He asked Lord Lugard, when he was at Geneva, to take care that the Committee of Experts set up under the International Labour Organisation went very carefully into the concrete question of whether onerous taxes were placed upon natives and had the effect of forcing them to labour.”

This is how Lord Olivier accepted the basic principles which the Government of India have accepted. So much for the first few lines of the Government of India's views. At all events, whatever may be the view of the Government of India or the Governor General in Council, I must say the Government of India have misrepresented the views of the people of India and of their representatives in this House.

**Mr. K. Ahmed** (Rajshahi Division : Muhammadan Rural) : But you represent the Government of India. You are a nominated Member.

**Mr. K. C. Roy** : There are honest and honourable men among the nominated Members of this House.

Then, Sir, the most important part with which Sir Edward Hilton Young's Commission was charged was to consider the question of federation. Now, what does the Government of India do ? They say this :

“ But we are not opposed to the appointment of a Governor General to co-ordinate that policy ”—

because they had already accepted the basic principles,—

“ and the administration of the services like customs, transport, etc., on the understanding that it is recognised that such a step is not to preclude full fledged political federation ”, etc., etc.

This is the statement of the Governor General in Council here. But, Sir, it is conditional, and everybody knows that the condition which the Government of India propose to impose upon His Majesty's Government is absolutely illusory, and everybody knows the political status and the position of the Government of India *vis-a-vis* Downing Street.

Now, Sir, what is the view of the East African Delegation ? They clearly say that they have opposed this federation on principle, and state that it would be the thin end of the wedges, and would ultimately result

in political federation. Everybody, Sir, who knows the history of British expansion all over the world, also knows that the apprehensions expressed by the East African Delegation are perfectly well-founded and correct. Sir, I am proud to be a citizen of the British Empire, and I believe that, if the solution of race problem is to be found, it is to be found within the confines of the British Commonwealth. I believe in this theory ; I have held that view for many years, and I am very anxious that the clash of colour should be settled as quickly as possible by the Government of India and His Majesty's Government. But, Sir, what will be the net effect of this federation ? If our case is not settled, the moment you permit the federation, it will result in squeezing the people of India out of East Africa. I know, Sir, that systematic efforts have been made and are being made to-day for this purpose. To-day there are strict emigration examinations with a view to the ultimate object of undertaking legislation to prevent Indian immigrants to migrate into East Africa on the ground that they will unduly interfere with the economic development of the native races, which I think, is a clear myth. So much for the closer union, Sir, and if the Government of India have represented, or if the Government think that they have represented Indian public opinion, they are very much mistaken.

Then, Sir, the next point is the native policy. We who are the subjects of a great Government welcome the Devonshire policy, and there will be nothing done either by the Members of this House or by the Indian community outside the House which will in any way deter the growth and progress of the native races in East Africa. Sir, we stand by them in their struggle. We are prepared to support them in their struggle, because there are two laws in East Africa which make them almost slaves of the white races.

Then, Sir, comes the question of land settlement. This is a very old standing problem. I have known it since 1924. When we came back as Members of the Indian Colonies Committee of 1924, we made the proposal ourselves to the Government of India, that they must send an officer of ability to explore the possibilities of Indian colonization in East African territories. What did the Government of India do ? 1924 to 1929 is indeed a very long time, so far as the Colonial Governments go, and to-day what are we going to do ? We are still seriously thinking of doing something so that the Indian settlers may be free to share on equal terms with East Africans in any scheme of land settlement that may be arrived at, after setting apart the necessary land to meet the requirements of the native communities. This is an old problem which has been sadly neglected. If the Government of India had said that they were going to formulate an Indian colonization scheme, and that they were going to provide money to facilitate the emigration of Indian emigrants to East Africa, I could understand it, but this is only an expression of a pious hope which I am not prepared to accept.

Then, Sir, comes the question of the association of immigrant communities in the trusteeship for natives. Pious hopes were expressed by the Government of India that without any recognition of the local conditions in Kenya, Indians would be associated in the discharge of the duties of trusteeship.

[Mr. K. C. Roy.]

Then, Sir, comes the question of Indian representation in the Kenya Legislative Council. Here comes the knotty question of the problem. Everybody knows the history of the Common Roll.

**Mr. E. L. Price** (Bombay : European) : Please speak up.

**Mr. K. C. Roy** : If my friend Mr. Price does not know anything about Common Roll, I am really very sorry. Kenya supplies the key to the whole East African problem, and it was my friend Mr. Srinivasa Sastri who, many years ago, warned us that, "if Kenya is lost everything is lost." Now, what have the Government of India done in this matter ? They say that they accept the majority recommendation on the question of a common roll. That means that a common roll is feasible or possible only with the consent of the white community. I fully appreciate the motive of the Government of India there. They are in a very difficult position, and without some degree of consent of the whites, the inauguration of a common roll is not at all possible.....

**The Honourable Mian Sir Fazl-i-Hussain** (Member for Education, Health and Lands) : Hear, hear.

**Mr. K. C. Roy** : What hear, hear ? You will hear a little more. Sir, the lessons of Ceylon cannot be forgotten. You cannot overlook the recommendation of the Donoughmore Commission which has once for all brushed aside the possibility of development of a communal roll in Crown Colonies, and I fear that the Government of India have not taken full notice of the problem, as dealt with by the Ceylon Reforms Commission. They ought to have stood up for the 70,000 Indians in the British territories in East Africa. They have not done so.....

**Mr. B. Das** (Orissa Division : Non-Muhammadian) : How can they stand up against their master ?

**Mr. K. C. Roy** : Then, Sir, the Government of India also welcome the appointment of a High Commissioner, as if Sir Samuel Wilson was not enough. What will the High Commissioner do after all ? Well, I will leave the Government of India there.

All I can say is that the Government of India have faced the problem in a most half-hearted way. They have not discharged their responsibilities to the Indian people, from whose purse they receive their salaries. They have failed miserably in their attempt to deal with the Hilton Young Report. It is a time that further representations by the Government of India should cease, it is time that Sir Muhammad Habibullah and Mr. Bajpai should come back and that they should be replaced by a non-official Indian Committee, who could represent the grievances of the Indians much better, than by the representatives of the Government of India. I welcome the intervention of His Excellency Lord Irwin. I know he will do his best though the Government of India deputation will fail. Sir, I commend my motion to the consideration of the House.

**Sir Purshotamdas Thakurdas** : Sir, before I speak on the motion before the House, I wish to express, on my personal behalf and on behalf of the Imperial Citizenship Association, our very grateful thanks for your permitting the discussion of this subject and for making it possible for this House to express their opinion on this very momentous question. Sir, I

been requested by Mr. Pandya, the leader of the East African Indian deputation also to convey their grateful thanks to you in particular, and to this House generally, for the opportunity that is being afforded to the House to express its views on the floor of the House.

Sir, the deputation has been here for nearly 20 days. And one can easily understand their extreme disappointment that, in the course of the twenty days they have been here, the Honourable Member in charge has not been in a position to give them any definite assurance, or, indeed, any definite information at all. From the statement made by the Honourable Sir George Schuster it appears that the Government of India feel that they have certain handicaps which prevent them from taking into their confidence either the Assembly or even the Deputation which has come from East Africa to seek the assistance of the Government of India. I do not wish, Sir, to criticise the understanding of the Government of India regarding their responsibilities in the matter. It is for them to carry out those responsibilities and to face them *vis-a-vis* the public here. But I cannot help feeling that, but for your timely intervention today on Diwan Chaman Lall's motion, the Deputation would have left India under the impression that nobody in India, neither the Government nor the Assembly, cared for their cause. You, Sir, have prevented the formation of that impression, and I personally think that our grateful thanks are due to you for that. Further, I am convinced that, in serving our cause in this manner by your decision this morning, you have done a great service to the Government of India. If I may say so, with all deference to the Honourable Members on the Treasury Benches, I am afraid they do not realise what a grave responsibility the Government are undertaking by carrying on negotiations and expressing opinions, all on their own, without telling us, in spite of pressure from us, as to what they are putting forward before the Secretary of State for India, and through him, before the Colonial Office. Should things go wrong, the present personnel of the Government of India would never be excused either by the Indian public or by the Indians in Kenya, whose fate is intimately bound up with the decision of His Majesty's Government at this juncture. I therefore feel that the ventilation of our views today will be appreciated by Honourable Members on the Treasury Benches as being of help to them too. (At this stage Mr. K. Ahmed tried to interrupt the Honourable Member.) I do hope that Mr. Kabeer-ud-Din Ahmed will go and stay in Kenya before he tries to interrupt in this debate, which ought to be taken very seriously.

