

27th February 1930

THE

# LEGISLATIVE ASSEMBLY DEBATES

(25th February to 20th March, 1930)

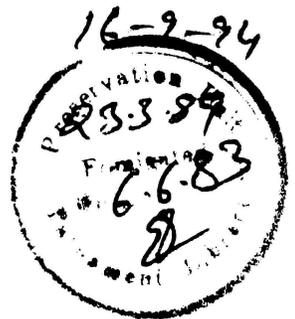
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SIXTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1930

Chamber Fumigated. 18.10.73.....



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1930

# Legislative Assembly.

## *President :*

THE HONOURABLE MR. V. J. PATEL.

## *Deputy President :*

MAULVI MUHAMMAD YAKUB, M.L.A.

## *Panel of Chairmen :*

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

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

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

SIR ZULFIQAR ALI KHAN, KT., C.S.I., 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.

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# LEGISLATIVE ASSEMBLY.

Thursday, 27th February, 1930.

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

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## MEMBERS SWORN :

Sir Cowasji Jehangir (Junior), K.C.I.E., O.B.E., M.L.A. (Bombay City : Non-Muhammadan Urban);

Rao Bahadur B. L. Patil, M.L.A. (Bombay Southern Division : Non-Muhammadan Rural); and

Chaudhury Khaliqzaman, M.L.A. (Lucknow and Fyzabad Divisions : Muhammadan Rural).

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## QUESTIONS AND ANSWERS.

### THE SYSTEM OF BEGAR.

398. **Mr. Gays Prasad Singh:** (a) Is it a fact that the system of *begar* (forced labour) obtains in parts of British India, and has the attention of the Government been drawn to the following extract from a speech delivered by the Agent to the Governor General in reply to an address given him by the Kotah Durbar (Rajputana) in 1928 :

“ Even in British India *begar* is not evidence of the wickedness of the system of administration. In olden days, supplies and fodder and so forth were freely given to touring officers as a sign of affection and hospitality and gratitude for protection and help in times of trouble. Abuses have no doubt crept in, and the system of administration has become less dependent on the personal factor ; and the institution has had to be curtailed. But I for one should be very sorry if it were completely abolished even in British India.”

(b) In what parts of British India is the system of *begar* prevalent, and what steps have Government taken, or propose to take to put a stop to it?

(c) Has not the League of Nations declared forced labour to be illegal, and is not India a signatory to the Resolution?

**Sir Frank Noyce:** (a) Forced labour, in return almost invariably for cash remuneration, is permissible in British India in certain cases, principally of grave emergencies and danger to life and property from irrigation works and embankments. The speech to which the Honourable Member refers has come to the notice of Government as a result of this question.

(b) Full information has already been furnished either to this House or to the Council of State in respect of the system of *begar* or forced labour so far as it prevails in various provinces in India. I would invite the Honourable Member's attention to:

- (i) the reply given in the Legislative Assembly on the 11th February, 1924, to the Honourable Mr. V. J. Patel's question No. 276;
- (ii) the reply given in the Council of State on the 12th September, 1927, to the Honourable Sir Haroon Jaffer's question No. 116, and
- (iii) the reply given to Khan Bahadur Sarfaraz Hussain Khan's question No. 156 in the Legislative Assembly on the 1st March, 1928.

(c) I presume that the Honourable Member refers to the Slavery Convention adopted by the League of Nations in 1926. Under Article 5 of this Convention, the High Contracting Parties undertake, each in respect of its territories, to prevent compulsory or forced labour from developing into conditions analogous to slavery. The Convention does not prohibit compulsory or forced labour levied for public purposes. It was signed on behalf of India with certain reservations.

**Mr. Lalchand Navalrai:** Will the Honourable Member be pleased to say whether the *begar* system, in whatever form it prevails at present, exists on account of the hospitality, gratitude or affection of the people, or is it enforced by Government officials under compulsion?

**Sir Frank Noyce:** I should like to have notice of that question, Sir.

**Mr. B. Das:** Is it not a fact, Sir, that the representative of the Government of India on the Forced Labour Committee at Geneva stated that the Government of India do not support forced labour in any way?

**Sir Frank Noyce:** I have no information, but I am content to accept the Honourable Member's statement.

**Mr. Lalchand Navalrai:** Will the Honourable Member please state whether the Government of India are also of the same opinion as that of the Agent to the Governor General in Kotah that he would be sorry if the *begar* system were ever abolished completely?

**Sir Frank Noyce:** No, Sir.

**Mr. Gaya Prasad Singh:** What steps have Government taken with regard to the discontinuance of this system as indicated in the answer given to my starred question No. 398, dated the 11th September, 1929?

**Sir Frank Noyce:** I am sorry, Sir, I have not the Honourable Member's starred question in mind.

**Mr. Gaya Prasad Singh:** Then how can you expect me to bear in mind the answers to which you have referred in your reply?

**Mr. M. S. Aney:** Does the Honourable Member understand the difficulties of Honourable Members on this side when he merely makes reference to replies to starred questions of such and such a date in such and such a year?

**Mr. B. Das:** May I ask another supplementary question, Sir?

**Mr. M. S. Aney:** Is there no reply to my question, Sir?

**Sir Frank Noyce:** I beg your pardon?

**Mr. M. S. Aney:** Have the Government realised the difficulty of Members on this side understanding the replies given by Government to questions put from this side whenever Government Members make references to their replies to certain starred questions given on such and such a date and published in such and such a Volume?

**Mr. B. Das:** May I ask one other question, Sir?

**Mr. M. S. Aney:** Do they realise or do they not realise our difficulties, that is what I want to know?

**Mr. President:** Mr. B. Das. Next question.

#### REPORT OF THE TARIFF BOARD ON SALT MANUFACTURE.

399. **\*Mr. B. Das:** Will Government be pleased to state if the Report of the Tariff Board on salt manufacture in India will be available to this House before it discusses the budget demand in respect of "salt" or before the House discusses the Finance Bill?

**The Honourable Sir George Rainy:** The Tariff Board have not yet submitted their Report.

#### PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

400. **\*Mr. Muhammad Rafique:** (a) Is it a fact that Mr. Mitra has given, in his Report on the seniority of Railway Clearing Accounts Office staff, a list of seventeen men who have been given too rapid promotions?

(b) Is it also a fact that some other cases, in which the promotions were more rapid than those mentioned in the list, have been overlooked? If so, why?

**Mr. A. A. L. Parsons:** (a) Yes, but Mr. Mitra enumerated in the same Report the reasons which led to the too rapid promotions and accepted them as sufficient for not reversing the promotions.

(b) No.

#### SALARIES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

401. **\*Mr. Muhammad Rafique:** (a) With reference to the reply given to question No. 915 on the 25th September, 1928, will the Government be pleased to state on what date the competitive examination for recruitment of the clerical staff was held by the Controller of Railway Accounts before 1929?

(b) Under what rules were the men appointed from 1925 to 1928 given high salaries in the Railway Clearing Accounts Office?

**Mr. A. A. L. Parsons:** (a) No competitive examination for recruitment of the clerical staff was held before 1929.

(b) Prior to the introduction of competitive examination, the officer in charge of the Clearing House experiment and the Director, Railway Clearing Accounts Office, like other Heads of Offices, were empowered to recruit staff under powers delegated to them.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

402. **\*Mr. Muhammad Rafique:** Will Government be pleased to state the reasons why one Mr. Mangal Das has been given an officiating chance of a senior Accountant, while a Muslim, B.A., LL.B., who has passed the Calcutta Training Accounts Class Examination, is still working as a clerk in the Railway Clearing Accounts Office? Is it a fact that the former is an unqualified man?

**Mr. A. A. L. Parsons:** It is not a fact that Mr. Mangal Das (who has also passed the Training Class examination) has been promoted as officiating Senior Accountant?

RECRUITMENT OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE:

403. **\*Mr. Muhammad Rafique:** (a) Is it a fact that the recruitment and selection for the Railway Clearing House experiment was done by Mr. W. H. Scott and Rai Bahadur Faqir Chand, as stated by Mr. Mitra in his seniority Report, and the only qualification required for recruitment was the confidence of these officers?

(b) Is it not against the statement made by the Financial Commissioner, Railways, on the floor of this House that the recruitment is made by the Director and that the Rai Bahadur has no hand in it?

**Mr. A. A. L. Parsons:** (a) Prior to the introduction of the new rules of recruitment, the responsibility for the selection and recruitment of staff for the Railway Clearing Accounts Office rested entirely with the Director. It was open to him, as to other heads of offices, to avail himself of the help of his assistants, if he desired to do so.

(b) No.

APPOINTMENT OF ACCOUNTANTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

404. **\*Mr. Muhammad Rafique:** (a) Is it a fact that nine unqualified accountants were taken in the Railway Clearing Accounts Office?

(b) How many of them were Muslims?

**Mr. A. A. L. Parsons:** (a) Five of the nine accountants referred to by the Honourable Member came in as such with the staff transferred to the Clearing Accounts Office from other Railways, the other four were promoted from the office under the rules then in force, in the absence of passed men in the office.

(b) Two were Muslims and one was a Sikh.

STAFF EMPLOYED FOR THE RATES REGISTER EXPERIMENT.

405. **\*Mr. Muhammad Rafique:** Will Government be pleased to state the present total strength of the staff employed in connection with the Rates Register Experiment in different grades and how many of them are Muslims?

**Mr. A. A. L. Parsons:** I lay on the table a statement giving the information required.

Statement showing the staff employed in the various classes Register Experiment.

Particulars of staff.	Source from which taken.				Total.	Communities to which belong.			Total.	
	C. A. O.	Other Offices.				Hindus.	Moham- madans.	Sikhs.		Chris- tians.
		Audit Office C. A. O.	N. W. Railway.	S. P. Railway.						
1. Accounts Officer, Gr. 1 (800-50-1,350 plus special pay of Rs. 250).	1	..	..	..	1	..	..	..	1	
2. Assistant Accounts Officers (350-30-800).	2	..	..	..	2	..	..	..	2	
3. Accountants, Grade I (290-20-450).	2	..	..	..	2	1	1	..	2	
4. Accountants, Grade II (150-15-270).	2	..	..	..	2	2	..	..	2	
5. Senior Sub-head (130-8-170-10-200).	1	..	..	..	1	1	..	..	1	
6. Junior Sub-head (130-8-170).	14	1	..	..	15	13	2	..	15	
7. Clerks, Class I (100-5-120).	20	..	1	2	23	20	1	2	23	
8. Clerks, Class II (60-5-90).	9	..	..	..	9	7	2	..	9	
9. Clerks, Class III (40-4-80).	12	..	..	7	19	17	2	..	19	
10. Puncers (36-2-60).	4	..	1	39	44	28	12	2	44	
11. Care-taker (Rs. 80 fixed).	..	..	..	1	1	..	..	1	1	
Total . . .	67	1	2	47*	119	92	19	5	119	

\* Newly recruited staff . . . . . 47

30 12 2 3 47

## OFFICE HOURS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

406. \*Mr. Muhammad Rafique: (a) With reference to the reply given to question No. 668, on the 19th February 1929, will Government be pleased to state the reasons for increasing the office hours by half an hour when in all audit offices before and after the introduction of the Clearing House Experiment, and even in the Railway Board and other Government offices the office hours are from 10 to 4 or 10-30 to 4-30 with an interval of half an hour?

(b) Do Government propose to reduce it by half an hour? If not, why not?

Mr. A. A. L. Parsons: (a) The working hours are only six as in other accounts offices in Delhi.

(b) No.

## APPOINTMENT OF RAI BAHADUR FAQIR CHAND IN CONNECTION WITH THE RATES REGISTER EXPERIMENT.

407. \*Mr. Muhammad Rafique: (a) Is it a fact that Rai Bahadur Faqir Chand has been appointed as an officer on special duty in connection with the Rates Register Experiment and that he has been empowered to recruit men for the same office?

(b) What special allowance has he been given?

Mr. A. A. L. Parsons: (a) The Honourable Member is referred to the reply given to his starred question No. 245 on the 5th February, 1980.

(b) A special pay of Rs. 250 per mensem.

## APPOINTMENT OF MUSLIM CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

408. \*Mr. Muhammad Rafique: Will Government be pleased to state:

(a) How many men appeared in the Railway Clearing Accounts Office Clerks Class 1 Examination recently?

(b) How many of them passed and what was the number of the Muslims?

(c) What is the number of vacancies in that grade?

(d) How many of them have been reserved for the members of the minority communities?

Mr. A. A. L. Parsons: (a) 165, of whom 14 were Muslims.

(b) 51 men passed, of whom four were Muslims.

(c) Nil at present.

(d) There is no reservation of posts in higher grades for promotion of members of minority communities.

## APPOINTMENT OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

409. \*Mr. Muhammad Rafique: Will Government be pleased to state:

(a) How many vacancies occurred from 1st September 1928 to 31st December 1929 in the Railway Clearing Accounts Office?

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

**Mr. A. A. L. Parsons:** (a) The information is being collected and will be furnished to the Honourable Member in due course.

(b) The Honourable Member is referred to the reply given to a similar question No. 875 in the Simla Session of 1928, asked by the Honourable Member, Mr Abdul Matin Chaudhry.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

410. **\*Mr. Muhammad Rafique:** (a) Is it a fact that Mr. Mitra has given in his Report (on the seniority of Railway Clearing Accounts Office staff), a list of 17 men who have been given too rapid promotions?

(b) Is it a fact that out of that list only one is a member of minority communities?

(c) Will Government place a copy of that Report in the Library?

**Mr. A. A. L. Parsons:** (a) and (b). Yes.

(c) A copy of the Report is available in the Library of the House.

APPOINTMENT OF ACCOUNTANTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

411. **\*Mr. Muhammad Rafique:** (a) Is it a fact that nine unqualified men were appointed as accountants who had not passed any examination (as mentioned in para. 7 of Mr. Mitra's Report on the seniority of Railway Clearing Accounts Office staff)?

(b) Is it a fact that out of that number only one was a Muslim?

(c) If the answer to parts (a) and (b) be in affirmative, what action was taken by the Government to redress communal inequalities when, according to the Government of India circular, 33 per cent. of the posts ought to have been reserved for the minorities and the remaining distributed proportionately?

(d) What action do Government propose to take against those who do not follow the policy laid down by Government?

**Mr. A. A. L. Parsons:** (a) and (b). The Honourable Member is referred to the answer which I have just given to his question No. 404.

(c) The percentage prescribed for the minority communities is to be observed in initial recruitment and not in making promotions amongst the staff, although in this particular case, three out of the nine men referred to belonged to the minority communities.

(d) Does not arise.

RESERVATION OF POSTS FOR MINORITY COMMUNITIES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

412. **\*Mr. Muhammad Rafique:** Did Mr. Mitra in his Report on the seniority of Railway Clearing Accounts Office staff recommend that there should be a certain percentage in the higher grades reserved for minorities?

**Mr. A. A. L. Parsons:** No.

## PASSENGER FARES IN THE INDIAN STATE AIR SERVICE.

413. \***Mr. K. C. Neogy**: (a) With reference to the passenger fares prescribed for the Indian State Air Service, and the prescribed free allowance of 221 lbs., including a passenger's own weight, have Government considered the possibility of cases in which the weight of individual passengers may exceed 221 lbs.?

(b) If so, will the excess weight of such a passenger be charged for at excess luggage rates or at freight rates?

(c) In the case of a couple, married or otherwise, booked together, will the average weight of each determine the fare?

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

(b) At excess luggage rates.

(c) Individual passages only can be booked.

**Mr. Gaya Prasad Singh**: Are Government aware that there are some Honourable Members in this House whose own weight exceeds that prescribed in the schedule of the State Air Service? (Laughter.)

**The Honourable Sir Bhupendra Nath Mitra**: I shall be disinclined to subscribe to that statement.

## REPORT OF THE CONFERENCE ON DOMINION AND MERCHANT SHIPPING LEGISLATION.

414. \***Mr. Sarabhai Nemchand Haji**: (a) Will Government please state if they have received the Report of the Conference on Dominion Legislation and Merchant Shipping Legislation?

(b) What steps have Government taken to obtain non-official Indian opinion on the various sections of the Report?

(c) Regarding the part of the report dealing with Merchant Shipping Legislation, have Government invited the opinion of the Indian National Steamship Owners' Association?

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

(b) The Report has been published and copies have been supplied to Members of the Indian Legislature and commercial bodies.

(c) The Indian National Steamship Owners' Association has also been supplied with a copy of the Report.

**Mr. Sarabhai Nemchand Haji**: May I ask a supplementary question, Sir? Were the opinions of these bodies invited on this Report at the time when they were furnished with copies of the Report? Was it indicated to them that Government desired to have their opinions on the subject matter of that Report?

**The Honourable Sir George Rainy**: No, Sir; but I have not the least doubt that commercial bodies do hold opinions on this matter, and they will not hesitate to communicate their opinions to the Government of India.

LOADLINE OF MERCHANT SHIPS.

415. \***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the Report of the Committee on Loadline of Merchant Ships recently issued in London?

(b) Will Government please state the steps they have taken to invite the opinion of Indian shipowning interests on the Report of the Loadline Committee?

(c) Is it a fact that the Board of Trade propose to summon an international conference to consider the above-mentioned Report to get international agreement on the subject of loadline of steamers?

(d) Will Government please state if India has been invited to participate in the deliberations of the proposed conference; if so, what arrangements do they propose to make to associate Indian shipping interests with the deliberations of the conference?

**The Honourable Sir George Rainy:** (a) Government have received a copy of the Report through the India Office.

(b) The opinion of shipping interests in India will be invited on the receipt of further copies of the Report.

(c) Yes.

(d) The answer to the first part is in the affirmative. As regards the latter part, the representation of India at the Conference is under consideration.

**Mr. Sarabhai Nemchand Haji:** When Government consider the representation of India at this Conference, will they consider the desirability of getting genuine Indian national representation at this Conference?

**The Honourable Sir George Rainy:** They will certainly consider the question of giving representation to Indian steamship companies.

**Mr. Sarabhai Nemchand Haji:** Will Government further see to it that under the term "Indian Nationals" they will not include European interests, as has been the practice of late?

**The Honourable Sir George Rainy:** The matters, Sir, which will be dealt with at this Conference, are very technical, and one of the points which the Government of India will have to take into consideration is that their delegation should be adequately organised in that respect.

TENDERS FOR THE SUPPLY OF STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

416. \***Lala Rang Behari Lal:** (a) Will Government be pleased to state if it is a fact that, in September 1928, the Divisional Superintendent, North Western Railway, Delhi, had called for tenders for the supply of 22 lakhs of stone ballast from the Mochibagh and Delhi Kishenganj quarries, of which one was given to the lowest tenderer, whereas the other was not given to the lowest tenderer, although it was of the firm which had been supplying ballast to the North Western Railway for the last 15 years?

(b) If the reply to part (a) be in the affirmative, are Government aware that the tender of another firm was recommended and accepted by the Agent, although it was 0-12-0 per one hundred cubic feet higher and, if so, will Government state the reason?

(c) Will Government be pleased to state if it is a fact that the tender which was not accepted was of a firm who were the recipients of a bonus of 2½ per cent. for supplying in a remarkably short time?

**Mr. A. A. L. Parsons:** With your permission, Sir, I should like to answer this and questions Nos. 417 and 418, together.

I am calling for an urgent report from the North Western Railway Administration and will communicate with the Honourable Member as soon as it has been received.

#### CONDITIONS OF TENDER FOR STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

†417. \***Lala Rang Behari Lal:** (a) Will Government be pleased to state if the two principal conditions of the tender and contract referred to in the preceding question were that:

- (1) Measurements of 18" in depth would be considered as 12", and
- (2) Time was of the essence of the contract?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state why it was subsequently altered to 12" in depth instead of 18" to a foot? Did this cause a loss of 8½ per cent. to the Railway?

(c) Will Government be pleased to state if the contractor completed the said contract within the specified time or the time was extended?

(d) If the time was extended, what was the period of extension, and did the contractor complete the work in the extended period?

(e) If the reply to part (d) be in the negative, will Government be pleased to state if the said contractor's security was forfeited under rule 18, Part II, of the North Western Railway Handbook for works?

#### ORDERS FOR THE SUPPLY OF STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

†418. \***Lala Rang Behari Lal:** (a) Are Government further aware of the fact that a circular was issued by the Agent, North Western Railway to subordinates not to give any further ballast supply contracts without tenders?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state if they are aware that a further order was also given to the previous contractor to supply about 5 lakhs ballast, which cost about Rs. 40,000, without any tenders, although rule 1, Part I of the North Western Railway Works Handbook distinctly states that all works amounting to Rs. 25,000 or above will be let out by tenders?

†For answer to this question, see answer to question No. 416.

(c) If the reply to part (b) be in the affirmative, will Government be pleased to inquire why the conditions as laid down in the Handbook and also the circular letter of the Agent, were ignored and what action do Government propose to take in the matter?

NAUTICAL TRAINING IN ENGLAND AND IN INDIA.

419. \*Dr. B. S. Moonje: (a) Are Government aware that there are six schools of nautical training in England and that the number of pupils by ages are as follows?

(i) Under 13 years of age	..	..	..	..	22
(ii) 13 and under 14 years of age	..	..	..	..	255
(iii) 14 and under 15 years of age	..	..	..	..	777
(iv) 15 and under 16 years of age	..	..	..	..	421
(v) 16 years of age and over	..	..	..	..	109
				Total	.. 1,584

(b) If the answer to part (a) is in the affirmative, what arrangements are made in India, in view of the Government proposals for expansion of the Royal Indian Marine and for establishing a Royal Indian Navy, for similar training of Indian boys? How many Indian boys, if any, are under similar training at present in India?

(c) Besides the ordinary book education, what other technical subjects are taught which form the speciality of the nautical training schools in England?

(d) Besides the ordinary book education, what other technical subjects are taught to Indian boys under training on the "Dufferin" ship to give a speciality of its own to it?

Mr. G. M. Young: (a) There are considerably more than six training institutions in the United Kingdom, the primary object of which is to train boys for the Royal Navy and the Mercantile Marine. Government have no precise information of the number of boys at present under training in those institutions or their ages.

