

LEGISLATIVE ASSEMBLY DEBATES

WEDNESDAY, 11th FEBRUARY, 1931

Vol. I—No. 17

OFFICIAL REPORT



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LEGISLATIVE ASSEMBLY.

Wednesday, 11th February, 1931.

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

MEMBER SWORN.

Mr. U. Tun Aung, M.L.A. (Burma: Non-European).

QUESTIONS AND ANSWERS.

DIFFICULTY IN CASHING INDIAN CURRENCY NOTES IN THE HEDJAZ.

367. ***Kunwar Hajee Ismail Ali Khan:** (a) Are Government aware that a large number of counterfeited Indian currency notes are in circulation in Hedjaz and in consequence Indian pilgrims are finding great difficulty in cashing genuine Indian currency notes?

(b) Are Government aware that Indian Hedjaz pilgrims are advised by several newspapers to take money in cash with them to Hedjaz owing to the difficulty in cashing currency notes?

(c) If the answer to part (a) be in the affirmative, will Government be pleased to inform the Assembly what facilities are given to Hedjaz pilgrims to convert their cash into gold coins, which are more acceptable than currency notes in Hedjaz?

(d) Are Government prepared to issue a circular letter to all the District Treasury Officers to help the Indian pilgrims in converting their cash into gold coins at the current rate of the market?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) Government believe that the fact is as stated.

(b) Yes.

(c) and (d). The Government of India do not consider it necessary to issue instructions to District Treasury Officers on the lines suggested by the Honourable Member. The exchange between rupees and the Hedjaz currency is now stabilised and Indian rupees are readily accepted in payment in the Hedjaz. Various Indian mercantile firms have branches both in India and Jeddah and *hundis* which can be cashed in Mecca and Medina are readily available. Messrs. Thomas Cook and Co.'s circular drafts, which are obtainable in the Indian ports of embarkation, are easily cashed in Jeddah.

Mr. Muhammad Anwar-ul-Azim: Will the Honourable Member kindly tell us whether the Imperial Bank of India or the National Bank of India have got any branch either at Jeddah, Mecca or Medina?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I have no information, Sir, on that point.

COMMUNITIES REPRESENTED IN APPOINTMENTS IN THE CENTRAL PUBLIC WORKS DEPARTMENT, DELHI.

368. ***The Revd. J. C. Chatterjee:** (a) Will Government be pleased to state the number of Muhammadan, Bengali, Sikh and Indian Christian clerks in the Central Public Works Department?

(b) Is it a fact that 14 clerks were appointed last year? If so, will Government be pleased to state the number of Muhammadans, Bengalis, Indian Christians, etc., appointed?

(c) Is it a fact that some reduction is being contemplated shortly in the Central Public Works Department? If so, will Government be pleased to state the number of Muhammadan, Indian Christian and Hindu clerks proposed to be brought under reduction?

(d) Will Government be pleased to lay on the table a statement showing the amount spent on Hindu, Muhammadan and Indian Christian clerks in the Chief Engineer's Office, Central Public Works Department, from the 1st January, 1980 to 31st December, 1980, as compared with the total salary and allowances drawn by the clerical establishment of these offices?

(e) Will Government be pleased to state the present number of Hindu, Muslim and Indian Christian Assistants in the Central Public Works Department?

(f) Will Government be pleased to state what steps have been taken or are proposed to ensure an adequate representation of persons belonging to minority communities in the Central Public Works Department and the Chief Engineer's Office?

Mr. Tin Tüt: (a) and (e). The statistics asked for by the Honourable Member are contained in a statement which I place on the table.

(b) The reply to the first part is in the affirmative. The Honourable Member will find the figures in the statement to which I have referred.

(c) The reply to the first part is in the affirmative. The matter is still under consideration.

(d) The required information is not readily available as no such returns are maintained.

(f) In making new appointments, due consideration is given to the adequate representation of minority communities.

Serial No.	Particulars.	Details by various communities.							Total.
		Muham- madan.	Bengalis.	Sikhs.	Indian Christians.	Hindus.	Jains.	Europeans and Anglo- Indians.	
1	Strength of Clerical Establishment in the Central Public Works Department.	56	3	1	3	141	5	3	212
2	14 Clerks appointed in the Central Public Works Department in 1930.	5	..	..	1	7	1	..	14
3	Assistants employed in the Central Public Works Department.	10	2	..	1	41	1	1	56

COMPLAINTS AGAINST THE SUPERINTENDENT OF POST OFFICES, MALABAR DIVISION.

369. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state how many Muhammadans have been entertained in the Postal Department in the Malabar Division by the present Superintendent of Post Offices? If no Muhammadans have been entertained at all, was it because of lack of applicants?

(b) Is it a fact that the majority of candidates entertained by him are Christians and, if so, what are the reasons for the same?

(c) Is it a fact that the Superintendent of Post Offices, Malabar Division, is subjecting the Hindu and Muhammadan subordinates under him to frequent transfers?

Mr. K. Ahmed: I rise to a point of order, Sir. My point of order is that there is a strict rule in the Standing Rules and Orders contained in the Manual of Business and Procedure of the Legislative Assembly which says that no question should be repeated in this House unless one year has elapsed: and this question 369, Sir, is a question identical, word for word, comma for comma and semi-colon for semi-colon and full-stop for full-stop, with question No. 465, the only exception being that the latter question is to be put by Mr. Thampan and this question 369 is put by Mr. S. C. Mitra. If the rules are not strictly observed, then in the result it comes to this. . . .

Mr. C. C. Biswas: Sir, is the Honourable Member in order in making a speech on a point of order?

Mr. President: He is entitled to explain what his point of order is.

Mr. K. Ahmed: Gradually, the Honourable Member from Bengal who is new in the Assembly, will be familiar with the point. Now, Sir, I submit that the rule about ten days' time before which a question should not be answered is a little duty which is cast on the Secretary probably not only of the Department of the Legislative Assembly alone but of the Legislative Department also; and, therefore, Sir, as soon as notice is given ten days before the question is answered, within that time the Secretariat of the Legislative Assembly Department or of the Legislative Department should exercise their power and do a little work in order to find out whether or not these are questions which have been repeated, as is done on the same agenda of business. I submit, Sir, this sort of irregularity should not crop up again.

Mr. President: I take it that the Honourable Member raises the point of order under Standing Order 70?

Mr. K. Ahmed: Standing Order 70 at page what?

Mr. President: Order, order. I want the Honourable Member to tell me under what Standing Order he has raised this point of order.

Mr. K. Ahmed: Well, Sir, this is a new copy which I have just got. (Laughter.) But from general experience you will allow me, Sir, to tell you that it is quite correct that no question should be repeated in the Assembly unless 12 months have elapsed.

An Honourable Member: There is no such Rule or Standing Order.

Mr. President: I take it that under Standing Order 70 there is a provision of the kind that the Honourable Member has mentioned. But that Standing Order refers to Resolutions only. It says:

"When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within one year."

An Honourable Member: Why not extend the principle?

Mr. K. P. Thampan: May I explain the position, Sir?

Mr. President: Order, order. Standing Order 31 refers to the same Session, and even there it says that "a motion must not raise a question substantially identical with one on which the Assembly has given a decision in the same session." That deals with *motions*. There is no such Standing Order as would justify the point of order being held good, and I therefore rule that the question is perfectly in order.

Mr. K. Ahmed: I take it, Sir. . . .

Mr. President: I have given my ruling, and I cannot allow any further discussion.

Mr. H. A. Sams: (a) to (c). Information has been called for.

SUPPLY TO MEMBERS OF COPIES OF ACTS BEING AMENDED.

370. ***Mr. S. C. Mitra:** (a) Is it a fact that in introducing supplementary and amending Bills, copies of the main Bill are not supplied to the Assembly Members?

(b) Are Government aware that Members suffer great inconvenience on that account?

(c) Has any complaint been made on the floor of the House about this?

(d) Do Government contemplate in future to supply copies to Members of the main Bill also?

Sir Lancelot Graham: (a), (b), (c) and (d). I presume that by the expression "main Bill" the Honourable Member means the "principal Act". If so, the Honourable Member is referred to the reply given to Mr. Lalchand Navalrai's identical question No. 664 printed on pages 1934 and 1935 of the Legislative Assembly Debates of the 19th March, 1930.

SUMMARY DISMISSAL OF MUSTAFA, AN INEMAN IN THE EASTERN BENGAL RAILWAY PRESS, CALCUTTA.

371. ***Mr. S. C. Mitra:** (a) Is it not a fact that under the Government Servants' Conduct Rules as well as Civil Service Rules and Regulations the services of a Government employee can not be dispensed with, on a charge of misconduct without any proper inquiry being held on the explanations submitted by him?

(b) Is it not a fact that the Honourable Sir Bhupendra Nath Mitra stated in the Legislative Assembly in answer to the starred question No. 632, dated 18th September, 1929, that no Government servant can be dismissed from his appointment on a charge of misconduct otherwise than after due inquiry?

(c) Is it not a fact that Mustafa, an Inkman in the Eastern Bengal Railway Press, Sealdah, Calcutta, a permanent employee of 10 years' standing, has been summarily dismissed without having an opportunity to lay his explanation before the authorities?

(d) Is it not a fact that the Organising Secretary, Press Employees' Association, Calcutta, a registered and recognised body, addressed a letter to the Superintendent, Eastern Bengal Railway Press, Sealdah, Calcutta, on 1st September, 1930, in connection with the dismissal of the Inkman, Mustafa, a member of the said Association?

(e) Is it not a fact that the Honourable Member in charge Railways and Commerce, received a letter dated the 24th September, 1930, from Babu Ramesh Chandra Dhar, Pleader, Calcutta, written on behalf of his client Mustafa for an independent and impartial inquiry into the matter?

(f) Is it not a fact that Government have received a copy of the resolution passed in a mass meeting of the employees of the East Indian Railway and Eastern Bengal Railway Presses, Calcutta, held at Calcutta on 5th December, 1930, under the presidency of Mr. S. C. Mitra, M.L.A., drawing attention to the resolution No. 7?

(g) Is it not a fact that the Agent, Eastern Bengal Railway, Calcutta, received a letter dated the 27th December, 1930, from Babu Ramesh Chandra Dhar, Pleader, Calcutta, emphatically denying the alleged admission of fault by his client Mustafa?

(h) If the answers to (d) to (g) are in the affirmative, will Government be pleased to enlighten the House with the contents of that correspondence and the action taken or intended to be taken on the letter referred to in part (g)?

(i) If the answers to (a) to (c) are in the affirmative, will Government be pleased to state the reasons of (c)?

Mr. A. A. L. Parsons: (a) The matter referred to by the Honourable Member as affecting subordinate employees on State-managed Railways is dealt with in the rules regulating the discharge and dismissal of State Railway non-gazetted Government servants, a copy of which is in the Library. No employee is dismissed or discharged without due enquiry.

(b) Yes.

(d) and (g). Government have no information.

(e) & (f). Yes.

(c), (h) and (i). Government propose, in view of the Honourable Member's question, to call for a full report from the Agent, Eastern Bengal Railway, about the alleged dismissal of the employees referred to. The Honourable Member will be informed in due course of the action Government propose to take on the Agent's report.

MEDICAL CERTIFICATES SUBMITTED BY EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS, CALCUTTA.

372. ***Mr. S. C. Mitra:** (a) Is it a fact that the certificates of unfitness on account of sickness obtained by Government employees from registered medical practitioners, are accepted by the authorities of all Government offices?

(b) Is it a fact that the authorities of the Eastern Bengal Railway Press, Calcutta, do not accept the certificate of unfitness due to sickness obtained from the registered medical practitioners in manuscript by their press employees living beyond the jurisdiction of the Railway Medical Officer?

(c) Is it a fact that according to the circular of the Agent of the Eastern Bengal Railway, Calcutta, a medical certificate granted in manuscript by the registered medical practitioners may be submitted by the employees of the Railway residing outside the jurisdiction of the Railway Medical Officer?

(d) If the answers to (a), (b) and (c) are in the affirmative, will Government be pleased to state the reasons of (b)?

Mr. A. A. L. Parsons: (a) Yes, in respect of non-gazetted Government servants, except employees on State-managed railways who, subject to certain exceptions, are required to produce certificates of unfitness from railway medical officers.

(b), (c) and (d). I have called for information from the Agent, Eastern Bengal Railway, and will communicate with the Honourable Member on its receipt.

PAY OF MACHINEMEN AND BINDERS AT THE EASTERN BENGAL RAILWAY PRESS, CALCUTTA.

373. ***Mr. S. C. Mitra:** (a) Is it a fact that the binders and the machinemen of the Government of India Press, Calcutta, are on the same class rate?

(b) Is it a fact that the machinemen of the Eastern Bengal Railway Press, Calcutta, have been placed on a higher pay than the binders? If so, why?

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

(b) In the Eastern Bengal Railway Press, machinemen are rated higher than binders as the character of the work performed by them is more valuable than that performed by binders in such presses.

MACHINES PURCHASED AND SOLD IN THE EASTERN BENGAL RAILWAY PRESS, CALCUTTA.

374. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement showing year by year the number of machines purchased and sold in the Eastern Bengal Railway Press, Calcutta, for the last ten years, with their respective dates and prices?

Mr. A. A. L. Parsons: I am attempting to collect this information for the Honourable Member.

SALE OF WASTE PAPER BY THE EASTERN BENGAL RAILWAY PRESS, CALCUTTA.

375. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement showing the number of tenders received in the Eastern Bengal Railway Press, Calcutta, for purchasing the waste papers with the names of each tenderer including the successful one, with the prices quoted by each of them for the last ten years?

Mr. A. A. L. Parsons: Government regret that they are not prepared to collect this information, the value of which could not be commensurate with the labour expended on its collection.

INCOME AND NUMBER OF POSTMEN IN THE POST OFFICES AT NALDIH AND NOHATTA.

376. ***Mr. S. C. Mitra:** (a) Is it not a fact that the income of the Naldih Post Office in the district of Jessore, Bengal, is greater than that of the Nohatta Post Office of the same district?

(b) Is it not a fact that the number of postmen is greater in the Nohatta Post Office, Jessore, Bengal, than in the Naldih Post Office of the same district?

(c) If the answers to parts (a) and (b) are in the affirmative, will Government be pleased to state the reasons for part (b)?

(d) Will Government be pleased to lay on the table a statement showing the income of the Naldih and Nohatta Post Offices, respectively in the district of Jessore, for the last two years?

Mr. Tin Tüt: (a), (b) and (c). The information is being collected and will be communicated to the Honourable Member in due course.

(d) Government do not consider that any public purpose would be served by incorporating the figures of revenue of these post offices in the proceedings of the House.

POSTAL SERVICE TO THE VILLAGE OF SANKERPORE.

377. ***Mr. S. C. Mitra:** (a) Is it not a fact that one daily, one weekly, and one monthly newspaper, besides letters and money orders, are being regularly received in the Naldih Post Office for delivery to the village of Sankerpore in the district of Jessore, Bengal?

(b) Is it not a fact that no daily newspaper is being received in the Naldih Post Office for delivery to the village Hobokhali, in the district of Jessore?

(c) Is it not a fact that the Honourable Mr. H. A. Sams stated in reply to starred question No. 109 on the 15th July, 1930, that the village of Sankerpore under the Naldih Post Office in the district of Jessore is served only three times in a week?

(d) Is it not a fact that the Honourable Mr. Sams in his letter No. D. O. 102-1M./P.F./30, dated 21st August, 1930, informed Mr. S. C. Mitra, M.L.A., that the village Hobokhali is being served four times a week?

(e) If the answers to (b) and (d) are in the affirmative, will Government be pleased to state the reasons of (d)?

(f) If the answers to (a) and (c) are in the affirmative, will Government be pleased to state the practicability of introducing a daily beat in the village of Sankerpore?

Mr. H. A. Sams: With your permission, Sir, I propose to deal with questions Nos. 377 and 378 together. Apparently the Honourable Member's contention is that the number of postal deliveries in a certain village in Bengal is inadequate. This is a matter of administrative detail which

is entirely within the competence of the Postmaster-General, Bengal and Assam, to whom a copy of the questions is being sent, and I would suggest to the Honourable Member that, if he wishes to pursue the matter further, he should do so in direct communication with that officer.

POSTAL SERVICE TO THE VILLAGE OF SANKERPORE.

†378. ***Mr. S. C. Mitra:** (a) Are Government aware that a daily newspaper excepting letters, weekly and monthly journals are received in the Naldih Post Office in the district of Jessore, to be delivered to the village Sankerpore of the same district?

(b) If the answer to (a) is in the affirmative, will Government be pleased to state whether the total number of deliveries exceeds 72 for six months?

(c) Is it a fact that the Honourable Mr. Sams in a letter D. O. No. 102-1M./P.F./30, dated 21st August, 1930, informed Mr. S. C. Mitra, M.L.A., that the total number of deliveries in the Sankerpore village was only 72 for the months of January, 1930, to June, 1930?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state the reason thereof?

RELEASE OF POLITICAL PRISONERS.

379. ***Mr. S. C. Mitra:** (a) Are Government aware that the Prime Minister in the recent speech, in closing the Round Table Conference in London, held out a hope of a general amnesty for the political prisoners in India?

(b) Do Government contemplate, in view of the Prime Minister's utterances, to release the political prisoners?

The Honourable Sir James Crerar: I would refer the Honourable Member to the remarks made on behalf of Government by the Honourable the Leader of the House in connection with the debate on Shaikh Sadiq Hasan's Resolution on the 5th instant.

Mr. B. Das: May I enquire what is the present position, whether the Government are going to release the non-violent political prisoners?

The Honourable Sir James Crerar: I have already explained that I cannot add to the remarks made by the Leader of the House on the matter.

Mr. Amar Nath Dutt: Was there any distinction made by the Prime Minister in his speech about the release of prisoners who are accused of violent and non-violent offences?

The Honourable Sir James Crerar: I would refer the Honourable Member to the published reports of that speech.

Mr. B. Das: May I enquire where is the hitch for the release of non-violent prisoners by the Government?

The Honourable Sir James Crerar: I am afraid I cannot add to what I have already answered.

Mr. Amar Nath Dutt: Is there any objection to drop the Meerut case?

(No answer was given.)

†For answer to this question, see answer to question No. 377.

MACHINES PURCHASED AND SOLD IN THE EAST INDIAN RAILWAY PRESS, CALCUTTA.

380. ***Mr. S. C. Mitra:** (a) Will Government be pleased to lay on the table a statement showing the number of machines purchased, and sold in the East Indian Railway Press, Calcutta and Howrah, for the last five years with their respective prices and dates?