The Hilton Young Commission's Report was signed some time in 1928, and as far as I recollect, it was issued to the public here in India some time in January 1929. Immediately after the Report was available to the Indian public, there was considerable feeling, almost one of exasperation, against that part of the Report which is called the Minority Report,—I mean the Chairman's recommendations in that Report. I think it is extremely fortunate that, in that recommendation, which the Chairman made, he was alone, and whether we like the Report as a whole or not, this House and the Indians in Kenya cannot withhold their sincere appreciation of the stand taken by Mr. Oldham, Sir George Schuster and Sir Reginald Mant in the Majority recommendations. Whether these recommendations go far enough for our purposes or not is a different matter ; but if these three were not there, and I particularly want to mention two, namely, Mr. Oldham

[Sir Purshotamdas Thakurdas.]

and Sir George Schuster, because Sir Reginald Mant was supposed to represent Indian interests on that Commission and he could not have gone against these two—Mr. Oldham and Sir George Schuster—the latter then had no connection with India—deserve particularly well of Indians both here and in Kenya for the stand they took up against the Chairman, Sir Edward Hilton Young. Mr. President, Sir Edward's recommendations, in one word, are reactionary, and I will leave his part of the Report with that one qualification.

The Standing Emigration Committee was asked to consider, or rather to advise the Department, regarding this Report in February 1929. That Committee appointed a Sub-Committee. We were lucky in getting the services of the Right Honourable Sastri at Delhi to help us in our deliberations. I will not take the House through the various stages through which the Emigration Committee passed before they made their final recommendations to the Government. It is not necessary to go into these in detail for the purpose of the motion today before the House. But what was felt, Sir, then was that we, that is, the non-official section on the Emigration Committee, should help the Department in what the Department considered to be the common opinion both of the non-official Members in the Assembly and of the Government of India themselves. Many were the demands from Members like Mr. K. C. Roy and Pandit Hirday Nath Kunzru that the question should be discussed in Delhi on the floor of the House in last February or March. The Department gave us assurances that they were,—as indeed till then they had been,—that they were looking at the whole question from the point of view of the non-official Indian, and we felt, and I take the fullest responsibility for it myself as a member of the Emigration Committee, that we should stand by the Department in what they were trying to do in the best interests both of the Indians in Kenya and of India herself. Certain decisions were arrived at. Those were treated as recommendations to the Governor General in Council. This was about the 20th March, and the non-official Members thereafter either got busy with some more important and more exciting things which happened in the Assembly, or they left Delhi—Members like me left Delhi very soon after that. And it was not until after what happened after the Right Honourable Sastri was deputed by the Government of India to meet Sir Samuel Wilson in Kenya and until we heard from Kenya regarding the failure of that mission of Mr. Sastri, that we really began to wonder as to what attitude the Government of India—the Governor General in Council—could have taken up regarding this question.

I have indicated in short this morning, in the course of the discussion which you very kindly permitted across the floor of the House, as to what happened here when we met in the Standing Emigration Committee this month. I will for the moment, Sir, leave the Government of India and the Standing Emigration Committee with only one remark, that I do hope that the telegram, which the Government of India sent out this week as the opinion of the Governor General in Council, gives a more correct and a more live idea to the Secretary of State regarding what the Emigration Committee and the leaders who were brought together there this time think, than the telegram of last March. None regrets more than I do what Mr. K. C. Roy referred to, that the telegram of last March does not reflect the opinion of the Emigration Committee as it expressed it then.

Now, regarding the fundamental questions involved in this problem, Sir Samuel Wilson was sent to Kenya last May, I presume, in accordance with the recommendation of the Majority Commission that a High Commissioner should be sent there for the purpose of making inquiries on the spot and of conferring with the various conflicting interests there as to how a common electoral roll would affect or benefit either side.....

**The Honourable Sir George Schuster :** Just an explanation, Sir. I would like to tell my Honourable friend that Sir Samuel Wilson was certainly not sent there as the High Commissioner recommended in the Report. It was quite a different role. The British Government have not yet accepted the recommendations of the Report sufficiently to admit the appointment of a High Commissioner.

**Sir Purshotamdas Thakurdas :** I am glad that the Honourable Member has corrected me. What I really meant was that Sir Samuel Wilson was sent, if not actually as High Commissioner, practically to make the inquiries indicated in the Majority Commission's Report. Any way that is what we were told from quarters the responsibility of which I cannot doubt.

Sir, Sir Samuel Wilson was sent on an important mission. So important was the mission that the Government of India thought it necessary to persuade the Right Honourable Srinivasa Sastri, who was not then in the best of health, to go out to East Africa in order to confer with Sir Samuel Wilson. The subject matter before the House today is the Rs. 17,000 expenditure involved in this visit of the Right Honourable Srinivasa Sastri. We have had it definitely from Kenya that within a few days of Sir Samuel Wilson's arrival there he had, to all intents and purposes, given the European settlers to understand that the common roll there was rejected, and that it was not an open question. We have had statements to this effect from representative Indians in Kenya which I must ask the House to accept as authentic. That section of the Europeans there, which is not called the settler—the man who has settled on the land, but the white section engaged in trade and commerce, I mean the commercial European there, had his sense of fairness and justice awakened up by the Majority Report. He was inclined to take a more detached and a more impartial view than the European settler. But soon after Sir Samuel Wilson got to Kenya, the commercial European completely swerved to the other side and joined the settler on the assurance which has done the worst harm to the Indian cause in Kenya, that the British Government is to reject the Majority Report. Naturally, in proportion to the assurance which the white population in Kenya got from this visit of Sir Samuel Wilson was the despondency and the desperation of the Indians increased. Pandit Hirday Nath Kunzru, who was particularly requested to go to Kenya and preside over the Indian National Congress in East Africa, was on the spot during those two or three momentous months. He was actually there when Sir Samuel Wilson was there and, I have it from Pandit Hirday Nath Kunzru that Sir Samuel Wilson gave every possible reason for the inference of the Indian population that the British Government had made up their minds against the common electoral roll. I am sure the Government of India must have got information about all this officially from the Right Honourable Srinivasa Sastri. Am I not entitled to ask the Government of India : "Why still wait and bicker after the sweet atmosphere in which the British Government may see reason, and why insist upon preventing a free discussion of this problem on the floor of this House here ?"

[Sir Purshotamdas Thakurdas.]