(b) The training of boys in the Royal Indian Marine is carried out in the depot ship "Dalhousie" which is stationed at Bombay. There are at present 108 boys under training.

(c) The boys are given instruction in practical seamanship—including boat work, knots and splices, lead and log line, flags and signals, steering, anchors, cables, rockets, boat hoisting and lowering, barometer, thermometer, and aneroid, etc.

(d) Meteorology, Navigation, Nautical Astronomy, Seamanship and Magnetism.

ARTILLERY CAMPS FOR INSTRUCTION OF TERRITORIAL UNITS AND UNIVERSITY TRAINING CORPS.

420. \*Dr. B. S. Moonje: (a) Has the attention of Government been drawn to a report appearing in the *Pioneer* of Saturday, the 1st February, 1930, page 14, of the Auxiliary Force camp of exercise and of its interesting and varied programme?

(b) If so, will Government be pleased to state how far are the Bhaghara Chatham Lines, where the Allahabad Auxiliary Force held from the 18th January, to the 26th January, their annual camp of exercise, from Mat-deori, where the artillery annual practice camp was held on the 24th January, 1930, of the 19th Field Battery R. A., A. F. I., commanded by Captain W. S. R. Jervis?

(c) Was the Auxiliary Force camp associated, in any way with the artillery camp, so that the Allahabad Auxiliary Force might have an occasion to witness and learn artillery shooting?

(d) If so, do Government propose to arrange similar artillery camps for the benefit of the Territorial units and the University Training Corps?

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

(b) About two miles.

(c) No, Sir. The force was camped together in the Chatham lines, but the other units did not witness the artillery practice, nor could they have learnt artillery shooting by doing so.

(d) Does not arise.

#### MUSKETRY SCHOOLS FOR THE UNIVERSITY TRAINING CORPS AND TERRITORIAL UNITS.

421. \***Dr. B. S. Moonje:** (a) Will Government please state if the small arms and musketry schools are open to men and officers of the University Training Corps and the several Territorial units?

(b) If so, will Government please state how many men and officers of these corps and units have so far received training in these schools?

**Mr. G. M. Young:** (a) and (b). Officers and men of the Indian Territorial Force are not debarred from training at the schools mentioned, but none have as yet undergone such training.

The courses last 11 weeks for non-commissioned officers and 6 weeks for officers. Applicants are required to pass a preliminary examination.

I am informed that there have been no applications during the last year from officers or non-commissioned officers of the Indian Territorial Force to attend these courses. Few officers, and still fewer non-commissioned officers, could afford the time, even if they have the inclination, to leave their ordinary avocations for these periods, in addition to their annual compulsory training. Those who can afford the time would increase their military efficiency very much more by attachment to a regular unit than by going in for specialist courses. Officers of the permanent staff of the University Training Corps and Indian Territorial Force Units are, however, trained at the schools with the object of passing, on the instruction that they receive to the personnel of their units.

**Dr. B. S. Moonje:** Supposing that officers of the University Training Corps apply for permission for training, will Government arrange for the training?

**Mr. G. M. Young:** That would depend upon whether there was a vacancy available at the school at the time.

**Dr. B. S. Moonje:** Supposing there is a vacancy available, will the Government make arrangements.

**Mr. President:** That is a hypothetical question.

TRAINING OF INDIANS IN AVIATION.

422. \*Dr. B. S. Moonje: (a) Is it a fact that in England boys are recruited as officers in the Royal Air Force for what is called short service and are then trained at one of the Air Force flying schools?

(b) If so, is it a fact that most of these officers, after completing their short service, generally go in for civil aviation?

(c) If so, do Government propose to make similar arrangements for Indian boys?

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

(b) No, Sir. Only a very minute proportion of short service Royal Air Force officers obtain employment in civil aviation after the termination of their active service. The large majority of them go into other professions.

(c) No, Sir. The object of the short service commission is to provide a reserve of pilots for war. All short service commissioned officers in the Royal Air Force serve for five years in the Royal Air Force Reserve after completing their active service. It is clearly necessary to establish a regular Indian unit before starting to create a reserve.

RECRUITMENT OF INDIANS TO THE ARMY EDUCATIONAL CORPS.

423. \*Dr. B. S. Moonje: (a) Will Government be pleased to lay on the table a copy of the rules and regulations concerning recruitment to the Army Educational Corps?

(b) Do Government propose to institute recruitment to the corps preferably from Indian University men?

Mr. G. M. Young: (a) A copy of War Office Army Order No. 281, dated June 15th, 1920, containing the rules for appointment to the Army Educational Corps, has been placed in the Library.

(b) No, Sir. The Corps is part of the British Army, liable to serve in Great Britain and any other part of the world in which there are British troops, to whose educational needs it is intended to minister.

Dr. B. S. Moonje: Have Government got any scheme for starting an Educational Corps for the Indian Army?

Mr. G. M. Young: I should hardly like to answer that question without notice. There is no separate Indian Educational Corps: but the arrangements made for education in the Indian Army include the Army School of Education at Belgaum, where the teachers are trained.

ESTABLISHMENT OF AN INDIAN AIR SQUADRON.

424. \*Dr. B. S. Moonje: (a) Do Government propose to establish an Indian air squadron in India at an early date?

(b) If so, when and how do Government propose to recruit officers and the rank and file for the squadron?

(c) How do Government propose to train the rank and file of the squadron?

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

(b) The officers will be required to pass the qualifying examination for the Royal Air Force Cadet College at Cranwell and to go there for the normal course of training which takes two years. As the Honourable Member is aware, six Indian candidates have recently passed the examination. The rank and file will be recruited in India from suitable applicants of the artisan class as soon as the first batch of cadets go to Cranwell.

(c) The recruits for the rank and file will be sent to the Royal Air Force Aircraft Depot at Karachi, where they will receive specialist training in the maintenance of aircraft, engines, etc., under British instructors. Government hope, that after two years of such training, by which time the cadets will have completed their course at Cranwell, the rank and file will be sufficiently qualified to be posted to the first Flight of the Indian Squadron.

#### TRAINING OF INDIAN BOYS FOR THE AIR FORCE.

425. \*Dr. B. S. Moonje: (a) Is it a fact:

- (i) That in England one thousand boy apprentices or even more are required every year by the Royal Air Force;
- (ii) That they are drawn mainly from secondary schools and other day and night schools;
- (iii) That they are then trained for three years or more in the training schools of the Air Force as mechanics, pilots, aircraftmen, etc.;
- (iv) That out of these trained boys, some are selected as non-commissioned officers, some are sent up to Cranwell for training as commissioned officers and the remainder are employed as rank and file in the Air Force; and
- (v) That these boy mechanics and apprentices receive training for three or more years, along with general education, as Carpenter (Regger), Fitter (Aero Engine), in Electrical trades (Electricians and wireless operators) and a number of other important trades such as pattern making, coppersmiths' work, instrument making, turning, etc., at practically no cost to them?

(b) How do Government propose to give such preliminary training as airmen to Indian boys for preparing India to undertake the full responsibility for further development of aviation in India?

(c) Do Government propose to send a number of well selected boy mechanics and apprentices for training in England as British boys are trained, or to provide facilities for such training in India?

Mr. G. M. Young: (a) (i). Government have no exact information of the number of boys required annually for training as Royal Air Force apprentices, but the Honourable Member's figures are probably approximately correct.

(ii) I am told that the boys are drawn from all classes of schools, including public schools, but that most of them come from grammar schools, secondary and board schools.

(iii) Boy apprentices are not trained as pilots. They are trained for three years, either for general trades at Halton or for electrical or wireless trades at Cranwell.

(iv) Yes, but the numbers selected for the grant of cadetships at Cranwell does not exceed 12 a year.

(v) The Honourable Member's statement is generally correct, but the boys so trained enter into contracts to serve in the Royal Air Force in any part of the world for 12 years unless they purchase their discharge from the service within three months from entering it. To do so costs £20.

(b) Assuming that this part of the question refers only to the training of Indians for the Indian Air Squadron, the answer is that the necessary preliminary training will be provided in the Royal Air Force Aircraft Depot at Karachi.

(c) Indian boys can be fully trained as mechanics and apprentices in India. There is no necessity therefore to send them to England.

**RECRUITMENT TO THE ARMY EDUCATIONAL CORPS AND SIMILAR SERVICES.**

426. \*Dr. B. S. Moonje: (a) Will Government be pleased to lay on the table copies of rules and regulations concerning recruitment of officers for the Corps of Military Accountants, the Army Pay Corps, the Army Educational Corps, the Army Medical Corps and the Army Veterinary Corps?

(b) Is it a fact that in England recruitment is also partly made directly from members of civil professions of these categories?

(c) Are Government aware that in England men holding University degrees are much preferred for recruitment as officers in the Army Educational Corps?

(d) If so, do Government propose to institute a similar practice in India?

**Mr. G. M. Young:** (a) and (b). The Government of India have no information regarding the first two Corps, which are not employed in India. Copies of the rules for the Army Educational Corps and the Royal Army Medical Corps have been placed in the Library. No copy of the rules for admission to the Royal Army Veterinary Corps is available. Most of the officers of the Army Educational Corps are taken from the regular Army, but Government understand that a few have been recruited from civil sources in the United Kingdom.

The answer to part (b), in respect of both the Royal Army Medical Corps and the Royal Army Veterinary Corps is in the affirmative. All the candidates are civilians.

(c) Government understand that the possession of a University Honours degree is considered a desirable qualification.

(d) There is no separate Educational Corps in the Indian Army, but educational training in the Indian Army is carried out by Indian military officers and non-commissioned officers, who are seconded from their units and specially trained at the Army School of Education in Belgaum. Government consider that the present system provides the best method of meeting the educational needs of the Indian Army.

**RECRUITMENT OF OFFICERS FOR THE ARMY BY NOMINATION FROM UNIVERSITIES.**

427. \*Dr. B. S. Moonje: (a) Is it a fact that in England recruitment of officers for the Army is also made, in addition to admissions through

Woolwich and Sandhurst, by nominations from Universities and by transfer on passing the required examination from the Reserve and the Territorial Forces?

(b) Are Government aware that in England recruitment by nominations from Universities is much preferred for the reasons:

- (i) That it avoids early specialisation through Woolwich and Sandhurst, thus ensuring a more liberal education;
- (ii) That in many ways it admirably equips a man for administrative positions later in his career; and
- (iii) That those who have exceeded the age limit for admission to Woolwich and Sandhurst and yet desire to seek a military career, can be given a chance?

(c) If so, do Government propose to establish a similar practice in India?

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

(b) The Honourable Member has stated some of the advantages of the system of University Commissions, but its great value lies in the admixture of a comparatively small element of University men with the principal source of supply, which must continue to be found in the cadet colleges. It is not a fact that recruitment from the Universities is much preferred in the United Kingdom or that the bulk of Army officers could ever be obtained from that source.

(c) Not at present. I would draw the attention of the Honourable Member to the recommendations made in paragraphs 29 and 30 of the Indian Sandhurst Committee's Report.

#### CADET SCHOLARSHIPS.

428. **\*Dr. B. S. Moonje:** (a) Are Government aware that in England cadet scholarships are awarded to successful cadets, after each competitive examination, in the order of merit?

(b) If so, are Government prepared to establish similar scholarships for those Indian cadets also who are not sons of soldiers in the Indian Army?

**Mr. G. M. Young:** (a) The answer is in the negative. Cadet scholarships are awarded after the first year of instruction, and not after the competitive examination. They are restricted to the sons of military officers or of those who served in the army during the war.

(b) Does not arise.

**Dr. B. S. Moonje:** Have the Government any scheme for the establishment of scholarships for the sons of those who are not military men?

**Mr. G. M. Young:** Here, again, I hardly like to give an answer without notice, but I think there are some scholarships already which are not restricted to boys who are the sons of soldiers.

**Dr. B. S. Moonje:** What is their number?

**Mr. G. M. Young:** That, Sir, I certainly cannot answer without notice.

**GRANT TO INDIANS OF SHORT SERVICE COMMISSIONS IN THE ROYAL AIR FORCE.**

429. \*Dr. B. S. Moonje: (a) Is it a fact that in England suitably qualified civilian candidates, who do not wish to make the Air Force their permanent profession, are accepted without examination, other than a medical one, for short service commissions for a period of four or five years and are then trained in Royal Air Force Flying training schools, and receive instruction in aviation and aeronautical military and technical subjects, so that, after acquiring a knowledge of flying, aero engines, mechanical engineering and allied matter, they may, after completing their four or five years' service as commissioned officers in the Royal Air Force, be fit for employment in the commercial aviation industry?

(b) If so, do Government propose to take Indians similarly for short service commissions?

Mr. G. M. Young: (a) and (b). The Honourable Member is referred to the answer to question No. 422. Although there is no specific entrance examination for short service commissioned officers, the Examining Board in England require to be satisfied that the candidates have received either a public school education or an education of an equivalent standard.

**FORMATION OF AN INDIAN AIR FORCE.**

430. \*Dr. B. S. Moonje: (a) Has the attention of Government been drawn to the reply given by the Right Honourable Mr. Wedgwood Benn, Secretary of State for India, regarding the formation of an Indian Air Force?

(b) If so, do Government propose to introduce in India the practice in vogue in England of enlisting boy mechanics between the ages of 15 and 18½ years as rank and file and also as non-commissioned officers in the proposed Indian Air Force? Do Government propose to establish an Indian Air Force Medical Service? If so, when and how do Government propose to recruit officers for such a service?

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

(b) The Honourable Member appears to be under some misapprehension. The Indians required as mechanics for the Indian Air Force will be trained in India in the manner described in the answer to his question No. 424. In England no facilities are provided at the public expense for the training of pilots or mechanics for civil aviation and it is not for the Royal Air Force in this country to provide training for that purpose. Government do not propose at this stage to form a separate Indian Air Force Medical Service.

Mr. K. C. Roy: May I inquire whether it is the intention of the Government of India to form an Indian Air Force?

**Mr. G. M. Young:** Quite clearly so.

**Mr. K. C. Roy:** What will be the estimated cost?

**Mr. G. M. Young:** That will depend on the size to which the Force, ultimately expands.

#### CONTROL OF TRAVELLING TICKET INSPECTORS.

431. **\*Mr. B. Das:** (a) Will Government be pleased to state the existing practice of control and direction of the Travelling Ticket Inspectors in the different State Railways?

(b) Is it a fact that the Travelling Ticket Inspectors, including the crew system, do usually work under the Accounts and Audit Department of most of the Railways?

(c) Will Government be pleased to state the reasons that led the North Western Railway to place in certain divisions its staff of Travelling Ticket Inspectors under the Traffic Department?

**Mr. A. A. L. Parsons:** (a) Travelling Ticket Inspectors on State-managed railways are under the control and direction of the Traffic Department except on the East Indian Railway where they are under the control of the Accounts Department of that Railway.

(b) No.

(c) Prior to September, 1927, the Travelling Ticket Inspectors on the North Western Railway were under the Audit Department. In September, 1927, it was decided to place these on four out of the seven Divisions of that Railway under the Traffic Department as an experimental measure. In January, 1928, it was decided to place all Travelling Ticket Inspectors on the North Western Railway under the Traffic Department.

#### IRREGULARITIES OF TRAVELLING TICKET INSPECTORS.

432. **\*Mr. B. Das:** (a) Has the attention of Government been drawn to the articles in the *Hindu Herald* of Lahore of the 18th September, 1929, the 8th January, 1930 and the 20th January, 1930, regarding the irregularities of Travelling Ticket Inspectors and Head Travelling Ticket Inspectors of the North Western Railway, specially of the Delhi Division?

(b) Are Government aware that, while Head Travelling Ticket Inspectors in certain divisions travel in uniform while working, a few do not do so?

(c) Is it a fact that the Head Travelling Ticket Inspector of Delhi Division was drawing a daily allowance of Rs. 8 per diem or more while officers of superior services only draw Rs. 5 to Rs. 6 as daily allowances?

(d) Is it a fact that there were allegations against the Head Travelling Ticket Inspector of Delhi Division for charging false mileage and drawing travelling allowances against rules? Has any departmental inquiry been made? If so, with what result?

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

(b) Yes.

(c) I am informed that the Head Travelling Ticket Inspector of the Delhi Division has drawn travelling allowance averaging somewhere in the neighbourhood of Rs. 8 a day.

(d) I understand that the reply to the first portion of this question is in the affirmative, and that, as regards the second and third portions of this question, an inquiry has been instituted by the North Western Railway and is not yet completed.

#### ALLOWANCES OF TRAVELLING TICKET INSPECTORS.

433. **\*Mr. B. Das:** (a) What is the usual rate of allowances that is allowed to Travelling Ticket Inspectors, including the crews, on (i) the East Indian Railway, (ii) the North Western Railway, and (iii) the Great Indian Peninsula Railway?

(b) Are Head Travelling Ticket Inspectors in other Divisions of the North Western Railway and in the East Indian Railway and the Great Indian Peninsula Railway allowed such heavy allowances?

(c) Is it a fact that at times the allowances drawn in a month exceed the salary of the month in many cases?

**Mr. A. A. L. Parsons:** I am obtaining information from the Railways concerned and will communicate with the Honourable Member when it has been received.

#### IRREGULARITIES OF THE POSTMASTER, AMRITSAR.

434. **\*Mr. B. Das:** (a) Has the attention of Government been drawn to the judgment of the Additional District Magistrate of Amritsar, as published in the *Hindu Herald* of Lahore of Saturday, the 8th February, 1980, in which severe strictures have been passed against the Postmaster of Amritsar?

(b) Have Government made any inquiry into the following questions as referred to in that judgment? If so, what are the decisions taken on them?

"In the end I have to say two things. (i) The Investigating Officer of the Post Office, B. Vishwa Nath, who throughout attended the trial, tutored witnesses not only outside the court room, vide P. W. 9 Faqir Chand, but persisted in suggesting answers to witnesses in the witness box on crucial moments with the result that I had perforce to ask him to leave the court room, on one hearing.

(ii) The Postmaster tried to put obstacles in the way of an expeditious trial. He made arrangements for Post Office clerks to attend court on the 14th November, 1929, and cancelled them without cause to delay matters. Further he suspended a postman D. W. 31, when he learnt he was going to give evidence in defence."

"Lastly the Postal Inspector and the Postmaster between themselves have suppressed some telegrams and the further statement of a clerk made before the Town Inspectors. Finally, the seals bearing date 13th August, on the Protecting Cover Ex. P. D. which was protected on 12th, must have been with the connivance of the Postmaster and the Inspector. It is a very serious thing, almost a forgery."

(c) With reference to the following observations of the Court, will Government be pleased to state what steps have been taken to standardise the punishment for each of the parties referred to therein?

"Accused has led evidence in order to lay bare the irregularities committed by the Postmaster. I need not dilate upon them but it is true that the Postmaster has been lacking in fairness and justice. For example, on the one hand, Mohammed Latif, postman, is caught red-handed in attempting to misappropriate Rs. 200 and is fined Re. 1 only, on the other Gurdial, postman, is reduced in pay for delivering *Dak* at the door of the slaughter house without going inside. On the one hand he dismisses half a dozen candidates appointed by his predecessor; on the other hand he brings his own people from Lahore and appoints them straightaway without any period of probation, e.g., Nurdin, Nathu and Nasir Mohammed. Rather, he goes much further and allows Nasir Mohammed, a relation of his, to draw pay from the 1st October, 1929, to the 17th October, 1929, for a period for which he never worked. Again on the one hand, he took no action against D. W. 34 Mohammed Latif, postman, for misappropriating Rs. 3 from a money order; on the other he reduced Jai Kishen Das for not wearing a uniform which was dirty and too small for him. Similarly he takes no action against Khuda Bakhsh who paid annas seven less in a money order delivery.

All these points have been proved by direct evidence of documents and files which are placed on the record."

(d) Will Government be pleased to state if any superior officer any time made any inquiry into the discriminating punishments awarded by the Postmaster, as mentioned in part (c), and how it is that such irregularities escaped the attention of the higher officers?

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

(b), (c) and (d). The Postmaster General, Punjab and North-West Frontier Circle, is inquiring into the matter personally. Suitable action will be taken after the inquiry is completed.

#### INCOME AND EXPENDITURE OF MILITARY SCHOOLS AND COLLEGES.

435. \***Dr. B. S. Moonje:** Will Government be pleased to supply information in connection with the military schools at Jhelum and Jullundur and the Prince of Wales Royal Military College, Dehra Dun, on the following points:

- (a) The yearly budgets of income and expenditure;
- (b) The sources and amounts of yearly income;
- (c) The numbers on the staffs for education, training, supervision and medical relief;
- (d) The pay and allowances of each on the staffs;
- (e) The yearly expenditure on dairy and its staff, with amounts of milk and butter supply;

- (f) The expenditure on the establishment of bakery, aerated water and cooking, and the amount of income, if any, derived from them; and
- (g) The lengths of rifle ranges, if any, and yearly amounts of ammunition for miniature and other ranges for rifle practice?

**Mr. G. M. Young:** (a) The figures for 1929-30 are:

Budget.—Dehra Dun Rs. 2,47,490; Jhelum Rs. 80,000; Jullundur Rs. 88,920.

Receipts from fees.—Dehra Dun Rs. 1,41,750; Jhelum Rs. 11,880; Jullundur Rs. 18,850.

(b) The Army estimates bear the cost, and the receipts from fees are credited to them.

(c) and (d). A statement is laid on the table.

(e) Nil. The Dehra Dun College used to run a dairy, but no longer does so.

(f) There are no separate bakery or cooking establishments. The schools at Jhelum and Jullundur have no mineral water factories. The annual expenditure on the soda-water factory at the Dehra Dun College is Rs. 600, and the income is about Rs. 400.

(g) Miniature ranges only, 25 yards in length, 50 rounds a year for each of the senior boys. The juniors are not allowed to fire.