(b) Will Government be pleased to lay on the table a statement showing the number of typewriting machines purchased and sold in the East Indian Railway Press, Calcutta and Howrah, for the last five years with respective prices and dates?

Mr. A. A. L. Parsons: (a) and (b). I am attempting to collect this information for the Honourable Member.

SALE OF WASTE PAPER BY THE EAST INDIAN RAILWAY PRESS, CALCUTTA.

381. ***Mr. S. C. Mitra:** (a) Is it a fact that tenders are invited for the sale of the waste paper in the East Indian Railway Press at Calcutta?

(b) If the answer to part (a) is in the affirmative, will Government be pleased to lay on the table a statement showing the number of tenders received with the names of the firms together with the price quoted by each of them with special reference to the successful tenderers for the last five years?

(c) If the answer to part (a) be in the negative, will Government be pleased to state the reasons thereof?

Mr. A. A. L. Parsons: (a) Waste paper is sold either by tender or by auction.

(b) Government regret that they are not prepared to compile this information.

(c) Does not arise.

ABOLITION OF COMPUTORS FROM THE EAST INDIAN AND EASTERN BENGAL RAILWAY PRESSES AT CALCUTTA.

382. ***Mr. S. C. Mitra:** (a) Is it not a fact that the piece and the hourly system have been recently abolished in the East Indian and Eastern Bengal Railway Presses at Calcutta?

(b) Is it not a fact that the services of the computers were not required at the Eastern Bengal Railway Press for the salaried staff?

(c) Is it not a fact that the Honourable Mr. G. S. Khaparde in the minority report of the Piece Workers' Committee of 1922 recommended the abolition of the posts of the computers from the economic standpoint?

(d) Is it not a fact that the services of computers have been engaged for the salaried staff of the East Indian and Eastern Bengal Railway Presses at Calcutta?

(e) If the answers to (a) to (d) are in the affirmative, will Government be pleased to state the reasons of (d)?

Mr. A. A. L. Parsons: (a) Piece rating has not been abolished, but Government have issued orders for the discontinuance of the hourly system of computing wages.

(b) I have called for information from the Agent, Eastern Bengal Railway and will communicate with the Honourable Member on its receipt.

(c) Yes. The Honourable Mr. Khaparde suggested two alternative schemes for the conversion of the piece workers in the Government of India Presses into salaried hands and proposed the abolition *inter alia* of the posts of computers.

(d) Provision has been made for such posts in the sanctioned strength of these Presses.

(e) Government consider that computers on monthly rates of pay are necessary for the Eastern Bengal and East Indian Railway Presses.

SUPERIOR AND INFERIOR STAFF IN THE EAST INDIAN RAILWAY PRESS, CALCUTTA.

383. *Mr. S. C. Mitra: (a) Is it a fact that at the time of reduction in the East Indian Railway Press, the number of workers in general have been decreased while the number of the supervising staff is gradually on the increase?

(b) Will Government be pleased to lay on the table a statement showing the number of employees in the supervising, clerical and workers staff in the East Indian Railway Press, Calcutta, for the last ten years, year by year?

(c) Is it a fact that under the new system as recently introduced in the Eastern Bengal Railway Presses at Calcutta, all the binders have been placed in the superior service.

(d) Is it a fact that, in the East Indian Railway Press, at Calcutta, some of the binders have been placed in the inferior service under the same system as was recently introduced in the Eastern Bengal Railway Press?

(e) If the answers to (c) and (d) are in the affirmative, will the Honourable Member in charge be pleased to state the reasons for (d)?

Mr. A. A. L. Parsons: (a) to (e). I have called for information and will communicate with the Honourable Member on its receipt. In view of the labour involved, I have only asked for information with regard to (b) for the last three years.

RESOLUTIONS PASSED BY EMPLOYEES OF THE EAST INDIAN AND EASTERN BENGAL RAILWAY PRESSES AT CALCUTTA.

384. *Mr. S. C. Mitra: (a) Is it a fact that Government received a copy of the Resolution passed at the Annual General Meeting of the Press Employees' Association of Calcutta, a registered body under the Trade Unions Act held on the 2nd August, 1930, under the presidency of Mr. J. N. Basu, M. L. C. and delegate to the Round Table Conference, drawing special attention to Resolution No. 22?

(b) Is it a fact that the Government received a copy of the resolutions passed in the overwhelming mass meeting of the East Indian and Eastern Bengal Railway Press employees held under the presidency of Mr. S. C. Mitra, M.L.A., at Calcutta on the 5th December, 1930?

(c) If the answers to parts (a) and (b) are in the affirmative, will Government be pleased to state the steps taken in the matter? If not, why not?

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

(c) The resolutions referred to in (b) were sent to the Agent, East Indian Railway, for disposal. Two of the resolutions referred to in (a) pertained to the Railway Department, one related to the question of the revision of the system of wages of the Railway Press employees, a matter which was already under investigation by Government, and the other was a request that Mr. Nut Behari Chatterjee should be removed from his appointment. Government did not consider it necessary to take any action on this request.

**PROMOTION OF COMPOSITORS IN THE EAST INDIAN RAILWAY PRESS,
CALCUTTA.**

385. ***Mr. S. C. Mitra:** (a) Is it not a fact that the practice of promoting the compositors to the posts of computers, readers and section-holders is observed at the Government of India Press, Calcutta?

(b) Is it not a fact that this salutary principle is not observed in the East Indian Railway Press, Calcutta?

(c) If the answers to (a) and (b) are in the affirmative will Government be pleased to state the reasons of (b)?

Mr. A. A. L. Parsons: (a) Vacancies in the grade of section-holders in the Government of India Press, Calcutta, are ordinarily filled alternately from assistant section holders and senior compositors or operators. It is, however, not the practice in that Press to appoint compositors to the post of computers and readers.

(b) and (c). I have called for information from the Agent, East Indian Railway, and will communicate with the Honourable Member on its receipt.

**ALLOWANCE FOR WORKERS IN THE EAST INDIAN RAILWAY PRESS, CALCUTTA,
FOR WORK IN CONNECTION WITH THE RAILWAY CONFERENCE.**

386. ***Mr. S. C. Mitra:** (a) Is it not a fact that a conference of the All-India Railways Association is held every year?

(b) Is it not a fact that a large volume of work in connection with the Railway Conference is to be done by the employees of the East Indian Railway Press, Calcutta?

(c) Is it not a fact that the supervising staff of the East Indian Railway Press are allowed an allowance to be drawn for the work done in connection with the Railway Conference?

(d) Is it not a fact that the workers of the East Indian Railway Press are not allowed to draw an allowance for the work done in connection with the Railway Conference?

(e) Is it not a fact that during the last Great War, the supervising staff, as well as the workers of the Government of India Press, Calcutta, were allowed the war allowance for the work done in connection with the War?

(f) If answers to (a), (b), (c), (d) and (e) are in the affirmative, will Government be pleased to state the reasons of (d)?

Mr. A. A. L. Parsons: (a) If the Honourable Member refers to the Indian Railway Conference Association, the answer is in the affirmative.

(b) to (f). I am making enquiries and will send a reply to the Honourable Member shortly.

RECOMMENDATIONS OF THE HAJ ENQUIRY COMMITTEE.

387. ***Khan Bahadur Haji Wajihuddin:** (a) Has the attention of Government been drawn to the leading article published on page 2, dated 22nd January, 1931, of the vernacular daily *Hamdam* of Lucknow, and will Government please state whether with a view to take practical measures to adopt the various recommendations of the Haj Enquiry Committee, its President Mr. H. B. Clayton, has very recently visited various pilgrim ports in India?

(b) If so, will Government be pleased to state, with a view to give effect to the said recommendations, to what extent progress has been made and how long will it take to adopt them?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) Government have not seen the article in question. The reply to the latter part of the question is in the negative. Mr. Clayton's recent visit to certain ports was not connected with the recommendations of the Haj Inquiry Committee but with the question of port quarantine administration.

(b) A statement showing the progress which has been made with the consideration of the recommendations of the Haj Inquiry Committee has been placed in the Library of the House. Every effort is being made to expedite the consideration of those recommendations on which it has not yet been possible to reach a final decision owing to the time which has necessarily been taken in obtaining the views of Local Governments in regard to them.

REDUCTION OF STEAMER FARES TO THE HEDJAZ AND ABOLITION OF QUARANTINE.

388. ***Khan Bahadur Haji Wajihuddin:** (a) Are Government aware that in view of the general depression throughout the world, and in anticipation of Haj Enquiry Committee's recommendations being adopted by Government, intending Hedjaz pilgrims from India are very anxiously awaiting (a) adequate reduction in the steamer fares for the whole season, (b) abolition of Kamaran quarantine altogether and (c) total exemption of quarantine fee?

(b) Do Government propose to take immediate steps to give effect to the recommendations for the ensuing pilgrim season?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) Government have no doubt that the facts are as stated.

(b) The Honourable Member will, I am sure, be glad to hear that the shipping companies principally concerned, Messrs. Turner, Morrison & Co., and the Khaleeli Line, have recently, at the request of the Government of India, agreed for the current pilgrim season to reduce the price of a pilgrim single deck ticket from either Bombay or Karachi to the Hedjaz from Rs. 125 to Rs. 110 and the price of a return ticket from either of those ports from Rs. 195 to Rs. 160 in both cases without food. The first named company, which alone is concerned with the pilgrim traffic from Calcutta, has also agreed to reduce the fares from that port from Rs. 150 (single) and Rs. 250 (return) to Rs. 135 and Rs. 215 respectively. The Committee's recommendations in regard to the abolition of Kamaran quarantine and the discontinuance of quarantine fees are still under consideration, but it is hoped that final decisions upon them will be reached at an early date.

PROHIBITION OF LIQUOR.

389. ***Khan Bahadur Haji Wajihuddin:** Will Government be pleased to state, since the Resolution on prohibition of liquors moved by me and adopted by the Legislative Assembly in 1925, what steps have so far been taken by the Government of India to give effect to it?

The Honourable Sir George Schuster: I would refer the Honourable Member to the reply given by Sir Basil Blackett to a similar question asked by the Honourable Member on 19th August, 1926.

Mr. Amar Nath Dutt: Has anything been done since then?

The Honourable Sir George Schuster: The policy of Government remains the same as it was on that date.

Mr. Amar Nath Dutt: Is it a fact that the Government still manufactures liquor and sells it?

(No answer was given.)

EXCLUSION OF MUSLIMS FROM THE OPERATION OF THE CHILD MARRIAGE RESTRAINT ACT.

390. ***Khan Bahadur Haji Wajihuddin:** Are Government aware that there is great discontent among the Muslims generally, and the orthodox sections and Ulemas more particularly, on the passage of the Child Marriage Restraint Act, 1929, and if so, are Government prepared to consider the advisability to exclude Muslims from the operation of the said Act?

The Honourable Sir James Crerar: Government are aware that apprehensions have been expressed on the subject. As the Honourable Member is doubtless aware, certain Bills proposing amendments of the Act have been circulated for opinion. Until the replies are all received and fully examined, Government will not be in a position to bring the whole matter under consideration.

STAFF OF THE OFFICES OF THE HIGH COMMISSIONER FOR INDIA AND THE INDIAN TRADE COMMISSIONER IN LONDON.

391. ***Mr. B. Das:** Will Government be pleased to state the number of Europeans and Indians employed in the offices of (a) High Commissioner for India in London, (b) Indian Trade Commissioner in London; and the salaries paid to each?

The Honourable Sir George Rainy: Excluding the industrial and menial staff, 367 Europeans and 69 Indians, including Anglo-Indians, were employed in the office of the High Commissioner on the 1st January, 1931. Of these 7 Europeans and 7 Indians, including Anglo-Indians, were employed in the office of the Indian Trade Commissioner in London which forms a part of the High Commissioner's office. I am afraid I am unable to furnish details of the salaries drawn by each member of so large a staff, but if the Honourable Member wishes I shall be pleased to show him at my office a list of the establishment of the office of the High Commissioner which contains this information.

Mr. T. N. Ramakrishna Reddi: How many Indians are included among those Anglo-Indians?

The Honourable Sir George Rainy: I must ask for notice . . .

Mr. N. M. Joshi: How many Indians are there on the staff who get overseas allowance?

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

DEPLORABLE STATE OF THE INDIAN WHEAT TRADE.

392. ***Mr. B. Das:** Are the Government of India aware of the deplorable state of the wheat trade, and, if so, will Government be pleased to state the steps taken to relieve the distress with regard to the following :

- (a) marketing of wheat in India and especially on the ports;
- (b) placing of an embargo on the Australian wheat which is sold very cheaply at the ports; and
- (c) reduction in railway freight from the Punjab stations to the stations on lines other than Karachi?

Will Government be pleased to state whether they received any representations from the Indian Chambers of Commerce or Associations with regard to the competition of Australian wheat and the marketing of Indian wheat? If the answer be in the affirmative, will Government be pleased to state the names of representations and the steps taken by Government?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Government are fully aware of the serious position which has arisen from the existence in India of a large surplus of wheat, estimated at not less than a million tons, which is unable to find a market either within or outside India, and it has engaged their anxious attention for some time past. As regards the action they have taken to meet it by reduction of railway freights, I would refer the Honourable Member to the Press communiqué, dated November 17th, 1930, relating to the reduction in the rates on wheat from the Punjab and the United Provinces to Karachi and the Press communiqué of January 29th, 1931, relating to the reduction in the rate from the Punjab to Calcutta. I place copies of these communiqués on the table of the House. As regards the placing of an embargo on imported wheat, I would remind the Honourable Member that the total production of wheat in India in 1929-30 was estimated at 10,353,000 tons. The imports of foreign wheat into India, mainly from Australia, during the current fiscal year up to January 24th amounted to 110,884 tons as compared with 268,935 tons for the same period in the previous fiscal year. The total imports have thus been very small indeed compared with the total Indian production and have been more than counterbalanced by exports of wheat amounting to 193,606 tons and exports of wheat flour up to December, 1930, amounting to 36,743 tons. In these circumstances, Government consider that the prohibition of import would have had no effect on the internal price of wheat and would not, therefore, have assisted the cultivator. At the best, it could only have helped Indian wheat to replace the Australian wheat which, but for it, might continue to be imported.

Representations on the subject have been received from the following bodies:

The Gwalior Chamber of Commerce.

The Federation of Indian Chambers of Commerce and Industry.

The Maharashtra Chamber of Commerce, Bombay.

Indian Merchants Chamber, Bombay.

Indian Chamber of Commerce, Lahore.

As regards the action taken by Government, I would refer the Honourable Member to the reply I have just given to the first part of his question.

Communiqué, dated 17th November, 1930.

The existence in India of a large surplus of wheat, estimated at not less than a million tons, which even at the low prices at present prevailing is unable to find a market either within or outside India, has been engaging the anxious consideration of the Government of India; and neither they nor the Railway Board have failed to realise the serious effect on railway earnings of the loss of the traffic which in more normal conditions might reasonably be expected in this commodity. It seems possible that, if movement by rail to Karachi is substantially cheapened during the period before the large wheat crops anticipated in Australia and the Argentine come on the market early next year, some portion at any rate of the surplus Indian crop may be absorbed by export; and the North Western and East Indian Railway Administrations, have therefore, decided, with the approval of the Government of India and the Railway Board, that the following reductions should be brought into force immediately, and remain in force until the 28th February, 1931 :—

On the North Western Railway.—In place of the present C/K Schedule, the C/R Schedule will apply to traffic booked to Karachi in full wagon loads for distances over that Railway of not less than 600 miles. The differential rule as regards distance will apply for distances less than 600 miles.

On the East Indian Railway.—In place of the existing C/B and C/M Schedules, the C/Q Schedule will apply to traffic booked to Karachi in full wagon loads, except traffic originating at stations on the Bombay, Baroda and Central India Railway, the Bengal and North-Western Railway, and the Rohilkund and Kumaon Railway.

As an illustration of the effect of this reduction, the freight per maund from Lyallpur to Karachi will be 6 annas 10 pies, instead of 11 annas 8 pies at present charged.

The results of this action, and the future position of the wheat market in India will be closely watched by the Government of India.

Communiqué, dated 29th January, 1931.

The Government of India have given very careful consideration to representations that have been made to them that some part of the existing surplus of Indian wheat would find a market in Calcutta if railway freights from the Punjab to Calcutta were reduced. Their investigations do not lead them to anticipate that any feasible reduction in freight rates would result in so substantial an increase in the movement of wheat from the Punjab to Calcutta that there would be no net loss to railway revenues; but they have arranged with the Punjab Government that the Railway Administrations concerned will grant from 1st February, 1931, until the 31st March, 1931, a rebate of one-third of the freight on all consignments of wheat booked to Calcutta from all stations in the Punjab. The cost of this rebate will be borne by the Punjab Government, but will be refunded to them, should the grant of the rebate be followed by a substantial increase in the tonnage of wheat imported by rail into Calcutta.

BALANCE SHEETS OF INDIAN RAILWAYS.

993. *Mr. B. Das: Has the attention of the Government been drawn to the article "Balance Sheets of Indian Railways" published in the *Indian Accountant* of August last? If the answer be in the affirmative, will Government be pleased to state whether they will publish the balance sheets of Indian Railways on the forms prescribed by the British Railway Companies (Accounts and Returns) Act, 1911?

Mr. A. A. L. Parsons: I regret I have been unable to get a copy of the publication referred to, but as the Honourable Member is no doubt aware, the question of preparing balance-sheets for Indian Railways is already under the consideration of Government.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

394. ***Mr. B. Das:** Will Government be pleased to state when they wish to allot a day for the discussion of the Report of the Public Accounts Committee for the year 1928-29?

The Honourable Sir George Schuster: I would refer the Honourable Member to the Order Paper for today.

TREATMENT OF STATE PRISONERS.

395. ***Mr. B. Das:** (a) Will Government be pleased to state if there is any classification in the system of treatment of State prisoners in any of the provinces?

(b) What are the minimum and maximum expenditure allowed per month to a State prisoner in (i) Bengal, (ii) Bombay and (iii) Madras?

(c) In case of a State prisoner being the only earning member of a family, do Government allow the dependents of the prisoner any subsistence allowance while the prisoner is detained under pleasure of the State? What is the existing practice in each of the three provinces mentioned in (b) about family subsistence allowances?

The Honourable Sir James Crerar: (a) The Bengal, Madras and the Bombay Regulations alike require that provision should be made for State prisoners according to their rank in life and to their own wants and those of their family. There is no classification of such prisoners.