Official etiquette is very useful, and I always like to observe it up to a reasonable point. But when official etiquette is a mere sham and when Government keep back officially what we all know to be practically true, I, Sir, am very much inclined to discount the value of official etiquette, and I feel that the Government of India have done a disservice to themselves by preventing till now an open discussion on the floor of this House of this very vital question. Now, Sir, the Majority of the Commission recommended—and their recommendation was a most modest one—and put before the people of Kenya, a common roll as an ideal. They also said that, while they do not expect anything very substantial immediately, after inquiries were made and notes compared and conferences held, they felt that the way to a better understanding and ultimate co-operation between the people interested in Kenya would be very greatly paved. No one can take exception to this. I deliberately called it a modest recommendation. We feel, I personally feel, that what India should insist upon is a common roll now and without delay. We cannot reconcile ourselves to anything else, and the Government of India would be selling away the birthright of Indians in Kenya if they bargained for anything less. A beginning has to be made and as a beginning, I felt that the Majority Report at least gave a ray of hope. Sir Samuel Wilson, instead of making any inquiries, instead of even keeping quiet, is reported to have given the white settlers to understand : “Hold your souls in peace. You may rest assured that the British bayonets will protect your rights. Not only will we help you to preserve your rights, but even to encroach upon the just rights of the Indian settler.” That is what it comes to. Now, Sir, this question of a common roll is known in that colony as the communal roll. It is a thoroughly misleading name, by which to call it. It is a racial and not a communal question by any means. It is a question of Europeans *versus* Asiatics, white *versus* black. (*An Honourable Member* : “Brown.”) Yes, white *versus* brown. That is more accurate. Now, I venture to ask a question of those who would have waxed eloquent this morning, if a certain Bill had come up for discussion. They would have mentioned the question of expropriation of the rights of British merchants here and the confiscation of their rights by the Legislature in connection with that Bill. I venture to ask whether this effort at keeping back from the Indian in Kenya what he is entitled to by reason and as a matter of bare justice, and no favour, is not a question of rude and barefaced expropriation of the rights of Indians in that part. It cannot be challenged now that, if East Africa was made accessible and available for civilisation, it was owing to the pioneering done by the Indian. I can, Mr. President, quote passages after passages, not from an Indian politician or Indian business man, but from British administrators of the highest standing, admitting this unequivocally, and today, because the British settler has found that certain parts of Kenya are suitable to him, he now proposes, under some guise or other, to deny the Indians their birthright. If any European in India talks of any measure which may come up before the Legislature hereafter as a measure of confiscation, I shall say out to him : “What the white population is trying to do in Kenya is the worst form of confiscation of which any thinking person ought to feel ashamed.” I have before now spoken with considerable feeling on this subject of stifling the Indians and overriding their just rights in Africa. I do not propose to labour the point further today, but I do wish, Sir, to say this, that, as

far as the rights of Indians as citizens are concerned, be it in Kenya, Uganda or any other part, as far as the Government of India and this House are concerned, there is no halfway house at all. We ought to stand up for what is our just right, and what is due to us. Whether we get it or not, whether the atmosphere in London is suitable or not, the fault, the loss, and if I may say so, the disgrace, will be theirs, not ours. But we cannot possibly make any compromise in this matter. We cannot but stand out for what is the just due of a self-respecting person in the civilised world.

Sir, the second question in this Report is the question of a federation. In fact, Sir, the full title of the Commission is a Commission on Closer Union of the Dependencies in Eastern and Central Africa. The question of a federation of Kenya, Uganda and Tanganyika is discussed there. I will, Sir, put in a few words the reasons why India cannot approve of any idea of federation. The future of East Africa cannot be separated from its past. The changes proposed in the Report must therefore be considered with due regard to the feeling which engendered amongst Indians past events in East Africa, particularly in Kenya. This feeling is one of alarm at the probable effect of political developments which contemplate closer union among the three territories of Kenya, Uganda and Tanganyika. The size and influence of the European settlers in Kenya lend colour to the apprehension that, in any scheme of closer union, their political influence will profoundly affect the policy of any central authority that may be established to co-ordinate administration and policy in matters of common interest to all the three territories. It is extremely doubtful whether any mechanical safeguards can prevent the play of psychological forces. The ideal of the majority of European settlers in Kenya is nothing less than the political domination of their class, and the Indian community have grave fears that such domination will be dangerous to their interests. The Government of India should object to any plan of political coalescence, immediate or future, which would reduce the three territories of Kenya, Uganda and Tanganyika to provinces of a unified State, exercising both executive and legislative powers. Sir, the past policy of Great Britain in connection with Indians in this part of the world does not inspire any confidence in us that we should consider the question of a federation, except in a spirit of the gravest suspicion, that it is one more effort at tightening the hold not of the Britisher, but of the whites over the brown—and in the whites are included not only the British white but the Italian, the French, the German and the American.

**An Honourable Member :** And the Armenian.

**Sir Purshotamdas Thakurdas :** I say that the Government of India should be very cautious regarding any question of support to this idea of a federation.

The next question, Sir, is the question of replacing Government officials in the Kenya Council by non-officials for the purpose of better representation of native interests. The tragedy, Sir, is that, whenever the British settler in that part wants a greater hold on the administration or wants to do more harm to the Indian, it is always under the excuse of better protection for the natives ; what is now suggested is that, in order that the natives' interests be better represented in the Council, in addition to the one representative that they have in a Christian missionary to look after the native interests, they now propose that four Government official



[Sir Purshotamdas Thakurdas.]

members should be reduced and that these should be replaced by four non-officials. I believe, Sir, that the Majority Report did not intend to say "European non-officials". (*An Honourable Member* : "Yes.") I was told that the word "European" crept in by some error. All credit to the Majority members of the Commission if this information of mine is correct. But that does not enable me to look at the proposal with any approval. I have not the least doubt that this will be used, whatever may be the high motive of the three Majority members, for the purpose of increasing the voting power of the non-official Britisher in the Kenya Council. What the Kenya Indians want and what I think the Government of India should press for, is that, in order to represent native interests, natives should be nominated. (*Hear, hear.*) I hear it said that there are not natives who can be trusted to satisfactorily represent native interests. The Deputation from Kenya informed the Emigration Committee that there would be available not only four, but eight suitable natives if the Local Government want to give them the opportunity. It is, Sir, a repetition of the same old story : "No suitable Indian". Even in India we used to be told some years back that there were no suitable Indians to represent Indian interests, and Indian interests had to be represented by non-Indians. The very fact, Sir, that, on this Commission, India was represented, not by an Indian but by Sir Reginald Mant, is sufficient to show what the mentality of the India Office is in this matter, and therefore I am not surprised when I am told that suitable natives cannot be found in Kenya. The Kenya Deputation desire, and this House should say, and the Government of India should say, that to represent natives and their interests, non-natives should not be appointed but natives themselves. If however, in their wisdom and in their foresight, the Colonial Office find that they still cannot get suitable natives, then restrict this representation to Government officials as heretofore. India cannot agree to non-official Britishers for this purpose. It is no use saying "non-officials" under the pretence that an Indian may be so nominated. An Indian will never be nominated, as long as the mentality of the Britisher is what it is, and it will want a considerable change in the outlook of the local Government in Kenya before Indians are so nominated. Therefore the safest thing to do is, "If it does not suit you to nominate natives to safeguard native interests, maintain the *status quo* namely, the Government official". The Indian cannot trust the non-official Britisher because, after all, there is no guarantee, Sir, that on questions other than those which affect the native, they will not exercise their vote against the Indian and thus increase the *irresponsible* non-official European vote in the Kenya Council.

Sir, I have one small point to refer to ; that is the question of the employment of Indians in the higher services in Kenya. The proportion of Indians in Kenya, perhaps the House may remember, but on this I should like to refresh their memory. At the last census the immigrant population of Kenya was classified as under :

Europeans	..	..	..	..	12,529
Arabs	..	..	..	..	10,557
Indians	..	..	..	..	26,759
Other Races	..	..	..	..	3,824
			Total	..	<u>53,669</u>

Out of a total immigrant population of 53,669, 26,759 are Indians and 26,910 are Asiatics—Arabs and Indians. Still in the superior services in Kenya there is not a single Indian. They say they cannot find Indians, or is it not the case that they do not wish to find Indians? Indeed, Sir, their policy is to keep out Indians. In that connection I should like to read to the House a very short extract from a newspaper called *The Uganda News* which I got by the last mail. The heading is: "Uganda Asiatic Staff: Replacement by Natives: A Government Circular." And, mind you, Sir, in Uganda

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the feelings between Indians and Europeans are not as strained as they are in Kenya. They might develop to that extent by infection, but, at the moment, in Uganda the feelings are better than in Kenya. Still, this is a copy of the latest Circular of the Government of Uganda.

"We understand from reliable sources that the Uganda Government has issued a circular to all departments laying down its future policy in regard to the engagement of Asiatics in the Civil Services. (Says the *Kenya Daily Mail*.) It states that in future all available vacancies which may occur in the present Asiatic staff will be filled by Natives.

Permanent appointments of Asiatics are to be stopped entirely. The circular recommends: 'They should be engaged when absolutely necessary and on a temporary basis only'.

Government can dispense with these services by giving seven days' notice in writing and without offering any specific reasons."