*Statement laid on the table with reference to parts (c) and (d) of starred question No. 435.*

1. *Dehra Dun College :*

(i) *Staff for supervision and administration :*

1 Commandant (Military). (Appointment abolished from the 2nd March, 1930)	Pay as for a General Staff Officer, 1st Grade.
1 Adjutant and Quartermaster . . . . .	Pay Rs. 505 per mensem.
1 Ground Superintendent . . . . .	Pay Rs. 50 per mensem and free quarters.
1 Indian Mess Caterer and Supervisor . . . . .	Pay Rs. 150—10—200 per mensem and free quarters.
4 Indian clerks . . . . .	Pay Rs. 50—4—90—3—120 per mensem (As for Indian Corps of Clerks).
1 Mistry in charge of gas engine . . . . .	Pay Rs. 25 per mensem.
1 Carpenter . . . . .	Pay Rs. 40 per mensem.
*55 Inferior servants (sweepers, chowkidars, bhistis, chaprassis, etc.) . . . . .	Nerriok rates of pay.

\*Excluding cooks, table servants, etc., whose pay is met out of a contract allowance. The numbers employed vary from time to time.

(ii) *Staff for education and training :*

1 Headmaster . . . . .	Pay as for the Lower Selection grade of the Indian Educational Service. (Rs. 1,250—1,500 <i>plus</i> overseas pay).
8 Assistant Masters . . . . .	Pay as for officers of the Indian Educational Service. (Rs. 400—1,500) <i>plus</i> overseas pay).
2 Physical Training Instructors (British warrant officers) . . . . .	Regimental rates of pay and allowances, (14 sh. and 10 sh. per day, <i>plus</i> the usual allowances).
3 Vernacular teachers . . . . .	Pay Rs. 180—10—300 per mensem and free quarters.
1 Drawing and Manual Training Master	Pay Rs. 75—5—150 per mensem and free quarters.
3 Religious teachers . . . . .	Pay Rs. 60—5—100 per mensem and free quarters.
1 Laboratory Assistant . . . . .	Pay Rs. 75—5—100 per mensem.

(iii) *Staff for medical relief :*

1 Assistant Surgeon . . . . .	According to grade and service. Present incumbent draws about Rs. 500 per mensem.
1 Matron . . . . .	Pay Rs. 250—20—350 per mensem and free quarters.
1 Nursing Sister (for 10 weeks in the year if found necessary) . . . . .	Pay Rs. 330 per mensem.
2 Nursing Orderlies . . . . .	Pay Rs. 30 and Rs. 25 per mensem.
1 Hospital Cook . . . . .	Pay Rs. 30 per mensem.
1 Hospital Bhisti . . . . .	Pay Rs. 15 per mensem.
1 Hospital Sweeper . . . . .	Pay Rs. 12 per mensem.

*Note.*—Serious medical cases are treated by the Senior Medical Officer, Dehra Dun.

2. *Jhelum and Jullundur School :*(i) *Staff for supervision and administration :*

1 Commandant (Captain) . . . . .	Pay Rs. 870 per mensem.
1 Quartermaster Havildar . . . . .	Pay Rs. 40 per mensem and free quarters.
1 Sanitary Havildar . . . . .	Pay Rs. 40 per mensem and free quarters.
2 Clerks . . . . .	Pay Rs. 50—4—90—3—120 (Indian Corps of Clerks).
8 Orderlies for Indian officers . . . . .	Pay Rs. 15 per mensem each.
Shoemakers, dhobis, barbers and tailors (10 at Jhelum and 6 at Jullundur) . . . . .	Pay Rs. 25 per mensem average each.
20 Inferior servants (cooks, sweepers, etc.) . . . . .	Nerrick rates of pay.

ii) *Staff for education and training :*

1 Headmaster—Subadar-Major . . . . .	Pay Rs. 300 per mensem (Rs. 525 if Honorary Lieutenant) and free quarters.
2 Masters—Subadars . . . . .	Pay Rs. 180 per mensem and free quarters.
5 Masters—Jemadars . . . . .	Pay Rs. 115 per mensem and free quarters.
2 Assistant Masters—Havildars . . . . .	Pay Rs. 40 per mensem and free quarters.
1 Drill Havildar . . . . .	Pay Rs. 40 per mensem and free quarters.
1 Vernacular teacher . . . . .	Pay Rs. 45 per mensem and free quarters.
Religious Teachers. (1 for Jhelum and 2 for Jullundur) . . . . .	Pay Rs. 75 per mensem and free quarters.
1 Drawing Master . . . . .	Pay Rs. 70 per mensem.

(iii) *Staff for medical relief :*

1 Sub-Assistant Surgeon . . . . .	Pay Rs. 160 per mensem and free quarters.
1 Nursing Orderly . . . . .	Pay Rs. 25 per mensem and free quarters.

*Note.*—Serious medical cases are sent to the Indian Military Hospital for treatment.

**SUPPLY OF HOT WATER AT THE WESTERN HOSTEL.**

436. \***Sir Darcy Lindsay:** (a) Are Government aware that there is considerable inconvenience experienced by residents at the Western Hostel, New Delhi, by the defective and almost primitive arrangements in the supply of hot water for the daily bath?

(b) If the reply is in the affirmative, do Government propose to examine the position and carry out at an early date the original intention of installing a direct hot water service to the bath from a central boiler?

(c) Are Government also prepared to consider the urgency of supplying the bath-rooms with wash basins fitted with hot and cold water connections as is the practice appertaining to first class hotels?

(d) What is the daily charge made to residents for the supply of hot water and the amount of recovery for a full month with all quarters occupied?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The reply is in the negative. I understand that no representation on this account has been received from any resident of the Western Hostel during the nine years during which it has been occupied.

(b) Does not arise. I understand, however, that there was no original intention of installing a direct hot water service to the bath from a central boiler.

(c) Government do not propose to take any action in the matter until they are satisfied that the inconvenience referred to is generally felt and that the residents are prepared to meet the additional charge which the provision of improved facilities must lead to. I understand that the cost of providing improved facilities will amount to about Rs. 50,000. I should like to add that I understand that the charges now recovered from residents at the Western Hostel are appreciably lower than those levied at first class local hotels from casual residents.

(d) The daily charge is 8 as., and the amount of recovery for a full month with all the quarters occupied would be about Rs. 400 for all the quarters.

**Sir Darcy Lindsay:** Can the Honourable Member refer me to any first class hotel where there is an extra charge for hot water service?

**The Honourable Sir Bhupendra Nath Mitra:** In my reply I have not referred to the question of the extra charge for the hot water service. I have referred to the aggregate charge.

**Mr. M. A. Jinnah:** What was the original intention of the Government to deal with this grave problem?

**The Honourable Sir Bhupendra Nath Mitra:** There is no question of original intention. All that the Government did intend already exists in the building as it now stands. That was the original intention.

**Mr. A. H. Ghuznavi:** But why were hot water taps put in those tubs?

**The Honourable Sir Bhupendra Nath Mitra:** So far as I know, hot water taps were not put in in those tubs. The arrangement is that the hot water has to be taken at certain points and then carried by the bearer into the baths. It may interest my Honourable friends to know that, in my bungalow the arrangement for hot water is probably more primitive than that at the Western Hostel.

**Mr. M. A. Jinnah:** Is the Honourable Member aware that, in the bath tubs, there is actually a hole for the hot water tap? Was that the original intention of the Government or not?

**The Honourable Sir Bhupendra Nath Mitra:** My information is that that was not the original intention of the Government.

**Mr. M. A. Jinnah:** Then why was the hole made? (Laughter.)

†487.\*

CONTRACTION AND EXPANSION OF CURRENCY.

438. \***Mr. Mukhtar Singh:** (a) Will Government be pleased to state:

- (i) The normal amount of currency before the war;
- (ii) The normal amount of currency in 1930; and
- (iii) The amount of currency contracted and expanded during the period 1920 to 1930, giving the dates and the amounts when the contraction and expansion has taken place?

(b) Will Government be pleased to state if there are any rules or instructions to expand or contract the amount of currency during the different seasons of the year? If the answer be in the affirmative, will Government be pleased to place a copy of those rules or instructions in the Library of the House?

(c) Will Government be pleased to state if the contraction or expansion of currency has anything to do with seasonal changes in the country or to the export of different raw materials from the country?

**The Honourable Sir George Schuster:** (a) (i) and (ii). The balance of currency notes in circulation at the beginning of 1914 was 64,57 lakhs and at the beginning of 1920 1,82,91 lakhs. The amount of rupees in circulation is not known. Statement of the last Annual Report of the Contrôller of the Currency gives the total of rupees coined, but it is impossible to say how many of these are in actual circulation.

(iii) A statement is laid on the table showing the expansions and contractions of the note issue from the 1st January, 1920, to the 31st December, 1929, effected in other ways than the exchange of coin and notes. The net result of these operations was that the amount of notes in circulation on the 31st December, 1929, was 3½ crores less than on 1st January, 1920.

(b) There are no such rules or instructions.

(c) It will be seen from the statement mentioned in the answer to (a) (iii) that in most years there have been contractions during hot weather months and expansions during the cold weather to correspond with the seasonal variations in the demand for currency. The export of raw materials depends primarily on international demand. Obviously when large quantities of crops are being moved, and when prices of such crops are high, more currency will be required than in the slack seasons, or when prices are low. The currency policy of the Government must adapt itself to the needs of the situation, and the provisions for the issue of emergency currency are designed to give elasticity for this purpose.

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†This question was withdrawn by the Questioner.

## Statement showing expansions and contractions

Expansions+,

	1920.					1921.				
	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.
January . . . . .	...	-1,43	...	+7,01	+5,58	...	...	...	+11	+11
February . . . . .	...	...	...	-77	-77	...	...	...	+6	+6
March . . . . .	-15,23	+3,99	...	+1,86	-9,38	...	...	...	+11	+11
April . . . . .	-6,00	+4,16	...	-1,48	-3,30	...	-1	...	+9	+8
May . . . . .	-10,50	+7,41	...	-2,73	-5,83	...	-7	...	+4	-3
June . . . . .	-18,50	+4,37	...	+2,87	-6,76	...	...	...	+5	+5
July . . . . .	-8,00	+5,07	...	-1,35	-5,28	...	+6	...	...	+6
August . . . . .	-6,74	+6,71	...	-5,50	-5,53	...	-1,13	...	...	-1,13
September . . . . .	-5,25	-19	...	-2,97	-8,41	...	...	...	-1	-1
October . . . . .	-7,93	+20,08	...	-13,40	+60	...	+14	...	...	+14
November . . . . .	...	...	...	+11	+11	-2,01	-2,06	...	-1	-4,68
December . . . . .	...	...	...	+3	+3	-49	+4,00	...	-1	+3,50
Total . . . . .	-74,15	+51,04	...	-15,92	-38,93	-2,50	+33	...	+43	-1,74

\* Mainly due to revaluation.

of currency from 1920 to 1924.

Contractions—

Figures are in lakhs of rupees.

1923.					1922.					1924.				
Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.
...	+99	...	...	+99	...	+1	...	...	+1	+5,00	+4	...	...	+5,04
...	-1,96	...	...	-1,96	...	...	...	...	...	...	+1	+4,00	...	+4,01
...	-2,25	+2,00	...	-35	...	+5	...	...	+5	...	...	...	...	...
...	+1	-2,00	...	-1,99	...	+7	+2,00	...	+2,07	...	...	-2,00	...	-2,00
...	+8	...	...	+8	...	-5	-2,00	...	-2,05	...	...	-8,00	...	-8,00
...	-5	...	...	-5	...	...	...	...	...	...	-18	-4,00	...	-4,18
...	+3	...	...	+3	-2,00	+1	...	...	-1,99	...	-1	...	...	-1
...	-1,37	...	...	-1,37	-3,85	...	...	...	-3,85	...	-3	...	...	-3
...	-2,86	...	...	-2,86	...	-3	...	...	-3	...	-18	...	...	-18
...	-2,55	...	...	-2,55	...	...	...	...	...	+1,00	...	...	...	+1,00
...	-95	...	...	-95	+3,00	...	...	-2,00	+1,00	+1,00	...	...	...	+1,00
...	...	...	...	...	+6,00	...	+8,00	...	+14,00	+1,00	...	+2,00	...	+8,00
...	-10,96	...	...	-10,96	+2,18	...	+8,00	-2,00	+2,21	+6,00	-35	-6,00	...	+1,85

## Statement showing expansions and contractions

Expansions +

	1925.					1926.				
	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.
January . . . . .	+2,00	...	+2,00	...	+5,00	..	...	...	...	...
February . . . . .	...	...	+4,00	...	+4,00	...	...	...	...	...
March . . . . .	...	...	...	...	...	...	...	...	...	...
April . . . . .	...	...	-2,00	...	-2,00	-2,00	...	...	...	-2,00
May . . . . .	...	+3	-6,00	...	-5,97	...	+3	...	..	+3
June . . . . .	...	+3	...	...	+3	...	+4	...	...	+4
July . . . . .	...	...	...	...	...	...	+11	...	...	+11
August . . . . .	...	-6	...	...	-6	...	+7	...	...	+7
September . . . . .	...	-1	...	...	-1	-7,00	+2	...	...	-6,98
October . . . . .	+2,00	...	...	...	+2,00	...	-4,80	...	...	-4,80
November . . . . .	+1,00	...	...	...	+1,00	-4,00	-1,98	...	...	-5,98
December . . . . .	+6,00	...	...	...	+6,00	-4,43	-1,50	...	...	-5,93
<b>Total</b> . . . . .	<b>+12,00</b>	<b>-2</b>	<b>-2,00</b>	<b>...</b>	<b>+9,98</b>	<b>-22,43</b>	<b>-7,34</b>	<b>...</b>	<b>...</b>	<b>-20,77</b>

of Currency from 1925 to 1929.

Contractions —

Figures are in lakhs of rupees.

1927.					1928.					1929.					
Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Silver.	Total.
...	...	...	...	...	+1,00	+1,00	+4,00	...	+6,00	...	...	...	+1,11	...	+1,11
...	...	+2,00	...	+2,00	-67	...	...	...	-67	+2,50	...	-50	...	...	+2,00
...	...	...	...	...	...	...	-1,00	...	-1,00	...	...	-4,50	+1	...	-4,49
-5,33	-3,00	-2,00	...	-10,33	...	...	+50	...	+50	-2,00	...	-2,00	...	-69	-4,69
...	-2,00	...	...	-2,00	...	...	+1,50	...	+1,50	...	...	...	...	-31	-31
-2,10	...	...	...	-2,10	...	...	-9,00	...	-9,00	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	-8,00	...	...	...	-11	-8,11
...	...	...	...	...	...	...	...	...	...	...	-4,01	...	...	-54	-4,55
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	-2,85	...	...	-41	-3,26
...	...	...	...	...	...	...	...	+38	+38	-2,67	...	...	...	-86	-2,55
+3,00	...	+4,00	...	+6,00	+1,00	+95	+7,00	+1,01	+9,96	...	...	...	...	...	...
-5,43	-5,00	+4,00	...	-6,43	+1,33	+1,95	+3,00	+1,24	+7,62	-10,17	-6,86	-7,00	+1,12	-2,94	-25,85

## DIVISIONAL SCHEME FOR RAILWAYS.

439. \*Mr. Mukhtar Singh: (a) Will Government be pleased to state if any scheme known as the divisionalisation scheme was prepared in 1924? If so, will Government be pleased to lay a copy of that scheme on the table?

(b) Is it a fact that under the above-mentioned scheme the East Indian Railway section from Ghaziabad to Kalka was to be made over to the North Western Railway and the section from Ghaziabad to Ambala via Saharanpur was to be made over to the East Indian Railway?

(c) Is it a fact that under that scheme the East Indian Railway section from Ghaziabad to Kalka has been made over to the North Western Railway?

(d) Is it a fact that the Ghaziabad-Ambala section via Saharanpur could not be made over to the East Indian Railway on account of the construction of a yard by the North Western Railway?

(e) Is it a fact that the yard referred to in part (d) was completed in 1929, but that still the transfer of the Ambala-Ghaziabad section to the East Indian Railway has not been made?

(f) Will Government be pleased to state when is it likely that the transfer of the above section will be made?

(g) Is it a fact that on account of the above transfer being delayed the East Indian Railway clerks have to be transferred to distant places and have to suffer a great deal of inconvenience?

(h) Is it a fact that the principle underlying the above scheme was to provide Punjab employees with places in the Punjab, and similarly to provide United Provinces employees with places in the United Provinces?

Mr. A. A. L. Parsons: (a) The reply to the first part is in the affirmative. I am sending the Honourable Member a copy of the Report regarding the scheme in question.

(b) The reply to the first part is "yes" and to the latter part "no".

(c) Yes.

(d) to (g). Do not arise.

(h) No.

## SHOOTING OF TWO VILLAGERS AT MOTHKI MASJID.

440. \*Munshi Iswar Saran: (a) Will Government be pleased to state if it is a fact that two villagers were shot at village Mothki Masjid?

(b) Is there any truth in the allegation that they were shot by two soldiers of the Gordon Highlanders?

(c) Has a prosecution been started? If not, why not?

The Honourable Sir James Orerar: (a), (b) and (c). The incident referred to took place on the 30th January last. Three villagers are reported to have been injured with pellets from a shot gun. Their injuries, which were attended to in hospital, were slight. Two soldiers of the Gordon Highlanders are alleged to be implicated in the affair, which is at present under investigation by the police, with a view to the institution of criminal proceedings.

## COAL TRAFFIC.

441. \*Mr. A. H. Ghuznavi: Will Government be pleased to place on the table a statement showing the coal traffic for six months prior to the reduction of coal freight and for six months after the reduction in coal

**Mr. A. A. L. Parsons:** The statement required is placed on the table.

*Statement of coal traffic on Class I Railways.*

(Note.—Freight rates for coal were reduced from 1st June, 1929.)

	Coal, coke and patent fuel.				Fuel on revenue account.		Total.	
	For the public.		For foreign railways and Home line construction.		Tons originating.	*Earnings.	Tons originating.	*Earnings.
	Tons originating.	*Earnings.	Tons originating.	*Earnings.				
December 1928 to May 1929.	7,991,274	3,71,16,867	2,295,721	1,57,69,849	2,213,889	1,19,82,125	12,500,864	6,48,68,839
June 1929 to November 1929	7,042,374	3,03,82,635	1,918,625	1,24,14,928	2,082,087	1,05,55,519	11,042,986	5,33,3,082

\* Earnings are for total tons carried.

## SPEECHES OF SECRETARIES TO GOVERNMENT MADE IN THE LEGISLATURE.

442. \***Mr. E. F. Sykes:** Are the speeches of Secretaries to Government delivered in either House of the Indian Legislature to be taken as conveying the views of Government?

**The Honourable Sir James Orerar:** Secretaries who are Members of the Legislature are certainly competent to state the position of Government, and it may therefore be presumed that their speeches convey the views of Government unless from the context it appears that they are expressing a personal opinion.

## UNSTARRED QUESTIONS AND ANSWERS.

## INSTITUTION OF AN IMMIGRATION SECRETARIAT.

182. **Mr. Gaya Prasad Singh:** Has the attention of Government been drawn to the leading article in the *Tanganyika Opinion*, dated the 20th September, 1929 (page 8), under the heading "Government of India, and the Colonies"; and have Government decided to institute a special immigration or colonial secretariat? If not, why not?

**Sir Frank Noyce:** The attention of Government has been drawn to the article referred to by the Honourable Member. A Joint Secretary was sanctioned for the Department of Education, Health and Lands, with effect from the 16th December, 1927, to pay special attention to overseas work, and recently the Government of India have decided to appoint, from 1st April, 1930, a Deputy Secretary to understudy and assist him. Government consider that these arrangements should be tried for some time. If they prove inadequate, the question of establishing a separate Secretariat for overseas work can be considered.

## MEMORANDUM PRESENTED BY THE EAST AFRICAN DEPUTATION.

183. **Mr. Gaya Prasad Singh:** (a) Will Government be pleased to lay on the table a copy of the memorandum presented to them by the East African Deputation that visited India, under the leadership of Mr. Pandya?

(b) Will Government be pleased to make a statement on the efforts made by them to represent the case of the East African Indians before the Imperial Government, especially after the submission of the memorandum referred to in part (a)?

**Sir Frank Noyce:** (a) A copy of the memorandum referred to by the Honourable Member has been placed in the Library of the House.

(b) I would invite the Honourable Member's attention to the relevant passage in the address delivered by His Excellency the Viceroy in this House on the 25th January, 1930.

## SYSTEM OF TAKING THUMB IMPRESSIONS OF INDIAN IMMIGRANTS TO THE BELGIAN CONGO.

184. **Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to the leading article in the *Tanganyika Opinion*, dated the 15th November, 1929 (page 10), under the heading "In Congo-Belge"?

(b) Are Government aware that the system of taking thumb impressions from the Indian immigrants to Congo-Belge still continues; and what is the result of the representation "at once" made to His Majesty's Government, as indicated in the reply given to my starred question No. 502 of the 16th September, 1929?

(c) Do Government propose to take any further steps in the matter?

**Mr. E. B. Howell:** I have not seen the article in question, but inquiries made through His Majesty's Government have elicited the fact that all immigrants to the Belgian Congo, irrespective of their nationality or race, may be required to have their finger prints taken. In the circumstances it is not proposed to make any further representations on the subject.

#### OVERCROWDING ON THE DECK OF THE "KARAGOLA".

185. **Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to a report published in the *Tanganyika Opinion*, dated the 29th November, 1929 (page 4), regarding overcrowding on the deck of the "Karagola"?

(b) Are Government aware that Pandit Bhawani Dayal brought the matter to the notice of the Captain of the boat, and the Assistant Port Officer, but without any result?

(c) Are Government aware that persistent complaints have been made from time to time regarding the grievances of deck passengers on board the steamers belonging to the British India Steam Navigation Company, and have Government seen such reports in the *Tanganyika Opinion*, dated the 6th December, 1929 (page 9), the 13th December, 1929 (pages 2 and 10), and the 3rd January, 1930 (page 5)?

(d) What steps have Government taken so far, or do they propose to take now, to ameliorate the condition of deck passengers and remove their legitimate grievances?