(b) For the reason stated above, no definite maximum or minimum expenditure has been laid down. Prisoners confined under Regulation III of 1818 have in recent years been granted a diet allowance varying from Rs. 1/6 to Rs. 3 according to the place where the jail is situated.

(c) Family allowances must necessarily vary and are fixed according to the merits and circumstances of each case.

REPORT ON THE KANGRA VALLEY RAILWAY.

396. ***Mr. B. Das:** (a) With reference to the following statement of Mr. A. A. L. Parsons before the Public Accounts Committee (Vol. II, 1928-29, page 250):

"As for the Kangra Valley Railway case, I do not think Mr. Russell or I are in a position to give evidence at present because a committee is at present sitting and making an investigation into it. Until we have seen their report we are not in a position finally to allocate the responsibility",

will Government be pleased to state if they have received the Report of the Committee sitting on the Kangra Valley Railway project and, if so, will they place a copy of the same on the table of the House?

(b) Has any action been taken on that Report and has personal responsibility been assessed so far?

Mr. A. A. L. Parsons: The Report has been received, and the question of the action to be taken and the assessment of personal responsibility is at present under the consideration of Government. Copies of the Report will be placed in the Library when their conclusions have been reached.

MANAGEMENT OF ORPHANAGES AND WIDOWS' HOMES.

397. ***Lala Brij Kishore:** Will Government be pleased to state :

(a) whether they maintain :

(1) any orphanages, and

(2) widow homes

wholly or in part, and if so, how many in centrally administered territories ; and

(b) whether Government propose to undertake any steps to deal with the healthy and proper management of such institutions?

The Honourable Sir James Crerar: I have no present information regarding such institutions in centrally administered territories, but an enquiry is being made and the result will be communicated to the Honourable Member in due course.

Lala Brij Kishore: Have any such existing institutions applied for help?

The Honourable Sir James Crerar: I shall inquire into that point. I have no immediate information on the subject.

PAPERS FINED AND PRESSES FORFEITED UNDER THE PRESS ORDINANCES.

398. ***Rai Bahadur Sukhraj Rai:** (a) Will Government be pleased to state the names of the papers that have been fined under the two new Press Ordinances?

(b) Will Government be pleased to state the names of the presses that have been forfeited under the two Press Ordinances?

The Honourable Sir James Crerar: I presume the Honourable Member refers to action taken under Ordinances 11 and X of 1930. The information is being collected and will be supplied to him in due course.

HEALTH OF MR. V. J. PATEL.

399. ***Rai Bahadur Sukhraj Rai:** (a) Has the attention of the Government been drawn to Dr. Patel's statement about the health of Mr. V. J. Patel, *ex-Speaker* of the Legislative Assembly, as published in the *Amrita Bazar Patrika* of January 4th, 1931?

(b) If so, have Government verified the falsity or truthfulness of the statement referred to above?

The Honourable Sir James Crerar: (a) Government have seen the statement referred to.

(b) Government gave full consideration to all the medical reports before them, and released Mr. Patel as soon as these reports showed that release was advisable to enable him to obtain such medical advice and treatment as he might desire. In the circumstances they see no reason to take any further action.

CLASSIFICATION OF POLITICAL PRISONERS.

400. ***Rai Bahadur Sukhraj Rai:** Will Government be pleased to state what is their policy in connection with the classification of political prisoners in the present civil disobedience movement?

The Honourable Sir James Crerar: The principles to be observed in classifying prisoners are stated in a communiqué issued by Government on 19th February, 1930, to which the attention of the Honourable Member is invited.

ALLEGATIONS AGAINST SOLDIERS AT ROORKEE.

401. ***Rai Bahadur Sukhraj Rai:** (a) Has the attention of Government been drawn to the allegations made against several European military soldiers of Roorkee regarding the rape of the unmarried sister of an Indian soldier of King George's Regiment and the forcible taking away of her ornaments and cash all amounting to about Rs. 1,250 on the night of 31st December as published in the Hindi daily *Biswamitra* of 11th January, 1931?

(b) If so, have Government taken any steps to verify the falsity or truthfulness of the allegations?

Mr. G. M. Young: (a) and (b). Government have received reports of this case, in connexion with which six British soldiers have now been committed for trial in the Sessions Court.

REBELLION IN THARRAWADY.

402. ***Rai Bahadur Sukhraj Rai:** (a) Will Government be pleased to lay on the table a statement regarding the recent Burma uprisings in Tharrawady mentioning therein the causes and the number of casualties on each side?

(b) Has the rebellion been completely suppressed or is it still going on?

The Honourable Sir James Crerar: (a) I would invite the attention of the Honourable Member to the statement I laid on the table on the 29th January in reply to Mr. Gaya Prasad Singh's question No. 200.

(b) The rebellion has been brought under control to a large extent, but operations are still necessary against small bands of rebels, who are committing dacoities in which houses are burnt down and innocent villagers murdered.

AEROPLANES HOVERING OVER BARDOLI.

403. ***Rai Bahadur Sukhraj Rai:** (a) Is it a fact that aeroplanes are hovering over Bardoli, as appears from a photograph published in the pictorial column of the *Lokmanya* Hindi daily of the 11th January, 1931?

(b) If so, what is the purpose for which they have been brought there?

Mr. G. M. Young: (a) No Government aeroplanes have been or are hovering over Bardoli, though it is possible that some may have passed over Bardoli on their way to Poona or Bangalore some months ago.

Government have no information as regards privately owned aeroplanes.

(b) Does not arise.

INTERMENT AT LAKKI VILLAGE OF TOTA SINGH OF PESHAWAR.

404. ***Sardar Sant Singh:** (a) Is it a fact that Tota Singh, son of Ram Singh, furniture merchant of Peshawar has been ordered under sections 3 (c) and (d) of the North West Frontier Province Security Regulation, 1922, to reside in Lakki village in Bannu District and has further been ordered to refrain from all manner of anti-Government propaganda or other activity?

(b) When was the order served upon Tota Singh, and what amount of maintenance was granted to him? Is it a fact that the said Tota Singh made several representations to the Frontier Administration to be informed as to the charges against him which have led to his internment? Is it a fact his representations have not been acknowledged and that no reply has been sent to the said Tota Singh? If so, why? Is it a fact that Tota Singh's father also made similar representation and he too has been similarly treated?

(c) Will Government be pleased to state now what acts of Tota Singh were considered to be prejudicial to the peace and good government of the North-West Frontier Province? Will Government be pleased to define what is the precise meaning of "anti-Government propaganda or other activity" and state which is the competent authority to pronounce upon the activities of an individual whether they fall within the above description?

(d) Is it a fact that Tota Singh is a member of a firm known as Ram Singh and Sons of Peshawar? Is it a fact that this firm has been paying income-tax? If so, since when and what is the income of the firm which has been assessed to income-tax?

(e) Is it a fact that Tota Singh complained of the insufficiency of maintenance allowance? Has any step been taken to give him adequate maintenance? If not, why not?

(f) Is it a fact that there are no medical facilities available in Lakki village especially for ladies? Is it a fact that Mrs. Tota Singh had been suffering from some female disease and Tota Singh requested the Frontier authorities to change his place of internment from Lakki to Bannu in order to enable him to secure medical aid for his wife? Was his request granted or not? If not, why not?

(g) How long has Tota Singh been interned now? When do the Government intend to release him? Did Tota Singh offer himself to be tried in a judicial court? If so, why has he not been tried in such a court?

Mr. J. G. Acheson: A report has been called for and the information will be supplied to the Honourable Member when received.

SIKHS PROSECUTED FOR WEARING LONG KIRPANS.

405. ***Sardar Sant Singh:** (a) Is it a fact that the kirpans possessed or carried by Sikhs, are exempt from the operation of the Arms Act, 1878, throughout India? If so, will Government be pleased to state the number of Sikhs who have been arrested and prosecuted in Bombay Presidency for wearing long kirpans? If so, why? How many are undergoing sentence for wearing kirpans? Has the attention of Government been drawn to the judgment of the Honourable M. Hanison and H. Scott Smith,

Judges of the Lahore High Court published in 5 India Law Reports, Lahore Series, page 308, holding that sword and kirpan are interchangeable expressions?

(b) If so, are Government prepared to consider the question of releasing the Sikhs, if any, undergoing sentence for possessing kirpans of the length of a sword?

The Honourable Sir James Crerar: (a) The nature of exemption varies in different provinces. In Bombay Presidency there are restrictions on the wearing of kirpans with blades exceeding 9 inches in length. I have ascertained that there are no Sikhs undergoing imprisonment in that Presidency for the contravention in this respect of the rules under the Arms Act. I have seen the judgment to which the Honourable Member refers.

(b) Does not arise.

REPRESENTATIONS OF MUSLIMS IN THE RAILWAY SERVICES.

406. ***Maulvi Muhammad Yakub:** What steps were taken by Government during the last year to secure proper representation of Muslims in the railway services and with what result?

Mr. A. A. L. Parsons: I would refer the Honourable Member to the reply given to question No. 344 asked by Seth Haji Abdoola Haroon on the 3rd February, 1931.

Maulvi Muhammad Yakub: My question is not identical with his and I do not think the reply to his question can reply to mine.

Mr. A. A. L. Parsons: Sir, in the reply to Seth Haji Abdoola Haroon's question I said that a memorandum would be placed in the Library of the House giving full information as to the steps taken to secure the representation of minority communities, and particularly the Muslim community, in the railway services. That memorandum is now in course of preparation and I think will be ready in a few days.

Maulvi Muhammad Yakub: I did not inquire about the minority communities. My question is about the representation of Muslims.

Mr. A. A. L. Parsons: That will be dealt with in the memorandum.

CHARGES FOR HOSPITAL TREATMENT OF DR. McDERMOTT WHEN WOUNDED IN LAHORE.

407. ***Maulvi Muhammad Yakub:** (a) Is it a fact that Dr. (Miss) McDermott, attached to the Lady Hardinge Medical College, Delhi, who was wounded when an attempt was recently made on the life of the Governor of the Punjab, was compelled to pay for her hospital treatment and had also to forego her salary for the period of her absence from duty?

(b) Do Government propose to take steps to remedy the loss which she had to sustain?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) No. The Honourable Member's information is altogether incorrect. There has never been any question of Dr. McDermott losing any of her salary during her absence from duty, or of her being called upon to bear the expenses of her treatment in hospital.

(b) Does not arise.

Maulvi Muhammad Yakub: Is it not a fact that Miss McDermott received a bill for over Rs. 60 for hospital treatment in Lahore? In view of the fact that this has apparently since been adjusted by the Dufferin Fund Committee, was Miss McDermott informed that she would not be called upon to pay it, prior to her case being ventilated in the Press?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: The Honourable Member's information, as I have already said, is apparently incorrect.

Maulvi Muhammad Yakub: Another question, Sir. Is it not a fact that members of the Women Medical Service are automatically placed on half-pay after 10 days absence from duty? If so, was Miss McDermott informed that her pay would not be cut, prior to her case being ventilated in the Press?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: The Honourable Member's inference from the rules is not correct.

GRANT-IN-AID TO THE BENARES UNIVERSITY.

408. ***Maulvi Muhammad Yakub:** (a) Are Government aware that there is a strong rumour to the effect that Government have withdrawn their grant-in-aid to the Benares Hindu University?

(b) Will Government be pleased to make a full statement of their policy about the matter?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I would refer the Honourable Member to the reply given to Mr. Gaya Prasad Singh's question No. 44 on this subject on the 27th January, 1931.

Maulvi Muhammad Yakub: The policy of the Government about the institution was not stated in reply to that question, and I wanted to know what was the policy of the Government as regards the grants made to institutions like this?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: To the extent to which it is possible to state Government policy in answer to a question, I claim that my answer did contain that statement.

PROMOTION TO OFFICERS' CADRE OF RAILWAY SUBORDINATES.

409. ***Sirdar Harbans Singh Brar:** (a) Is it a fact that in the case of railway men the Railway Board alone are competent to make promotions from the subordinates cadre to the officers cadre?

(b) Are these promotions made on the recommendations made by the Agents of State Railways?

(c) If the Agent of a State Railway ignores a senior subordinate, in spite of the recommendations of Divisional Superintendents, for his having an excellent record at his credit, has that subordinate the right of appeal to the Railway Board?

(d) If not, why is he denied this privilege?

(e) If he has the right of appeal, what are the Agent's powers in withholding such appeals?

(f) If the Agents are empowered to withhold such appeals, what is the reason for giving them such power?

(g) Have the Railway Board issued any instructions or rules for the "Submission of Memorials by Subordinates"; if so, what are they?

(h) What check do the Railway Board exercise to see that no deserving senior man's case is ignored unjustly by an Agent?

Mr. A. A. L. Parsons: (a) Permanent promotions to the lower gazetted services are made by the Railway Board, while similar promotions to the Superior Railway Services are made by the Governor-General in Council in consultation with the Public Service Commission.

(b) In making these promotions, the Agent's recommendations are taken into consideration.

(c) No.

(d) As promotions are made by strict selection, and as the Agent of a Railway is in the best position to judge the relative merits of subordinates employed under him, Government do not consider it necessary to concede the right of appeal against the Agent's recommendation.

(e) and (f). Do not arise.

(g) No.

(h) It has not hitherto been considered necessary to exercise any definite check, but the question whether Agents should be asked to supply information about senior men not recommended is already under consideration.

PROMOTION TO OFFICERS CADRE OF RAILWAY SUBORDINATES.

410. ***Sirdar Harbans Singh Brar:** (a) Are the Railway Board prepared to consider the desirability of calling for annual reports on the working of all senior subordinates when they reach the maximum stage of the subordinates cadre, and the next step for them is promotion to the gazetted officers' cadre only, and decide all such promotions from those reports?

(b) Have the Railway Board fixed any criterion for the guidance of Agents when making such selections?

Mr. A. A. L. Parsons: (a) Government do not consider this necessary, but I would invite attention to my reply to part (h) of the Honourable Member's question just now answered.

(b) Yes; that the subordinates who, in their opinion, are best qualified for promotion should be recommended.

PROMOTIONS ON THE NORTH WESTERN RAILWAY.

411. ***Sirdar Harbans Singh Brar:** (a) How many members of the ministerial establishment have been promoted as Assistant Personnel Officers on the North Western Railway since the formation of Divisions?

(b) How many of them are the Superintendents of the Railway Board's Office and how many Superintendents of the Agent's Office?

(c) Were all these Superintendents experienced in establishment matters and rules? If not, what were their special qualifications?

(d) How many Superintendents of their office have the Board sent to other State Railways in India?

(e) What were the reasons for sending so many to the North Western Railway alone?

(f) Have the Railway Board taken any North Western Railway senior men in the vacancies caused by the transfer of these Superintendents, or have clerks of the Board's own office been promoted?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer this and the following question together. I am collecting certain information and will send a full reply to the Honourable Member when it is ready.

PROMOTIONS ON THE NORTH WESTERN RAILWAY.

†412. ***Sirdar Harbans Singh Brar:** (a) Is it a fact that no Sikh has so far been promoted as Assistant Personnel Officer on the North Western Railway?

(b) Is no suitable Sikh available on the North Western Railway?

(c) Is it a fact that more than half the Assistant Personnel Officers on the North Western Railway are Hindus?

(d) Are the Railway Board prepared to order the Agent, North Western Railway, to distribute Assistant Personnel Officers appointments amongst all the Communities proportionately, and promote at least two Sikhs?

ERECTION OF A BUILDING FOR THE IMPERIAL LIBRARY AT DELHI.

413. ***Mr. Nabakumar Sing Dudhoria:** (a) Is it a fact that a big building has been erected for the Imperial Library at Delhi?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to say how much has been spent on the building?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) No.

(b) Does not arise.

INDIAN DELEGATION TO THE INTERNATIONAL LABOUR CONFERENCE.

414. ***Mr. Goswami M. R. Puri:** (a) Will Government be pleased to state if any representation or suggestions were received from representative organisations of workers or employers regarding the personnel of the Indian Delegation to the International Labour Conference (1930) from the Central Provinces and Berar?

(b) Will Government be pleased to state if any representative of workers or employers in the Central Provinces and Berar was selected by Government for the 1930 Session?

(c) If the answer to part (b) is in the negative, do Government propose to consider the claims of the Central Provinces and Berar in selecting the 1931 delegation of employers and workers?

(d) Have Government received any suggestions this year in this behalf?

† For answer to this question, see answer to starred question No. 411.

Mr. Tin Tüt: (a) Nominations were received from certain workers' associations in Nagpur.

(b) None of these nominees was selected.

(c) The claims of all persons recommended for this purpose by representative organisations of employers or workers are being duly considered.

(d) Recommendations have been received from certain associations in the Central Provinces and Berar.

INCONVENIENT TRAIN SERVICE FROM KISHENGANJ TO BURSOI.

415. *Maulvi Badi-uz-Zaman: (a) Are Government aware that two out of four trains of the Eastern Bengal Railway from Kishengunj to Bursoi and *vice versa* having been recently discontinued, and that in consequence the travelling public have been put to great inconvenience and hardship as they have to wait on the way from 8 to 12 hours in order to avail themselves of a corresponding connecting train on the Eastern Bengal and East Indian Railways?

(b) Do Government propose to consider the desirability of mitigating the hardship and inconvenience so entailed by directing the railway authority concerned either to increase the number of trains or so to alter and arrange the timing of the trains as to enable the travelling public to reach the corresponding connecting trains within a reasonable time?

Mr. A. A. L. Parsons: (a) and (b). It is not possible for Government to take part in the preparation of railway time tables, but I am having a copy of the Honourable Member's question sent to the Agent of the Eastern Bengal Railway for his information and consideration.

APPOINTMENT OF MUHAMMADANS TO THE ENGINEERING BRANCH OF THE POSTS AND TELEGRAPHS DEPARTMENT.

416. *Lieut. Nawab Muhammad Ibrahim Ali Khan: (a) Will Government be pleased to place on the table the number of the Selection Grade appointments in the Engineering Branch of the Posts and Telegraphs Department throughout India, and the Selection Grade appointments held by Muhammadans, Hindus, Christians and other communities in that Branch?

(b) Is it a fact that there is no Muhammadan holding the Selection grade appointment in that Branch? If so, will Government be pleased to state the number of Muhammadans who passed the Selection Grade Examination held in December 1929; and whether any of them has been provided for to remove the communal grievances? Have Government taken any action to see that the Muhammadans are justifiably provided in the new vacancies filled up by the different communities?

(c) Will Government state the number of Muhammadans employed as clerks in the Engineering Branch since 1924 to the end of 1930, in different Circles?