**Mr. M. S. Aney** (Berar Representative): Not 24 hours' notice!

**Sir Purshotamdas Thakurdas**: Now, Sir, I do not object to this. I say that if they really substitute the son of the soil for the Indian, it would have my approval. But under this pretext what do they do? The whole idea is to see that the Indian is cleared out of that land, and it is made as difficult as possible for him to stay there. It is therefore with the utmost approval that one can view the request of the Kenya Indian that Indians should have their fair share in the higher services of the Kenya Government. I know that, with the mentality which is now working, this is a bit of a distant cry, but no representation on the subject can be complete unless this is included now. The Government of India may very well endorse this request also of the Kenya Indians.

I have, Sir, finished as far as my comments on the Report are concerned. I will only repeat that, whilst I do not press for any more information regarding what the Government of India has said to the Secretary of State, I do hope that they have put their opinion in unmistakable and unequivocal language, and in a manner which will make us believe, whatever the decision of the British Cabinet may be, that at least our Government stood by us in what we thought was our birthright. Irrespective of the personnel, India will not excuse any Member of the Government of India who may put forward India's case in a lukewarm spirit, or shall I say, feebly. From the statement which we heard on the floor of this House, I have reason to believe that the Government of India have done as well as any Member on the Opposition Benches, would have done if he had an opportunity of expressing his opinion to the Secretary of State.

I will only say one word more, Sir, regarding the importance which Indians in Kenya attach to this matter. It was only yesterday afternoon that the Deputation from Kenya almost compelled Pandit Hirday Nath Kunzru to catch the last train from here in order to sail from Bombay on

[Mian Sir Fazl-i-Hussain.]

leaders who attended the meetings of the Emigration Committee. It is a bulky volume that I have in my possession which, if carefully perused, might enable one to show that, as a matter of fact, the various telegrams received by those Honourable gentlemen, who were helping the Department in securing information from East Africa on the questions under discussion, really amounted to no more than has been put into the telegram. One may be able to show that perhaps, with a difference of a word here or a difference of a phrase there, very substantially the telegram does represent the view expressed by the Honourable Member. But need I, here, Sir, detain the House in deciding whether the telegram does accurately describe those news or not, whether it is too mild or it has gone wrong, for it is a matter which, in a debate like this, it is extremely difficult to determine. What is the position today ? And that is the point that Sir Purshotamdas Thakurdas very wisely stressed. Personally, I think the word "tentative" was wisely chosen and since I was not in charge of the Department at the time, I trust that Honourable Members will not consider that I am indulging in self-praise. When I say, "wisely", chosen, I mean this. By using this word, the Department allowed itself the right to modify those opinions, if necessary after obtaining more facts and other views. It must be remembered that the time at the disposal of the Government of India up to the 19th March was barely a few weeks, and had it not been for the good offices of Sir Purshotamdas Thakurdas and the Right Honourable Sastri, the Government of India might not have been able even to obtain the material that it actually succeeded in obtaining. Therefore, I say, treat that telegram as fairly well representing the views which the Emigration Committee and the Leaders of this House were able to formulate on the material then available to them. Many months have passed and not only many months have passed, but the reception given to the Hilton Young Report—thereby I mean not Sir Hilton Young's Report, but the Report of the Majority which goes under his name—that Report received a very unfavourable reception at the hands of the non-Indian immigrant community in Kenya. Well, Sir, the Emigration Committee and the leaders of the Assembly acted most wisely in advising the Government to adopt the attitude that they are in support in general terms of the Majority Report of the Hilton Young Commission, because otherwise, when the non-Indian immigrant community of Kenya violently opposed the Majority Report, if the Government of India had also opposed that Report, there would have been no difficulty in throwing it into the waste paper basket. Consider for a moment, what is the position of Indians in Kenya today or was in the year 1927 when this Commission was appointed. Their position was so hopeless, as felt by them, that they did not go to serve on the Councils. They successfully boycotted the Councils. The Government of India naturally, from the nature of things, and I have no doubt that even the Honourable Members on the opposite Benches would agree, the Government of India could not possibly encourage that attitude. But at the same time it was felt that that position could not continue for any length of time, and therefore every effort should be made to bring about a settlement. Sir, we all stand for our principles ; members of all sections of humanity, unfortunately, have a tendency from times immemorial, to come into clash with each other. Not that I am not prepared to stand by my principles if my opponent will stand by his, but unless both sides are prepared to give in a little here and a little there, to arrive at a solution of the problem is impossible.

**Sir Purshotamdas Thakurdas** : I hope the Honourable Member means in details and not principles.

**The Honourable Mian Sir Fazl-i-Hussain** : Yes, in details, no doubt. But those who have to decide these matters are not the Government of India, mind you, because presently I will show you what the position of the Government of India in this matter is ; but those on whom devolves the responsibility of arriving at a decision cannot sometimes arrive at a decision.....

**Sir Purshotamdas Thakurdas** : Not the Government of India, of course ?

**The Honourable Mian Sir Fazl-i-Hussain** : ..... cannot sometimes arrive at a decision with which either party is satisfied.

Now, Sir, for a moment permit me to say what I conceive to be the position of the Government of India in matters relating to Indians overseas. The position of the Government of India and of the Secretary of State for India is, according to my way of looking at it, one of advocates. They are there to advocate the cause of the Indians overseas. I would further,—if the Honourable Members would permit me,—associate them in this task of advocating the cause of their brethren overseas. Now what is it that we ought to do ? It would be perhaps not in quite good taste for me to say that I have some experience in the art of advocacy. We hear a great deal from our clients, and no advocate can ever succeed in his profession if he does not hear everything that his clients have to say. No advocate can ever make a success of his profession if he does not listen to his clients, and then with the knowledge that he possesses proceed to place his client's case before the judge and the jury. Only the young advocate might proceed to brow-beat the jury or the judge and try to gain some success that way ; but no advocate of any experience would try the same art on every jury or on every judge. Therefore if the Honourable Members at times feel that a sentence here or a phrase there is not quite to their liking, I would beg them to remember that perhaps the gentleman who drafted that particular paragraph or that particular letter, with the best of intentions really, wanted to produce a good effect in the interest of the cause he had at heart at the time, not because he intended thereby to give away any principle. The Honourable Sir Purshotamdas Thakurdas stated his points and as he said they are all good points. They are points with which I know the whole of thinking India is in agreement. Therefore it is up to us, knowing what the opinion of India is, knowing what the demands of the Deputation are, to do our best, remembering always that, in doing our best, we have the best interests of the people at heart and have nothing whatsoever to gain by,—I am using a phrase of which I am not at all fond,—in any way trying to sell the birthright of India. Have the Government of India to gain anything ? Have they not, on the other hand, to gain everything not only in the matter of their own policy, but also in the matter of their reputation and the good opinion of the public, which no Government can afford to lose ? I am, Sir, really most grateful to the Honourable Members who have taken part in the debate and also for the commendable self-restraint which they have shown during the course of this debate.

[Mian Sir Fazl-i-Hussain.]

One word now with reference to the sentiments expressed by Mr. K. C. Roy. I have many a time, from more than one platform, spoken even more strongly than Mr. Roy has done as to the rights of Indians and as to how this clash of colour exists in different parts of the Empire and in different parts of the world. At one time or other in our public lives, all Indians in public life have felt most strongly and most acutely on this subject. Some of us, coming in contact with the harsh realities of this life, begin to moderate our views, not because we feel that those views are wrong, but because of the inevitable clash of various forces over which none of us has any control ; and some of us feel that it is up to us to find a way of settlement and not a way to subjugate our opposite, especially as we Indians have very little with which to subjugate anybody. Therefore I wish that our efforts should be directed not so much to taking up an uncompromising attitude, but in exploring all possible avenues of bringing conflicting interests together with a view to solve them. That is our wish, Sir, and in this wish,—so far as I have been able to appreciate the excellent work that the Standing Emigration Committee has been doing,—we have the assistance of all races, including the white member. As a matter of fact, our European member is no less strong than any Indian in doing his best for the Indians overseas.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Division : Non-Muhammadan Rural) : Sir, it is a matter of real thankfulness that this House has been given an opportunity of expressing its opinion on this very important question. I agree with the Honourable speakers who have preceded me that we ought to approach this question calmly and discuss it dispassionately. I do not wish that any one should utter one word which will prejudice a settlement which we all desire. I do not wish to lay any blame on any party in this connection, and I am willing to acknowledge that everybody who has been concerned in this matter has been looking into the problem sympathetically. But I feel that it is still the duty of this Legislature and of the Government of India that they should express the opinions which are entertained in this country by representative Indians, most unequivocally to the Government in England. Sir, if the Indians had not gone to Kenya, if the Indians had not been there in enormous numbers, this matter would not have engaged our attention ; and if the Government of India were not in a position to intervene in this matter, if the matter were to be settled only by the British Government and the Indians in Kenya, the matter would still have stood in a different position. But the Government of India are intervening, they are required to intervene and they have intervened in this matter. They are expected to represent the views of Indians and to protect the interests of Indians. Therefore while we recognise that their position is a delicate and difficult one, I am sure every Member of the Government of India will agree that they owe it as a supreme duty to Indians that they should stand up unflinchingly for the rights of Indians in Kenya. We wish the Government of India to represent the opinions and wishes of Indians in this respect. We do not wish the Government of India to adopt an attitude which will make a solution of the problem difficult. But we certainly expect the Government of India, and I beg them, to adopt a thoroughly firm attitude in this matter.