**The Honourable Sir George Rainy:** (a) Government have seen the report referred to.

(b) A few days prior to the arrival of the S.S. "Karagola" at Bombay, a telegram signed by the Social Service League was received by the Port Officer, Bombay, complaining of the conditions under which the deck passengers were travelling on board the said vessel. Immediately upon the arrival of the ship, an inquiry was made by the Assistant Port Officer, the Principal Engineer and the Ship Surveyor, and it was found that there had been no breach of the statutory requirements. It is also understood that a deputation of the deck passengers complained to the Master as soon as the vessel left Mombassa that she was overcrowded, that the Master explained that the space allotted was in excess of the requirements of the rules, and that he and the Chief Officer visited the passenger spaces and did what was possible to make the passengers comfortable by a re-arrangement of their baggage, which appeared to be the cause of the complaints.

(c) Government have seen the reports referred to.

(d) The rules governing native passenger ships were revised last year, after a careful examination of the problems affecting the deck passenger

trade. Under the revised rules, the space to be available for each deck passenger has been increased, and a higher standard of sanitary arrangements has been prescribed. Government do not propose to take any further action.

#### OPENING OF A TELEGRAPH OFFICE AT TALEGAON DASHASAR.

186. **Mr. M. S. Aney:** (a) Will Government be pleased to state whether the residents of Talegaon Dashasar in Taluk Chandur of Amraoti District, in East Berar had applied in the year 1920, to the Postmaster General, Nagpur, for opening a telegraph office there and the Postmaster General informed them by his letter No. E.-21/40, dated 31st July, 1920, that the said telegraph office would be opened on the execution of an indemnity bond by the residents of the town for an annual guarantee of Rs. 272 for a period of 10 years to cover the costs of construction of the telegraph line to, and maintenance of the telegraph office at, the town.

(b) Is it a fact that the residents of the aforesaid place duly informed on the 8th May, 1924, the Postmaster General, Nagpur, through the Superintendent of Post Offices, East Berar Division, Amraoti, of their willingness to execute the indemnity bond and submitted a bond duly executed by them to the Deputy Commissioner of Amraoti District, as required in the aforesaid letter of the Postmaster General, Nagpur?

(c) Will Government be pleased to state whether the Postmaster General, Central Circle, Nagpur, instead of taking steps to open the telegraph office on the receipt of the above correspondence, as per his orders, dated the 31st July, 1920, directed the Superintendent of Post Offices, East Berar Division, in his letter No. E.-21/40, dated the 19th May, 1924, to inform the residents of the town of Talegaon Dashasar that they would be required to guarantee an annual amount of Rs. 1,123-3-0 for a period of ten years instead of Rs. 272 mentioned in the previous orders?

(d) Will Government be pleased to state whether in reply to further representations on the subject by the residents of Talegaon Dashasar, the Inspector, Post Offices, Wardha Sub-Division, communicated to them in his letter No. 8570, dated Wardha, the 10th January, 1925, that he was directed to demand from them an annual guarantee of Rs. 1,410 for a period of ten years for opening a telegraph office at their place?

(e) Will Government be pleased to furnish the details of the total estimated annual costs of Rs. 1,123-3-0 and Rs. 1,410 mentioned in the two letters referred to above as against Rs. 272 required in the order of the Postmaster General, Nagpur, in the year 1920?

(f) Will Government be pleased to state whether before addressing the letters, dated 19th May, 1924, and 10th January, 1925, demanding guarantees any inquiry was instituted by the Government through their officers to make any estimate of the income likely to be had annually by the opening of a telegraph office at Talegaon Dashasar after carefully considering the volume of trade and commerce carried on at the place annually? If so, will Government be pleased to place the copies of the report on the table for information?

**Mr. H. A. Sams:** (a) Yes. According to the orders then in force, the Posts and Telegraphs Department demanded a guarantee equivalent to half the estimated annual cost of maintaining and working the office.

(b) It is reported by the Postmaster General that, in 1924, the residents expressed to the Deputy Commissioner their willingness to furnish the guarantee quoted in 1920, but no bond was actually executed by them.

(c) The Government of India decided in 1922 that, instead of demanding a guarantee equivalent to half the estimated cost of maintaining and working an office, the Posts and Telegraphs Department should be protected against loss to the full amount. Further, the system of calculating the amount of the guarantee was revised in 1928 and again in January, 1924, according to which the percentages to be charged on the capital cost were raised and put on a more equitable basis. It was, therefore, necessary to recalculate the amount of the guarantee. The revised amount of the guarantee was found to be Rs. 1,123-8-0, and this amount was duly communicated to the residents for their acceptance.

(d) On receipt of further representations for the opening of a combined office at Talegaon Dashasar, further investigations were made in 1924, and on account of the increased estimated cost of the line and revised apportionment of charges between the Postal and Telegraph Branches of the Office, the revised guarantee of the proposed office was found to be Rs. 1,410-0-0. This amount was accordingly demanded for a term of ten years.

(e) The required details are as follows:

Details of calculation of:

	Guarantee of Rs. 272.	Guarantee of Rs. 1,123-8-0.	Guarantee of Rs. 1,410.
Capital cost of line . . . . .	4,984 0 0	4,984 0 0	5,950
Provision for Stocking and establishment.	872 1 7	872 1 7	1,035
Total . . . . .	5,856 1 7	5,856 1 7	6,985
Estimated annual cost of line—			
Interest, Depreciation and Maintenance.	338 11 5	882 3 1	977-91
Estimated annual cost of working office—			
Interest, Depreciation and maintenance on Capital cost of Apparatus, Working expenses, cost of Stationery and Printing, control and audit and general charges.	205 7 2	241 4 0	431-60
Total . . . . .	544 2 7	1,123 7 1	1409-51
Guarantee . . . . .	(Half of above) 272 0 0	1,123 8 0	1,410

(f) No. The matter was not brought to the notice of Government and no inquiries were instituted under their orders. The Postmaster General

no doubt must have made investigations into the prospective revenue of the proposed office, but the result of his investigations is not available, as the old records have been destroyed.

#### OPENING OF A TELEGRAPH OFFICE AT TALEGAON DASHASAR.

187. **Mr. M. S. Aney:** (a) Will Government be pleased to say whether they are aware that the wire connection to the town of Talegaon Dashasar from the line running between Dhamangaon and Yeotmal will be only two to three miles?

(b) Do Government propose to disclose the grounds on which the Postmaster General, Central Circle, rejected the less costly proposal of placing the telegraph office at Talegaon Dashasar on the existing wires in the year 1924, and to urge him to reconsider the same?

(c) Will Government be pleased to state whether it is not a fact that the Posts and Telegraphs Department has been making a considerable profit from the combined post and telegraph offices situated in the four districts of Berar, and the total number of places served by the telegraphic service is comparatively less than that in any other province in British India yielding the same rate of annual profit to the Posts and Telegraphs Department?

(d) Will Government be pleased to say whether they propose to reconsider the subject of the opening of a telegraph office at Talegaon Dashasar and revise the amount of annual guarantee after a careful inquiry into the conditions of trade and commerce at that place?

**Mr. H. A. Sams:** (a) The distance of Talegaon Dashasar from the line running between Dhamangaon and Yeotmal has been reported to be four miles.

(b) The exact reasons are not known, but the matter is under the further consideration of the Postmaster General.

(c) The accounts are not kept in such detail as to enable the Honourable Member's statement to be checked.

(d) Yes.

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#### STATEMENT OF BUSINESS.

**The Honourable Sir James Orerar** (Leader of the House): With your permission, Sir, I desire to make a statement as to the probable course of Government business in the week beginning March the 3rd. On that day, being a Gazetted holiday, there will be no sitting of the House. Tuesday the 4th and Wednesday the 5th have been appointed by His Excellency the Governor General for the general discussion of the Budget. On Thursday the 6th, the first business will be the holding of the election for the Central Advisory Council for Railways, and this will be followed by motions for the election of members for the Standing Finance Committee and for the Standing Committee on Roads. Thereafter the outstanding business, if any, of to-day's agenda will be taken up. The further legislative business to be undertaken will be as follows:

**The Honourable Sir George Rainy** will move to take into consideration and to pass the Bill further to amend the Indian Tariff Act, as reported by the Select Committee, and also the Bill to amend the law relating to the

fostering and development of the Steel Industry in British India, as reported by the Select Committee. The Honourable Sir Bhupendra Nath Mitra will move that the amendments made by the Council of State in the Bill further to amend the Indian Patents and Designs Act, 1911, be taken into consideration. Motions will be made by Mr. Gwynne to take into consideration and pass two Bills already passed this Session by the Council of State, namely, a Bill further to amend the Special Marriage Act, 1872, and a Bill further to amend the Prisons Act, 1894. Lastly, the Honourable the Law Member will move to take into consideration and pass the Repealing and Amending Bill as passed by the Council of State.

Friday the 7th and Saturday the 8th have been allotted by His Excellency the Governor General for the discussion of the Demands for Grants.

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#### ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

**Mr. President:** The House will now proceed to elect eleven Members to the Standing Finance Committee for Railways. Out of the 22 candidates, originally nominated, the following have since withdrawn their candidatures:

Mr. S. C. Mitra,

The Revd. J. C. Chatterjee,

Mr. D. K. Lahiri Chaudhury.

Dr. A. Suhrawardy,

Mr. Amar Nath Dutt.

**Mr. Anwar-ul-Azim** (Chittagong Division: Muhammadan Rural): I have also withdrawn my candidature. I have since written to the Secretary.

**Mr. President:** It is very inconvenient that Honourable Members should withdraw at the last moment. Mr. Anwar-ul-Azim also has withdrawn his candidature.

(The ballot was then taken.)

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#### ELECTION OF MEMBERS TO THE GOVERNING BODY OF THE INDIAN RESEARCH-FUND ASSOCIATION.

**Mr. President:** The House will now proceed to elect two Members to sit on the Governing Body of the Indian Research Fund Association. There are three candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

## ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS.

**The Honourable Sir George Schuster** (Finance Member): Sir, I beg to move that the non-official Members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, three Members to be Members of the Committee on Public Accounts in place of Mr. T. A. K. Shervani, Mr. S. C. Mitra and Kumar Ganganand Sinha.

The motion was adopted.

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## ELECTION OF A MEMBER TO THE STANDING COMMITTEE FOR ROADS.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): Sir, I beg to move that this Assembly do proceed to elect a Member to the Standing Committee for Roads to fill the vacancy caused by the resignation of his seat in the Assembly by Kumar Ganganand Sinha.

The motion was adopted.

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## ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS AND THE STANDING COMMITTEE FOR ROADS.

**Mr. President:** I may inform Members that for the purpose of election of Members to the Committee on Public Accounts and the Standing Committee for Roads, the Assembly Office will be open to receive nominations up to 12 Noon on Saturday, the 8th March, 1930. The election for the Committee on Public Accounts, if necessary, will be held in this Chamber on Monday, the 17th March, while the election for the Standing Committee for Roads will take place on Thursday, the 13th March, 1930. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

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## DEMAND FOR SUPPLEMENTARY GRANT IN RESPECT OF RAILWAYS.

**Mr. A. A. L. Parsons** (Financial Commissioner, Railways): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 86,30,000 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 March, 1930, in respect of 'Appropriation from the Reserve Fund'."

This is merely a balancing figure, representing the sum which, on the basis of our revised estimate, is required to make up the contribution for the current year to General revenues.

The motion was adopted.

**THE CANTONMENTS (HOUSE-ACCOMMODATION AMENDMENT)  
BILL.**

**Mr. G. M. Young** (Army Secretary): Sir, I beg to move:

"That the Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for certain purposes, as amended, be passed."

When I made this identical motion a week ago, you very kindly advised me to postpone it, in order to see whether any consequential amendments in the Bill were required. There is a consequential and purely formal amendment which is about to be moved by my Honourable friend, Mr. Gwynne. Clause 6 of the Bill has fallen out, and the subsequent clauses have now to be re-numbered. All the other clauses of the Bill have been agreed to by the House. Sir, I move.

**Mr. O. W. Gwynne** (Home Department: Nominated Official): Sir, I beg to move the formal amendment of which I have given notice, namely:

"That clause 7 be re-numbered as clause 6 and the subsequent clauses be re-numbered consecutively."

The motion was adopted.

**Mr. President:** The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

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**THE INDIAN INCOME-TAX (AMENDMENT) BILL.**

**The Honourable Sir George Schuster** (Finance Member): Sir, I beg to move:

"That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be taken into consideration."

Sir, I took the occasion of my motion for the introduction of the Bill to explain very fully the objects and reasons of this simple measure. I do not think it will be necessary for me to take the time of the House any longer in giving further explanations. Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

**Mr. President:** The question is:

"That clause 1 stand part of the Bill."

**The Honourable Sir Brojendra Mitter** (Law Member): Sir, I beg to move:

"That in clause 1, for the brackets and word '(Amendment)', the brackets and words '(Third Amendment)' be substituted."

The motion was adopted.

**Mr. President:** The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir George Schuster:** Sir, I move:

"That the Bill, as amended, be passed."

The motion was adopted.

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### THE INSOLVENCY LAW (AMENDMENT) BILL.

**The Honourable Sir Brojendra Mitter** (Law Member): Sir, I beg to move:

"That the Bill to amend the law relating to insolvency, for certain purposes, be taken into consideration."

Sir, when I introduced the Bill a few days ago, I indicated its purposes. They are designed to remove certain defects in our insolvency law which have recently been brought to notice. They are fully explained in the Notes on Clauses which are annexed to the Statement of Objects and Reasons. I wish merely to add that the time has come when the whole law of insolvency in India should be thoroughly revised. I am waiting for the monumental work of my Honourable friend, Sir Dinshah Mulla, on Insolvency, and as soon as that is published, I intend to take up the general revision of the law of insolvency. Meanwhile we must be content with the removal of the defects as they come to light. Now, this Bill is intended to remove three such defects, which are fully explained in the Statement of Objects and Reasons. Sir, I move.

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir Brojendra Mitter:** Sir, I beg to move that the Bill be passed.

The motion was adopted.

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### THE INDIAN COMPANIES (AMENDMENT) BILL.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I move that the Bill further to amend Indian Companies Act, 1913, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. N. C. Kelkar, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. A. H. Ghuznavi, Sir Hugh Cocks, Mr. K. C. Neogy, Mr. R. K. Shanmukham Chetty, and the Mover,

with instructions to report on or before the 6th March, 1930, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sir, this Bill deals with an important matter which is of considerable interest to the commercial community, but I do not think that I need give any very lengthy explanation of the objects and genesis of the measure. It will be desirable, however, that I should explain, as briefly as I can, the circumstances which have led up to this piece of legislation.

One of the main objects in passing the Indian Companies' Act of 1918 was to ensure that the accounts of companies were properly audited, and it is obvious that, with the growth of Indian commercial and industrial enterprise and the consequent growth in the number of limited companies, it becomes increasingly important to ensure that the audit of these companies' accounts is effected in such manner as is likely to inspire public confidence. Under the law as it stands, there are at present three classes of auditors who are permitted to audit the accounts of public companies. In the first place, the Governor General in Council is empowered to declare by notification that the members of any institute or association specified in the notification shall be entitled to be appointed to act as auditors of companies. Six associations and institutions have been specified, all of them incorporated in the United Kingdom. Secondly, there are the holders of unrestricted certificates granted by a Local Government, who are entitled to act as auditors of companies throughout British India. The Act itself imposes no limit on the discretion of Local Governments in the matter of granting these unrestricted certificates, but by an arrangement made between the Government of India and the various Local Governments, the grant of these certificates is ordinarily confined to persons who have obtained the Government Diploma in Accountancy of the Accountancy Diploma Board, Bombay. Such persons are not, however, permitted to practise in any particular province without first obtaining a certificate from the Government of that province. Thirdly, come holders of restricted certificates, who are entitled to act as auditors only within the territories of the Local Government granting the certificates.

Now, I do not wish, in anything I say, to reflect in the slightest degree upon the present holders of certificates, but it is necessary to explain the reasons why, not only Government but a large number of non-officials, who are interested in this matter, thought that changes were required. As long ago as 1917, the Government of India, in a letter to the Government of Bombay dealing with the question of extending and improving the system under which auditors' certificates were granted, expressed the view that the ideal system was one by which control is exercised by an autonomous association of professional accountants over the professional discipline of its own members. That is what the Government of India and, I believe, commercial opinion generally look forward to as the ultimate ideal. In the second place, a system under which the grant of unrestricted certificates in India is limited to persons who have obtained their theoretical training at one centre is not likely to be acceptable indefinitely, and if there were no other reason, the ever increasing demand for properly qualified auditors would create the necessity for the establishment of other sources of supply. At the same time, the existence of several entirely independent authorities, widely separate geographically, each laying down its own system of training and imposing its own standards of qualifications, would inevitably result in a variety of standards, and would doubtless tend

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to the establishment of a practice of limiting admission to act as an auditor in any province to persons possessing the provincial qualification. Such a development seems to be clearly undesirable. Commercial and Industrial undertakings are no respectors of provincial boundaries; while comparisons between the standards required by different centres would be unavoidable and would be likely seriously to impede the growth of that confidence on the part of the investing public to which I have already referred. Lastly the perpetuation of such a system renders transition to the ultimate ideal of an autonomous institution, to say the least of it, considerably more difficult.

These are the main considerations by which Government have been guided in deciding to move the Legislature to amend the existing Act in such a way as to centralise the procedure for granting certificates to auditors. The Bill itself is a comparatively simple one. It substitutes the Governor General in Council for the Local Government as the authority empowered to grant certificates and to make rules to regulate the manner in which, and the conditions subject to which, certificates will be granted. At the same time it abolishes the power now vested in the Governor General in Council to allow a member of a specified society to act as auditor in India without the necessity of obtaining an Indian certificate. The new certificate will entitle its holder to act as an auditor of companies throughout British India. The Bill also contains provisions enabling the validity of existing certificates to be saved for a sufficiently long period after the proposed enactment comes into force—an obviously necessary precaution to prevent dislocation of business.

Finally, the Bill leaves certain extremely important matters to be dealt with by rules made under the Act; and of those the most important is the constitution of an Indian Accountancy Board consisting of members representing the interests principally affected or having special knowledge of accountancy to advise the Governor General in Council on all administrative matters and to assist him in maintaining the standards of qualification and conduct of persons enrolled on the Register of Accountants which is proposed to be maintained. The rules may also provide for the establishment of local accountancy boards at selected centres. Some special word of explanation is, I think, desirable in regard to this proposed institution of an Accountancy Board, for herein lies the germ of what Government sincerely hope may develop in course of time into the autonomous body which, we hope, will be eventually established. To the principle of an Accountancy Board and the best method of introducing it into our legislation, a very great deal of careful thought has been devoted. It is not in any way a scheme evolved from the inner consciousness of the Government of India, but one which has been examined, elaborated and approved as the result of conferences and discussions between the Government and leading representatives of non-official expert knowledge and experience. It has met with the general approval of the Local Governments and of commercial and professional opinion. As the scheme was originally drawn up in 1925, it was contemplated that the Accountancy Board itself would, subject to the approval of Government, grant diplomas, prescribe qualifications of auditors, arrange for the conduct of examinations, and be empowered generally to carry out the objects of the scheme. But when the scheme was re-examined a little later, in consultation with commercial and professional opinion to which I have referred, it was unanimously agreed that, at the outset, the Board should be constituted as an advisory

body, and this feature of the proposals has met with the approval of a large majority of those who have been consulted. The guiding idea has been that, at the inception of the scheme and for some little time afterwards, the ultimate responsibility should remain with Government, and that to proceed faster would be to imperil the whole fabric and incur the destruction of public confidence.

Now, Sir, I should like to explain the reason why we do not propose that the constitution of the Accountancy Board should be settled by the Act itself but should be left to rules. That was a decision which was arrived at only after very full and careful consideration. What we feel is that, if the constitution of the Board were finally settled by the Act, the scheme would become too rigid. At the outset, we shall only be feeling our way, and it might be necessary, or very desirable, to make alterations from time to time as experience indicates their desirability. If in order to effect a change, however small, in the composition or constitution of the Indian Accountancy Board, we were obliged to have recourse to fresh legislation, I feel that we should be encumbered by unnecessary difficulties.

Finally, Mr. President, I would like to say this, that from the start, our object has been to proceed in consultation with, and with the approval of, commercial and expert opinion. In framing the rules, we shall act in the same spirit, and before framing the rules I have no doubt that we shall call together those who are likely to be members of the Accountancy Board when it is eventually constituted, so that the rules may be drawn up with the full advantage of their advice and assistance.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Sir, I beg to move that the name of Mr. S. C. Mitra be added to the Select Committee.

**The Honourable Sir George Rainy:** I have no objection, Sir.

**Mr. President:** The question is that the name of Mr. S. C. Mitra be added to the Select Committee.

The motion was adopted.

**Mr. President:** The question is:

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. N. C. Kelkar, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. A. H. Ghuznavi, Sir Hugh Cocke, Mr. K. C. Neogy, Mr. R. K. Shanmukham Chetty, Mr. S. C. Mitra and the Mover with instructions to report on or before the 6th March, 1930, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was adopted.

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## THE INDIAN RAILWAYS (AMENDMENT) BILL.

**The Honourable Sir George Rainy:** (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Railways Act, 1890, for certain purposes, as reported by the Select Committee, be taken into consideration. When I moved that this Bill be referred to a Select Committee in the last Session of the Legislature the form of the

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Bill was very different from the form in which it has returned from the Select Committee. As it was originally introduced, the Bill was little more than an enabling Bill, empowering the Governor General in Council to make rules on the subject of the limitation of hours of work and the provision of periods of rest for Indian railway servants. As it has returned from the Select Committee, the Bill though unchanged in principle, has been to a large extent modified by the incorporation in the Bill of a number of provisions which it was originally intended should find a place in the Rules. I have not the least doubt that this is a great improvement and that the House will concur in that opinion. The most important of the provisions which are now incorporated in the Bill itself are the sixty-hours' week, the weekly rest, the appointment of supervisors of railway labour, a much more limited rule-making power, and provision for the compulsory payment of overtime in certain cases.