(d) Are Government prepared to take immediate action to ensure that a due share is given to the Muhammadans in the recruitment of clerks, and that the Selection Grade appointments are justly allotted to them in that Branch of the Post and Telegraphs Department?

Mr. Tin Tüt: (a), (b) and (c). Information is being collected and will be furnished to the Honourable Member in due course.

(d) The attention of the Honourable Member is invited to the replies given by the Honourable Sir A. C. McWatters and the Honourable Sir Bhupendra Nath Mitra on the 5th September, 1928, and 30th January, 1929, to Mr. Anwar-ul-Azim's starred questions Nos. 72 and 330, respectively, in the Legislative Assembly.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE RAILWAY BOARD.

417. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government kindly state whether it is a fact:

- (i) that out of the seven Superintendents in the office of the Railway Board there is not a single Muslim;
- (ii) that out of the First Division clerks there are only two Muslims out of a total of 32;
- (iii) that in the Second Division clerical cadre there are only six Muslims out of a total of 45;
- (iv) that among Third Division clerks there are only 5 out of a total of 26, and that there is no Muslim typist or draftsman?

(b) From which year these figures stand, as far as Muslim representation is concerned?

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

- (ii) There are two permanent and one officiating out of 33 posts.
- (iii) There are two permanent and eight officiating out of 45 posts.
- (iv) There are one permanent and five officiating out of 30 posts; of the five officiating, two are typists. There is one Muslim draftsman.
- (b) These figures are for February this year.

NUMBERS OF DAILY WAGE-EARNERS ON RAILWAYS.

418. ***Mr. Muhammad Anwar-ul-Azim:** Will Government kindly state whether it can not be arranged to have a figure in the Report of the Railway Board, exclusively of the wage-earners, as opposed to those who are paid on a monthly basis?

Mr. A. A. L. Parsons: I am not sure that I understand exactly what the Honourable Member suggests. Even where railway employees are daily rated, they are monthly paid. If his suggestion is that the number of daily rated monthly paid employees should be shown separately in the Report, the suggestion is being considered.

MISAPPROPRIATIONS ON THE ASSAM-BENGAL RAILWAY.

419 ***Mr. Muhammad Anwar-ul-Azim:** Will Government kindly state how much the Assam-Bengal Railway has lost in misappropriation by their servants during the last two years?

Mr. A. A. L. Parsons: The amounts are as follows:

	Rs.
1928-29	Nd
1929-30	57,415

MUSLIM OFFICERS ON CERTAIN RAILWAYS.

420. ***Mr. Muhammad Anwar-ul-Azim:** (a) How many staff officers are there in the following Railways and how many of them are Muslims:

- (1) Assam Bengal Railway.
- (2) Eastern Bengal Railway.
- (3) East Indian Railway?

(b) What are their duties and when were they appointed?

Mr. A. A. L. Parsons: I have called for certain information and will communicate with the Honourable Member on its receipt.

EXPENDITURE ON LITIGATION BY THE ASSAM-BENGAL AND EASTERN BENGAL RAILWAYS.

421. ***Mr. Muhammad Anwar-ul-Azim:** Will Government kindly state, how much the Assam-Bengal Railway and Eastern Bengal Railway have spent, during the last two years in litigation?

Mr. A. A. L. Parsons: The amounts shown under law charges in the accounts of the railways for the last two years for which accounts have been compiled are as follows:

	Rs.
Assam-Bengal Railway	22,648
Eastern Bengal Railway	58,199

It does not follow that these sums were spent solely on litigation.

ASSISTANT TRAFFIC SUPERINTENDENTS ON THE ASSAM-BENGAL AND EASTERN BENGAL RAILWAYS.

422. ***Mr. Muhammad Anwar-ul-Azim:** Will Government kindly state what are the qualifications of A. T. Superintendents who are now employed by the Assam-Bengal Railway and Eastern Bengal Railway and how many of them are Muslims and what is their total cadre?

Mr. A. A. L. Parsons: I presume the Honourable Member refers to the educational qualifications of these officers. I have called for this information and will send it to the Honourable Member when received.

The total number of sanctioned posts of Assistant Traffic Superintendents, including probationers, on the Eastern Bengal Railway is 24 and on the Assam-Bengal Railway 8; of those 4 on the Eastern Bengal Railway and 1 on the Assam-Bengal Railway are held by Muslims.

REPRESENTATION OF MUSLIMS IN ACCOUNTS OFFICES.

423. ***Mr. Muhammad Anwar-ul-Azim:** Will Government kindly state whether it is a fact that there is not a single Muslim in the clerical cadres of the offices of the Accountant General, Central Revenues and Controller of Civil Accounts and the office of the Auditor General? If so, why? What is their total cadre and what is the percentage of Muslim representation therein?

The Honourable Sir George Schuster: The reply to the first part of the question is in the negative. The total clerical strength of the offices of the Accountant-General, Central Revenues and the Auditor-General, and the percentage of Muslim representation is:

	Total strength.	Percentage of Muslim representation.
Auditor-General	80	11.25
Accountant-General, Central Revenues	235	7.65

The Controller of Civil Accounts has no separate office. He and the Auditor-General have a common establishment.

It may interest the Honourable Member to see how the position is changing, and for this purpose to compare the present percentages with those of previous years. The figures are as follows:

	31-12-28.	31-12-29.	To-day.
Auditor-General	7.70	9.88	11.25
Accountant-General, Central Revenues	5.69	5.46	7.65

MISUSE OF POSTCARDS BY ILLITERATE PEOPLE.

424. ***Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that Government issue reply postcards?

(b) Are Government aware that illiterate people misuse somehow the reply side of the postcard and write on the reply card what is necessary for the other?

(c) Do Government know that the Post Offices return the whole card by stamping the unused card and returning it to the sender?

(d) Cannot Government do something by which the illiterate people could save this half an anna by instructing the Post Offices to take care not to stamp dates on wrong cards?

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

(b) to (d). The Honourable Member's question is not very clear; but if the Honourable Member suggests that, when the sender of a reply postcard writes his original communication by mistake on the reply portion of the card, the whole card is returned to him by the Post Office that is not the case.

APPOINTMENT OF MUSLIMS IN THE UPPER DIVISION OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

425. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government be pleased to state what is the total strength of clerks at present in the Upper Division (including the posts of stenographers) in the establishment of the Director-General, Posts and Telegraphs? How many of them are non-Muslims and how many Muslims? Do the numbers show the preponderance of any one community in this particular service? If so, which community has the preponderance, and why?

(b) Will Government be pleased to state how many vacancies in the Upper Division (including the posts of stenographers) in the office of the Director-General, Posts and Telegraphs, occurred since May 1926 up till now? How many of them have been filled up by non-Muslims and how

many by Muslims? Do the numbers show the preponderance of any one class over the Muslims? If so, will Government be pleased to state whether the appointments in the Upper Division have been filled up in accordance with the policy of Government to give the Muslims their due share?

(c) Is it a fact that ten vacancies in the Upper Division in the office of the Director-General, Posts and Telegraphs occurred during the period from April 1926 to the 31st December, 1927 and they were all filled up by Non-Muslims? If so, why were the claims of other communities overlooked? Is it a fact that the non-Muslims already form an overwhelming majority on this cadre?

(d) Is it a fact that four vacancies in the Upper Division were filled up since the 1st February, 1928, and none of them by Muslims? If so, will Government be pleased to state whether this was in accordance with the policy of Government regarding the prevention of preponderance of any particular community, as explained in reply to starred question No. 352, dated the 7th March, 1928? If not, why not?

Mr. H. A. Sams: (a) 116, of which 8 are held by Muslims and the remainder by non-Muslims. Hindus predominate in this establishment owing to the fact that, prior to the issue of the orders of the Government of India, recruitment had been made without attaching weight to communal preponderance.

(b) 15.

13 by non-Muslims, 2 by Muslims.

Yes, if regard is given only to the dates mentioned by the Honourable Member who carefully excludes four Muslims appointed to the First Division in the three years before May, 1926.

Out of the 15 posts filled, 8 were filled by promotion from the Lower Division clerks. Of the seven posts filled by recruits, three were filled by stenographers, who were appointed owing to their special competence in stenography. In the case of the remaining four recruits, who were all Hindus, the orders of the Government of India were not literally observed; but I would point out that since 1923 special attention has been given to the appointment of Muslims, with the result that out of 23 vacancies in the Upper Division, six were given to Muslims and one to a Christian.

(c) Yes.

The answer to the second part is that, of the 10 vacancies, 6 were filled by promotion, and 3 from Hindu recruits. But in January, 1928, which the Honourable Member has taken pains to exclude, two Muslims were promoted.

(d) Yes. As already explained in my reply to part (b), three of the four were stenographers. The answer to the second part is that three out of the four recruits required special qualifications as stenographers and that rules regarding preponderance were therefore not observed.

APPOINTMENT OF MUSLIMS AS HEAD ASSISTANTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

426. ***Mr. Muhammad Anwar-ul-Azim:** With reference to the reply given to starred question No. 353, dated the 7th March, 1928, will Government be pleased to state whether there is any chance for Muslim officials to be promoted to the rank of Head Assistants (now sectional

Superintendent) in the office of the Director-General, Posts and Telegraphs in the near future? If the reply is in the negative, will Government be pleased to state how long the Muslim community will remain unrepresented in these selection grade appointments?

Mr. Tin Tüt: As the Muslim assistants in the Office of the Director-General are all comparatively junior, it is unlikely that any of them will be promoted to the rank of Head Assistant in the near future and until such promotion takes place the selection grade appointments cannot I fear be held by Muslims.

APPOINTMENT OF MUSLIMS AS HEAD ASSISTANTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

427. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government be pleased to state whether Messrs. Sachchidananda Chatterji and Lalit Mohan Ghose were allowed to supersede several "sufficiently senior" and fit officials for promotion to the rank of the sectional Superintendents in the office of the Director-General, Posts and Telegraphs?

(b) If so, did they attain "sufficient seniority" for these selection grade appointments?

(c) If the reply to part (b) is in the affirmative, will Government be pleased to state what exactly is the criterion for judging the attainment of "sufficient seniority" for these appointments? If the reply to part (b) is in the negative, will Government be pleased to state whether the same principle of supersession cannot be applied in the case of Muslim officials? Is it the fact that none of the posts of Head Assistant (now sectional Superintendent) has ever been held by a Muslim official?

(d) Are Government aware that there is a real grievance of the Muslim community in respect of these Selection Grade appointments? If so, how do Government propose to redress it?

Mr. H. A. Sams: (a) Yes, Messrs. Sachchidananda Chatterji and Lalit Mohan Ghosh superseded certain senior officials because, when the vacancies occurred, Messrs Chatterji and L. M. Ghosh were the most senior who were held to be fitted to fill the particular posts to which they were appointed.

(b) Yes, if by "sufficient seniority" the Honourable Member means that the officials had sufficient service for their names to be considered with reference to filling the posts in question.

(c) The claims of officials for such posts are considered in order of seniority in making the selection. The second part of this question does not arise. Reply to the third part is "Yes".

(d) No. The second part does not arise.

REDUCTIONS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

428. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government be pleased to state whether the recommendations of Rai Bahadur J. P. Ganguly made in 1928 in respect of reduction of the office establishment of the Director-General, Posts and Telegraphs, have been accepted *in toto* or partially by Government?

(b) If those recommendations have been accepted *in toto* will Government be pleased to state when full effect to the recommendations will be given?

(c) If the recommendations have been partially accepted, have those been fully carried into effect? If not, do Government propose to superannuate forthwith officials of the office of the Director-General, Posts and Telegraphs, who are on the verge of completion of their service? If not, why not?

Mr. Tin Tüt: (a) The recommendations have been accepted partially by Government.

(b) Does not arise.

(c) The recommendations have been carried into effect to the extent to which they have been accepted by Government.

CLERKS ENTRUSTED WITH DUTIES OF ASSISTANTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

429. *Mr. Muhammad Anwar-ul-Azim: Will Government be pleased to state whether the duties of the assistants in the office of the Director-General, Posts and Telegraphs, involve higher responsibilities than those of the clerks in the same office? If the reply is in the affirmative, will Government be pleased to state whether some clerks in that office are entrusted with the duties of assistants without extra remuneration? If so, why?

Mr. H. A. Sams: The reply to the first part of the question is in the affirmative, and to the second part in the negative. The third part does not arise.

DUTIES OF SUPERINTENDENTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

430. *Mr. Muhammad Anwar-ul-Azim: Will Government be pleased to state whether the responsibilities of the highly paid sectional Superintendents in the office of the Director-General, Posts and Telegraphs, have been increased since the office has been declared as an attached office? If so, whether the Superintendents of all the Branches of the office deal with important cases personally and pass cases submitted by their assistants and clerks to officers concerned, as is the procedure followed in other attached offices of the Government of India? If not, why not?

Mr. H. A. Sams: The reply to the first two parts of the question is in the affirmative. The last part does not arise.

DUTIES OF RECORD LIFTERS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

431. *Mr. Muhammad Anwar-ul-Azim: Is it a fact that some of the record lifters in the office of the Director-General, Posts and Telegraphs, are compelled to do clerical work without due remuneration? If so, are Government prepared to arrange an extra allowance for such work?

Mr. H. A. Sams: Clerical work is not an ordinary part of the duties of a record lifter. Sometimes they are employed on routine work, but Government do not consider this affords any justification for an increase in their remuneration.

APPOINTMENT OF MUSLIM SUPERINTENDENTS IN GOVERNMENT OF INDIA OFFICES.

432. ***Mr. Muhammad Anwar-ul-Azim:** Is it a fact that there is no Muslim Superintendent in any of the offices of the Government of India? If so, why? If there are any, out of how many all over?

The Honourable Sir James Crerar: No. There are at present four Muslims holding posts as Superintendents in the Secretariat.

SPECIAL OFFICERS AND THEIR STAFFS EMPLOYED BY THE RAILWAY BOARD.

433. ***Mr. Muhammad Anwar-ul-Azim:** Will Government please state how many special officers there are now working under the Railway Board and how are they being paid? What establishments have they got to work with? Are Muslims represented up to one third in those establishments? If not, why not?

Mr. A. A. L. Parsons: There are 16 officers on special duty under the Railway Board. They are paid from railway revenues. The following are the details of the establishments working under them:

Clerks and Stenographers	34
Duffry	1
Peons	22

I have called for information as to how many of the clerks and stenographers are Muslims and will communicate with the Honourable Member when it is received.

EMPLOYMENT OF MUSLIMS IN THE RAILWAY CLEARING OFFICE.

434. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government be pleased to state the number of Muslims employed in the Railway Clearing Office, including Rates Branch, Delhi, as clerks, Sub-Heads, Accountants and Officers, as compared with other communities employed therein in these categories?

(b) If Muslims are not fairly represented, what steps have been taken by Government to bring about their fair representation? Have any instructions been given by Government to accord preferential treatment to Muslims, their services being retained in the impending reductions in those offices? If nothing has been done so far, do Government propose now to take this opportunity to adjust communal inequalities?

(c) Is it a fact that Muslim matriculates are being retrenched whereas a large number of Hindu non-matriculates have been retained in these offices?

Mr. A. A. L. Parsons: (a) There is no Muslim gazetted officer at present posted to the Clearing Accounts Office (including Rates Branch).

As regards the subordinate ranks, Government regret that they are not prepared to give figures showing the composition, by communities, of the staff of each individual railway office; but they are arranging to show the Accounts Department separately in the statements now given in the Administration Reports showing the composition, by communities, of subordinate staff on Railways.

(b) No special instructions have been issued for the preferential treatment of Muslims in connection with the impending reduction of staff in that office. General orders, however, have been issued regarding the representation of minority communities, and the Director, Clearing Accounts Office, is aware of these instructions.

(c) No.

EMPLOYMENT OF MUSLIMS IN ARSENALS.

435. ***Mr. Muhammad Anwar-ul-Azim:** Will Government be pleased to state the number of Muslim clerks, storekeepers, and supervisors employed in the various arsenals in India as compared with other communities? If Muslims are not fairly represented in these services, what steps Government propose to take in the matter?

Mr. G. M. Young: The figures for clerks, Assistant Storekeepers and Storemen are as follows:

Clerks.—Hindus 321, Muslims 97, Sikhs 46, and other communities 64.

Assistant Storekeepers.—Hindus 9, Muslims 5, Sikhs 2 and other communities 1.

Storemen.—Hindus 49, Muslims 24, Sikhs 18 and other communities 9.

These figures give a percentage of 41 for minority communities taken together, and nearly 20 for Muslims.

Supervisors in arsenals are employed on a temporary basis. As their numbers fluctuate from day to day, it is not possible to furnish the Honourable Member with the information desired in respect to this class.

EMPLOYMENT OF MUSLIMS IN THE PROVISION SECTION OF THE MASTER GENERAL OF ORDNANCE'S BRANCH.

436. ***Mr. Muhammad Anwar-ul-Azim:** Is it a fact that Indians have replaced a large number of British subordinates in the Provision Section of the Master General of Ordnance Branch, Army Headquarters, and that in spite of the fact that names of Muslims were forwarded by arsenals, not a single Muslim has been taken? If so, why?

Mr. G. M. Young: 17 British other ranks have been replaced by Indians in the office in question. A few Muslim clerks of the Indian Army Ordnance Corps were recommended for these vacancies, but were not considered qualified. Applications have since been received from some qualified Muslim candidates: and these will be considered when occasion arises. 10 Muslim clerks are already employed in this office.

STATUS OF INDIANS IN EAST AFRICA.

437. ***Mr. B. Das:** (a) Will Government be pleased to state if the Secretary of State for India or the East African (Indian) Congress or any person or body of persons in India or East Africa had asked them to send a representative or representatives to assist discussion before the Joint Committee of Parliament that met in London last December on the East African question?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to mention the name of the person or persons specially deputed in the above case?

(c) Did the non-official Indian deputation from East Africa or did Pandit Hirday Nath Kunzru ask for any assistance from the Government of India or the India Office at the time?

(d) Will Government be pleased to state if the Secretary of State for India or the Government of India was asked by the Joint Parliamentary Committee to restate their position on the East African question?

(e) Will Government be pleased to state if the position and status of Indians in East Africa's Government has improved since the publication of the last White Paper on the subject?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) No.

(b) Does not arise. But the Honourable Member's attention is invited to the answer given by me on the 2nd instant to part (b) of Mr. Gaya Prasad Singh's question No. 275.