Now, what does that attitude demand ? We are aware that the position of Indians in Kenya has been most unsatisfactory. I do not wish to dilate upon that, but now what is the change suggested. There is the Report of the Majority of the Hilton Young Commission and there is the Report of the Minority. We Indians are not satisfied even with the Report of the Majority ; but we recognise that there is in it an element of liberality and a large outlook in dealing with several questions which affect the natives of Kenya. I gratefully recognise it. I recognise that the desire that the interests of the natives of that country should be protected, and that they should be helped to receive education and to rise in every way to be qualified to govern their own country, has been embodied in that Report to the credit of those who took part in framing it. At the same time we feel that though even the Majority have done their best, the best that commended itself to them, we Indians have reasons not to be satisfied with all their recommendations. But on the top of that, when we find that even the recommendations of the Majority of that Commission have been practically cast to the winds in most important matters, our suspicions begin to strengthen. One vital point in the consideration of the whole problem was the election of non-official members to the Kenya Legislative Council by means of a common roll. Another was the question of the federation of the three territories which are at present administered independently of each other into one empire. On the question of the elections to the Kenya Legislative Council the main issue is the question of a common roll. The principle underlying it is clear and simple. The man who is going to have a voice and vote in deciding my fate for good or for evil, must be a man in whose election I have had a voice. If I have no voice in the election of a man who is going to be a legislator over me, I cannot recognise him as one. Therefore the establishment of a common roll was the most vital issue in the discussion of the question of non-official representation in this Legislature in Kenya ; and the Majority of the Hilton Young Commission have earned the gratitude of Indians and of the natives of Kenya by having recommended that there should be a common roll. That is a point on which, however sweetly, however reasonably one may put forward his views and arguments, there can be no compromise in principle ; the question of a common roll is of the most vital importance in that connection ; and I acknowledge with gratitude that the Government of India from 1920 onwards, as the Honourable Member in charge has just now reminded the House, have stood out for a common roll. That was their attitude in 1920 and that was their attitude in 1923 ; and that I understand has been their attitude throughout, except perhaps in March last, to which I will come later. We Indians here felt that by adopting that attitude the Government of India was standing by Indians in Kenya, and we were very grateful to them for it. When some of us were invited in March last to discuss this question, we repeated our opinion that a common roll must be insisted on. I am not in a position to disclose, nor have I any desire to disclose the actual wording of the communications of the Government of India to the Secretary of State in 1920 and 1923. But I believe nobody who is in the know will disagree with me when I say that the Government of India in perfectly unequivocal terms stood out for a common roll in those years. Now, Sir, it is not the Government of India alone and we Indians who were anxious that such a common roll should be established. The Majority of the Committee consisted of Englishmen, of Britishers ; and they came independently to that conclusion ; and I venture to say that every Englishman, every Britisher who will approach the problem from a detached and

[Pandit Madan Mohan Malaviya.]

dispassionate point of view, with a desire to do justice to the Indians and the natives of Kenya, would come to the same conclusion. In support of this view I may mention that when the matter was under discussion in the House of Commons in May last, Mr. Johnston speaking on behalf of the Labour Party said :

“ The Secretary of State said that Sir Samuel Wilson went on a perfectly open mission of inquiry ; and Mr. Johnston pointed out that in Kenya there was one European man, woman or child for every two hundred natives. The Labour Party wanted an assurance that there would be no presentation to the House of Commons later on as an accomplished fact of arrangements whereby they were committed to that which was called responsible government but which meant in effect the government of the two hundred by one. The test for the franchise, if it was to be an educational one, should apply to the immigrant settler, Indian and the African native alike, (a common roll). The Labour Party held itself absolutely free to push forward a civilisation franchise on an equality basis, that is to say, that no bar of colour or of caste should be set up in the East African colonies.”

That, Sir, was how an Englishman spoke on this question when the debate came on in the House of Commons ; and I submit that there will be many Englishmen who will echo the same sentiments. Therefore, when we ask the Government of India to adopt an unbending attitude, however courteously, however politely it might be expressed, but when we request the Government of India to adopt an unbending attitude in the matter of this principle of a common roll, I hope we shall not be regarded as unreasonable.

**Mr. K. C. Roy :** With consent or without consent ?

**Pandit Madan Mohan Malaviya :** My friend Mr. Roy asks whether it is to be with consent or without consent. I submit a common roll, if it is to be established, can be established only by legislation in Parliament. Towards that legislation the support of every community in Kenya it is the duty of those concerned to try to enlist. I do not suggest that they should disregard the views of the Europeans there. I do suggest that every possible effort should yet be made to get them to take a larger view, a just view, and to persuade them to agree to a common roll, such as we recommend. I do not despair that success is yet possible in this direction. When the majority of the members of the Commission, which was a British Commission, have reported in favour of a common roll, when other Englishmen have spoken in favour of a common roll, I do not despair that the European settler in Kenya may yet be persuaded to regard a common roll as an essential part of the programme of reform in Kenya. But I submit that, while such an effort to persuade the European settler to take the right view should be made, if it is found that the European settler cannot be persuaded to agree to a common roll, there is only one other alternative which should be placed before him. If he does not agree to a common roll, let the present system of administration continue until the European in Kenya recognises the utility and importance of agreeing to the Indian and the native of Kenya having a share in the franchise which he wants to exercise. I submit that to yield this principle, to weaken the position of the Government of India in the matter of this principle of a common roll would be deplorable on the part of the Indian Government ; and if the Government of India have shown any weakness in representing the views which were expressed to them by us on this question in March last, the Government of India should pull themselves up, recognise that they owe a duty to this House and to the country to correct their position and to press

the demand for a common roll in the strongest and most unequivocal manner. From the very cautious and careful manner in which the Honourable Sir Fazl-i-Hussain proceeded to describe that there may be a sentence here or a sentence there in the despatch of March last in which the Government of India may not have exactly represented the views which were expressed to them by leaders of parties on the Standing Emigration Committee, I suspect there has been something wrong.

**The Honourable Mian Sir Fazl-i-Hussain :** I was not there : but there was nothing wrong in it.

**Pandit Madan Mohan Malaviya :** I shall be glad to know that my suspicion is not well-founded, but I suspect that there has been something wrong, and until the telegram is made available.....

**The Honourable Mian Sir Fazl-i-Hussain :** But the telegram has been published.

**Pandit Madan Mohan Malaviya :** I say that until the cablegram which has been recently sent to the Secretary of State is made available to us, that suspicion will not be entirely removed. The telegram published shows that there has been a weakening in the position taken up by the Government of India. If I am wrong I shall most gladly apologise to the Government of India for entertaining this suspicion. But if I am not, I wish the Government of India even now to adopt an attitude consistent with their previous attitude of past years, and let the British Government know that this Assembly, as representing the people of India, and as being concerned most deeply in the interests of Indians in Kenya, is firmly of opinion that a common roll is a *sine qua non* in any legislative reform in Kenya. I hope, Sir, that the Government of India will take up such a position. This is the first thing which this Assembly desires the Government of India to do. I do not think, Sir, that if there is a little delay in getting the European settlers in Kenya to accept this view, that the matter should be given up as hopeless. I do not think so. I think, in all such matters, compromises take time, settlements require discussion, and I think no Member of this House would want the Government of India to proceed in a hurry so that the compromise might be prejudiced. But the compromise can only be, as my friend Sir Purshotamdas Thakurdas pointed out, in matters of detail. It cannot be in a matter of principle, and this question of a common roll is one of principle which I hope the Government of India will firmly stand up for.