Now, to deal first with the question of the sixty-hours' week and the weekly rest. I know that some members of this House, for whose opinions I have great respect, would like to go further. It is not necessary that, at this stage, I should say much on this subject, because a more natural opportunity will occur when the amendments, of which notice has been given, are moved. But I should like to say a word or two to make clear the point of view from which Government have approached the question. Government do not regard this Bill as the final solution of the question of the hours of labour on the Indian Railways, but our first duty, whatever we may hope for in the future, is to implement the obligations we have already incurred and to make the sixty-hours' week and the weekly day of rest fully effective; but if we try to do too much at one time, instead of expediting matters, it may lead to almost indefinite delay.

Again, there is a distinction between what is to be made obligatory by law and what humanitarian considerations, in given circumstances, may make reasonable and proper. If, in a given case, Government say that they do not think that, in this Bill, provisions should be inserted to limit still further the hours of work, it does not mean that Government consider that, in all cases, the maximum hours of work would be reasonable hours of work,—in fact we gave in the Select Committee an undertaking that we would investigate the question with a view to fixing the hours of work at a lower figure than a sixty-hours week for those railway servants whose duties were specially arduous. I have thought it desirable to say so much at this stage, but I do not think it would be advisable that I should develop my ideas on this point still further in view of the amendments which are to be moved.

The only other matter to which I think I need specially allude is the clause in the Bill which provides for the appointment of Supervisors of railway labour. I regard that provision as a very important one, and if we are to make further progress in removing legitimate grievances as regards the hours of work of railway employees, the usefulness of these Supervisors can hardly be exaggerated. They will, in fact, be the eyes and ears of the Government of India to bring to their notice conditions which are unsatisfactory. Their primary duty will, of course, be to see that the law is enforced, but in addition to that, it is my desire and intention that these Supervisors should report to the Government of India cases which come to their notice where, although there is no breach of the law, there is a condition of things which requires improvement on

the ground that, having regard to all the circumstances and conditions, the hours of work of railway servants at a particular place are unreasonable. I think that is of very great importance, because if India is to move forward in this respect, it is not enough to rely solely upon rigid provisions of the law, and a great deal must depend upon the manner in which the law is administered. For instance, in order to do justice to the staff of large and busy stations, where the pressure of work is incessant throughout the day, it may be that a further limitation of the hours may be very desirable, but it does not in the least follow that at wayside stations where there are only three or four trains in a day, it is reasonable to impose precisely the same limitations as might be suitable at the busy stations. I shall hope to get from the Supervisors of railway labour reports dealing with conditions as they exist at particular centres, so that it may be possible for the Government of India to deal with those conditions, irrespective of any legislative compulsion upon them to do so. I do not think, Sir, I need lengthen my remarks at this stage, and I now move.

**Mr. N. C. Kelkar** (Bombay Central Division: Non-Muhammadan Rural): Sir, I wish to offer a few brief observations on this Bill, and I think I must do so at this early stage, because I have not myself handed in any amendments, and with regard to the amendments that have been sent in, I am not inclined either to support them or to oppose them. I have made myself quite clear in the note which I have appended to the Select Committee's Report. That is a note not of dissent necessarily, nor is it one of entire agreement with the Select Committee's Report. I think I have fully stated my own reasons for taking that attitude in that note itself, and the reason which led me to take up that attitude is that, while on the one hand I do regard the demands of the workers for an eight hours' day as certainly reasonable, on the other hand I think, just as was explained by the Honourable Sir George Rainy himself, that may not apply to all localities and all kinds of work under the control of the Railway, and therefore making a 48 hours' day a statutory provision in the Bill would perhaps be too rigid a thing for practical purposes. So between these two limits, the question will have to be investigated whether, in fairness to the workers, a 48 hours' day also may have to be prescribed. For aught I know, in certain Departments or in certain kinds of work, I am told that 48 hours' work already obtains, and in some other cases it is 56 hours—this is what I am told. On behalf of the Railway Board we were told that an attempt was being made to bring the hours down from 60 to 56. Therefore, I found in the Select Committee that it would not be a very proper course to set the Government committed positively to an 8 hours' day by a rigid rule of law. I accepted the present arrangement now embodied in the Bill as only a first instalment,—I have exactly said so in my note,—and I do look forward to a time, in the not distant future, when even these hours will be still further reduced.

Sir, when I appended my note to the Select Committee's Report, in fact when I did my work in the Select Committee, I had not read the literature about this business, which I have subsequently read, and I may frankly tell this House what my impression has been after reading that literature. My impression has been that Government have been grossly negligent of their duties in respect of putting into legal shape their obligations with regard to the Geneva and Washington Conventions. The Conventions were embodied in certain Articles, I think, in 1919 or 1920. This Government expressed their ratification of the Conventions in 1921

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and 1928. The question, therefore, naturally arises as to what prevented Government, since 1921 or 1928, from giving that agreement a strictly legal form, which they themselves regarded as necessary, up to this time for several long years. What was it that kept them back from undertaking the necessary action in this matter?

In 1927, Government, in reply to a question on the subject, said that the limitation of 60 hours would be applied to certain specified branches of work by executive order, but the specification can only actually fulfil the terms of the Convention when made by a competent authority. The question naturally arises, what was there to prevent Government from selecting or fixing upon the competent authority and at once proceeding to legislation on the subject. Were they in need of legal assistance or advice in the matter? Supposing they wanted both, were they not available at an early stage? Why did they waste all these seven years in proceeding to fix the competent authority and embodying those two provisions in the law, as they now have done. If they had done so before, then one more thing would have happened, namely, the consultations between employers and the employed. That would have been possible. We are now told that consultations have not been held because no competent authority was fixed. No rules were made and no schemes were put into operation. Things have been happening in a haphazard way and not under any settled scheme of rules. Therefore my contention is that Government have been in this matter grossly negligent. In 1929, in the course of the debate on the demands for grants, the question was raised whether a new Member should be added to the Railway Board. In that connection I think it was Sir Purshotandas Thakurdas who suggested that there was no necessity for the addition of an additional Member, because, if it was alleged that the appointment was made necessary by the work involved in giving effect to these Conventions and other things that work might well be postponed for a year or two. That is what he simply suggested, and Sir George Rainy said this to him in reply. He regretted the words in which Sir Purshotandas Thakurdas referred to the Geneva Convention, mentioned that there were other countries which had failed to satisfy their obligations under that Convention, and said that, if we had to wait for another year or two before we carried out our obligation it did not matter very much. Then he said, "I think it would be very regrettable if that were to be taken to be the general feeling of the House". Of course that was not the feeling of the House. That is not the feeling of the House even now. Sir George Rainy further said:

"India has an excellent record as regards carrying out all international obligations. I feel almost a sense of shame" (*Shame came to him then when it was a matter of appointing a new Member of the Railway Board*) "and unless that particular matter in the Railway Department was carried out, I cannot claim that we have fully satisfied our obligations."

That was a legitimate argument for opposing the suggestion that a new Member should not be put on the Railway Board, but what answer has Sir George Rainy to give, I really wonder, for no action having been taken by Government all these long seven years. What was there to prevent Government from taking the necessary action? After all, it is Bill of two or three clauses. Nothing beyond that. The competent authority, it goes without saying, is the Governor General in Council. What legal advice or assistance did Government require to justify their

putting off action till this day? I get a clue to this dilatory action of the Government in the proceedings at the Convention. I am reading from a book by Hetherington on the subject of "International Labour Legislation". There he gives the history of what happened at the Convention itself. Countries were taken up for treatment, and only in the case of certain oriental countries exceptions and exemptions were allowed and special mention is made of India in this connection, and also of Japan. What is said about India is this:

"The representatives of the Government of India were somewhat unwilling that the Commission should make any substantial recommendations in the case of India." (*They wanted the entire matter to be left to the pleasure of the Government of India.*) "They indicated that the main difficulty in the way of an immediate enlargement of the Factory Acts . . . was the complete absence of information as to the smaller industries of India. The Government, therefore, was quite unable to measure the administrative responsibilities which an extension of the Acts would require it to undertake. It was at the moment engaged on an inquiry on this point and it desired that the Conference should delay the consideration of the Indian position until the results were available, and the Government had had time to submit its proposals.

The Commission, however, was not unsympathetic to the plea of the Indian Labour delegate that the Government would be nothing the worse for a little stimulation; and, especially in view of the suggestions it was making to other oriental countries, it thought it well to take a large view of its duties than was contemplated by the Government spokesman. It therefore embodied in the Convention a definite prescription with regard to India." (*Then the prescriptions are given. Of course some latitude was given to the Government.*)

But there is an important clause here which reads:

"The researches at present in progress should be expedited, so that, at the earliest possible date, the Government of India might be able to lay before the Conference its proposals for a still further extension of labour protection."

Now, it appears that it was represented by the Government of India before the Convention that Government were already busy with their own schemes and adjustments, and so on, in order to come into direct line with the recommendations of the Convention, and apparently they have taken nine or ten long years in order to complete their researches, and they have not even now completed their researches. In the Select Committee it was put to us that it would require a great deal of time to go into the details about these things, namely, the hours of employment, the period of rest and so on. I innocently thought that it might be so, and I have said in my note that some adjustments would be necessary and details would have to be worked out. I quite admit that work of that kind is necessary, and therefore I was opposed at this stage to a rigid rule of law committing Government to a sixty-hours' week uniformly for all kinds of work and for all kinds of locality, but I took care at that time to get from the Railway Board an assurance that an investigation had been started by Government and will be continued with a view to fixing hours of work at a lower figure than 56 hours a week for those railway servants whose duties are specially arduous and involve continuous concentration. Now, coming back to the point I just now mentioned, in practice we are told that even 48 hours' work is the rule in certain matters. 56 hours applies to certain matters, and Government are making an attempt to come down to 56 hours in cases where they have not already done so. But the rule of law which is now laid before the House provides only for 60 hours. So I take it that, within the limit of 60 hours, they are going to have certain schemes ready in order that they may prescribe different scales of hours of work and rest, etc., for different kinds of work and different localities. But we are, up

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to this time, absolutely in the dark as to what has been done and what is being done. I may again today raise the same question about the lack of information made available to the Members of the Assembly when matters of this nature are brought before the House in a number of ways. I shall therefore like the Honourable Member for Railways to make a clear statement as to what is being done and what are their intentions with regard to the bringing down, of their own accord, the hours of work from 60, which is mentioned in the Bill before us. It is only when we feel satisfied that honest efforts are being made to come down from that margin of 60, that we can consider whether we should support a definite amendment for 48 hours or not. I do not wish to say anything further on this Bill. I have expressed my views in the note. I wanted however to take advantage of this opportunity to make a few observations and to tell the House exactly what I had in my mind when I signed the Report of the Select Committee, as I have myself not given notice of any amendments.

**Diwan Ohaman Lall** (West Punjab: Non-Muhammadan): Sir, as I listened to the speech that has just been delivered by my friend Mr. Kelkar, I felt that the time had arrived when not only should the Government of India appoint a Labour Member for the Railway Board, but that non-officials should equally appoint a Labour Member to assist them with the work of co-ordination in respect of labour legislation. I think my friend Mr. Kelkar will agree with me, because I say this in no disparagement of him, that he always takes a very kind interest in labour matters himself. But I was surprised when he made the following statement: "I want to know what is being done in order to reduce the hours from 60". Sir, I looked in despair towards him and the other Members of the Legislative Assembly who were members of the Select Committee. Surely, it was their duty as members of the Select Committee to find out what the Government has done so far in regard to the 60 hours, and what they have not done. Why did they not find this out in the Select Committee and why did they not ask the Railway Department to place their files before them for investigation? Why did they not get at the real position as to what the actual facts are in regard to the application of the 60 hours today on the railways in India? To come to this House and then demand from the Honourable the Railway Member as to what he has done, after having signed a minute of dissent on the Select Committee, seems to me to be a very surprising proposition. It seems to me to be putting the cart before the horse. Before signing the minute of dissent or before putting their signatures on the document which was presented by the Select Committee, it was the obvious duty of every Member to get all the facts relevant to this proposition. If they were not brought to the notice of any Honourable Member who put his signature to this document, then I say that he put his signature to this document blindly without having realised the implications which are inherent in the Report of the Select Committee.

**Mr. N. C. Kelkar:** We will not allow the Government to proceed with the Bill now.

**Diwan Ohaman Lall:** I agree with my Honourable friend. Although the information may not have been elicited in the Select Committee,

yet the case cannot be allowed to go by default and we must get that information. May I, in reply, say that the information is really available. The information is not a secret document which the Honourable the Railway Member carries in his breast pocket nor is it only to be found in the archives of the Government of India. The information is available and can be obtained from every employee of the Railways. Any railway employee who suffers because of the present system of hours is in a position to inform the Honourable Members of this House as to what exactly is the situation.

**Mr. N. C. Kelkar:** We would like to know that from you.

**Diwan Chaman Lall:** My Honourable friend would like to know that from me. I have not as yet accepted the portfolio of the Honourable the Commerce Member, and therefore it is not my business to enlighten the Honourable Member, but I will certainly make an attempt if the Honourable Member would like me to do so. Now, what is the actual position? The position is that that in the year 1919 the Government of India obtained a special exemption as far as India was concerned in the application of the Washington Convention.

**Mr. B. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): It is not right.

**Diwan Chaman Lall:** I will read out the actual wording of the Report to my Honourable friend to prove that it is right. I would go so far as to say that not only did the Government of India obtain this exemption for reasons stated by Mr. Joshi who was representing the workers of India but that certain exemptions were obtained for Japan and for India. Mr. Joshi, in his speech, made this statement:

"At the outset it is my duty to explain that personally I do not approve of the idea of excluding India altogether from the main Convention on this question to be applied to Western countries."

He said he did not agree with it. I do not know what exactly my friend Mr. Shanmukham Chetty was referring to when he said that that is not correct. What is not correct? Was not an exemption obtained?

**Mr. B. K. Shanmukham Chetty:** No exemption was given to India under the Washington Convention at all.

**Diwan Chaman Lall:** In that case all that I can do is to read out the Washington Convention and convince my friend, Mr. Shanmukham Chetty, that there is a special provision in the Convention exempting India. If he will kindly turn to the Convention, he will find Article 10, to which I want him to pay special attention. It runs thus:

"In British India the principle of a 60-hour week shall be adopted for all workers in the industries at present covered by the Factory Acts administered by the Government of India and in such branches of railway work as shall be specified for this work by the competent authorities."

This is however not the case with other countries where they have a 48-hour week. I would like Mr. Chetty to explain how he says that that is not so. Is not the exemption there in Article 10? Has he got any other copy of the Washington Convention which does not contain Article 10? Article 10 does give special exemption to India.

**Mr. Tin Tut** (Department of Industries and Labour: Nominated Official): It is a special provision, not a special exemption.

**Diwan Chaman Lall**: This is only ha'r-splitting. My Honourable friend says it is a special provision and not an exemption. What does the special provision mean? Does it or does it not mean an exemption?

**Mr. Tin Tut**: It does not mean exemption from all provisions. It is a special provision made for India.

**Diwan Chaman Lall**: It means a special exemption in regard to 48 hours of work and that is all we are discussing. Does it or does it not mean that? Every other country has got a 48-hour week, but for this country there is a provision, which amounts to a special exemption for India, giving her a 60 hour a week. I do not know what my Honourable friend is worrying about. What is the actual effect of it? Is it not this, that India is put on a special basis, a distinguishing basis, a different basis, a differential basis, namely a basis of a 60-hour week?—Is that correct?

**Mr. Tin Tut**: It is correct.

**Diwan Chaman Lall**: I take it therefore that there is special treatment as far as India is concerned in regard to this matter. Now, the point is this. This happened in the year 1919, and since then ten years have elapsed. What has the Government of India been doing during that period of ten years? Why did they not undertake a revision before this period of ten years? In this connection, Sir, I wish to point out to the Honourable Member opposite that, not only was it incumbent upon the Government as a matter of general policy, or as a matter which was brought to their notice time and again by public opinion in this country as represented by the workers, but there was a provision laid down in Article 10 itself which anticipated a revision of this special provision at a meeting of the General Council. May I read out that particular provision? It reads:

“... but further provisions limiting the hours of work in India shall be considered at a further meeting of the General Council.”

Since this special exemption was obtained by the Government of India, I want to know whether this provision in Article 10, namely, an anticipation that this matter of reduction of hours from 60 will be considered again at a General Conference, whether this provision was taken notice of. I want to know whether action was taken by the Government of India to press its attention upon the Conference in order that the Conference should undertake a reduction of hours from 60.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Why did not the Honourable Member raise the question when he was at Geneva?

**Diwan Chaman Lall**: I cannot help my Honourable friend's ignorance. If my Honourable friend does not read the Reports of Conferences at Geneva and elsewhere to which he goes as an Adviser, it is not my fault. I am not here to enlighten my Honourable friend. If he had read the Reports, he would have found that time and again

those who have gone to Geneva have raised this matter of reduction of hours, and we have brought it prominently to the notice of the delegations assembled at Geneva. It is not my duty, I am not the Government of India that I should do so. It is their duty if they have due regard to these matters. It is their duty to take up this matter with the General Conference. It is their duty to take up the matter with the delegates assembled at Geneva in order to discuss whether the time has or has not arrived for a reduction of hours from 60. If, instead of doing so, the Honourable Member comes here ten years afterwards and says, "For ten years I have not honoured this obligation which rested upon me as a Member of the League of Nations", although it is perfectly clear that it is not obligatory upon them to carry out any of the ratifications of the International Labour Conference, yet it is a moral obligation which rests upon their shoulders. They say, "For ten solid years we have kept quiet about this and now we come forward". With what? With the very same provisions which obtained ten years ago and which I say cannot be held to be valid today. I want to know why the Honourable Member did not obtain the sanction of the Government of India in order to reduce the hours from 60 to 48, as he should have done in compliance with the general rule that applies to other countries. Even Great Britain, after a good deal of fight at the last Session, declared her policy and her intention to ratify this particular Convention. They had some internal trouble with regard to this matter, but that did not affect the position that, generally speaking, the eight hours' day prevails throughout Great Britain. My point is this, that now after ten years of experience of the working of this particular measure in other countries, after ten years of exemption that they obtained—being under that exemption—after ten years of trial and waiting, without having ratified this Convention, why at this particular stage does the Government of India come forward with a proposal of this nature?

**Mr. H. O. Kelkar:** Is there not a Conference next year?

**Diwan Chaman Lall:** My Honourable friend, Mr. Kelkar, has given the answer. The answer is that, after ten years, the matter has got to be revised and the matter will come up before the Conference again, and the Government of India want to go with a white sheet, looking like angels, to the League and say, "Look, we have ratified this Convention". The Government of India know perfectly well that, within a short period, this matter will come up before the Conference for revision. I daresay, when the matter does come up for revision again, and if this House gives its consent to this provision of sixty hours a week, the result will be that the hands of the Government of India will be strengthened and they will go to the Conference and say, "We have in this the representatives of the people of India behind us; they accepted a 60-hour week and we do not wish to propose any amendment to this particular legislation." Now, it is a dangerous thing, an exceedingly dangerous thing, from all points of view, for any Honourable Member who has the interest of his country at heart to give his consent to this provision of a 60-hour week, and I hope Honourable Members will realise the full import and full importance of this. I know that objection can be raised and it can be said that other industries in this country are not working on the basis of 48 hours a week, and therefore why should railways alone adopt this provision.

[Diwan Chaman Lall.]

My reply to them is twofold. My first reply is this, that, even on the railways today, almost a general rule prevails of an eight hours' day. I take it that, generally speaking, in the running staff it is an eight hours' day, I mean generally speaking. In the workshops it varies from 42½ hours to 48 hours a week, generally speaking. Of course, there are exceptions, as the Honourable Member knows perfectly well. If that is so, where in actual practice in many cases you have an eight-hour day or perhaps a nine-hour day in some other cases, why should we be tied down to a sixty-hour week, or ten hours a day? Why should this Assembly shut its eyes to the actualities of the situation in order merely to give the Government of India a tactical advantage over us with regard to a sixty-hour week. I want to know what is the justification for this?

Then, my second point, and a very important point, is this. The other day, I read in the newspapers that, when a similar matter came up before the Legislative Assembly, namely, the question of a minimum wage fixing machinery, what was the reply of the Government of India? The reply was this, "We do not intend to deal with this matter at this stage because we have appointed a Labour Commission and we shall await the Report of the Labour Commission". Now, if this was the idea in the mind of the Government of India, that is, they must await the expert Report of a particular body on a particular subject before they could take any action, which action they could have taken already, because they have had the expert Report before them, namely, the Resolutions, the Conventions and the draft recommendations passed at Geneva in 1928—they had the consensus of opinion of the entire world which sends its delegates to Geneva who, after a full and representative debate with all the experts that assemble there to thresh out the whole problem—if in spite of all that expert opinion available, the Government of India still say, "No, we must await the Report of the special inquiry that we are conducting through the Labour Commission", then what I say of their attitude in regard to this matter?

**Mr. Tin Tut:** Those experts had no knowledge of the special conditions that obtain in India.

**Diwan Chaman Lall:** Well, Sir, this bogey of special conditions is always trotted out for the purpose of differential treatment. They know perfectly well that there are no special conditions in India. I challenge my Honourable friend to tell me what special conditions there are in India, which prevent him from giving the railwaymen an eight-hour day. I challenge him to say, on the floor of this House, what special conditions there are which prevent him from giving the railway workers a 48-hour week. Will he accept my challenge and tell me? I pause for a reply.

**Mr. Lalchand Nvalrai:** (Sind: Non-Muhammadan Rural): Perhaps he will tell you that we are more manly and able to work long hours.