(c) I am not quite clear to which Indian deputation from East Africa the Honourable Member is referring. If he is referring to the Indian Delegation from East Africa that visited India in September, 1929, I may state that the Delegation informed the Government of India of their proposal to send a deputation to London to put the Indian case before His Majesty's Government before any orders were passed on the Hilton-Young Commission's Report, and requested the Government of India to nominate a representative to accompany that deputation. This was long before the white Papers were issued by His Majesty's Government and had no reference to representation before the Joint Select Committee of Parliament. Pandit Hirday Nath Kunzru did not ask for any assistance from the Government of India. I have no information whether any assistance was asked for from the India Office.

(d) The Government of India were invited by the Colonial Office through the Secretary of State for India to express their views on the Closer Union Scheme, as set out in the White Paper issued by His Majesty's Government, in order that these views may be placed before the Joint Select Committee.

(e) The last White Paper which touches on the position of Indians in East Africa was issued last year. It contained a statement of the conclusions of His Majesty's Government and has been referred to a Joint Select Committee of Parliament. As the matter is under consideration, the position of Indians has not altered since the issue of the White Paper.

Mr. B. Das: With reference to part (c) of the question, is not the Honourable gentleman aware that a deputation went from East Africa to appear before the Joint Parliamentary Select Committee and Pandit Hirday Nath Kunzru also left India to assist that deputation last December?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I am afraid I am not aware whether any Indians left East Africa as a deputation, but I do know that Pandit Hirday Nath Kunzru left India. Whether he was the sole delegate or one of many I have no information.

Mr. N. M. Joshi: May I ask if the Joint Parliamentary Committee propose to hear personally the representative of the Government of India on this subject?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: That is my information, Sir.

Mr. N. M. Joshi: Will they also hear personally the representatives of any other associations interested in this matter?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: That I do not know, Sir.

Mr. B. Das: May I ask the Honourable Member whether the Secretary of State did not think it worth while to ask for a deputation from East Africa when the Joint Parliamentary Committee was consulting them on this matter last December?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Is the Honourable Member referring to the Secretary of State for the Colonies?

Mr. B. Das: No; the Secretary of State for India, because he is the mouthpiece of the Government of India in this matter.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Undoubtedly; but I have stated in reply to the Honourable Member's question, part (d), that he has asked us to send a representative to place our case before the Joint Parliamentary Committee.

Mr. B. Das: But did not the Secretary of State consult the Honourable Member whether it was advisable that a deputation of Indians from East Africa was necessary at that stage to be placed before the Colonial Office and the Joint Parliamentary Committee?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: No, Sir.

Mr. B. Das: I think the Secretary of State acted unwisely and that he did not properly gauge the situation in India.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I am afraid I have not caught that.

RESULT OF PROTECTION GIVEN TO THE TATA IRON AND STEEL COMPANY.

439. ***Seth Haji Abdoola Haroon:** Will Government be pleased to state the actual revenue derived during the years 1928, 1929 and 1930 as a result of protection given to the Tata Iron and Steel Co., Ltd., under the Steel Protection Act of 1927?

The Honourable Sir George Schuster: The amounts of protective duty collected on iron and steel in 1928, 1929 and 1930 exceeded the amounts of duty that would have been collected on the same amounts of iron and steel had it been assessed at 10 per cent. *ad valorem*, by approximately 148 lakhs, 110 lakhs and 74 lakhs respectively. It does not, of course, follow that the whole of these sums represents additional revenue resulting from the imposition of the protective duties, since presumably the volume of iron and steel materials that would have been imported if those duties had not been imposed would have been greater than the volume of the materials actually imported, and the duty collected

at 10 per cent. might therefore have exceeded that which has been taken in the calculations given above. Any estimate of what to allow for this factor must be conjectural.

Seth Haji Abdoola Haroon: May I know for how long the consumer will have to suffer on account of giving protection to the Tata Iron and Steel Company?

The Honourable Sir George Rainy: Will the Honourable Member repeat his question? It seemed to me that it concerned my Department?

Seth Haji Abdoola Haroon: My question is this. On account of the protection which the Tata Company is given, I want to know for how long the consumer will have to pay a higher price than actually he would have paid if only 10 per cent. duty had been charged?

The Honourable Sir George Rainy: According to the decision of the Legislature, up to the 31st of March, 1934.

QUANTITY OF STEEL AND IRON IMPORTED INTO INDIA BEFORE AND AFTER ENACTMENT OF THE STEEL PROTECTION ACT.

439. ***Seth Haji Abdoola Haroon:** Will Government be pleased to state the actual quantity of foreign steel and iron imported into India together with their values during the two years preceding the enactment of the Steel Protection Act and two years after the Act has been in force?

The Honourable Sir George Rainy: With your permission, Sir, I propose to reply to question Nos. 439 and 440 together.

A statement furnishing the information so far as it is available is laid on the table.

A

Statement showing the quantity and value of foreign iron and steel imported into India during the years 1925-26 to 1928-29.

Years.	Quantity.	Value.
	Tons.	Rs.
1925-26	695,528	15,83,30,096
1926-27	625,956	14,36,11,113
1927-28	907,025	18,38,47,462
1928-29	911,175	17,22,68,783

B

Statements showing the quantity of imported galvanised sheets, et . . , during the years 1928-29 and 1929-30.

Articles.	1928-29.	1929-30.
	Tons.	Tons.
(a) (i) Galvanised sheets (including galvanised plates)	326,237	257,552
(ii) Galvanised pipes	Not available.	
(b) Chrome steel points and crossings	Do.	
(c) Bearing plates	Do.	
(d) Fish bolts	Do.	
(e) Revets, washers and nails (other than wire nails)	18,671	16,682
(f) Dog spikes	Not available.	
(g) Stretcher bars	Do.	
(h) Gibbs and Cotters	Do.	

QUANTITY OF GALVANISED SHEETS, PIPES, ETC., IMPORTED INTO INDIA.

†440. ***Seth Haji Abdoola Haroon**: Will Government be pleased to state the actual quantity of:

- (a) galvanised sheets and pipes,
- (b) chrome steel points and crossings,
- (c) bearing plates,
- (d) fish bolts,
- (e) rivets,
- (f) dog spikes,
- (g) stretcher bars,
- (h) gibbs and cotters,

imported into India during the last two years?

† For answer to this question, see answer to starred question No. 439.

THE RAILWAY STAFF COLLEGE AT DEHRA DUN.

441. ***Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) names and qualifications of all the members of the instructional staff at the Railway Staff College at Dehra Dun;
- (b) details about their pay and emoluments and also of pensions, if entitled to any;
- (c) whether students have to contribute anything towards expenditure of the institution; and
- (d) the maximum period which students normally take to finish their course at the institution?

Mr. A. A. L. Parsons: I have called for certain information from the Principal of the Railway Staff College and will communicate with the Honourable Member on its receipt.

RAILWAY PUBLICITY OFFICERS AT LONDON AND NEW YORK.

442. ***Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) names and qualifications of the Railway Publicity Officers at London and New York respectively;
- (b) particulars about their pay, emoluments and tenure of service;
- (c) number of Indians employed on their staffs;
- (d) name of any other Asiatic country that has a Railway Publicity Office either in London or New York; and
- (e) names of the European countries that have established similar Publicity Offices at those places?

Mr. A. A. L. Parsons: (a) and (b). A statement is laid on the table.

(c) There are no Indian clerks.

(d) Government are not aware whether any Asiatic country as such has a Railway Publicity Office in London or America, but there are offices of the Nippon Yusen Kaisha both in London and in America, which issue monthly an overseas travel magazine and take necessary steps to encourage tourists to visit Japan. It is understood also that travel information about Siam is available with the Japanese Bureau in New York and that information about travel facilities in China can also be obtained in New York.

(e) Definite information is not available showing how many foreign countries have railway publicity offices in London and America, but it is known that there are a number of publicity offices run either by railways themselves or by the Governments concerned to encourage tourists to visit their respective countries. Among foreign countries and British Dominions represented in London are Canada, Australia, South Africa, France, Italy, Germany and Norway, while in America there are England, Canada, South Africa, Germany, France, Italy, Switzerland and Spain. The above list does not pretend to be complete and only includes the names of those countries about which information is available.

Statement showing the names and qualifications of Publicity Officers at London and New York and particulars of their emoluments and tenure of service.

Names of Railway Publicity Officers at		Qualifications.	Particulars about pay, emoluments and tenure of service.
London.	New York		
Stowell, A. T., C.I.E., V. D.	Biscoe, W. T.	<i>Mr. A. T. Stowell.</i> —He was Chief Operating Superintendent, North Western Railway, and officiated as Agent of that Railway, before retirement in May, 1928. Now holding the post of Manager, London Publicity Bureau.	<i>Mr. Stowell.</i> —£800 per annum. His services are terminable at one month's notice on either side.
Dawson, G. W.	.....	<i>Mr. G. W. Dawson.</i> —He was Publicity Superintendent on the Great India Peninsula Railway and was transferred to the Central Publicity Bureau and appointed as Assistant Chief Publicity Officer, Indian State Railways in 1927. He officiated as Chief Publicity Officer, Indian State Railways for about 7 months and is now holding the post of Assistant Manager, London Publicity Bureau.	<i>Mr. Dawson.</i> —£500 per annum. For a period of 2 years with effect from the 1st January, 1931.
Khan, F. M.	.....	<i>Mr. F. M. Khan.</i> —He was an Assistant Traffic Officer on the North Western Railway and was transferred to the Central Publicity Bureau in January, 1929 and appointed as Assistant Chief Publicity Officer, Indian State Railways now holding the post of Assistant Manager, London Publicity Bureau.	<i>Mr. F. M. Khan.</i> —Rs. 1,000 per mensem plus Rs. 250 per mensem as special pay. For a period of one year with effect from the 17th May, 1930.
		<i>Mr. W. T. Biscoe.</i> —He was District Traffic Superintendent on the North Western Railway and officiated as Deputy Chief Operating Superintendent of that Railway in 1928. Now holding the post of Resident Manager, New York Publicity Bureau.	<i>Mr. W. T. Biscoe.</i> —£1,400 per annum plus £300 as Local allowance plus £250 as Sump-tuary allowance. Total £1,950 per annum. For a period of three years with effect from the 15th November, 1930.

RECOMMENDATIONS OF THE HAJ COMMITTEE.

443. *Maulvi Badi-uz-Zaman: (a) Will Government be pleased to state whether they have taken steps to give effect to the recommendations of the Haj Committee? If not, will they state the reasons for the same?

(b) Will Government please state whether they are now prepared to give effect to the recommendations made in the Report of the Haj Committee?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) and (b). The Honourable Member is referred to the reply which I have given today to part (b) of Khan Bahadur Haji Wajihuddin's starred question No. 387.

Seth Haji Abdoola Haroon: May I know how many months have passed since the Haj Committee made their Report?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Many months.

Seth Haji Abdoola Haroon: How long will the Government of India take to act on the recommendations of the Haj Committee?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Government here will act on the recommendations of the Haj Committee's Report as soon as the Reports from Local Governments are received. It does take time to receive Reports from Local Governments, and I am sure the Honourable Member will not be surprised to hear that when he knows very well of their preoccupations.

Dr. Ziauddin Ahmad: I understand that question No. 444 is withdrawn. Is it correct, Sir?

Mr. President: Yes, that is correct.

REFUSAL OF LEAVE IN THE FOREIGN AND POLITICAL DEPARTMENT.

445. *Mr. K. P. Thampan: (a) Will Government be pleased to state if it is a fact that there is a leave reserve establishment in the Foreign and Political Department?

(b) Is it a fact that privilege leave is not ordinarily granted in this Department except on medical certificate? If so, why?

(c) If the number of men on leave on medical certificate is more than the reserved strength, are Government prepared to consider the desirability of granting leave to others who require privilege leave on affairs other than personal sickness?

Mr. J. G. Acheson: With your permission, Sir. I propose to answer questions Nos. 445 and 447 together.

445. (a) Yes.

(b) and (c). Leave is not ordinarily granted except on medical certificate when the number of absentees is in excess of the leave reserve, since the Department is not permitted to entertain substitutes in the place of men proceeding on leave. It is of course always prepared to examine exceptional cases of real necessity.

447. (a) The answer to the first part of the question is in the negative. The second part presumably relates to the case which seems to be referred to in parts (b) to (e) of the question, which I will now proceed to answer.

The facts of this case are as follows:

In April last a clerk was allowed, as a special case, casual leave at the time of the move to Simla to enable him to see his father at Calcutta who was ill. While on this casual leave, he applied for a month's leave on account of his daughter's illness with typhoid, and this was at once granted. Although at the time there were a large number of absentees and work was badly congested, two extensions of this leave, totalling 17 days, were granted on account of the illness of his children. It was during this period of leave that his son's death occurred. The Honourable Member will thus see that the clerk was not, as suggested, compelled to rejoin office when his children were on their death bed.

Shortly after, resuming duty, the clerk again applied for a month's leave from the 2nd of June to attend to the surviving son who was stated to be seriously ill. Owing to the serious shortage in the working strength of the office and the abnormal stress of work at the time, it was only possible to grant 12 days' leave, of which however he did not avail himself. The Honourable Member will, I hope, agree with me that the clerk has been treated with all possible sympathy and consideration.

(f) There has been no case in which leave applied for on medical certificate has been refused, though actually under rule the mere possession of a medical certificate in itself does not confer any right to leave.

(g) and (h). The acceptance of a medical certificate by a registered medical practitioner is permissible under rule 229 of Supplementary Rules framed under Fundamental Rules, but this rule also gives the authorities discretion to secure a second medical opinion from the Civil Surgeon.

LATE OFFICE HOURS IN THE FOREIGN AND POLITICAL DEPARTMENT.

446. *Mr. K. P. Thampan: (a) Will Government be pleased to state if it is a fact that clerks in the Foreign and Political Department are desired to work very late hours to cope with the heavy rush of work?

(b) If so, are Government taking any action to increase the staff, where necessary, to avoid late hour working and to save the health of the clerks in the interests of good and efficient work? Was a rule laid down during the Viceroyalty of Lord Curzon prescribing office hours to be strictly adhered to?

Mr. J. G. Acheson: (a) Yes.

(b) The staff has recently been increased by the appointment of 2 Assistants and 8 clerks temporarily up to the 31st March, 1932. No rule of the kind referred to in the latter part of the question has been traced.

REFUSAL OF LEAVE IN THE FOREIGN AND POLITICAL DEPARTMENT.

†447. *Mr. K. P. Thampan: (a) Will Government be pleased to state if it is a fact that people have been refused leave in cases of alleged genuine necessity and in some cases the Assistant Secretary (Registrar), Foreign and Political Department, re-called men, although their children were seriously ill?

† For answer to this question, see answer to starred question No. 445.

(b) Is it a fact that in one case he recalled a clerk whose three children were seriously ill and two of them died soon after he was compelled to re-join office?

(c) Is it also a fact that one of the children died when he was at the Railway Station to leave for Simla?

(d) Is it a fact that when he had joined office and was in Simla the news of the death of the second child was received and that, in spite of his repeated request, leave was refused to him though leave for four months to another clerk of the same Branch was granted without any substitute?

(e) What was the justification for this treatment?

(f) Are Government aware that men find it very difficult to get leave even on the submission of medical certificates?

(g) Do the Government rules allow of the submission of medical certificates by registered and qualified private practitioners?

(h) If the reply to part (g) be in the affirmative, will Government please state the reasons why such medical certificates are not accepted in the Foreign and Political Department?

NON-GRANT OF HOLIDAYS IN THE FOREIGN AND POLITICAL DEPARTMENT.

448. ***Mr. K. P. Thampan:** (a) How many closed holidays are granted in the Imperial Secretariat?

(b) How many of these were enjoyed by the Issue and Cipher Sections of the Foreign and Political Department during the last six months?

(c) Is it not a fact that written orders have been issued by the Assistant Secretary (Registrar) requiring the members of the Cipher and Issue Sections to work till late hours every day and to attend on closed holidays, including Sundays?

(d) If there is much work in these Branches have Government considered the question of increasing the staff of these Branches? If so, in what way?

Mr. J. G. Acheson: (a) Sixteen in the year.

(b) The holidays have been granted in all cases.

(c) No such *standing* orders have of course been issued, but from time to time developments on the frontier and elsewhere necessitate some overtime and holiday working by the two branches in question as well as other branches. Orders of this nature are usually issued on the authority of superior officers. The pressure falls on officers and clerks alike, and every effort is made by the superior officers to afford relief to the clerks concerned by the employment of temporary personnel when this is really necessary.

(d) The staff of the Issue Branch has recently been increased. Apart from this the Department is examining the question how any further relief can be obtained consistently with the need for economy. It will be realised that a permanent increase of staff in order to avoid occasional overtime working in times of crisis would not be justifiable.

MEDICAL LEAVE IN THE FOREIGN AND POLITICAL DEPARTMENT.

449. ***Mr. K. P. Thampan:** (a) Will Government be pleased to state if it is a fact that in every case of leave on medical grounds the men concerned in the Foreign and Political Department are asked to appear before the Civil Surgeon?

(b) Is it a fact that if an extension of leave is applied for from outside the station, the Civil Surgeon of the stations are officially asked to certify the genuineness of the leave? If so, why?

(c) Has in any single case the Civil Surgeon disagreed with the original recommendations?

(d) Is the same procedure followed in other Departments of the Government of India or was it ever followed in the Foreign and Political Department before the appointment of the present Assistant Secretary (Registrar)?

(e) If the reply to part (d) be in the negative, do Government propose to see that it is stopped in the Foreign and Political Department?

(f) Is it a fact that in cases of long medical leave men are threatened with forcible retirement and have been compelled to appear before medical boards?

(g) If the reply to part (f) be in the affirmative, will Government please state how many cases of this kind have occurred during the last six months and who has paid for medical boards?

Mr. J. G. Acheson: (a) No.

(b) No, not in every case, but when it is considered necessary or desirable to obtain a second medical opinion, as contemplated in Supplementary Rule No. 229, the applicants are asked to appear before the Civil Surgeon.

(c) Yes, Sir. In one recent case the applicant disavowed the original certificate when he appeared before the Medical Board and there stated that he was prepared to return to duty forthwith. The Medical Board was of opinion that he was fit for duty and severely criticised his methods in obtaining an incorrect certificate.

(d) Presumably the same procedure is followed under the rule by every authority granting leave.

(e) Does not arise.