Now, Sir, the second point to which I would invite attention is the question of native interests, because that affects the question of the interests of Indians in Kenya. As almost every speaker has said, I think, Sir, I can in this matter represent the views of all Indians when I say that not one of us desires that we should get any advantage over the natives of Kenya. I think we all desire that the natives of Kenya should have their rights recognised to the fullest extent. (Hear, hear.) We know the pain and the humiliation of living under a foreign Government as a subject people. None of us desires that any mortal man should be placed in that position. We certainly do not want the natives of Kenya to be placed in that position, or that we Indians should enjoy any advantage over them. Therefore, Sir, when it is recommended that to represent the interests of the natives of Africa in the Legislative Council, four officials who occupy seats in it, should be replaced by missionaries or other European settlers in Kenya, we feel that it is a wrong move. Even the suggestion that the additional



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seats which are to be thrown open to non-officials should be divided half and half between Europeans and Indians is one which I do not approve. I do not know of any class of people living as the natives of the country are living in Kenya, so far as I have gathered from friends who have come here, who, on a matter of their interest, being properly stated to them, even though they are illiterate, even though they do not know how to write, would be incapable of forming and expressing an opinion as to whether a certain proposal is beneficial to them or not. I therefore think that their representation should be through themselves. In this country the Government are anxious that those of my Indian brethren who are called the depressed classes should be represented in the future constitution of the country. We on our side shall be delighted to have representatives of the depressed classes sitting along with us on these Benches, but while we desire that, we know that many of them have not received that high degree of education which we have. And yet we do not want to shut them out for that reason ; nor do we wish that the natives of Kenya should be shut out from the Legislature of their country simply because they have not received the benefits of education. Sir, God has been most generous and merciful in dealing with mankind. Literacy is a gift which may be given by man, which may be promoted by our fellowmen, but common sense and reason are the great gifts which God in His mercy has given to humble men as well as to high men, and I believe, Sir, that the Natives of Kenya do possess common sense and can reason, and therefore they ought to be asked to represent themselves.

I say, Sir, this will be to the interest of the Indians also. If the number of non-official European settlers in the Council is increased, we have no assurance that they will be men of large sympathies and broad views. I do not mean to condemn all non-official European settlers or business men because we have in this very House, some fine examples of large-hearted business men working along with us, particularly on this question of East Africa, as the Honourable Member reminded the House, expressing the largest measure of sympathy with Indians and the natives of Kenya. But, Sir, it is always safe to go by the right route, and therefore, I suggest that if the number of official Europeans is to be reduced and the representation of the natives of Kenya is to be increased, it should be through the medium primarily of the Natives, and only if it is found absolutely necessary, through the medium of Indians and that too for a short time.

Now, Sir, I will finish in a minute. Only a few words do I wish to say about the federation question. Indians in Kenya do not like this idea, and I submit that this matter also should be represented by the Government of India, as I believe they have already represented it, firmly in the interests of Indians in that country. A federation is a very tempting picture. When I read the Hilton Young Commission's Report, I admired the ability, the outlook, the imagination and statesmanship which was disclosed in the recommendations for a federation which would create another Empire like the British Empire in India. I admired it. The British Empire in India has grown by fits and starts, it has grown from small beginnings, but here was a picture painted on a large canvas and by a large hand which told you how each brick was to be laid and how the various edifices were to grow, and how power and prosperity were to be developed. I admired it, but, Sir, that picture does not appeal to those who may have to live under the changed constitution in the same manner

in which it appealed to the majority of the Committee. I wish, Sir, that we should remember that even a humble man wants to live in his own cottage as a free man and not to live as a slave in a palace. Therefore, these territories should be allowed to continue to be independent units, and the question of a federation should not be decided upon until the Africans and the Indians in those territories agree to such a federation.

I will not detain the House any more, Sir. I hope that the matter will be considered in all its various aspects which have been pointed out in the very able and comprehensive speech of my Honourable friend Sir Purshotamdas Thakurdas, and that the Government of India will do their duty in this important matter by the Indians in Kenya.

**Sir Darcy Lindsay** (Bengal : European) : Sir, at this late hour I do not propose to go into the merits or demerits of the Hilton Young Report. This is a matter of grave interest to India, and I would like that a great deal more time should be given to the House to discuss a question of such importance. . . .

**Mr. President** : There is plenty of time.

**Sir Darcy Lindsay** : I hope, Sir, that we will have an opportunity to discuss this question at the Winter Session, and that we shall also have before us Sir Samuel Wilson's Report. I therefore do not propose to go into some of the questions which my friend Sir Purshotamdas Thakurdas has put before the House today. I would at this stage like to congratulate my Honourable friend Pandit Madan Mohan Malaviya on the very able speech which he has made. Some of the views he has expressed I am in accord with and I congratulate him.

There is one matter which I should like to refer to in connection with what fell from my Honourable friend Sir Purshotamdas Thakurdas. He appeared to think that the telegram of March last did not entirely convey the views as expressed by the Emigration Committee and those who helped the Emigration Committee in arriving at certain decisions. I was a member of that Committee and the Sub-Committee. I have very carefully perused the telegram that was sent by the Government of India as the outcome of our recommendations, and honestly it does appear to me that the telegram conveyed what the Sub-Committee wished the Government of India to put before the Secretary of State. The Honourable Member in charge has said that it may not be word for word, but we were not there to word the telegram. It was only to give the views that we held, and because the Government of India did not press these home with a sledge hammer I do not think there is any reason for the thought that they did not carry out our views. I would also refer to the present telegram. Sir Purshotamdas Thakurdas mentioned that the Delegation who have been here for a number of days have been hanging on tenterhooks as it were as to what the Government of India were going to do, and that the uncertainty has placed them in an awkward position. When a deputation comes before the Government as it came before our Committee, we cannot right off give them yes or no, but I can assure the House that, what the Deputation has put before the Committee was received with the utmost sympathy and a very large measure of support. I personally assured the members of the Deputation that they were going to receive the most sympathetic treatment. I have not seen the telegram that has been despatched and I should prefer not to see it. If the telegram were published, it would give, I won't say our enemies, but those on the other side, a handle to work upon. We have

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had the assurance of the Honourable Sir George Schuster that the telegram that has been sent conveys the views of the Emigration Committee, and I would suggest to the House that we leave it at that. Sir, I, as you know, have very great sympathy with the Indian community in East Africa and anything that I can do to assist them will be gladly done. (Applause.)

**\*Diwan Chaman Lall** (West Punjab : Non-Muhammadan) : I merely rise on behalf of my Party to say a few words in regard to this momentous question. I congratulate the Honourable Members who have spoken on this question for the views which they have expressed and the manner in which they have expressed them. On behalf of the Party I thank you also for having been good enough to give the country an opportunity to place its views and the views of the Assembly before the British Government and the Government of India.

The question raised by my Honourable friend Mr. K. C. Roy is indeed a very important one, and if there is any heat imported into this question, it is not because any one of us feels that we must walk warily in a matter of this nature, but because this matter has been pending for a very long time and the wrongs from which the Indians in East Africa suffer are of a most grievous nature. If a hard word is said here on the floor of this House, Honourable Members will remember that it is because there are wrongs that have not been righted and that it is time that those wrongs were righted of our fellow countrymen in East Africa.