**Diwan Chaman Lall:** I know there are no special conditions.

**Mr. Tin Tut:** I have no special knowledge of railway workers in India.

**Diwan Chaman Lall:** Quite so. Why did my Honourable friend so quickly jump to his feet and interrupt me?

**Mr. Tin Tut:** I did not refer to railway workers.

**Diwan Chaman Lal:** If my Honourable friend does not refer to railway workers, then what are the special conditions which my Honourable friend wants to know and of which he has no knowledge? Either he must be ignorant of this, or I must confess that he very ignorantly interrupted me in my speech. I take my stand upon this, and I challenge any man to contradict me on this point, that is, there are no special conditions in India which will prevent the Government of India from giving a 48-hour week. Well, they may turn round and say, "It is all a question of finance, it is all a question of detailed adjustment". If it is a question of detailed adjustment, it is up to them to limit themselves to a fixed period and say, "Until our inquiries are complete, which may take say, six months or eight months or one year or even two years, we shall have this provision". I say, give us a guarantee that, after a definite period, we shall revert to the 48-hour week. If it is a question of finance, my reply is this; in a matter of this kind you cannot bring in your plea of finance. It is an urgent matter which will brook no delay. It is very unjust for you to treat the railway workers in the way you want to; it is unfair that you should squeeze all the money that you can from the blood and sweat of the railway workers and say, you cannot give a 48-hour week merely because there are special conditions in India and special questions which differentiate India from the other countries of the world.

Now, Sir, I do appeal to Honourable Members to look at this problem carefully. There are other problems connected with this Bill  
 1 P. M. which I shall deal with as the amendments come up; but I rose merely to make my appeal to Honourable Members to regard this as a serious problem and to ask the Government of India, why they could not have also waited in regard to this provision until the Report of the Labour Commission was published? Here again, Sir, logic will drive the Government of India into a contradiction, and here again I will be told that this is a different case. Again the question of differential treatment,—minimum wages, one proposition, sixty-hour week, a different proposition. All these matters have been submitted to your own Committee which you have appointed; yet you will take time by the forelock, come before the Legislative Assembly and say that you want a sixty-hour week and not await the result of the Committee you have appointed. You cannot have your cake and eat it. Is the urgency of the problem such that you must go ahead with it? But if you plead urgency, then may I ask, who is urging you? Is it the worker? He will thereby be adversely affected both by the Geneva Convention of 1921, which you are implementing, and by the Washington Convention of 1919, which you are implementing. Is it the worker who is urging you? Is there any body of workers whose complaints you are giving effect to in regard to this matter? I ask, where is the urgency then? Wherein lies the urgency except to save your faces at the next Conference, when there is a revision of this matter to be undertaken at the Geneva Conference? Where is the urgency? I say, Sir, the time has come when Honourable Members on this side of the House ought to look upon these problems not from the narrow industrial point of view, but from the wider national point of view, namely, the interest of the working classes. You cannot have an A. I. industry in this country with a O. 8 population; and if you are going to permit the Government of India, one of the biggest employers

[Diwan Chaman Lall.]

in this country, to bring in this kind of differential treatment, you may just as well say farewell to all sympathetic contact between the working classes on the one side and the rest of the people on the other. And I ask my Honourable friend, Sir Purshotamdas Thakurdas, who is a big industrialist, can he give me any justification why he should not be supporting this measure of a 48-hour week, except merely perhaps on account of its repercussion on other industries? Let us be honest and straightforward. Either a case has been made out for a 48-hour week on the railways or not, and if a case has been made out for a 48-hour week, it is no concern of ours to consider what its repercussion will be upon other industries. And if a case has been made out,—and I hope we shall be able to establish conclusively that a case has been made out,—I hope my Honourable friends will vote for the proposition of Mr. Abdul Matin Chaudhury.

**Mr. R. K. Shanmukham Chetty:** Sir, I am not in the least surprised at the enthusiastic plea of my Honourable friend, Diwan Chaman Lall, in favour of the adoption of an 8-hour day on the railways. As was pointed out in one of the reports of the Director of the International Labour's Office, "of all the subjects of social reform, an 8-hour day is nearest to the hearts of the workers"; and it is no surprise, therefore, that my Honourable friend, representing the workers of India, grew enthusiastic in advocating the adoption of an 8-hour day in India also. If it was the intention of my Honourable friend to take the Government of India to task for the inordinate delay of nearly ten years in applying the provisions of the Washington and Geneva Conventions to the workers on the railways, he has my entire sympathy. But if it is his intention to ask this House to adopt an 8-hour day for the railway workers, I am afraid I must oppose any such move, and I have no doubt that the House will turn down the proposal. My Honourable friend knows a good deal from first-hand information of the work that is being done in the International Labour Organisation at Geneva. Sir, I may claim also some first-hand information of the great work that is done by that International Organisation. My Honourable friend said that, in Washington, a special exemption was given to the Government of India from the provisions of the Washington Hours Convention. I must inform this House that it is not correct to say that the Government of India were given any exemption in this matter. The provision for 10 hours' work per day for the Indian labourer was a part of the Washington Hours Convention, and this provision was included in the Convention at Washington, not as a matter of favour to the Government of India or to the Indian employers, but as a matter of right granted to India in the Articles of the Treaty of Versailles. If Honourable Members will turn to Article 427 of the Peace Treaty, they will find this special provision:

"They recognised that differences of climate, habits and customs, of economic opportunity and industrial tradition make strict uniformity in the conditions of labour difficult of immediate attainment."

It was the object of those who were assembled at Washington to introduce a uniformity of legislation in matters of hours of work throughout the world, and it was recognised by the authors of the Washington Convention that, if any attempt at social legislation like this were to prove

successful, it was a condition precedent that no country should have any advantage over any other country. It was recognised that an 8-hour day production in any particular country might not be the same as an 8-hour day production in another country. They recognised that, for the successful working of this Convention, it was necessary to take account of the fact that there were differences of climate, habits and customs, and of economic opportunity which make it necessary that differentiation, if necessary, must be made between one country and another. It was, I submit, under the provisions of this Article in the Treaty of Versailles that the clause relating to a 10 hours' working day was embodied in the Washington Convention; and in the face of this fact, it is not correct to represent that the Government of India were shown any special favour, or were granted an exemption from the operation of the Washington Convention. My Honourable friend asked, and challenged my Honourable friend on the opposite side to prove, if there were any conditions peculiar to India which warranted the adoption of a ten-hour day as against an 8-hour day in the European countries. My Honourable friend said that he did not know about the railways. Well, Sir, I will ask my Honourable friend, Diwan Chaman Lall, whether, taking into consideration the industrial efficiency of the Indian worker, he could say that, in a factory in India, the worker could turn out the same amount of work in eight hours as a worker in Western countries can do in the same time.

**Diwan Chaman Lall:** Does he get the same wages? He gets one-sixth of the wages.

**Mr. B. K. Shanmukham Chetty:** He will get the same wages when he does the same work.

Apart from inefficiency due to climatic conditions, I would draw the attention of my Honourable friend to a passage that occurs in a certain Report. The United Textile Factory Workers' Association of Great Britain published in 1927 a Report of an inquiry which was made in India during 1926. The Report states that:

"The hours of work in cotton spinning factories are in accordance with the provisions of the law. The machinery is kept in motion for ten hours per day but the individual worker does not work continuously for the whole day as he is allowed time for prayers, bathing, smoking, etc."

**Diwan Chaman Lall:** This is not a fact. The engineers are kept working for 11 hours and not 10 hours.

**Mr. B. K. Shanmukham Chetty:** The machinery is working only 10 hours per day. I would invite my Honourable friend to go into any cotton mill and verify it for himself. The Report adds that it is doubtful whether more than eight hours' productive labour is performed by individual workers.

**Diwan Chaman Lall:** Therefore bring it down to 48 hours.

**Mr. B. K. Shanmukham Chetty:** If you bring it down to 48 hours, the productive hours will be reduced to probably six hours per day. When it is already ten hours per day, we have got here an authoritative finding . . .

**Diwan Chaman Lall:** I question that authoritative finding. Whose finding is it?

**Mr. R. K. Shanmukham Chetty:** The finding of the United Textile Factory Workers' Association of Great Britain.

**Diwan Chaman Lall:** Authoritative!

**Mr. R. K. Shanmukham Chetty:** Which conducted an independent investigation of the conditions of work in textile factories in India.

**Diwan Chaman Lall:** Mr. Tom Shaw.

**Mr. R. K. Shanmukham Chetty:** In the face of these facts, it is idle to contend that we must adopt the eight hour day in India also. My Honourable friend drew the attention of this House to the fact that the Washington Convention will shortly come in for re-examination and revision if necessary. Last year, in the 12th International Conference, Mr. Joshi attempted to have a resolution passed requesting the governing body of the International Labour Office, in revising the Washington Convention, to reduce the hours of work in India from 10 to 8 hours per day, and as a result of a compromise arrived at between the Government delegates, the employers' delegate and the workers' delegate, the formula was changed. The governing body has now been instructed, in re-examining the Convention, to go into the question whether the economic conditions in India have so altered as to warrant the reduction of the working day from 10 to 8 hours. Before the result of that inquiry by the governing body is available, I would submit to my Honourable friend that it is premature to ask this House to adopt an eight hours' day. My Honourable friend is perfectly correct in saying that, though there may not be objections for adopting the eight hours' day on the railways, excepting the financial burden that it might impose, its repercussion on the general industrial position in India would be of a very serious nature, and as one interested in the industrial development of India—and I can assume that my Honourable friend, Mr. Chaman Lall, is one of those who would like to have a healthy growth of industrial development in India,—I would request this House not to make any departure from the provisions of the Washington Hours Convention as applicable to India, and not to adopt any motion which seeks to reduce the hours of work from 10 to 8 per day.

**Mr. A. M. Hayman (Railway Board: Nominated Official):** Sir, I intervene at this stage only to make a few brief remarks because I feel that the whole question as to whether we should adopt a 48 hours' week or a 60 hours' week will come up for fuller discussion when there is a motion for an amendment. I feel it necessary, in the first place, to draw attention to the fact that it was the original intention, if one judges from the history of the case, when article 10 of the Washington Convention was drawn up and which fixed the principle of a 60 hour week for India, that that principle should apply only to such branches of railway work as correspond to work done in workshops and in factories. There is abundant evidence, Sir, for the statement that I make. What did we on our railways do in actual practice? We at once, as quickly as we possibly could, took action to give effect to the principle so far as our workshops and our mines were concerned. We went a step further also in actual practice and we did begin to apply the principles embodied in the Convention

to other classes of our railway servants. I make bold to say that we did begin to apply this principle ten years or so ago to other classes of railway servants. If a charge is made against us that we have not moved as fast as we ought to have, I am not going to defend that charge. But we have, from humanitarian considerations, and because we did want to do the best that we could for our men, moved forward, and we have done a great deal in past years to reduce the hours of work of our railway servants of all classes. I can prove by details that we have reduced the hours of work of many classes. I want to say also that we have spent money, lakhs of rupees, during the last ten years in employing additional establishment necessary on account of our reducing the hours of work of certain classes and that we have invested large sums of money in providing additional quarters for our subordinate establishment. It is difficult for me, at this stage, to separate how much we spent on additional quarters on account of our reducing the hours of work and how much for other considerations. But I happen to remember the total amount that we spent in the last six or seven years in providing additional quarters for our subordinate establishment, and it is seven crores of rupees.

I pass on next to another point which my Honourable friend, Mr. Kelkar, made, and I think we, on this side of the House, are obliged to him for making it. It was the charge that we should have brought this Bill earlier. We, Sir, only some time last year realised that the proper thing that we ought to do in this matter of ratifying the Washington and Geneva Conventions was to bring a Bill before this House. Up to that time there were impressions in the Government of India that the whole matter could be dealt with by executive orders, and it was by executive orders on our State-managed Railways that so much has been done as I have already shown and it was because the Company-managed railways were ready to follow the lead given by the State-managed railways that they too reduced their hours of work, and they too had to spend a great deal of money on that account. But Government, some time last year, realised that the proper thing was to bring forward a Bill before this House, and they worked towards it as quickly as they possibly could, and they brought forward a Bill during the last Session. That Bill was not passed at the last Session, and nobody was more sorry than I myself for that, because I had my plans to give effect to it all worked out, and I would never have been charged, by my Honourable friend, Mr. Anev, that money provided for improving service conditions was not spent. I would have been only too glad to spend the money for the improvement of the service conditions of our employees.

Now, Sir, we are also charged with not trying to move fast enough, with not trying to do all that we could do. My long training, Sir, in finance has taught me, when anybody makes that charge, to look at the bill of cost. What is the bill of cost in this case? We are ready to spend within eighteen months or so from today, a recurring expenditure of Rs. 50 lakhs, in order to give better hours of work for our railway servants, and about Rs. 75 lakhs to provide them with more quarters. I say, Sir, that it is a telling reply to any charge against us, that we are not now moving as fast as we should. I do not wish, Sir, to follow too closely all the arguments made by my Honourable friend Diwan Chaman Lall, because my Honourable friend Mr. Chetty seems to me to have met most of them

[Mr. A. M. Hayman.]

completely, but I do think I ought to say what was in our minds when we examined the question as to whether Government should not try to work to some lower figure than 60 hours a week. We decided to be guided first and foremost by humanitarian considerations. We do not expect any one of our workers to work for a number of hours that will undermine his health. But we did take into account one or two other considerations. We did take into account the fact that conditions in India are different from other countries; that the outturn of work by the labourer here is less than in other countries. We do, as we are responsible to the taxpayer, see that we get value for the money, and we also do take into consideration the possible effects of our action on other employers of labour. I would only add this, Sir, I do not want to make too much of the point because, for one reason I have not verified the information, but I heard it said the other day by a gentleman who is responsible for running a large railway in America, that a system of 17,000 miles was managed with a lower number of employees than the number we in India are employing on the Eastern Bengal Railway, which has a mileage of only 2,000. We have got to take such facts into consideration. No doubt, Sir, we as a Government Department, as a large employer of labour, ought to be guided by humanitarian considerations; we will do our best for our men; we will see that their health is not impaired; we will give them quarters near their work where necessary, and do all that we possibly can to make them live in healthy surroundings; but we have, when dealing with service conditions, to take into account what the possible effects upon other employers will be. I say again that we will do all that is possible in this matter to ameliorate the service conditions of our employees, but that we must pay attention to the interests of the taxpayer, i.e., we must see that we do get value for money.

**Mr. K. O. Roy** (Bengal: Nominated Non-Official): Normally speaking, Sir, any attempt to tinker with the Indian Railways Act would have met with opposition from me, because I am one of those who believe in a thorough and exhaustive revision of the existing Railways Act. The Act is fifty years old, and only a small amendment was made some time ago to bring into being what is known as the Indian Railway Board. I may also mention to the House that the Honourable Mr. Jinnah moved a motion in the Imperial Legislative Council for the revision of the Indian Railways Act. This was opposed by Sir George Barnes on behalf of Government, and was lost on the floor of the House. Ever since, very little attempt has been made to improve the Indian Railways Act and to bring it into line with modern conditions elsewhere. When I got notice that there was to be a Bill to amend the Indian Railways Act, my first inclination was one of opposition, but when I read the Bill, I found that it was a very beneficent measure, calculated to improve the conditions of Indian labour. I at once agreed to support it. I owed my seat on the Select Committee to my Honourable friend, Mr. Chaman Lal. It was he who suggested that I should sit on the Select Committee, as it would give me an opportunity to look into labour conditions. When we were sitting on the Select Committee, I thought Sir George Rainy, a shrewd Scotchman, was going to be stiff and taciturn, but I found him very genial, always anxious to oblige, and in fact he was prepared to go far beyond what my Honourable friend Mr. Shanmukham Chetty and others of the same school could desire. Mr. Hayman

who, it is true was in that Committee, not as a member, but as adviser, was very anxious to go a long way to meet my friend Mr. Abdul Matin Chaudhury. Although he was not prepared to legislate for a 48-hour week, he was prepared to meet him as far as possible. Here I may mention, for the benefit of the House, the clause as it stands in the Bill:

"A railway servant, other than a railway servant whose employment is essentially intermittent, shall not be employed for more than sixty hours a week on the average in any month."

The House will note the expression "not more than sixty hours". And with the assurance which Mr. Hayman has just given, Mr. Abdul Matin Chaudhury can have no reasonable cause for apprehension.

Sir, I approach this Railway Bill from three standpoints. I approach it as a representative of the taxpayers' interests as one who is interested in employment of private labour, and as one who wants to see that the Indian railways flourish, on a sound financial footing. Only recently it was my privilege to speak in this House about the net surplus of Indian railways for the last five years. This surplus can only be regarded as unsatisfactory. I therefore asked Mr. Hayman, supposing we were to legislate for 48 hours a week, what would be the expenditure involved. He said that a good part of the net surplus would be swallowed up. That was a position to which I was not prepared to agree. From my own experience of the employees on railways I know that they are very well looked after. They are employed on the best industrial service in the whole of India. They are very carefully looked after not only by the Agents and by the other superior officers of the railway, but also by the railway medical men. They are provided with excellent houses and they live under conditions of abnormal life quite different from those working in factories or other industrial workers in cities like Bombay and Calcutta under abnormal conditions. This is also one of the grounds on which I am opposed to 48 hours a week.

My next reason was the effect of a 48-hour week on private employment. Already the growing charges of the civil administration of this country and also of the railways have materially affected the position of private employment. I think Government have been too considerate in fixing the salaries for their subordinates as well as for their officials; the result is that it is slowly becoming a difficult problem to get suitable candidates for private employment on economic rates. In the circumstances, I felt that it was my duty to oppose a 48-hour week. What I feel we want is a sound financial foundation for our railways. But if you bring into legislative enactment at once a 48-hour week, the net result would be that it would absorb a substantial portion of our net railway surplus every year.

Lastly, Sir, if I may say a word of warning to my friend, Mr. Chaman Lall. My recent experience about railways in India has taught me that discipline and attention to work, which used to be the feature of railway works in India, are slowly going down. The standard of efficiency has also suffered. To a certain extent we at this House must be prepared to bear the responsibility because too many questions about railwaymen's grievances are brought before this House. The time has come when we must consider seriously the advisability of starting a "Grievance Committee".

[Mr. K. C. Roy.]

Unless we have committees of this sort like the Whitley Committee, the discipline of the railway services will suffer by the present method of bringing these questions before the House. I support the Bill, Sir, and unlike Mr. Kelkar, I will vote for the consideration of the Select Committee's Report.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

#### MEMBER SWORN:

Mr. T. N. Ramakrishna Reddi, M.L.A. (Madras ceded Districts and Chittoor: Non-Muhammadan Rural).

#### THE INDIAN RAILWAYS (AMENDMENT) BILL.

Mr. President: I think I had better put the question; other speeches will follow on the amendment.

The question is:

"That the Bill further to amend the Indian Railways Act, 1890, for certain purposes, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: The question is that clause 2 stand part of the Bill.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I move:

"That in clause 2, in sub-section (1) of the proposed section 71C for the word 'sixty' the word 'forty-eight' be substituted."

When this Bill was referred to the Select Committee, I pleaded for an eight-hour day for the railway workers, and I need hardly repeat that this demand for an 8-hour day is a demand for the barest act of social justice to the workers. It is universally conceded that the workers must have rest, that they must have recreation and that they must have time for the discharge of their social and family duties, just as my friend Mr. Chetty or my friend Mr. Hayman should have. This principle of an 8-hour day is generally accepted throughout the world as a principle for hours of work in all industrial and commercial undertakings. In England 92.6 per cent. of the workers work on an 8-hour day and less; under an agreement that has been entered into between the National Union of Railwaymen and the employers, the railwaymen in England work for 48 hours a week—six days of 8 hours, and Sunday is treated as overtime. In France there is an 8-hour day Act, which applies to all the industrial and commercial undertakings, not only in France but in Algeria and other colonial possessions; they have got an 8-hour day Act for the miners and for the

seamen, and according to the statistics collected in 1926, out of over six million workers in France employed in industrial and commercial undertakings, over five millions work for 48 hours and less.

In Germany, the average scheduled hours of work in the German Federal Railway, for the workers, are eight hours a day for continuous workers and in the case of intermittent workers it might be extended to ten hours.

In the Italian railways the average hours of actual work in the State Railways are fixed at about 48 hours—and the same is the case in industrial, commercial and agricultural undertakings where continuous attention is necessary. In Italy, Sir, 10 per cent. of the workers work for less than 48 hours a week; about 60 per cent. work for 48 hours, and 27 per cent. for more than 48 hours.

In the Austrian Railways the maximum is 48 hours a week. On railways in Poland the maximum weekly hours are 46. In Esthonia on railways the maximum is 47. In Spain, in the coal mines and industrial undertakings and in the railways, the maximum is 48 hours a week; and 92·5 per cent. of the workers in Spain work for 48 hours or less.

In Greece the 48-hour week is applied to tanneries, printing works, manufacture of confectionery and chocolates, of leather goods and trunks, of the paper-making industry, tobacco stores and factories, underground work in mines, manufacture of cement and to slaughter houses.

In Belgium, Denmark, Sweden, Szecho-Slovakia, and the Kingdom of Serbs, Croates and Slovanes, in all the industrial undertakings the maximum hours of work are 48 hours a week.

In Norway and the Netherlands the maximum is 8½ hours a day and 48 in the week. In Lithuania in workshops and factories the maximum hours do not exceed 48. In Latania manual workmen work for eight hours a day and non-manuals for six hours a day.

So much, Sir, about Europe. I shall next come to America. In America, out of twenty-seven principal industries, fifteen industries work for 48 hours a week or less. I could give you some examples. The average weekly hours in furniture manufacture is 48; in lumber manufacture and mill work, 47·5; in printing publishing, book and job, 47·3; in paper products, 47·3; in cotton manufacture, 47; in leather tanning and finishing, 46·9; in wool manufacture, 46·6; in hosiery and knitted goods manufacture, 46·1; in silk manufacture, 46; in printing and publishing newspaper periodicals, 45·8; in automobile manufacture, 45·2; in electrical and apparatus manufacture, 45; in boot and shoe manufacture, 44·8; in rubber manufacture, 44·7.

Then, Sir, in the railways in Argentine, in Peru, in Bolivia, in Uruguay the maximum is eight hours a day.

In Australia, in Victoria, Tasmania, Western Australia and Queensland the maximum hours of work are eight hours a day. In New South Wales it is 44 hours a week, in New Zealand the maximum is 8½ hours a day and 48 hours a week.