(f) and (g). In cases of prolonged absence on account of ill-health, clerks are sometimes required to present themselves before the medical authorities with a view to ascertaining whether further leave should be granted in the light of Supplementary Rule No. 220, which prescribes that medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties. There is no question of any threat. In two recent cases in which clerks who were absent for prolonged periods were required to appear before a Medical Board, one was invalidated, while the other was declared fit to resume duty at once and did so. No payment is made for the Medical Boards.

UNSTARRED QUESTIONS AND ANSWERS.

HINDU AND MUHAMMADAN TITLE HOLDERS IN THE DISTRICT OF PATNA.

170. **Mr. Badri Lal Rastogi:** Will Government be pleased to place on the table a statement showing the number of Hindu and Muhammadan title-holders in all the Sub-Divisions of the District of Patna in the Province of Bihar and Orissa?

Mr. J. G. Acheson: The statement asked for is being laid on the table.

Statement showing the number of Hindu and Muhammadan title-holders in all the Sub-Divisions of the District of Patna in the Province of Bihar and Orissa.

Sub-Division.	Title-holders.	
	Hindus.	Muhammadans.
Sadr Sub-Division	44	14
Patna City	5	4
Dinapur	5	9
Barh	4	5
Bihar	6	3½
Total	64	35

N. B.—The figures in the statement include the Government Officers holding titles and posted to a sub-division in the Patna District though they are not all residents of the district.

FOREIGN LIQUORS IMPORTED INTO INDIA;

171. **Mr. B. Rajaram Pandian:** (a) Will Government be pleased to state the quantity of foreign liquors imported to India for the year 1930-1931?

(b) Have Government considered the question of enhancing the duty on foreign liquors imported into India with a view to minimise consumption?

The Honourable Sir George Schuster: (a) The Honourable Member is referred to the Sea-borne Trade Accounts for December, 1930, copies of which are in the Library. Figures for the full year 1930-31 are not yet available.

(b) The Government of India have from time to time considered this question. I might refer the Honourable Member to the speech made by Sir Basil Blackett in this Assembly on the 2nd September, 1925, which contains the latest full statement of the Government's policy. The subject has again recently come under consideration in another aspect in connection with Sir Walter Layton's proposal that the import duties on liquor should be handed over to the Provinces.

RECRUITMENT TO THE OFFICE OF THE RAILWAY BOARD.

172. **Mr. T. N. Ramakrishna Reddi:** (1) Will Government be pleased to state:

(a) whether any reference was made either to the Home Department or to the Public Services Commission, by the Railway Board, regarding—

(i) the recruiting of, or

(ii) the confirmation of the existing unqualified candidates (by the Public Services Commission or the Staff Selection Board);

(b) what reply has been received, if any;

(c) whether they will place the whole correspondence on the subject, on the table; and

(d) if the answer to part (c) above is in the negative, the reasons therefor?

(2) How many vacancies in the Railway Board are now being held by unqualified men who could not be made permanent on account of their being unqualified (by the Public Services Commission or the Staff Selection Board), in each of the First, Second and Third Divisions?

Mr. A. A. L. Parsons: (1) (a) and (b). Certain proposals in regard to recruitment only were referred to the Public Services Commission and are under the consideration of the Government of India.

(c) and (d). Government are not prepared to lay on the table of the House papers containing inter-departmental discussions.

(2) Ten, of whom one is in the Second Division and nine in the Third Division. All are temporary.

RECRUITMENT TO THE SECRETARIAT.

173. **Mr. T. N. Ramakrishna Reddi:** (1) Will Government be pleased to state the number of candidates in the Government of India Secretariat and attached offices who have qualified themselves for the First, Second and Third Divisions of the Secretariat and who are—

(a) only employed temporarily in, and

(b) are still unable to get into,

the respective divisions for which they are qualified?

(2) Have Government considered the advisability of—

(a) stopping further recruitment by the Public Services Commission until the qualified men are absorbed;

(b) giving preference to qualified candidates for promotion to the higher divisions (next division) both in the permanent and temporary vacancies of the Secretariat; and

(c) giving preference to those who are qualified for the First Division and Second Division, respectively, over others for promotion to the Upper Division from the Lower, both with regard to permanent and temporary vacancies?

(3) If the answer to any of the above is in the negative, will Government please state the reasons therefor?

The Honourable Sir James Crerar: (1) I am having a statement prepared and will send it to the Honourable Member in due course.

(2) and (3). The Government of India have given the most careful consideration to the reasonable claims of qualified candidates and have come to the conclusion that no injustice will be done to them by annual recruitment of a proportion of vacancies from external candidates which the new scheme contemplates. The scheme includes adequate provision for the promotion or confirmation of existing qualified men.

LOCATION OF GOVERNMENT OF INDIA OFFICES PERMANENTLY IN DELHI.

174. **Mr. T. N. Ramakrishna Reddi:** Will Government be pleased to state:

- (a) what was the expenditure incurred regarding the last two (i.e., one up and one down) moves of the Government of India offices to and from Simla;
- (b) what was the total amount of rent for December, 1930, realised from the Government of India migratory staff for the quarters allotted to them, including furniture rent;
- (c) what was the total amount paid for December, 1930, to the Government of India servants towards—
 - (i) Separation allowance,
 - (ii) Conveyance allowance,
 - (iii) House rent compensation allowance;
- (d) what was the total amount paid to Government servants for the last Simla season towards house rent;
- (e) are Government prepared to consider the advisability of locating permanently in Delhi forthwith, at least the major portion of all the offices, if not the whole, in view of the necessity of effecting economy in every possible direction; and
- (f) if the answer to part (e) above is in the negative, the reasons therefor?

The Honourable Sir James Crerar: (a) to (d). The information desired by the Honourable Member is being collected and will be supplied to him in due course.

(e) and (f). It is not possible to locate permanently in Delhi the whole or part of the offices which at present move between Delhi and Simla as either alternative would seriously affect administrative efficiency. The offices which can be retained permanently in Delhi without serious inconvenience are already kept here. Honourable Member will find the names of those offices in the answers which I gave on the 15th February, 1928, and 9th September, 1929, in this House to questions Nos. 93 and 250 respectively asked by Mr. Kelkar and Maulvi Muhammad Yakub.

APPOINTMENTS IN RAILWAY ACCOUNTS OFFICES.

175. **Khan Bahadur Haji Wajihuddin:** (a) Will Government be pleased to furnish in respect of Railway Audit and Accounts offices the total number of sanctioned posts of (i) gazetted officers, (ii) senior accountants, (iii)

Accountants (iv) clerks class 1, (v) clerks class 2; and the number of Muslims under each of the five classes separately?

(b) Is it a fact that most of the posts referred to in clause (a) above were created after 1924? If so, what steps have been taken to secure adequate representation of Muslims in those posts?

(c) Is it a fact that some probationary accountants were directly recruited on the accounts side in 1925 and no conditions of passing any departmental examination for their confirmation or subsequent promotion to higher grades was imposed at the time of their appointment?

(d) Will Government please state whether the probationers referred to above have since been confirmed as accountants without passing any departmental examination and have been considered as qualified accountants?

(e) Is it a fact that a departmental examination in Appendix D has been introduced since 1929 which renders the men concerned not only eligible for confirmation but for promotion to higher grades without passing any further examination?

(f) If reply to parts (c), (d) and (e) be in the affirmative, under what circumstances have the probationers now been required to pass the examination in Appendix D for their promotion to higher grade when no separate examination is prescribed for promotion to senior accountancy?

(g) Will Government kindly lay a statement on the table showing the savings effected by the introduction of the peripatetic system of audit on certain Railways?

The Honourable Sir George Schuster: Information is being obtained and a reply will be sent to the Honourable Member as soon as possible.

APPOINTMENT OF MUSLIMS IN CIVIL ACCOUNTS OFFICES.

176. **Khan Bahadur Haji Wajihuddin:** (a) Will Government be pleased to state the number of Muslim Assistant Accounts Officers, as compared to the total number of such posts in the Civil Accounts Offices separately for (i) old combined offices; and (ii) offices established under the scheme of separation of Audit from Accounts?

(b) Is it a fact that the number of Muslims in that rank is very low?

(c) If reply to (b) above be in the affirmative, what effective and immediate steps do they propose to take in order to redress the existing inequality?

(d) In view of the Government's declared policy of safeguarding the rights of minority communities, have they considered the desirability of reserving some 60 per cent. of the appointments for Muslims in future, till the existing keenly felt inequality is regulated?

The Honourable Sir George Schuster: (a) The total number of posts of Assistant Accounts Officer under the Auditor General is 44 in the old combined offices and 4 in separated Audit Offices. Of these, one post is held by a Muslim.

The number of such posts in the civil accounts offices under the separation scheme is 21, and one of them is held by a Muslim.

(b), (c) and (d). The number of Muslim Assistant Accounts Officers is low; but promotion to that rank is made by selection based on seniority and merit; and, as stated in Sir Basil Blackett's reply to part (c) of question No. 445 on the 17th March, 1928—(see page 1638 of Legislative Assembly Debates Volume II of 1928), the Government do not consider that communal considerations should be taken into account in making such departmental promotions.

LOCATION IN DELHI OF THE WIRELESS BRANCH OF THE POSTS AND TELEGRAPHS DEPARTMENT.

177. **Khan Bahadur Haji Wajihuddin:** (a) Will Government be pleased to state whether the Wireless Branch of the Posts and Telegraphs Department has since moved down to Delhi in its entirety?

(b) If reply to (a) above be in the negative, will Government be pleased to state when the Branch will move and whether any decision in the matter referred to in para. (v) of starred question No. 226, dated the 8th. September, 1928, has yet been reached and, if so, what?

(c) If reply to (a) above be in the affirmative, will Government be pleased to state under what condition the Branch has been brought down to Delhi; if under Simla-Delhi move condition whether the staff attached to that Branch are losers in any way; if under transfer conditions whether the staff attached to that Branch have been suitably compensated for the loss, if any, in their monthly emoluments as promised under concluding paragraph of para. (iii) of the reply to starred question referred to at (b) above; if not, state reasons?

Mr. J. A. Shillidy: (a) Yes.

(b) Does not arise.

(c) The branch has been brought down to New Delhi to be permanently located there like other branches of the Director-General's Office. The only diminution in emoluments which has resulted has been the loss of the allowances admissible under the Simla Allowances Code. These allowances are granted to meet the special circumstances of Simla, and their withdrawal on the permanent location of the staff at Delhi cannot, therefore, be regarded as a loss, and no question of compensation therefore arises.

QUALIFICATIONS OF THE SUPERINTENDENT OF POST OFFICES, ALIGARH DIVISION.

178. **Khan Bahadur Haji Wajihuddin:** (a) Will Government be pleased to state the qualifications of the present Postal Superintendent in charge of Aligarh Postal Division?

(b) At what places has he worked as Superintendent Post Offices excluding Railway Mail Service and Sorting?

(c) To what community and place does he belong to?

(d) Has the attention of Government been drawn to the articles published in the *Ittihad* (a monthly organ of the Postmen and Lower Grade Staff published at Meerut) of 15th July (pages 4, 5, 6), 15th October (pages 3, 4) and 15th November (pages 2, 7)? If so, what steps have been taken? If not, will Government be pleased to send for these copies and put them on the table and state what they propose to do in the matter?

(e) How far is it true that the Inspector of Post Offices, Aligarh Sub-Division, who has lately been transferred as Town Inspector to Benares City (on leave at present) has reported a good many charges against the present Divisional Superintendent, Aligarh to the Postmaster General, United Provinces? If so, what steps are being taken?

(f) To what extent is it true that the stamp vendor of Aligarh Head Post Office had misappropriated Government money entrusted to him for the sale of stamps in the third week of August, 1930? If so, what punishment has been meted out to him; and if not why not?

Mr. H. A. Sams: (a) He is a graduate.

(b) Aligarh Division is his first charge as Superintendent of Post Offices.

(c) Hindu of the Punjab.

(d)—(f). The Government have no information but will institute enquiries.

NON-OFFICIAL RESOLUTIONS PASSED BY THE LEGISLATIVE ASSEMBLY.

179. **Khan Bahadur Haji Wajihuddin:** Will Government be pleased to lay on the table a schedule showing non-official Resolutions passed by the Legislative Assembly during a period of the last ten years and the action so far taken on each of them by Government?

The Honourable Sir George Rainy: The Honourable Member is referred to the reply given to Mr. K. V. Reddy's starred question No. 994 asked on the 24th March, 1924 (Legislative Assembly Debates—1924, Vol. IV—Part III, pages 2111-2112) and to the reply given to Mr. C. Duraiswamy Ayyangar's starred question No. 68 asked on the 3rd February, 1927 (Legislative Assembly Debates—1927, Vol. I—pages 430-432), which give the information required up to and including the Simla Session, 1926.

A statement showing the non-official Resolutions adopted by the Legislative Assembly and the action taken on each of them during the years 1927-30 is laid on the table.

Non-official Resolutions adopted by the Legislative Assembly during the years 1927-30.

Serial No.	By whom.	Date on which moved.	Subject of Resolution.	Department concerned.	Action taken by Government.
1	Mr. V. V. Jogish	3rd February, 1927.	Release of political detenus and Repeal of Bengal Regulation III of 1818.	Home	Copy of the Debates forwarded to the Secretary of State for India on 10th February, 1927.
2	Kumar Gangenand Sinha.	8th February, 1927 and 10th February, 1927.	Treatment of the Santhal Parganas as a backward tract.	Do.	The action taken by Government was stated in reply to Mr. Siddheswar Sinha's starred question No. 1885 on 12th March, 1927.
3	Mr. S. N. Hajj	10th February, 1927 and 25th August, 1927.	Improvement and expansion of banking facilities in India.	Finance	Indian Central Banking Enquiry Committee appointed which is at present investigating the subject.
4	Dr. B. S. Moonje.	13th September, 1927.	Recommendations of the Indian Sandhurst Committee and Indianisation of officers in the Indian Army.	Army	Decisions of Government were announced in the Legislative Assembly on 18th March, 1928.
5	Lala Lajpat Rai	16th February, 1928	The Indian Statutory Commission.	Home	A copy of the proceedings of the Legislative Assembly was forwarded to the Secretary of State on 1st March, 1928.
6	Mr. M. R. Jayakar	23rd February, 1928	Education of the depressed classes.	E. H. and Lands.	The Resolution with an extract from the debates, was communicated to local Governments (with the exception of Burma) and certain minor Administrations and their attention

was invited to the main points raised in the course of discussion. Local Governments were also asked to supply the Government of India with the latest information regarding any action to improve the social and economic status of the depressed classes that might be contemplated either as the result of the debate in the Legislative Assembly or independently. The intention was to place a summary of the replies received on the table of the House, but in view of the more comprehensive statement of the facts published by the Auxiliary Committee of the Indian Statutory Commission in their report and by the Educational Commissioner with the Government of India in his annual reviews on education in India the idea was subsequently abandoned.

Recommendation to place the papers on the table of the House was not accepted by the Governor General in Council.

In pursuance of an undertaking given in the course of the debate on the resolution, the Government of India in March, 1929, appointed a committee to enquire into the arrangements in force for pilgrims proceeding to the Hedjaz and to make recommendations. The report of the Committee was published in March, 1930. Some of the recommendations made by the Committee have already been adopted, the rest are still under consideration.

5th September, 1928 Cable and Wireless Beam
merger.

I. and L.

5th September, 1928 Haj Pilgrim Traffic

E., H. & L.

7 Mr. K. C. Roy

Seth Haji Abdoole
Haroon.

Non-official Resolutions adopted by the Legislative Assembly during the year 1927-30—contd.

Serial No.	By whom.	Date on which moved.	Subject of Resolution.	Department concerned.	Action taken by Government.
9	Rev. J. C. Chatterjee	11th September, 1928.	Grant for the education of girls and women in the administered territories by the Central Government.	E., H. & L.	In the course of the Debate on this Resolution it was pointed out that the Government of India had already decided to appoint a committee consisting of educational experts and representatives of the Assembly to investigate the problems of primary education for boys and girls and of the education of untouchables in these areas. The Committee was appointed and its report dealing with the three main areas of Delhi, Ajmer-Merwara and the North-West Frontier Province has recently been published. The subject matter of the resolution and the report in question are now under consideration.
10	Dr. B. S. Moonje	30th January, 1929 and 15th February, 1929.	Compulsory physical training for Indian Boys.	Do.	The Resolution was communicated to all local Governments and Administrations in accordance with the promise made in the closing speech of the Government spokesman (Mr. G. S. Bajpai). The matter was however confined to the issues arising out of the first part of the Resolution relating to the provision for compulsory physical training, games and drill. The second part of the Resolution relating to the use of miniature rifle ranges formed the subject of a separate communication from the Home

Department. The schemes submitted by local Administrations as a result of this Resolution are now under consideration.

A copy of the debates was forwarded to the Secretary of State for India on the 7th March, 1929.

For the reasons which were stated by the Government spokesman in the debate on the Resolution, the Government of India could not accept the view that a central committee should be appointed to enquire into the administration of a provincial transferred subject. Copies of the debate were, however, forwarded to Local Governments for information and for such action as they might consider necessary. The views of the local Administrations were at the same time invited as to the action which should be taken to stimulate the development of village panchayats in their respective areas. All the replies from local Administrations have not yet been received but on the basis of the reply from the Chief Commissioner, Delhi, the Punjab Village Panchayat Act, 1921, has been extended to Delhi.

No separate action was taken, the proposal being considered as part of the more comprehensive recommendations made in Dr. Moonje's Resolution of the 8th February, 1930.

No action was taken.

11	Pandit D. P. Misra	15th February, 1929	Assent on Lala Lalpat Rai	Home	
12	Mr. K. V. Rangaswami Ayyangar.	17th September, 1929.	Village autonomy	E., H. Lands.	and
13	Mr. M. R. Jayakar	17th September, 1929.	Admission of Indian boys to Military Schools.	Army	
14	Pandit Nilakantha Das	24th September, 1929.	Steel Protection Act, 1927.	Commerce	

Non-official Resolutions adopted by the Legislative Assembly during the year 1927-30—conold.