The Honourable Mian Sir Fazl-i-Hussain said that any arrangement that is arrived at must be arrived at by consent. I have seen very little of consent during the last few years in the treatment of Indians in East Africa. I want to know whether it was by consent that the Wood-Winterton agreement was arrived at. I want to know what happened after the Wood-Winterton agreement. Was that given effect to ? Far from being given effect to, was a mild, meek and reasonable attitude adopted by the white settlers in Kenya ? There was a threat of revolution on their part and the arrangement arrived at was not given effect to. That was not evidence of consent on their part. Then we come to the Hilton Young Report. It has recommended that there should be a common roll, but it has also recommended that there should be a common roll by consent, and I shall deal with that matter in a minute. What is the effect of that Report ? Immediately Sir Samuel Wilson went there, I am told by people who were there and with whom he came into contact, that he said that the door was closed as far as the question of a common roll was concerned. That was the opinion of the Colonial Office, and he was apparently voicing the opinion of the Colonial Office when he visited East Africa. Does that mean consent ? Is there any evidence of consent with regard to this matter on the part of the white settlers, or even of the Colonial Office ? Then we get to the visit of the Right Honourable Srinivasa Sastri. I entirely agree with my Honourable friend Mr. K. C. Roy in paying a high tribute to the work that has been so far done by the Right Honourable Sastri. But here was a man, a great diplomat, a man very highly respected by our countrymen, sent out to East Africa, and what was he faced with ? Almost before he went to East Africa, the Colonial Office had informed, I believe, the Government of India that the door regarding a common roll was closed, barred and bolted. What was the good of the Right Honourable Sastri

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going there under the conditions ? He could achieve nothing because all the good work that he might have achieved in regard to bringing about a settlement in East Africa was nullified by the attitude of the Colonial Office. Does that show consent on the part of the Colonial Office or on the part of the white settlers in East Africa ? No. The question is not a question of consent ; the question is a question of the Government of India demanding, as a matter of right, that the rights and privileges of the Indians must be recognised, at all costs must be recognised. As Pandit Madan Mohan Malaviya, in his very eloquent speech, stated quite rightly, there are alternatives open to the British Government in regard to this matter. They can turn round and say to the white settlers, " If you do not grant the demands of the Indians for a common roll, then we shall not take a single step towards the advancement of your territories constitutionally ". They can take that step, and it is up to the Government of India, and I hope,—I will not say I have not the slightest doubt,—but I hope that the Government of India will take this step reminding the Colonial Office that this demand has got to be conceded which is a matter of principle, of vital principle to the Indian community in East Africa, and that, unless the white settlers in Kenya concede this demand of a common roll, they must not proceed with any constitutional changes that have been contemplated in the Report.

Now, what is the demand of the Indians ? A most reasonable demand that any body of men could have put forward. They said, " We give up our demand for an adult franchise and we accept the demand for a civilisation franchise " whatever that might mean. They said, " We are even prepared to accept the proportion of allotment of seats. We are prepared to accept the present proportion " ; and they said, " We are prepared to agree to any other reasonable demands that you place before us, but we will not budge an inch from the bedrock of the whole question, namely, a common roll ". Are those demands unreasonable I ask ? The real substance of the matter is this, that the white settlers do not wish to concede a common roll because they feel that their superiority, their present position of privilege, will be menaced if they have to go round visiting various centres and asking the Indians to support them for election to the Legislative Council. That is the real basis of it. The Indians also realise that, if the common roll is conceded, that will open up the road for them to travel towards complete freedom in that territory. Now, Sir, the next thing that

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the Indians demand there is the calling of a round table conference. I hope the Government of India will take note of the Indian demand. I hope they will press upon the Colonial Office that, before they come to any decision, they will call a round table conference of representative Indians in East Africa. In fact, I consider that the Labour Government, according to their own statement, are really pledged to do the right thing by the Indians in East Africa. As Pandit Madan Mohan Malaviya read out the statement made by Mr. Johnston, I want to read it out again. Mr. Johnston said that he was the official Labour spokesman, and he spoke in the absence of Mr. Ramsay Macdonald just a few days before the Labour Government came into power. He said :

" Labour would not be bound directly or indirectly by any arrangement which may shortly be made. We hold ourselves free in every direction to push forward a civilisation franchise on a basis of equality. No colour bar or caste should be created."

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[Diwan Chaman Lall.]

bars, and it is now up to the Government of India to tie Mr. Johnston, and through him Mr. Ramsay Macdonald, to the statement made on the 5th May in the House of Commons by Mr. Johnston on behalf of his leader, and to press this point upon the Labour Government, that this is not only according to their principles, but according to their declared policy on the floor of the House of Commons.

Now, Sir, I have only one word to say about the question of consent. No Indian in East Africa, as far as I can make out, is ever likely to agree to the proposition that the common roll should not be put into force except by the agreement of the white settlers in Kenya. There is no possibility, as far as I can make out at the present moment, of the white settlers agreeing to the common roll, unless and until it is brought home to them that the British Government are anxious to stand up and do justice to the Indians in East Africa, and I hope that this point will be adequately pressed by the Government of India upon the British Government and the Colonial Office, namely, that there can be no peace in East Africa and no settlement of this problem, unless and until the common roll is conceded by the white settlers in Kenya.

**Nawab Sir Sahibzada Abdul Qaiyum** (North-West Frontier Province : Nominated Non-Official) : Sir, I am glad you have given me this opportunity of speaking on this subject. I shall try to be brief and to the point. I simply want to associate myself with the sentiments and ideas expressed by the Members of this House and say that we are in full sympathy with the Indians in East Africa. We want them to be treated on terms of equality with all other settlers in that country. Sir, my experience of the Emigration Committee, of which I have been a member for the past few years, has assured me of the fact that the Government of India is always ready to support our views and advocate our cause as vehemently as is possible for them under the official etiquette, with the Government at home. As a matter of fact, on many occasions, I have found them more enthusiastic in advocating that cause than some of the members of the Emigration Committee, who, for want of knowledge of local conditions, are unable to advocate the cause fully and satisfactorily. In this particular case, during the past few meetings, which we had of the Emigration Committee, every side of the question was fully discussed by the members of the Emigration Committee as well as by the leaders of the various parties, and especially the Leader of the Opposition and his learned Secretary, who were present there, and I thought that the Government of India's views, as explained by the member in charge, were in all essentials in entire accord with our views on this subject. There was of course this question of common roll, and about that some doubts and suspicions were expressed by some Members of the Emigration Committee, but I thought that, even that point had been fully explained by the Government of India to the Colonial Office. I understand, Sir, that it is not for want of support from the Government of India that the question of a common roll has not been finally settled, but that perhaps the Government in England find the same difficulty about this common roll as the Government of India find in India, in the matter of joint and separate electorates. Some such difficulties are perhaps in the way of the common roll, and it is just possible that the matter may be settled by compromise though our own experience of

matters like this is that it is very difficult to settle these things by compromise. There can be no question of enforcing these things by law even if the constitutional advance of the country is retarded, as there are always fears in the minds of minorities about the safety of their rights and the white settler in East Africa may be feeling the same nervousness or fear. But I still trust that there will be the possibility of coming to some sort of settlement about this, and that even this question will be settled satisfactorily. I entirely and fully join with my Honourable colleagues in this House in advocating the cause of Indians in East Africa.

**The Honourable Sir George Schuster :** Sir, as I am technically responsible for the motion on which this debate has arisen, I feel that perhaps it is appropriate that I should say a few words in reply—and when I say my words will be very few I am sure all Honourable Members will wish the same. I have many times looked forward to the possibility of this Report being debated in this House ; and I could have wished, speaking for myself, that it could have been debated at a time when we had a fuller House, and not as the last item at the end of the Session, when we have been sitting very late for several days running. I think, Sir, from the course of the discussion today, that it is extremely likely that we shall be debating this question again, and therefore I do not propose to deal at all exhaustively with the questions that have been raised.

There have been two kinds of questions raised, first, the attitude of the Government of India, and secondly, the principles recommended in the Report. I should only consider myself at present qualified, or in a position, to deal with the latter question, the principles of the Report. But to do that in any way fully, would take me much longer than would be proper just now, and I would only like to say two things. First, I would ask Honourable Members who are interested in this matter to go very carefully through the Commission's Report, to read it and to study it for themselves in case we are going to debate this question again. I have indeed been greatly flattered by the obvious evidence that both my Honourable friend, Sir Purshotamdas Thakurdas and my Honourable friend, Pandit Madan Mohan Malaviya have read the Report very carefully, and I should like to express my particular thanks to the learned Pandit for what he said about the principles which it embodied.