Coming next to the Union of South Africa, drivers and foremen in railways work for 96 hours a fortnight; guards and ticket-examiners work for 108 hours a fortnight; the permanent way staff work for 58½ hours to 51 hours in Summer and 49½ hours to 48 hours in the Winter.

[Maulvi Abdul Matin Chaudhury.]

Sir, this is the position all the world over; and here in India we are being asked to accept this atrocious principle of 60 hours and 84 hours a week.

**Mr. B. K. Shanmukham Chetty:** How much is it in Japan?

**Maulvi Abdul Matin Chaudhury:** I have no information available. Even in India, in the case of postal workers in the Railway Mail Service and those, who work in the day, work for 36 hours in the week; those who work day and night work for 33 hours in the week; and those who work only during the night, work for 30 hours only in the week. I do not understand why railway workers, who are working under identical conditions, should be condemned to longer hours, while those working in the Railway Mail Service under the Postal Department are working 30 hours a week.

I should now like to deal with some of the objections that have been raised by the previous speakers. My friend Mr. Shanmukham Chetty said that India should be treated differently from other countries because of climatic considerations. I entirely agree, Sir. If eight hours a day is justified in the West there is justification for still shorter hours in India, because, Sir, eight hour day in a tropical country is more fatiguing, more exhausting and more deleterious to the workers' health than eight hours a day in a temperate climate.

Then, Sir, Mr. Hayman and Mr. Chetty argued about the repercussion on other industries. I have never heard a more absurd argument than the argument about repercussion. If we carry it to its logical conclusion, it means this, that in the railways there should be the lowest wage and the longest hours because, unless you pay the lowest wage to the railway workmen, there will be repercussion on other industries; similarly, in the railways, according to this argument, you should have the longest hours, because if you reduce the hours of work there will be repercussion on other industries, and the workmen will demand shorter hours. This position, Sir, on the face of it, is quite untenable.

Then my friends Mr. K. C. Roy and Mr. Hayman referred to the cost. I would ask them one simple question. Do you intend to sweat your labour to provide a surplus revenue? Mr. Kelkar said that he would agree to this as a first instalment; I suppose he takes it as an advance. It has taken the Government about 11 years to make a move in this matter, and I do not consider this measure as an advance at all. I consider it as a backward step, I consider it as a most retrograde measure, I consider it as an anachronism at the present day, and I say to Honourable Members of this House that they will be condemning themselves and this House before the bar of world public opinion if they lend their support to the proposal of Government.

**Pandit Hirday Nath Kunzru** (Agra Division: Non-Muhammadan Rural): Sir, not being connected with business of any kind, either as a labourer or as an employer, I find myself in some difficulty. I thought that the Report of the Select Committee would provide some enlightenment on those points which were obscure before, but I have not been able to derive any information from the Select Committee's Report which would enable me to solve the doubts that existed in my mind.

Sir, before making up my mind with regard to the merits of the controversy between Government and some Members of this House on the one

side, and my friend Diwan Chaman Lall and Mr. Abdul Matin Chaudhury on the other, I should like to know what is the number of men who will benefit if the legislation before the House is accepted in its present form. You have about eight hundred thousand men on State-managed and Company-managed railways. You propose to make some exemptions. It is only certain classes to whom the new legislation will apply. I think it is a fair demand on our part to know what is the proportion of existing railway employees that will benefit by the fixing of a 60 hours' week. In the second place, Sir, I should like to know what are the present hours of work in the more important railway departments. It has been alleged by my friend Diwan Chaman Lall that in the railway workshops and in certain other activities railway employees already work only for eight hours a day, or even less. If that is so, it is quite clear that these men do not stand to gain anything from this new legislation. If in the more important departments of activity the principle of a shorter day has been accepted, I think it is for Government to justify why a longer day should be enforced in the case of other men.

The third point on which I want information is what would be the increase in expenditure if the Bill placed before us by Government is accepted. I should like them to bear in mind in this connection that there are certain forms of work in regard to which overtime allowances are paid. If the hours of work are shortened and an additional staff is employed, to what extent will the money saved on the payment of overtime allowances suffice for the engagement of the new staff?

Lastly, Sir, I should like to know what additional expenditure would be incurred in case an 8-hours' day is accepted. You are already prepared to face a certain increase in expenditure by the acceptance of the Washington and Geneva Conventions. I should like to know what the excess over this expenditure would be if the 8-hours' day is accepted.

These are the specific points, Sir, on which I desire some information. We cannot decide the issue before us even on purely material grounds unless this information is forthcoming. But I should just like to say a word or two with regard to the point of view that I adopt in considering a matter of this kind. My Honourable friend, Sir George Rainy, has on more than one occasion told us that it is impossible for Government to deal with labour questions without bearing in mind prominently financial considerations. It is obvious, Sir, that an industry of any kind cannot provide for labour more than its earning capacity renders possible. But on the other hand, I should not like these questions to be judged from a purely financial standpoint. The human factor has also to be considered. It is not merely that the trend of modern sentiment has changed, but practical conditions in India themselves require that the human factor should be borne prominently in mind in dealing with these questions. And here I cannot forget that Government have taken about ten years to give effect to the Washington Convention and about four years to the Geneva Conventions. Had their recommendations been accepted earlier, more experience might have been gained, and it might have been possible for us now to have material in connection with the inquiry that is to be undertaken by Geneva next year.

My friend, Mr. Shanmukham Chetty, drew our attention to a very important point when he asked us to remember that the delegates of the employers and the employed had both agreed last year to have the question of reducing the working hours considered next year. We have also to remember that the length of the working day is one of the matters which

[Pandit Hirday Nath Kumar.]

will come under the consideration of the Labour Commission. I have no desire to prejudge the conclusions that might be arrived at, either by the Labour Commission or as a result of investigations at Geneva, but in view of the inquiry that is to be set on foot by Geneva next year, and the fact that the matter is to be considered by the Labour Commission, I think those of us who feel keenly on this subject ought to have no hesitation in making both Government and the other authorities that are concerned with this question feel that it is not only the labourers that are anxious for an amelioration of their position, but that those also who occupy a neutral position desire that they should be considered first and foremost as human beings. We should all bear in mind that the greatest capital at our disposal today is the efficiency and welfare of our human material.

**Dr. L. K. Hyder:** (Agra Division: Muhammadan Rural): I cannot claim that I am a labour agitator. I cannot claim that I administered the railways of the Government of India. I look at the matter from a detached point of view, and I have listened with the utmost attention to the case which has been made out for a 60 hours' week by the Members opposite. To my mind, Sir, there is in the case an unargued inference. That unargued inference is that, if you reduce the hours of work from 60 to 48, you will increase the cost. Now, Sir, this is the unargued inference to which I take objection. Is it at all likely, is it quite certain, that there will be an increase in cost? If you have shorter hours, the thing omitted from the calculation when the jump was made to this unargued inference is that there shall be, under no circumstances, an increase in the efficiency of the labourer. In other countries they have found out that there is an intimate relationship between the output and the hours of work.

Then, Sir, it is said that it may be all right elsewhere, we have no reason for believing that shortening the hours of work will make any increase in efficiency. I say, Sir, that the thing has to be proved before it has to be accepted on this side of the House.

Then, Sir, it has been said, leave the foreign countries alone; this is a special country with special circumstances. Unfortunately, Sir, I was not present in the House when the special circumstances were referred to, but I have revolved them in my mind, and I said to myself, "Can it be the climate?". Then of course it struck me at once that if the special circumstance referred to centre round the climate, then the argument is on this side and not on that side. If the special circumstances referred to the physique of the people, then again the argument is on this side and not on that side, on the side of shorter hours and not on the side of longer hours. If the special circumstances include a leisurely way of doing business, then I say the argument is on this side and not on that side, because we want you, Sir, to speed up and not to adopt the leisurely way of sending ten trains in 24 hours. It is no use asking the workers of the railway to adapt themselves to the leisurely way of running the trains. I have no doubt in my mind that the gentlemen who are responsible for administering the railway system in this country are aware that there is an economy of high wages. What my friend on my right was trying to do was to bring out the fact that there is also an economy of short hours. That is the whole meaning of the amendment which has been moved by him. There is another matter to which I shall refer. I would not base the case for shortening the

hours, as my friend on my right has done, and it struck me as peculiar also that while on the one hand it was said that the Railway Administration entertains a humanitarian outlook, on the other that it could not forget the interests of the taxpayers. I say, Sir, that I neither accept the one position nor the other. Let us look at the railway as a business concern, and that is the only aspect, and let us not then talk of social justice or social benevolence or humanitarian views. No, Sir, the railway worker is engaged in an industry, and the case for him rests, and can be made to rest, not on giving a dole or being charitable to him, but on his being intimately connected with the industry itself, and the whole question is whether the man whom you engage on one of these terms, the terms of 48 hours, is a man who gives the value for the money he receives. That is the case on which the railway worker should be judged, and there should be no talk either of benevolence or of a humanitarian attitude, because these things do not and should not come in the calculations of a capable railway administrator, and the worker himself stands on solid ground when he says, quite frankly and openly, "For 48 hours I shall give you an output in work which may be equal to the output which you might exact from me in 60 hours". That is the case. Well, Sir, it is on this ground that, after listening to the speeches delivered on that side of the House and also on this side, and after giving a proper amount of attention to this matter, I have come to the conclusion that the railway worker can stand on his own ground as an independent worker. Reference has been made to what is done in another country. Of course, the obvious retort is: what is done in the large majority of countries? There, there is the fear of the future which is perhaps deterring certain Members of the House from supporting my friend. The fear is that, if this legislation is introduced, there is no doubt that other industries will follow. I say, when then? Even in other organised industries the labourer shall be able to earn his wage by reason of the efficiency of his work, which should be limited to 48 and not 60 hours a week.

**Mr. Gays Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhamadan): Sir, I welcome this piece of legislation as a tardy recognition on the part of Government of the much-needed relief due to a deserving class of our public servants, I mean the railway employees. But, Sir, I should like to record my disapproval at this piecemeal interference with the Indian Railways Act. The Acworth Committee, if I remember aright, recommended that a wholesale revision of the Act should take place in the light of present day requirements. This was many years back. I also tried to bring this matter up before the House, but I was told that only last year the question of a somewhat comprehensive revision of the Indian Railways Act had been referred to the Rates Advisory Committee. So far as this legislation is concerned, there is no doubt that it is in some respects an advance upon the existing condition of things, but I should have wished it to go a little further. There are certain provisions of the Indian Factories Act which deal with the employment of labour, the hours of work, period of rest, and so on. I need not refer specifically to those provisions, but I would mention in passing sections 21, 22, 27, 28, etc., of the Indian Factories Act. I would only say this that overwork in factories is a matter which may be dangerous only to the workman himself, but overwork on the part of an employee on a railway is dangerous to a large number of the travelling public who have to travel on that railway. Let us take an instance. Suppose, a pointsman of a railway whose work is a risky one has been long on duty, and if an accident takes place on account of any inadvertent inattention or

[Mr. Gaya Prasad Singh.]

temporary absence on his part, he may not himself suffer, but it results in fatal consequences to the passengers. Therefore, Sir, I think that the amount of relief and respite given to workmen on the railways should be on a more generous scale than the amount of relief and respite given to workmen under the Indian Factories Act. I need not dwell on this fact that a workman who has been long on duty is physically and mentally unfit to discharge the responsibilities of his post requiring sustained exertion. It is therefore necessary that he should be given the much-needed relief to which he is entitled not only on humanitarian grounds, but also of public safety. If the causes of railway accidents are analysed, it will be found that many of the accidents owe their origin to inadvertent inattention or unconscious negligence on the part of some railway employees, who have been overworked and cannot bear the strain. The Bill, Sir, proposes to introduce 84 hours a week for those railway employees whose services are essentially intermittent.

**The Honourable Sir George Rainy:** On a point of order, Sir. Will not this question arise on the next amendment, which stands in the name of Maulvi Abdul Matin Chaudhury?

**Mr. Gaya Prasad Singh:** I need not dwell, Sir, on that point, because it has not yet been taken up. But I am glad to see that Government have undertaken an investigation into the whole question, and the result of it will be awaited with interest. Besides, we have got the Labour Commission which is now in labour, and by next year we may expect the recommendation of this Commission, which is likely to be on a more generous scale so far as the hours of work are concerned than the one which is proposed under this Bill. My information is that, in Japan, the hours of work are ten hours. I do not know if my information is correct, but I shall be glad if I am corrected. So, India is not the only country which has got a ten hours' working day, but we should try to bring it down to eight hours here.

In conclusion, I would like to say this. I find that a period of two years will be taken to give effect to the provisions of this Bill after it becomes law. This period, to my mind, is a rather long one, and I should have liked that the provisions of this law should come into force much earlier than that.

**Rai Sahib Harbilas Sarda:** (Ajmer-Merwara: General): Sir, I rise to support the amendment proposed by the Honourable Maulvi Abdul Matin Chaudhury. In the minute of dissent which I appended to the Select Committee's Report, I said that in two other Departments of Government, the hours of employment per week were not more than 48. In the Telegraph Department, for instance, the signallers do not work for more than 48 hours a week. In the Railway Mail Service, which is a branch of the Postal Department, sorters do not work for more than 36 hours a week. Mail guards, whose duties are less arduous, work at the utmost for 56 hours a week. In the Telegraph Department the day is one of eight hours, with relaxation on Sundays. If this is so in two Departments of Government, where work for eight hours a day is deemed sufficient, and if, as the Honourable Mr. Hayman has said, in the railway workshops the rule for years has been 42½ hours or 44 hours of work a week, then I see no reason why there should be a provision

in this Act to allow work up to 60 hours a week. I think, therefore, that, on the analogy of the Telegraph and Postal Departments, the week should be a week of 48 hours work only.

**Diwan Ohaman Lal:** Sir, I rise to support the amendment of my Honourable friend Maulvi Abdul Matin Chaudhury. I want to be very brief in this matter because I have already said a good bit upon this subject. One reason why I rose to speak was because of the very able speech made by my Honourable friend Mr. Shanmukham Chetty. Mr. Chetty brandished the sword of his forensic ability in my face, and thereby gave a tremendous amount of assistance to Honourable Members sitting opposite, whose sword, it seems to me, happens to be a wooden one. What are the arguments advanced by my Honourable friend, Mr. Chetty? I think he objected to what he understood me as saying that I implied this, that India had obtained an exemption from the Washington Convention. He would prefer me to say that India had obtained an exemption in the Washington Convention. It is all a difference of "from" and "in". I do not recollect that I myself was guilty of that blunder. I have had this matter thrashed out on another occasion in another country with the High Commissioner of India, and I was perfectly aware of what I was saying. What I was saying was this, that India had obtained an exemption in regard to the 48 hours a week in the Washington Convention, and I read out Article 10, which gives that special exemption. My Honourable friend over there said it was a provision. I say, call it what you like, provision or anything you like, the actual effect of that is that that exemption was obtained by India in the Washington Convention. Now, my Honourable friend Mr. Chetty referred to Article 427 and he said, "Well, in regard to Article 427, you are empowered, the authority is given to you by the Treaty of Versailles itself to make these exemptions". I do want to read to the House Article 427. I want to point out that there in Article 427 general principles were laid down and a high hope expressed by the high contracting parties that these general principles would be the guiding factors in labour legislation to be undertaken by those contracting parties, and it was said that the high contracting parties recognised that the well-being, physical, moral and intellectual of industrial wage earners was of supreme international importance. Well, the first test that I want my Honourable friend, Mr. Chetty, to apply is this, whether an eight hours' day would conduce more to the well-being, physical, moral and intellectual of the industrial classes of India or whether a ten hours' day would be more conducive to that end. I want him to answer that question. Would it not be better for the railway worker to work eight hours a day and have leisure and develop himself mentally, or would it be worse for him if he had the leisure that would be available to him by working ten hours a day?

The second point is they said, it is of supreme international importance. The high contracting parties have framed in order to further this great end a permanent machinery provided for in section 1. Then they go on to say that they recognise that differences in climate, habits and customs and of economic opportunity and industrial traditions make strict uniformity of the conditions of labour difficult of immediate attainment. Now, I want to ask my Honourable friend again, what particular exceptions laid down there militate against the grant of an eight hours' day to the workers on the railways in India. Let me take the first,

[Diwan Chaman Lall.]

that is climate. Climate is a factor which does not militate against the Honourable Member granting us an eight hours' day on the railways; on the contrary, it ought to help him to give us an eight hours' day. I hold in my hand a Report issued by a fairly well known authority, published by the International Labour Office, on the question of the relation of working hours to climate, and this is the conclusion that this author comes to in regard to the subject of working hours in relation to climate. The author insists, on scientific considerations, that for industrial countries which are situated south of Europe, the hours of work should be shorter than for other northern European countries, at any rate during the hot season. If climatic conditions in Europe lead this scientific investigator to state that, where there is a higher temperature in Southern Europe, you should have shorter hours, then why should not that principle be applicable here in India, and to the railway workers in particular? I ask, Sir, whether it is not a fact that the question of climate is an argument in our favour, not an argument in the Honourable Member's favour.

Then, take the next, customs and habits. I have yet to know of an individual in this country who possesses the courage to get up and say that the habits and customs of Indian workers are such that they prevent the Honourable Member from giving us an eight hours' day on the railways.

Take the next question of economic opportunity or industrial traditions. Is that the ground, I take it, which anybody would be foolhardy enough to advance? Is there anybody who would say that the economic opportunities and the industrial traditions of India are such that we should stick to sixty hours a week rather than to forty-eight hours a week? If these are the only exceptions laid down there of which advantage could be taken by national countries, then I ask where is the argument for stating that, because those exceptions are laid down in Article 427, therefore it is perfectly right that exceptions must be taken advantage of. And when we go on in Article 427 to the general principles laid down, what do we find? The fourth principle is the adoption of an eight-hour day or a 48-hour week as the standard to be aimed at where it is not already attained. This was in the year 1919. The standard to be aimed at is 48 hours a week. I want to ask my Honourable friend over there, what has he done during the last ten years to attain this particular standard which was brought to his notice as the standard to be aimed at for the benefit of the working classes in India? I want to ask this question whether during that period anything has been done to approximate to this standard? If anything has been done to approximate to this standard, what is the experience gained? Does the Honourable Member's experience tell him, I want to ask him in all sincerity, does his experience tell him that a 60-hour week is desirable for the railway workers? Can he honestly get up in his seat and say that his experience is that a 60-hour week is better than a 48-hour week? I take it that my Honourable friend would not make that statement. If it is not correct that a 60-hour week is better than a 48-hour week, then what are the conditions? Why is it that a provision of a 60-hour week has been embodied in this Bill and why is it being passed into a statute as far as the railway workers are concerned? I want to ask my Honourable friend, Mr. Shanmukham Chetty, to give me the reasons why he wants it. If my Honourable friend is

so fond of Geneva and of the statutes laid down, in the Peace Treaty, why does he want the 60-hour week? He remembers the Preamble, in which it has been said that the existing conditions of labour involve such injustices and hardships and privations to large numbers of people as to produce unrest so great that the peace and harmony of the world is in danger. There is a statement made in the Preamble to the Peace Treaty, in reference to the organisation of labour and they recognise that those conditions of hardship which create this unrest have got to be done away with and a better system adopted. Now, my Honourable friend has had ten years in which to work that better system. Why has he not adopted it? The argument that I would place before him is this. Let him take for instance the workshop employees. Is it admitted that workshop employees work 48 hours a week or less than 48 hours? Is it true or is it not true? Let me take the engineering department, labour employed on the maintenance of permanent way that is gangmen and keymen. Is it not a fact that they are not working more than eight hours a day? Again, take the case of gate keepers. Do they or do they not work in three shifts of eight hours a day? Take your station staff. On all important stations, are they not working eight hours a day? Take your large sheds. Are they also not working on eight-hour shifts? So is the case with your running staff. If it is a fact that all these people are working on an eight-hour shift today, then I ask what is all this camouflage for? You come to us on the floor of this House and, in spite of the fact that in actual practice many thousands of your workmen are working on an eight-hour day basis, you want to pass—after this exemption has existed for the past ten years—a law that the railway workers should be ruled by the 60-hour week and not the 48-hour week. I would have understood my Honourable friend if he had turned round and said, "In regard to this particular class of workers, who no longer are working more than eight hours, I will make an exception. In regard to the running staff, I may have a little difficulty, and therefore I will so circumscribe the sphere of this Act or so limit its operation or so limit its duration that, after I have investigated, I will go back to 48 hours". I could have understood this if he had said so. What is it that induced my Honourable friend to publish this scheme at the present moment in regard to the 48 hours and the 60 hours? This problem has been raised by me, and why? I want to know if it is fact that, in actual practice, he has got a 48-hour week which applies to many thousands of his workers. My Honourable friend, Mr. Hayman, would say, prohibitive cost. I challenge that statement and I challenge him to produce figures about this cost. Take your running staff. Your running staff, the guards and drivers are paid on the basis of certain miles, or certain hours of work done over and above their duty. Now whatever extra is earned by them in the overtime that they put in, suppose you were to limit their hours of work to eight, you could then increase your staff; or whatever increase you give in the shape of overtime, you could distribute the money to your extra staff. Even if you have to spend more money, is it not right that you should spend that money? My Honourable friend there puts up his hands and he says, no money. But you have plenty of money. What has happened to your reserves? Where are they? A mere book entry? Are they mere book entries? I believe you have got 15 crores as your Depreciation Fund and 20 crores as your Reserve, making 35 crores. Could you not take a little flea-bite,

[Diwan Chaman Lall.]

a few crores out of that and deal with this problem? I do not believe for a moment that it is a question of crores. It is a simple question, and if you only had the will, you could deal with it promptly and efficiently. But the Government of India move very slowly; they think they move very surely, but I am not quite certain. I think the attitude they have adopted in regard to this matter demands a straightforward reply. Will you tell us exactly why you are now at the present moment coming forward with this demand, and tell us why it is not 48 hours? What is the objection to 48 hours? If you say it is finance, have you worked out the figures of finance? Have you worked out the figure of cost? How much extra cost would it involve? Give us the figure; it is no use taking the vote of this House on an issue in regard to which facts have been withheld from us. Let us have all the facts and figures here. Have you got any facts or figures to substantiate the statement you have made? If it is either cost, or if it is climate, if it is expediency, if it is the demand of the workers, if it is compliance with Geneva, let us have all these arguments; because, as far as compliance with Geneva is concerned, you have not got a leg to stand on. You have not got a leg to stand on so far as the question of climate is concerned. I do not know, nor I think does any other Member of the House know, what the extra cost would be, because I believe you have not worked out the figures of that extra cost. Under these circumstances I submit that it would be wrong on the part of any Honourable Member to suggest either to Government or to any industrialist on the floor of this House that they must not adopt 48 hours a week merely because of its repercussion upon other industries in India. This is an honest, just, straightforward and reasonable demand, namely, a demand for 48 hours. What business has any Honourable Member on the floor of this House to turn round and say that he will not give it merely because it might have some repercussion on other industries? Are the Government of India, I want to ask, in the pay of the Indian capitalist or the British capitalist in India, that they have this tender regard for the needs of the Indian and British capitalists when they have no regard for the Indian worker on the railways? Which would they prefer, the dividends of the industrialists, or the happiness,—intellectual, moral and physical happiness,—and well-being of the industrial worker on the railways? They have their choice and I hope they will be wise and make their choice in the right direction.