Serial No.	By whom.	Date on which moved.	Subject of Resolution.	Department concerned.	Action taken by Government.
15	Sardar Gulab Singh	20th January, 1930	Congratulation to His Excellency the Viceroy for his safe arrival after the Bomb outrage in the train near New Delhi Railway Station.	Home	It was communicated to His Excellency on the 24th January, 1930.
16	Mr. K. K. Ahmed	22nd January, 1930	Stipends to Carnatic family	F. and P.	The Resolution relates to the case of two Carnatic Stipendiaries (1) Muhammad Abdul Ahad Sahib and (2) Muhammad Abdul Latif Farookhi. Orders have been issued to give effect to it so far as No. 1 is concerned. Case of No. 2 is under correspondence with the Madras Government and the individual concerned.
17	Mr. M. M. R. Jayakar	28th January, 1930	Revival of the competitive examination for the I. M. S.	Army	Government have decided not to take up the question until the impending constitutional changes have taken place.
18	Dr. B. S. Moonje	8th February, 1930	Defective character training under the present system of education.	E., H. and Lands.	The Resolution, with an extract from the Legislative Assembly debates was communicated to all local Governments and Administrations for information.
19	Pandit Hirday Nath Kunzru.	11th February, 1930	Enfranchisement of Indians in Ceylon.	Do.	In pursuance of the Resolution, further representations were made to His Majesty's Secretary of State for India on the question of Indian franchise in Ceylon.
No non-official Resolutions were adopted during the Simla session, 1930.					

CONSTRUCTION OF A NEW BRIDGE OVER THE RIVER NARMADA.

180. **Nawab Naharsingji Ishwarsingji:** Will Government be pleased to state whether the Bombay, Baroda and Central India Railway is going to construct a new bridge across the river Narmada at Broach in the very near future? If it is so, are there any negotiations going on between the Bombay Government and the Bombay, Baroda and Central India Railway Company on the subject, either to buy the old bridge for public traffic or to construct a combined road and railway bridge in order to complete the scheme of constructing a provincial road from Bombay to Ahmedabad now under contemplation by the Bombay Government?

Mr. A. A. L. Parsons: If the Honourable Member refers to the Narmada Bridge at Broach, the answer to the first part of his question is in the affirmative.

Negotiations have been going on between the Bombay Government and the Bombay, Baroda and Central India Railway Administration regarding the sale of the existing bridge to the Bombay Government for purposes of a road bridge, but the result of these negotiations has not yet been reported to the Government of India.

PLATFORM TICKETS ISSUED AT COLABA RAILWAY STATION.

181. **Nawab Naharsingji Ishwarsingji:** (a) Will Government be pleased to place on the table a statement showing the number of platform tickets issued at the Colaba Station from the 1st January, 1930, till the 31st December, 1930?

(b) Will Government be pleased to state whether the sum realised from the platform tickets has been submerged in the general fund or was the same utilized differently?

Mr. A. A. L. Parsons: The information is being obtained from the Agent of the Bombay, Baroda and Central India Railway, and, on its receipt, I will communicate with the Honourable Member.

CONSTRUCTION OF RAILWAY LINES FROM SAMNI TO MIYAGAM AND CHHOTA-UDEPUR TO MHOW.

182. **Nawab Naharsingji Ishwarsingji:** (a) Will Government be pleased to state whether a new railway line was proposed to be opened from Samni in the Broach District to connect it with Miyagam, a Railway Station on the Bombay, Baroda and Central India Railway, in Baroda State territory?

(b) Will Government also be pleased to state whether they contemplate the opening of a new railway line from Chhota-Udepur to Mhow whereby a facility to the commercial community could be achieved in the shape of the direct connection between the Central Provinces and the Bombay Presidency?

Mr. A. A. L. Parsons: (a) and (b). The answer is in the negative.

STATE AND COMPANY-MANAGED RAILWAY LINES IN INDIA.

183. **Nawab Naharsingji Ishwarsingji:** (a) Will Government be pleased to state what are the State-managed railways in India and also the total mileage of each one of them? And what are the railway lines which are to be taken over by Government?

(b) When are these lines due to be taken over and what is the amount to be paid by Government to each line?

Mr. A. A. L. Parsons: (a) A list of the State-managed Railways in India, with the mileage of each, is appended.

With regard to the second part of (a) and to (b), I would refer the Honourable Member to the statement I laid on the table on the 29th January, 1931, in reply to question No. 212 put by my Honourable friend Lala Hari Raj Swarup.

List of State-managed Railways in India.

Serial No.	Railway managed by the State.	Open route mileage on 31st March, 1930.
1	Burma	2,046.28
2	Eastern Bengal	1,792.72
3	East Indian	4,026.29
4	Great Indian Peninsula	3,194.16
5	North Western	*5,516.85

* Includes 51.96 miles of Mirjawa-Duzdap Section worked by the North Western Railway at the cost of the Military Department.

HARDSHIPS OF PILGRIMS TO AJMER.

184. **Nawab Naharsingji Ishwarsingji:** Are Government aware that pilgrims visiting the Orus of the Khwaja Saheb at Ajmer have to undergo a great amount of hardship on their return journey on account of their not obtaining tickets due to want of sufficient accommodation in the railway trains? If it is so, do Government propose to instruct the railway authorities to arrange for proper facilities?

Mr. A. A. L. Parsons: Government have received no complaints of shortage of accommodation; but I am sending a copy of the Honourable Member's question to the Agent of the Bombay, Baroda and Central India Railway.

LENGTHY CLOSING OF LEVEL-CROSSING GATES.

185. **Nawab Naharsingji Ishwarsingji:** Are Government aware that wherever a railway line crosses either a Provincial or District Local Board road on the level, the public have to wait for a considerably long time as the level-crossing gates are kept closed for a long time at a stretch? If it is so, are Government prepared to instruct the railway authorities to give proper facility to the public traffic?

Mr. A. A. L. Parsons: Government are not aware that, as a general rule, the public have to wait an unduly long time at railway level crossings on these roads. In certain cases where it has been known that heavy road

traffic has been subjected to frequent serious detentions, facilities have been provided by the construction of an overhead roadway or a sub-way. The cost of providing such facilities on existing railways is ordinarily met jointly by the railway and the local body concerned. If the Honourable Member has any particular level crossings in mind, I would suggest that he take steps to bring the matter to the notice of the local body concerned.

BADLY DESIGNED LEVEL CROSSINGS.

186. Nawab Maharsingji Ishwarsingji: Are Government aware that some of the level-crossings on the Broach-Jambusar Railway in the District of Broach are so badly designed as to cause very great difficulty to agriculturists in taking their carts over the crossings owing to the very steep slopes of the approach roads and that the matter has not at all been remedied although complaints have been made very often in this respect?

Mr. A. A. L. Parsons: Government have no information, but a copy of the Honourable Member's question is being forwarded to the Bombay, Baroda and Central India Railway Administration.

TAX ON PETROL FOR IMPROVEMENT OF ROADS.

187. Nawab Maharsingji Ishwarsingji: (a) Will Government be pleased to state whether it is a fact that a two-anna tax is levied on petrol in order to improve the roads in British India and that a Road Board has been appointed in the Central Government as well as in each of the Provincial Governments for the proper administration of the income? If it is so, will Government be pleased to state what amount was realised up to the 31st December, 1930, and how that amount has been distributed among the Central and the Provincial Governments and for what purpose?

(b) Will Government be pleased to state whether this amount and the grant which is given by the Provincial Governments to the various District Local Boards are quite distinct from each other?

Mr. J. A. Shillidy: (a) The Honourable Member is referred to the Resolution adopted by this House on February the 4th, 1930. Import and excise duties on petrol have been increased from four to six annas, the additional revenue being credited to the Road Development Account. No Road Board has been appointed in the Central Government. The Road Development Account is administered by the Governor General in Council on the advice of a Standing Committee of the Central Legislature. It is understood that certain local Governments have appointed Road and Communications Boards with advisory functions covering generally road administration within the province. Credits are made to the Road Development account as at the 31st of March and the 30th of September in each year. The credits to date amount to Rs. 162 lakhs, of which Rs. 112 have been distributed to Provincial Governments, for expenditure upon schemes approved by the Governor General in Council on the advice of the Standing Committee. Part of the balance represents the share of minor administrations and states, and part the reserve with the Government of India for special grants and research, demands in respect of which are now under consideration.

(b) If by the grant which is given by the Provincial Governments to the various District Local Boards, the Honourable Member means the normal or usual subventions, the answer is in the affirmative.

RESTRICTIONS ON EXPORTS AND IMPORTS.

188. **Nawab Naharsingji Ishwarsingji**: Will Government be pleased to state if they have considered the question of placing such restrictions on exports and imports whereby the interests of the agriculturists may be safeguarded in view of the fact that at present the market of every agricultural product has fallen down? If so, do they intend to place such restrictions on exports and imports?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I would refer the Honourable Member to the replies given to Sardar Sant Singh's unstarred questions, Nos. 15 and 16 on January 26th, to Mr. Muhammad Azhar Ali's unstarred question No. 111 on January 26th and to Mr. B. Das's starred question No. 392 on February 9th.

DEATH OF SIR JAMSETJEE JEEJEEBHOY.

The Honourable Sir George Rainy (Leader of the House): Sir, during the course of the last three or four days a distinguished former Member of this House has passed away. Sir Jamsetjee Jeejeebhoy was a member of a well-known family in Bombay, famous for its public benefactions and generosity. He himself played a prominent part in the public life of Bombay for a number of years. For a period, I think, of about three years he was a Member of this House, that is, of the first Assembly elected after the reforms. The respect in which he was held by his fellow Members is shown by the fact that in September 1921 he was elected to the post of Deputy President. I do not know how many Members there are in this House who sat in the first Assembly—perhaps their number is not very large—but those whom I have consulted assure me that when occasion called Sir Jamsetjee Jeejeebhoy to preside over the deliberations of this House, he carried out his duties with dignity and impartiality and to the satisfaction of his fellow Members. As a Member I am told that he spoke infrequently, and only on important subjects where he could make a real contribution to the debate. As to the general respect and admiration in which he was held I am sure that there can be no doubt. I believe that it would be in accordance with the wishes of the House, Mr. President, if you would communicate to the family of the deceased our deep sympathy and regret.

Dr. R. D. Dalal (Nominated Non-Official): I desire to associate myself with the remarks that the Honourable the Leader of the House has kindly given expression to in connection with the sad, untimely and sudden death of the leader of the community to which I have the honour to belong. Sir, as a representative from Bombay and as a member of the Parsee community I should be failing in my duty if I did not speak on

this mournful occasion. Coming as you do from Bombay, and a sincere admirer and well-wisher as you are of the Parsee community, you are aware that Sir Jamsetjee Jeejeebhoy came of a family who are highly respected throughout the country generally and Western India in particular, and who are well-known for their great philanthropy and public spirit. Sir, the charities of this family are not confined to India. May I be allowed to illustrate this from personal experience? I was the first native of India who held a public appointment in London, and that was in connection with the Finsbury Dispensary in London. After I took over charge, a study of the old records showed that the second Baronet, Sir Jamsetjee Jeejeebhoy had contributed £200 to the Finsbury Dispensary. The deceased Baronet was the fifth Baronet of his name; and he was a fine type of a gentleman—always loyal to the King and true to his country; and he was always upright in all his dealings; in short, he was a great gentleman. Sir, owing to ill-health and owing to heavy work in connection with several Trust Funds of the Parsee community in recent years he found little time to take part in public affairs. He was the leader of the Parsee community; and this office of leadership carries great responsibilities, and he discharged them according to the best traditions of his family. He was a member of the Bombay Municipal Corporation for a number of years; and by good work on that Board he earned the appreciation, admiration, and approbation of the people of Bombay.

Sir, I shall not now speak of Sir Jamsetjee Jeejeebhoy as a Parsee, nor as a leader of the Parsee community, but as a Member of this House and as its Deputy President for three long years from 1921 to 1924. He acquitted himself most creditably, and I understand that he made substantial contributions to the debates of this House. Sir, I earnestly and sincerely hope and pray that there will never be a time when the members of the community to which Sir Jamsetjee Jeejeebhoy belonged will not be ready to come forward and to render such services as they can to the future of India. Sir, with these few words I respectfully beg that you will kindly convey our sense of grief and sorrow—our sincerest sympathy and condolences to the Dowager Lady Jamsetjee Jeejeebhoy and other members of the bereaved family.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Sir, I associate myself with what has fallen from the Leader of the House regarding the late Sir Jamsetjee Jeejeebhoy, who was the acknowledged leader of that enterprising community, the Parsees of India. The Honourable the Leader of the House has said that there are very few Members of the first Assembly now left in this House and that those, that were there then, knew a lot more about Sir Jamsetjee Jeejeebhoy than himself. That, alas, is true, but I happen to be one of the survivors of the first Assembly, and I knew Sir Jamsetjee intimately, and I can vouch for the expression of opinion that has fallen from the Honourable the Leader of the House. Sir, my relations with the late Sir Jamsetjee Jeejeebhoy were cordial. As a matter of fact they were so cordial that in the friendly contest for the Deputy Presidentship we both obtained an equal number of votes (Laughter), and it was by the casting vote of the Chair that my friend was elected to the Deputy Presidentship of the Legislative Assembly. I know however that his election was well deserved.

[Sir Hari Singh Gour.]

Sir, he was one of those few men who took very little part in the day to day life of the Assembly, but when he did take part, it was to say something which would have been lacking in the debates had he not intervened. I feel, Sir, that this House would be perfectly justified in acceding to the motion made by the Honourable the Leader of the House, and we on this side of the House join with him in requesting you to convey our condolence to Lady Jamsetjee Jeejeebhoy, his son and the other relatives of the deceased.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, on behalf of the Independent Party, I also support the motion of condolence at the death of the late Sir Jamsetjee Jeejeebhoy, which has been moved by the Honourable the Leader of the House. As has been already said, Sir Jamsetjee Jeejeebhoy was a Member of the first Assembly, of which, alas, there are so few survivors left—only our friend, Sir Hari Singh Gour on the right, and our esteemed friend, Mr. K. Ahmed on the left

Mr. S. C. Shahani: And myself.

Maulvi Muhammad Yakub:who are present today in the House; and I can say on the authority of the Honourable Members, who had the pleasure of knowing him personally, that he was very popular with his colleagues, and that, as the first Deputy President of this House, he performed the duties of his office with remarkable ability and independence. Sir Jamsetjee Jeejeebhoy belonged to that distinguished family of Bombay Parsees who occupy a unique position in the public life of that city. In politics, he belonged to the liberal school of thought; and sometimes, by his cautious warnings for a slow pace in the march of progress, he worked as a brake operating to prevent politics from falling into the pitfalls of extremism. It is, as my Honourable friend, Sir Hari Singh Gour, says, perfectly just and right, that this House should convey its sincere grief at his sad death.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Sir, it is a matter of great regret that, as reported in this House already by the Honourable the Leader of the House, our friend Sir Jamsetjee Jeejeebhoy has been snatched away from this world by cruel death. Sir, as my friend of the Independent Party has pointed out, I am one of those Members of the first Assembly surviving still. I may say that I had the honour of knowing Sir Jamsetjee Jeejeebhoy very closely since he was returned to this Assembly in the year 1921. I remember, Sir, the day when I first met him at the breakfast table in the Western Hostel. I have had the greatest pleasure of knowing him more closely since then, and gradually our friendship became very intimate. Sir Jamsetjee Jeejeebhoy belonged to that famous family of Bombay Parsees whose generous and benevolent charities are, Sir, widely known in this country. There is a great Trust Fund which has been distributing not only benefits to the educational institutions, but is also utilized widely in the direction of the amelioration of the conditions of poor people in this country. Sir Jamsetjee Jeejeebhoy belonged to that family; and I think he was the second Baronet in India.

When he stood as a candidate for the Deputy Presidentship, I remember there were several other rival candidates in this House, but his charming personality and his polite way of intercourse with the other Members brought him to the forefront in getting him elected as the Deputy Speaker of the Assembly. Sir, I have the highest admiration for him, because as a matter of fact I was supporting the candidature of my friend who has spoken already and I found Sir Jamsetjee Jeejeebhoy returned only by the casting vote of Sir Frederick Whyte, the then Speaker of this House. Thereafter, Sir, I used to see Sir Jamsetjee Jeejeebhoy in the House taking a great interest in the business. I remember him presiding once when the Criminal Law Amendment Bill of 1923 was on the anvil of the Assembly. A dispute arose, Sir, between the Treasury Bench and the Opposition Bench. Ours was, Sir, the Democratic Party which took a leading part then in the opposition and I belonged to that party. Members of the Treasury Bench were fighting over the Racial Discrimination Bill, over the passage of some very important section of the Criminal Procedure Code, and there used to be passages-at-arms between the Democratic Party Opposition Members and the Treasury Benches on the floor of this House, and the late Sir Jamsetjee Jeejeebhoy with his great ability discharged his duties very well. Sir, Sir Jamsetjee Jeejeebhoy was a very generous man. He used to take a leading part in the social life amongst the Members of the Assembly. He was very sociable. Very often after dinner time, I used to see him play chess downstairs in the sitting room. He used to mix freely with all Members. He used to talk with them and exchange thoughts and ideas over the agenda of the business of the House. In spite of his being a Deputy President—and in those days Members had very limited experience of parliamentary life—he used to take part in the preparation of budget questions and also in deciding how to tackle such questions adequately. I remember, Sir, that in 1921, the Members of the Assembly used to gather a lot of information from Sir Jamsetjee Jeejeebhoy. He was really a great asset to this House. He remained Deputy President until 1923 when the House was dissolved. Thereafter I had the pleasure of knowing him, as he used to come here frequently. Last time I met him in Bombay in 1930. He was very busy, looking well. Even just before his death, I understand he was doing his daily business. There was no sort of illness or trouble that could warn the people of his approaching end. All of a sudden he had an acute heart attack and owing to heart failure he was removed from this world. Sir, it is only fair, that as the Leader of the House suggested, a Resolution of the kind should be sent to his worthy wife who used to be here watching the debates of the Assembly from the galleries above. She also used to contribute much to the social life amongst the Members. His son and other members of the family of Sir Jamsetjee Jeejeebhoy used to come here, and we found all of them very cordial in social life. Sir, it was with great regret that we heard of the death of Sir Jamsetjee a distinguished friend of ours. Sir, I do not find sufficient words to give expression to the sad loss that we all feel.

Sir Hugh Cocke (Bombay: European): As with other Benches, so with these, Members come and go, and I fear no one sitting here today on these Benches was in this House with Sir Jamsetjee Jeejeebhoy. I joined myself in the Second Assembly in 1924, and, coming from Bombay as

[Sir Hugh Cocke.]

I do, it was with much regret that I learnt that Sir Jamsetjee Jeejeebhoy had not come back again. I know him as a prominent and respected citizen of Bombay and we, on these Benches, desire to join in this expression of sympathy.

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I am one of the few Members who were in the first Assembly, and I knew Sir Jamsetjee Jeejeebhoy in this House, he being respected on all sides of the House. We belonged to different parties and we all had great admiration for Sir Jamsetjee Jeejeebhoy, and in proof thereof he was elected Deputy President of this House. I associate myself with every word that has been said about him.