The second thing that I want to say is this, that the main problem of course with which that Report deals is the native problem ; and I think I may claim that, by taking that line in the Report, by treating our tasks as one which concerned mainly the native problem, merely by doing that, we took a very decisive step. For we had been asked to report on this question of closer union, and that with particular reference to the joint management of railways—economic interests of that kind. We said that all those questions were important, but that they were of entirely minor significance compared to the question of native policy, and we said that the main thing that we had to consider was to provide for some proper co-ordination of native policy in those territories which lie side by side in Africa. We said it would be fatal if Kenya went one way, Uganda went another and Tanganyika another. We said there must be common principles of native policy, and having said this we did make an effort to face the problem. There have been a



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great many loose phrases used on this question, such as "the paramountcy of native interests" and the "dual policy". We felt that those phrases had been used often to shelve or shirk difficulties, and that those difficulties must be faced. Therefore we endeavoured to lay down, not only principles of native policy, but practical rules by which they might be applied; and I am sure, from what I have heard in this debate, that Honourable Members will be at one with us in the principles which we sought to set up and defend. I think I may say that the Report was inspired by an ideal, looking forward to the day when the British Empire would be a commonwealth of free nations, where there could be no question of a small minority dominating the natives of the country. We felt that everything must be done with that end in view. I want to bring this point out, because, of course taking that point of view, the Indian problem in these countries, although an important problem, is not the main problem. I would ask Honourable Members to take that into account if they should feel, on reading certain sections of the Report, that we have not pressed and dealt with this issue sufficiently thoroughly, or shown sufficient interest in the question; and I would ask Honourable Members to realise that—that it is the native problem which is the big problem and the Indian problem is in a sense only an additional complication in what is already a very complicated question. The complication in the question is this, that you have, in these territories—or perhaps I should say you have it fully developed in Kenya and to a smaller extent in Tanganyika—you have in these territories the great difficulty created by what we have in our Report described as a "mixed state". You have a small community of 20th century civilisation settled down in the midst of a vast population whom you must put back at the middle ages as regards their civilisation. That, Sir, creates a terribly difficult problem. The small community, with its ideas of representative government, demands representative government, demands the introduction of those political institutions with which it is familiar. How can you meet that demand, which it is very difficult to refuse, without doing injustice to the vast numbers of the native population? That really, Sir, is the problem; and the other side of the question is this, that of course the small immigrant community demands the sort of institutions with which it is familiar, whereas it by no means follows that those institutions will be exactly suitable for the big native population. The Honourable Pandit said, "No responsible government unless you introduce the principle of a common roll". We, as a matter of fact, went much further than that; we said, "no responsible government until the natives themselves can share in that responsibility". I think that that is a principle which we must stand up for, and speaking for myself, I particularly welcome this debate, because I feel that, if you in India give your thought to these problems, you may create a public opinion throughout the Empire which will greatly help towards their solution on the right lines.

I feel, Sir, that this debate has been of great value, and that the statement of policy that has been put forward by this Assembly is going to strengthen the hands of the Government of India in advocating the cause of Indians. I should like just to pick up one thought arising out of that word "advocating", which has already been referred to in the debate. We, on these Benches must definitely accept it as our task to fill that

role. We are in a very definite sense in the position of advocates, advocating one side of the case. It so happens that I myself have also been in the position of a judge in this case ; and I am sure Honourable Members will realise how difficult that position was because, although I had no connection with India, I knew that I was coming to India and I had to be very careful that my judgment should not be biased by the knowledge that I might have to sit here and listen to criticisms of our Report in this Assembly. Perhaps indeed one was a little more cautious,—perhaps even deflected in the other direction—than one otherwise might have been by the desire to avoid being influenced by this consideration. As advocates, we can accept the position which has been put forward by my Honourable friend, Diwan Chaman Lall : “ You must press for a common roll without qualifications ; you must stand out for the principle ”. But, if Honourable Members put themselves for a moment in the position of the Judge, they would, I think, admit that there are difficulties, seen from this point of view. My Honourable friend Sir Abdul Qaiyum made a reference to difficulties which exist out here. Now, Sir, I would never wish to refer to those difficulties in any argumentative way or with a desire to show that Members on the opposite Benches were in the wrong. But I do think that we should turn our eyes to this country and consider the communal question here just for the purpose of appreciating the difficulties. My Honourable friend Sir Purshotamdas Thakurdas said that, in Kenya, it is really not a communal question but it is a racial one. I admit the distinction, but surely it makes the problem almost worse ; it does not make it easier, it makes it harder. Now if we think of the communal conditions here and consider the situation which would be created if an outside authority were to come here and say “ You have got to get on to a common roll. Whether the minority community agrees to it or not, you have got to have it ”, I think Honourable Members will realise that that is hardly a practical way for dealing with the situation. And it is a practical way for dealing with the situation which we want, for I have always tried to look at it from the point of view of how can we find the path which is most likely to lead us to the goal that we desire. And I still feel that, as My Honourable friend Pandit Madan Mohan Malaviya said, we must try to advance, to begin with, by agreement. That at least must be our first endeavour. I do not say that we must weaken our case at all, but we do not want to say anything which would make it impossible to advance along that path of agreement.

And perhaps that might bring me back to the subject of the motion which we are discussing. The motion, after all, merely it seeks to provide Rs. 17,000 for the expenses of Mr. Sastri's visit. Now, in the effort to reach an agreement, I do not think the Government of India could possibly have taken a step which held more promise of hope than to send out a man like Mr. Sastri to East Africa. It has been said in this debate that he went on a fool's errand. It has been asked, “ what were the conditions on which he went ? ” As to this I cannot say for I was not concerned myself with settling those conditions. But I was concerned with very many most interesting talks with Mr. Sastri on the question before he went, and this I can say, that whatever may have been the conditions on which he went, the mere presence of a man like Mr. Sastri in East Africa was likely, and we were justified in so thinking, to improve the situation. I do not think I personally have ever had a greater disappointment than the result of Mr. Sastri's mission. I do not

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know that it would be right to say that it was a failure, but at any rate, it was not the success that was hoped for. I must admit that Honourable Members opposite are quite justified in taking the line that, having regard to the complete refusal to consider the reasonable proposals made by our Commission, and having regard to the failure of Mr. Sastri's mission, there is not much hope of a reasonable attitude on the other side. As I say, the Honourable Members have justification for drawing that conclusion. But I would say, let us not give up hope. We may get a different inspiration from London now ; let us still make an effort to reach agreement, for that, after all, is the only way along which we can actually see the path open before us for an advance.

**Mr. K. C. Roy :** May I say a word, Sir, on a point of explanation ?

**Mr. President :** The Honourable Member has no right of reply.

**Mr. K. C. Roy :** I know, Sir, I have no right of reply. The only thing I want to mention is that both Mian Sir Fazl-i-Hussain and Sir George Schuster have put a new construction on the present constitutional position of the Government of India. They say they are only in the position of advocates, but I have always looked upon India as a high contracting party in a transaction of the sort that is going on over Kenya. This is a very important position. The House must take note of the fact that both Sir Fazl-i-Hussain and Sir George Schuster are mere advocates for Indians and are not representatives of a great Indian Empire, which is a high contracting party, in affairs relating to Crown Colony Government. Sir Denys Bray told this House the other day that the Government of India had been asked about the new Egyptian Treaty, and was a signatory to the Kellog Pact ; but a new doctrine has today been enunciated by two responsible Members of the Government of India.....

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

**Mr. K. C. Roy :** Sir, I ask your permission to withdraw my motion.

**The Honourable Mian Sir Fazl-i-Hussain :** Sir, I never meant to say anything to give up any way the position that India has or may aspire to. I at once withdraw any such remark that may be liable to such interpretation.

**Mr. President :** Order, order : The question is :

“ That leave be given to Mr. K. C. Roy to withdraw his motion.”

The motion was adopted.

The amendment was, by leave of the Assembly, withdrawn.

**Mr. President :** Order, order : The question is :

“ That a supplementary sum not exceeding Rs. 17,000 be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending the 31st day of March 1930 in respect of ‘ Miscellaneous ’.”

The motion was adopted.

The Assembly then adjourned *sine die*.