**The Honourable Sir George Rainy:** Sir, this question, which has been under discussion since the House resumed after lunch, is of course the crux of the whole Bill. The most important question that can be raised on this Bill is whether the limit for the hours of work should remain at 60 a week, as fixed in the Bill, or whether it should be reduced to 48, as proposed by my Honourable friend Mr. Abdul Matin Chaudhury. Now, although the amendment stands in the name of my Honourable friend, perhaps I am entitled to say that the protagonist of 48 hours is my other Honourable friend Diwan Chaman Lall, since he has made two speeches on the subject and Mr. Abdul Matin Chaudhury has made only one.

Now, one of the reasons which he adduced as reason, why the House should make the limit 48 hours and not 60, was the delay of the Government of India in dealing with this question. It does not seem to me to

be a very relevant reason, but since something was said about it by more than one speaker, I think it is reasonable that I should reply in regard to it. It is obvious from what I said in a speech during the Budget discussions last year, that I feel myself that the question has been delayed much too long. I frankly admit it. But if anyone asks the reason why the question was not taken up effectively sooner, I can give an answer in two words. We should never have been able to take it up effectively until we had the Labour Member on the Railway Board. It is a simple point that you must have people whose definite business it is to work out the complicated details of a question like this, and until we had the necessary machinery, we could not deal with the difficulties. It took me two years, after I became a Member of Council, to make up my mind that we must correct the defect in our organisation, and it was not until that defect had been corrected, that it was possible for me to make any substantial progress with this question of compliance with the Washington and Geneva Conventions.

I should like to refer to the questions put by my Honourable friend, Pandit Hirday Nath Kunzru. What are the existing hours of work in the workshops, he asked, and if, as has been stated, you can work 48 hours or even 42 hours a week in the workshops, does not that admit the principle of 48 hours a week, and ought you not to apply that limit generally? Now, the reason why we could, without a great deal of difficulty, keep within a 48 hours' week or even a lower limit in the workshops is that we could shut down the workshops for one day in the week altogether and work eight hour shifts on the remaining six days. If it were possible to shut down to a very large extent, as is customary in European countries, the work of the railways generally to (say) 50 per cent. on one day in the week, the whole question would become a great deal easier. In Europe a large part of the work is closed down on the weekly rest day, and for a very large portion of the staff no substitutes are required on that day; whereas in India we cannot close down or reduce the work, because the trains run as they do on other days, and the result is that, with a 48 hour week, we should require substitutes for the whole of the staff on the weekly rest day. That brings me to what my Honourable friend Dr. Hyder said. He said, are you sure that there will be an increase of cost? Is it not true that, in many branches of industry, the economy of short hours and the economy of high wages has been demonstrated, and would it not be the same on the railways? So far as the workshops are concerned, it is a perfectly good argument. In theory it can only be tested by experience, but I should not be the least surprised to find that, given efficient control and management, you might pay higher wages and work shorter hours, and still get a larger output. But my difficulty about the great bulk of the labour, who will benefit from this Bill, is precisely this, that I do not see how the output can increase. What is the output of a railway as a traffic carrying concern, except the number of passengers it carries, the volume of goods it carries, and the number of trains that pass over the lines in a given period? If, in order to work to a 48-hour week, the railways have to incur increased expenditure in order that the staff at each station may work shorter hours, there will be no increase in the number of trains, no increase in the number of passengers, no increase in the volume of goods carried, and therefore there must be an increase of expenditure which you cannot recoup directly by any increase in earnings. The only compensating advantage, from the commercial point of view that you can expect, is greater

[Sir George Rainy.]

safety from accidents perhaps, or other indirect advantages of that sort. I do not think that Dr. Hyder's argument is fairly applicable to the circumstances of the railways.

Now to revert once more to certain other questions put by Pandit Hirday Nath Kunzru. He wanted to know how many men would profit by the provisions of the Bill, he wanted to know what the increase in expenditure was likely to be as a result of the operation of this Bill, if it passed into law, and wanted to know what the further increase in expenditure would be from the introduction of a 48-hours' week. The second question, I can answer. The first and the third, for reasons which I will explain, I am not in a position to answer. With regard to the second, the recurring expenditure, as a result of the present Bill, will be about 50 lakhs a year or possibly it may be slightly higher. I understand that the non-recurring expenditure on the construction of quarters, etc., may amount to as much as 75 lakhs. But as regards the further increase in expenditure which would result from a 48-hours' week, if I had an estimate in my possession which I could regard as giving a reasonably accurate idea of what it was likely to cost, I should be most happy to lay it before the House. I have not got such an estimate nor can I give the figures of the number of men likely to be advantaged by the passing of this Bill into law. The reason is this. In order to get really accurate figures, we should have got to examine the conditions in every railway station in India and see exactly what the conditions are at each station and what additional staff is required in order to give effect to the change in the law. Still more would that be necessary to get an accurate estimate of the cost of a 48-hour week. But I am quite confident of this, that it would cost considerably more to go on to the 48-hours week than it costs to give effect to the provisions of the present Bill. Until that matter has been fully explored, apart from any other argument, I could not ask this House to agree to the adoption of the 48-hour week. My Honourable friend, Diwan Chaman Lall, seemed to me to argue that, because Government could not show that the cost was prohibitive, therefore the House ought to tell the Government to go ahead. Now, I would ask this, supposing we are going to construct a new Railway line or a new project, or to make a large improvement and if we come to the Standing Committee and say we have no evidence that the cost will be prohibitive, would the Standing Finance Committee tell us to go ahead?

**Diwan Chaman Lall:** May I interrupt my Honourable friend? My point is not that. My point is merely this. You had ten years in which to investigate the possibilities of a 48-hours' week. Why have you not investigated that possibility?

**The Honourable Sir George Rainy:** I have given my answer to my Honourable friend already. Until we had our labour organisation at the Headquarters of the Railway Board, there was not the least chance of this question being adequately examined. I made it quite plain that this very question, the adequate examination of this very question, was one of the main reasons why I considered it necessary that the organisation of the Railway Board should be changed.

Again my Honourable friend asked, had we not the reserve available? I have always been taught, ever since I came to this country, that it was

not right to use non-recurring income to meet recurring expenditure, and I am afraid I am too old to unlearn that lesson.

I have now run over the main points why the Government of India are unable at present to accept the reduction of the figure in the Bill from 60 hours to 48 hours. It would mean a serious addition to the expenditure of the railways, and it is an addition which, if introduced suddenly, might mean a definite increase in rates and fares. The whole question will have to be examined in connection with the revision of the Washington Convention, as far as India is concerned. There is no question about that. But at present I would press upon the House that, what we have got to do is to carry out the obligations we have already incurred and not to commit ourselves to other obligations which involve heavy expenditure and which we could not give full effect to for several years to come, because the whole of the preliminary work has still to be done. But my Honourable friend, Diwan Chaman Lall, says, why have the Government brought the question forward at this stage as a matter of urgency? Having waited for ten years, why could they not wait a little longer? In particular, he said, if the House should decide in favour of the Bill as presented by Government, then it would in effect be providing an argument why, when the Convention comes under revision, we should not move forward to a 48-hour week. Now, if I thought that this Bill would prejudice the freest and fullest examination of the question whether or not a 48-hour week should be adopted in India, I should be very sorry to bring it forward. But I cannot believe that it will have that prejudicial effect, and I am quite sure that that idea was not present to the mind of any Member of Government. For one reason alone it seems to me that the apprehension expressed by my Honourable friend is quite groundless. After all is not this a matter very much within the sphere of the Royal Commission on Labour, and is it likely that my Honourable friend or his colleagues will be deterred from making any recommendation they think right in the interests of India because the Legislature of India passes a Bill to give effect to obligations incurred by the Government of India several years ago? Is it likely? and if not, what reason has my Honourable friend for feeling any apprehension on the point? For the reasons I have given, Mr.

4 P.M. President, Government are unable to accept the amendment moved by my Honourable friend, and I hope that the House will not accept it either.

**Mr. President:** The question is :

“That in clause 2, in sub-section (1) of the proposed section 71C for the word ‘sixty’ the word ‘forty-eight’ be substituted.”

The Assembly divided.

AYES—15.

Abdul Matin Chaudhury, Maulvi.  
Ayyangar, Mr. K. V. Rangaswami.  
Chaman Lall, Diwan.  
Farookhi, Mr. Abdul Latif Saheb.  
Ghasanfar Ali Khan, Raja.  
Hyder, Dr. L. K.  
Kidwai, Sheikh Mushir Husain.  
Lalchand Navalrai, Mr.

Mohammad Ismail Khan, Haji  
Chaudhury.  
Murtaza Saheb Bahadur, Maulvi  
Sayyid.  
Rang Behari Lal, Lala.  
Sarda, Rai Sahib Harbilas.  
Siddiqi, Mr. Abdul Qadir.  
Sitaramaraju, Mr. B.  
Talatuley, Mr. S. D.

## NOES—48.

Abdul Aziz, Khan Bahadur Mian.  
 Abdul Qaiyum, Nawab Sir Sahibzada.  
 Alexander, Mr. W.  
 Banarji, Mr. Rajnarayan.  
 Basu, Mr. E. F.  
 Chambers, Mr. G. W.  
 Chetty, Mr. R. K. Shanmukham.  
 Coatsman, Mr. J.  
 Cocke, Sir Hugh.  
 Cosgrave, Mr. W. A.  
 Crawford, Colonel J. D.  
 Crerar, The Honourable Sir James.  
 Crosthwaite, Mr. H. S.  
 Ferrers, Mr. V. M.  
 French, Mr. J. C.  
 Gwynne, Mr. C. W.  
 Hamilton, Mr. K. L. B.  
 Hayman, Mr. A. M.  
 Hira Singh Brar, Sardar Bahadur,  
 Honorary Captain.  
 Howell, Mr. E. B.  
 Jawahar Singh, Sardar Bahadur  
 Sardar.  
 Jehangir, Sir Cowasji  
 Lamb, Mr. W. S.  
 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra  
 Nath.  
 Mitter, The Honourable Sir Brojendra.  
 Monteath, Mr. J.  
 Mukherjee, Rai Bahadur S. C.  
 Mulla, Sir Dinshaw.  
 Noyce, Sir Frank.  
 Pai, Mr. A. Upendra.  
 Parsons, Mr. A. A. L.  
 Rahimtulla, Mr. Fazal Ibrahim.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Roy, Mr. K. C.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Sarfaraz Hussain Khan, Khan  
 Bahadur.  
 Schuster, The Honourable Sir George.  
 Scott, Mr. J. R.  
 Singh, Mr. Adit Prasad.  
 Singh, Raja Raghunandan Prasad.  
 Slater, Mr. S. H.  
 Sykes, Mr. E. F.  
 Tin Tut, Mr.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was negatived.

**Mr. President:** I think this is a convenient stage to adjourn unless the Honourable Member in charge of the Bill desires that we should continue.

**The Honourable Sir George Rainy:** I think it is desirable, Sir, that this Bill should be proceeded with. I am very anxious that there should be no possibility of this Bill not getting through this Session.

**Mr. President:** Maulvi Abdul Matin Chaudhury.

**Maulvi Abdul Matin Chaudhury:** Sir, I move:

"That in clause 2, in sub-section (f) of the proposed section 71C, for the word 'eighty-four' the word 'sixty' be substituted."

This clause provides for an 84-hour week for the essentially intermittent worker. It makes no provision for hours of rest or for a holiday. If, Sir, the hardship involved in this case is not apparent to Honourable Members from the clause itself, nothing that I can say will have any possible effect on them; and I do not want to take the time of the House by expounding the obvious. I move.

**Mr. A. M. Hayman:** Sir, my Honourable friend has spoken just a few words on his motion, and I propose also to be very brief. I wish to say that there are many safeguards that we are going to take in order to prevent our essentially intermittent workers from being called upon to work for more than a reasonable number of hours. It is true that we have provided for a maximum of 84 hours' duty for them; but we will, by executive instructions, see that, if required to be on duty for about 12 hours a day, they definitely enjoy long periods of inaction at least during such

duty. Our rules will provide two periods of inaction which exceed half an hour each and we shall see that there are other periods of inaction too. I would like to say that it is our intention to examine the work of every one of our employees from the point of view of finding out how much actual work they do, in order to classify them as essentially intermittent or as continuous workers. I would like to make just one brief reference to what the practice is in other countries in dealing with this question. In most of the Western countries the practice is to value the number of hours work which are essentially intermittent work on the principle of adding to the number of actual hours work a certain fraction of the hours during which an employee is on duty, but no work is actually performed. That is the principle adopted by almost all the Western countries, but they differ very largely in the basis on which the conversion is made. Some take the period of duty at only one-fifth, some at half and others at two-thirds of the working hours. We had at one time seriously considered whether we should not go in for this principle of measuring the hours of duty when work was not performed at a fraction of the hours of work thus doing away with the classification between continuous workers and essentially intermittent workers for the purpose of prescribing the maximum number of hours of duty for all. But we gave up that idea simply because we thought that it was better, in the interests of the men, to do so. These, Sir, are the brief explanations that I would give to satisfy the House that we are justified in adopting this higher number of maximum hours of duty for our essentially intermittent workers.

**Diwan Chaman Lal:** Sir, I am greatly at a loss to understand what justification there is for 84 hours, and why the Honourable Member over there is not prepared to accept the sixty-hour limit for these intermittent workers. What is the difficulty? I would like to know what difficulty there is. I would like to know, and I am sure Honourable Members on this side also would like to know, exactly why it is that 84 hours is a favourite figure and not 60 hours with the Government. Now, it so happens that it is our misfortune that Honourable Members opposite bring up these important suggestions affecting the lives of thousands of people, and on this side, with a House constituted as it is, they can turn round and treat these Benches with utter contempt. As one who would like at least to be treated to an intellectual treat, I am missing even that from the Government Benches. I would like some sort of statement of their reasons, valid or otherwise—that is for the House to judge—but let us have the reasons at least. We have got a bare statement already in the Bill that you have presented before us. Firstly, Sir, let us know why it is that you want 84 and not 60. If Mr. Hayman—I am not usurping his functions, Sir,—had turned round and said, "Here are my facts and figures of different classes of workers and continuous workers and intermittent workers, whose work is such that we are unable to put down a limit of less than 84 hours a week", I would have said "I will give my thought to it, I will give my best consideration to it." But I am not presented with these facts and figures; the Select Committee, as far as I can make out, have not been presented with these facts and figures; and I take it that this figure of 84 hours is put down because it has been the general rule so far that there are certain classes of workers who are working 84 hours a week, and therefore we are bound to that position. When a friend of mine over here turned round a little while ago and said that this

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was a step forward, I interrupted him and I questioned in what way this was a step forward? You prepare your rosters, and I can prove to the complete satisfaction of the Honourable Member over there, that in the preparation of your rosters now such difficulties arise as are not beneficial to certain classes of workers; and if that is the position, I ask, how is this a step forward? Now, I want to ask the Honourable Member—I am very glad and I congratulate the Honourable Member over the appointment he holds and I entirely agree with Sir George Rainy in what he has said, that it is since the appointment of this Member of the Railway Board that these matters have been looked into and I wish him all the luck in the world—I want to ask the Honourable Member not merely to look at these figures—I want him to look at them with a sympathetic eye. For instance, let us take the case of the intermittent workers. I want to know what the policy of the Government of India and of the Railway Board are in regard to the question of equated hours. Have you got a policy? Have you come to any conclusions? Let me give an example. Here is a worker who, if his total duty is totalled up, puts in, let us say, six hours of work in the course of a day, but he is put off for another spell, which totals ten hours a day. Knowing that, in all civilised countries, as far as I am aware, there is some sort of system whereby he is compensated to some extent, I want to know is he compensated here to any extent? . . .

**Mr. B. Das:** Now you are coming to the point.

**Diwan Chaman Lall:** I am glad, Sir, my friend, Mr. Das, is awakening to the realities of the situation. (Laughter.) He says that now I am coming to the point; he means by that, I suppose, that he sees the point. (Laughter.) I want to know whether it is or it is not a fact that there is no such system here. If there is, I would like to know what it is. Whether that is going to be worked by the Government of India, by the Railway Board or by the Honourable Member or not, I want to know, and until I do know that I shall oppose this proposition tooth and nail.

I come now to the difficulties that arise in regard to intermittent work, difficulties which can only be adjusted by a most careful consideration of the demands of the workers themselves. Here is a question which my friend will have to look into. When I am presented with a statement of this kind, that is to say, the old hours work were eight hours a day; and, in order to give rest for 24 hours, the rosters have been changed, and in one case the change has been such that it would seem there is now a system of employing a man for 12 hours a day for two days. I ask, is that in the interest of the workers? These matters cannot be adjusted unless there is the closest contact between the worker on the one side and the employer on the other. It is all very well for the Agent to put a man on special duty and tell his clerk to work out a roster on that basis. But when the roster is actually worked out, the worker finds that it is not to his advantage, that the roster has been broken in, and that he is made to work for longer hours on one or two particular days in the week, and in this way difficulties arise. How does my friend intend to adjust those difficulties? Does he intend to adjust them by calling a conference of the workers' representatives sitting in conclave with them and then decide the matter or by the mere *ipse dixit* of the Department over which he presides?

Now, Sir, I do want to know, as I started by saying, the justification for the 84-hour limit; why will not my friends over there accept the 60-hour limit? Secondly, I want to know, what method does the Honourable Member propose to adopt in order to give some compensation to those people who are engaged in intermittent work? There may be several classes of workers in regard to whom it may be said that their work is intermittent. I want to know what particular compensation, on the basis as it is prevailing today in other countries, he proposes to give them. Thirdly, I want to know whether he is prepared to accept the proposition that this matter must be settled in consultation with the representatives of the Union. May I ask lastly this, whether the Honourable Member is prepared, even though this measure may become the law, and may gain the sanction of a statute, the House being constituted as it is, to consult the representatives of the workers and fix a lower limit if it is found that the lower limit is a reasonable one?

**The Honourable Sir George Rainy:** Sir, I shall deal very briefly with the arguments that have been put forward. I should like, in the first place, to draw the attention of the House to the definition of "essentially intermittent" in clause 2 of the Bill. New section 71A reads thus:

"The employment of a railway servant is said to be 'essentially intermittent' when it has been declared to be so by the authority empowered in this behalf, on the ground that it involves long periods of inaction; during which the railway servant is on duty but is not called upon to display either physical activity or sustained attention."

This definition has been borrowed, I understand, from the definitions in force in various European countries.

Now, my friend, Diwan Chaman Lall, asked what steps were going to be taken to make sure that the interpretation placed upon the term "essentially intermittent" was reasonable and proper. The proposal in the rules is that power should be delegated to the head of each railway, and that he should have power of sub-delegation, but the control that will be exercised will be very largely exercised through the reports of the supervisors of railway labour. I quite realise that there is a danger of want of uniformity in this matter and of some railways classifying too freely as essentially intermittent work which ought not to be so classified. In addition to any control that we may be able to exercise direct from the Railway Board, we shall rely very largely on the reports of the Supervisors of railway labour, who will be specially asked to give their attention to this question.

Now, as regards the limit of 84 hours a week which is proposed to be fixed, I would like to make it plain that we are not pledged under the Washington Convention to fix any limit at all. It would have been possible simply to say that workers, once they were classed as "essentially intermittent" should be left out. We have inserted this limit because we think it reasonable that, even when a man's work is very light, and the actual work in proportion to the hours of duty is very small, there should be some maximum limit.

Finally, my friend asked whether the question of essentially intermittent work would be discussed with the Railway Unions. It seems to me that, if the men on a given railway are not satisfied with the manner in which work has been classed as "essentially intermittent", it would be entirely proper that the matter should be discussed between the

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Unions and the Railway Administration. But if my Honourable friend means that we should discuss the question of the limit proposed to be set down in this Act either with a Union or with the Railwaymen's Federation, that is rather a different matter. Clearly, we cannot take the decisions of the Legislature elsewhere, as to a Court of revision. At the same time, it is only a maximum that is fixed by law, and it is perfectly open to the Railwaymen's Federation to represent to the Railway Board or the Government that a lower maximum should be fixed, and there would be nothing illegal in fixing a lower maximum on the State-managed railways. But I think it would be a great mistake if the Federation were to raise that question as an abstract question, and if the question is to be raised at all, it would be fit to take it up as regards particular classes of labour, so that we could get down to the facts and come to a conclusion as to what is a reasonable limit to the hours of work. That completes, I think, what I have to say, Sir.

**Mr. President:** The question is:

"That in clause 2, in sub-section (2) of the proposed section 71C, for the word 'eighty-four' the word 'sixty' be substituted."

The motion was negatived.

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 Rainy:** Sir, I move that the Bill, as reported by the Select Committee, be passed.

The motion was adopted.

The Assembly then adjourned till Half Past Four of the Clock on Friday, the 28th February, 1930.

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