Mr. S. C. Shahani (Sind: Non-Muhammadan Rural): As a Member of the first Assembly surviving in this House today, I feel it my duty to associate myself with the Resolution moved by the Honourable the Leader of the House to convey the sympathy of this House to the bereaved family of Sir Jamsetjee Jeejeebhoy. He was a much respected leader of his community. He discharged the duties of the office of Deputy President in the Assembly very well. I know that he was trusted by everybody, and his manner of life was altogether dignified. He was a loyal friend and an amiable colleague.

Mr. President: Gentlemen, I wish to associate myself with all that has fallen from the Leader of the House and other Honourable Members who have spoken on this mournful occasion. I knew Sir Jamsetjee Jeejeebhoy for many years and I always found him ready to serve the cause which he took in hand. I have known him as a Member of the Bombay Municipal Corporation and as a Member of the Bombay Legislative Council and during the period of his service on these bodies, he discharged his duties in the manner referred to in this House. He was not a frequent speaker, but when he did speak, his contribution was very well worth listening to. Gentlemen, Sir Jamsetjee Jeejeebhoy was highly respected amongst all sections of the Bombay public and his loss will be seriously felt by both the City of Bombay and the Bombay Presidency.

Agreeably to the wishes of the House, I shall convey a message of sympathy to the Members of the bereaved family.

STATEMENT OF BUSINESS.

The Honourable Sir George Rainy (Leader of the House): Perhaps it will be for the convenience of Honourable Members, Mr. President, if I make a short statement now about one particular part of the business of

the House. What I have to say might ordinarily have been included in the statement usually made on Thursday, but it seems better I should say it now. Honourable Members will remember that the House adjourned on Monday without transacting any business, and consequently the non-official Bills which were set down for that day were not taken. In order that the Honourable Members who gave notice of these Bills may not be deprived of the opportunity of moving their motions and having them discussed, Government propose, subject to your direction, Mr. President, that the House should sit on Saturday forenoon. They believe that probably the House would not desire to sit on Saturday afternoon, but Government are prepared to put down so much of the business as is not disposed of on Saturday after the Government business on Tuesday next. I do not anticipate that on that day there will be any Government business likely to take much time, apart from the introduction of the Railway Budget, and I think we may be reasonably sure that the whole of the afternoon will be free for these private Bills.

Mr. K. Ahmed: Sir, on the last occasion when we heard the Leader of the House on this subject, we were told that we would get a holiday on the 13th and the 14th. Now, I find that we are going to have our Bills taken up for discussion on Saturday.

Mr. President: The Leader of the House has announced that Government are prepared to provide facilities for discussing non-official legislation which could not be taken up on Monday last on account of the House having adjourned in consequence of the death of Pandit Motilal Nehru. The proposal now made by the Leader of the House is that the House should meet on Saturday morning and on Tuesday after the Government business is over. I take it that the House is agreeable to that arrangement by which non-official Members will get the opportunity of discussing private legislation on these two days.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes.

THE GOLD THREAD INDUSTRY (PROTECTION) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to present the Report of the Select Committee on the Bill to provide for the fostering and development of the Gold Thread Industry in British India.

THE STEEL INDUSTRY (PROTECTION) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to present the Report of the Select Committee on the Bill to provide for the modification of certain import duties relating to the fostering and development of the Steel Industry in British India.

ELECTION OF MEMBERS TO THE COURT OF THE DELHI UNIVERSITY.

The Honourable Khan Bahadur Mian Sir Fazli-Husain (Member for Education, Health and Lands): Sir, I beg to move:

“That the elected Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, four persons from among their own Members to be Members of the Court of the University of Delhi in pursuance of sub-clause (5) of clause 2 of the First Statutes of the University scheduled to the Delhi University Act, 1922 (VIII of 1922).”

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, I beg to oppose this Resolution because it is not the business of the Government Benches to move a Resolution like this. It is a matter which concerns the elected Members of this House, and the Resolution could have come with good grace from this side of the House if it was needed at all. We have had elections to the Delhi University Court before, but never was any Resolution like this moved and never before was it found necessary to be moved by the Members on the Official Benches.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): How was it effected then?

Mr. Amar Nath Dutt: The elected Members used to meet and the Secretary used to take the votes of the Members, and the gentlemen who obtained the largest number of votes were elected. But this is the first time when a new procedure is being introduced, and although on the face of it this may appear to be a very harmless procedure, I beg to point out, firstly, that it is an official interference with our rights, and secondly, that the method of election was always by ordinary voting. I do not know what procedure may be adopted, but it seems that the official Members want to have control even over the election of these four members for the court of the University of Delhi. The statute did not contemplate the moving of any such Resolution, nor the handing over of the power to the Honourable the President, for whom I entertain the greatest respect, about the method of voting. I think the Honourable Member's move is not a move in the right direction. He wants to hoodwink us in this matter and to encroach upon our rights. It is for us, and for us alone, to decide whom we shall send to the Court of the University of Delhi, and we shall do it in such manner as we approve. Members who are new to this House may not know all these things, and therefore, in order to acquaint them with the position, I beg to submit this for their consideration, so that they may oppose this Resolution.

Mr. C. C. Biswas (Calcutta: Non-Muhammadan Urban): Sir, I confess I am new to this House, but I do not appreciate the objection which has been raised by my Honourable friend Mr. Dutt. The proposal before us does not in any sense amount to any withdrawal or curtailment of the rights of this House. The motion is that the elected Members should elect these four representatives. No doubt it says that the election shall take place in such manner as you, Sir, may approve. If my Honourable friend and those who are of his way of thinking did not approve of that method of election, it was quite open to him or to any of them to send in notice of an amendment that the election should be in such other manner as might find acceptance with the majority of this House. As it is, I do not see how a mere statement that the election shall take place in accordance with the procedure which you may decide upon amounts to any restriction of the privileges of the Members. Having regard to the fact that my Honourable friend, although he felt so strongly on the subject, did not give notice of any amendment, I take it that until now at any rate he had sufficient confidence in the Chair.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I find my friend Mr. Biswas taking objection to the remarks made by my friend Mr. Dutt because he did not send notice of any amendment. When I read this particular Resolution, I could not see why this unnecessary Resolution was brought before the House. It is a well known practice for this side of the House or the whole House to suggest to Government that they are going beyond the procedure and convention of this House and that we should follow the usual procedure that has been adopted so far. We oppose this because this is not the stage when Government can encroach upon our privileges and rights. If the Honourable Member wanted to show that he was giving us certain fresh rights by his Resolution, he could have told us and circulated a memorandum to that effect, telling us what new privileges he is giving us which we have not so far enjoyed. So I suggest to Government that they should withdraw the present Resolution and bring it in in such other form as may be in accordance with the usual practice, or after consultation with the leaders on this side of the House.

Mr. K. Ahmed: I thought that we should not have much to say on this motion, but Mr. Dutt and his supporter Mr. Das, have an unwise way of introducing oppositions in this Assembly and have conducted themselves like this. I remember in previous years when some elections had taken place, Mr. Amar Nath Dutt and Mr. Das from Orissa have been going from one side of the Assembly to the other canvassing, begging and entreating for votes.

Mr. Amar Nath Dutt: I object to that language.

Mr. B. Das: I repudiate it.

Mr. K. Ahmed: Mr. Amar Nath Dutt, in years gone by, since he came to this Assembly, has been begging Members reasonably or unreasonably. . .

Mr. Amar Nath Dutt: Is he entitled to make such remarks?

Mr. K. Ahmed: . . . knowing that Members knew him well enough to know whether to vote for him or not. (*An Honourable Member:* "Question.") That is, Sir, the extraordinary way of canvassing, a brilliant thought of capturing Members to vote for him. It is an extraordinary and marvellous manner only confined to him. Sir, knowing his work as our delegate and representative in the Court of the University of Delhi, he has abused the courtesy that we had used in the matter of voting and returning him there for a year or two or three. He comes here today very badly saying that he has not acquired there sufficient experience though he has been there for three years. The first thing he thought was to oppose this Resolution rightly or wrongly and without any justification, and Mr. Das who is bracketed with him in the art of canvassing, having been disappointed many times not only in the matter of election to the Delhi University but to the Science College of the south coast of India, Bangalore, now supports him. Sir, when two conspire to do a thing which does not suit them, 98 per cent. on the other side find that there is some underlying policy confined to those two who conspire. (*An Honourable Member:* "What was the wrong?") I do not find anything wrong. I first put a query to my Honourable friend Mr. Amar Nath Dutt. He is forgetting the practice and procedure in this Assembly. It is a matter of regret that he conducts himself unbecomingly. Today, Sir, when I put that question to him, how was that election effected, how was he returned, how did he secure the votes, without explaining all that, as a leading member of the Bar of the district of Burdwan in the province of Bengal, he evades it. If I were in his position, I would have been the first to take a lesson from now not to do a thing which others do not venture to do. If there is no chance for him or there is no liking in him to go to the University Court of Delhi, that is another matter. But what justification is there, Sir, to oppose the Resolution moved by the Honourable Member representing the Education Department for the election of four Members of this Assembly to the University Court? Without saying anything on the merits of this Resolution, without showing his ignorance, he could have enlightened us as a lawyer of great reputation, and I should have been very much obliged to him for that.

Mr. President: Order, order. I should like to draw the attention of the Honourable Member to the fact that so far there are no candidates who have stood for election, and therefore the Honourable Member is hardly justified in trying to sit in judgment on the representatives of the Assembly on the Delhi University. There are none so far. I should like him to confine his remarks to the issue that is now before the House, whether the House should proceed to elect in the manner which the Resolution contemplates, or whether he supports the view of some Honourable Members that the motion should be opposed.

Mr. K. Ahmed: I am very thankful to you, Sir, and I appreciate each and every word couched in this Resolution and I had the experience of knowing also that this is merely a motion and the election will take place sometime after. Knowing all the things, Sir, and understanding also that there is no chance for the two friends, Mr. Das and Mr. Amar Nath Dutt. . . .

Mr. B. Das: I have never been a candidate.

Mr. K. Ahmed: I did not say that he was a candidate. He has been a candidate and has been disappointed and I hope he is not going to do that again. There is no justification for those two Honourable Members opposing this motion.

Now let me come to my former point. I was putting the question to my friend, Mr. Dutt, how he effected his election in the previous years. My friend, without explaining how it was done, when he was on his legs, is now saying, "No, no". That is not a business-like way of opposing the Resolution. They do a thing which others should not have done. Sir, I know perfectly well that in this House a motion of this description always comes up and when that motion is carried, the election takes place in the ordinary manner, when my friends get the chance of knocking at the doors of others and asking for votes. That I know, and others also know. No case has been made out by the other side for opposing this motion. They have not said a word as to why it should be opposed, and what are the reasons and grounds on which they are basing their opposition. Why threaten the Government?

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): It is for the Government to prove what was wrong in the old procedure.

Mr. K. Ahmed: The onus is on the man who finds fault. My friend has caught hold of the wrong end of the stick and is opposing the motion. I therefore, support the motion moved by the Honourable Sir Fazl-i-Husain.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, in intervening in this debate, I wish to draw the attention of the House and particularly of the Honourable Sir Fazl-i-Husain, to what I am about to state on the constitutional issue. Honourable Members will find that this Resolution is intended to carry out the purpose of the Schedule of the Delhi University Act, VIII of 1922. That Schedule lays down as follows:

"In addition to the officers mentioned in sub-clause (1) the following persons shall be *ex-officio* members—(and then you have got the other members):

The number of persons to be elected by the elected Members of the Council of State and the Legislative Assembly from among their own members shall be two and four respectively."

Apart from the unnecessary verbiage, a statute of the Indian Legislature provides that the Court of the Delhi University shall consist *inter alia* of four members to be elected by the elected Members of the Legislative Assembly. If that is so, the statutory behest cannot be evaded or altered by any Resolution of this House, nor indeed is that statutory requirement subject to any Resolution of this House. You cannot override a statute by any Resolution of this kind. The Honourable Member will, I trust, indulge me for one second: he has brought forward this Resolution; as a Resolution of this House it is open to any Member of this House to bring in an amendment; it is open to the Members of this House to refuse to accede to that Resolution. If we refuse to accede to that Resolution, what is the result?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Non-co-operation.

Sir Hari Singh Gour: No, no. The result is this; the statute says—and that statute is binding upon this House and upon all persons including the Honourable Member—that the elected Members of the Legislative Assembly shall elect four Members to the Court of the Delhi University.

That, I submit, is the statutory requirement of Act VIII of 1922. That being the case, no further sanctity can be given to that statute by any Resolution, and therefore this Resolution seems not only to be superfluous, but *ultra vires*, because it does not require any Resolution of this House to give effect to the statute, which, by its own force, this Assembly is bound to accept. That being the case, I would ask the Honourable Member to withdraw this Resolution because it is not necessary at all, and moreover a Resolution of this character is likely to create confusion regarding the operation of a statute. You have got a number of other statutes in which it is presumed that certain public bodies will have a certain number of seats allotted either in the Court or in some other directing organisations of those bodies. That itself is sufficient; all that this House can therefore do is to leave its elected Members free to proceed to elect in accordance with the requirements of that statute.

Mr. K. Ahmed: How will that help you?

Mr. President: Let the Honourable Member continue please.

Sir Hari Singh Gour: I am glad that the Honourable the Law Member has just stepped in. . . .

The Honourable Sir Brojendra Mitter (Law Member): I know nothing about it.

Sir Hari Singh Gour: That is the pity of it. I should like that the Honourable the Law Member would be good enough to attend this Assembly, because occasionally questions of constitutional law do crop up, and we want his advice.

This is the first point. Now, we pass on to the next point. If the statute is self-sufficient and gives the Assembly the right to elect four members what is the procedure? That is the next question. One of the canons of interpretation of all statutes is—and all Honourable Members who belong to the legal profession will bear me out—that a statute cannot be supplemented by anything from outside. The statute must be regarded as self-sufficient.

Mr. K. Ahmed: This is not a district court; this is the Assembly.

Sir Hari Singh Gour: The statute here does not give the Legislative Assembly, or for that matter the Council of State, a direction for the purpose of laying down the manner of the election, that the election shall be in such manner as is laid down by the Legislative Assembly or the Council of State. That being the case, this Resolution contravenes the statute in so far as it purports to implement it. Therefore I submit it is *ultra vires*. The statute must be regarded as self-sufficient and self-contained; and when it says a certain thing shall be done, you cannot say that that shall be done in any particular manner by bringing a Resolution in this House. Therefore I respectfully submit to the Honourable the Education Member that he should withdraw this Resolution and

reconsider it. He can bring it forward again after consulting the Law Department and the Honourable the Law Member as to the legal implications of this Resolution. He is himself a distinguished lawyer and can well understand what I am driving at.

These, Sir, are the two points; first that the statute does not give this House but only its elected Members, that is a section thereof, the right to elect four members; secondly, the statute does not give this House the right to state that the election shall take place in any particular manner; therefore it must take place unfettered by any Resolution that this House passes, determining the manner in which such election shall take place.

Now, I pass on to the third point. When this Delhi University Act of 1922 was brought into operation, I happened to be the first Vice-Chancellor of the Delhi University. (Hear, hear.) When the question came up of electing four members from amongst the elected Members of the Assembly, that question was considered by your predecessor, and the procedure which was then adopted, during the tenure of my office as Vice-Chancellor, was this, the Secretary of the Legislative Assembly used to issue notices to all the elected Members for the election, and that election used to be held under the direction of the Secretary of the Legislative Assembly, or rather the Legislative Department, and not when the House was sitting, because it is not an election by this House; it is an election by the elected Members of this House. Remember the distinction. It is not an election by the Assembly, but it is an election by the elected Members of this House. How, then, can a motion be brought in this House and how can the election be held under the ægis of this House?

Mr. K. Ahmed: That is a difference without a distinction.

Sir Hari Singh Gour: I therefore submit that you, Sir, should rule that this Resolution is out of order because it contravenes a statute—Act VIII of 1922. In the second place, I further ask you, if this election is to take place, that the election cannot take place under the orders of the Legislative Assembly, but under the provisions of the statute itself. That statute provides for the election of four members by the elected Members of the Legislative Assembly. Thirdly, I submit, following the procedure that has been observed ever since the initiation of the Legislative Assembly in 1921—the first election took place I believe in 1922 (I speak subject to correction)—the procedure has been that the elected

1 P.M. Members have sat down and Mr. Gupta, who has been the Secretary of the Legislative Department and now Secretary of the Legislative Assembly, used to conduct these elections

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: What business had he to do that?

Sir Hari Singh Gour: And what business have you to bring forward this Resolution?

Now, I ask one more question before I resume my seat. The Honourable Member is an Executive Member of the Government of India.

Mr. K. Ahmed: Everybody knows it.

Sir Hari Singh Gour: He can only bring up Government business, but he cannot bring in any business unconnected with the Government business. He has no jurisdiction to ask this House by a Resolution to carry out the purposes of the Delhi University Act.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Is that not a Government measure?

Sir Hari Singh Gour: I therefore submit that he himself not being an elected Member, because the election is to take place under the Act . . .

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: He happens to be a pro-Chancellor of the Delhi University.

Sir Hari Singh Gour: He himself not being an elected Member, and consequently as this Resolution is not a Government business nor is it connected in any way with the business of Government, I submit he has no right to bring forward this Resolution. As the Honourable the Law Member was not present in this House, may I summarise my arguments for his information. Sir? (*An Honourable Member:* "No.")

Mr. K. Ahmed: That is not the practice of this House.

Sir Hari Singh Gour: I therefore submit that all things considered, I would appeal to the Honourable the Leader of the House to advise his colleague to withdraw his Resolution. If this Resolution is not withdrawn, I would ask you, Sir, to give your ruling upon the various constitutional issues I have raised.

Mr. President: You cannot raise a point of order conditional upon something happening. If you raise a point of order direct, I will deal with it.

Sir Hari Singh Gour: Very well, Sir.

Mr. President: What is your point of order? Please restrict yourself to it.

Sir Hari Singh Gour: The point of order I wish to raise is, I beg to state in a categorical form as follows. The first is that the Delhi University Act VIII of 1922, Schedule, Clause 2, sub-clause (5) provides for a self-contained procedure for the election of four Members to the Court of the Delhi University by the elected Members of the Assembly.

Mr. President: Does it lay down any procedure to be followed?

Sir Hari Singh Gour: All statutes must be presumed to be self-contained. That is the first point. The second point is, that being the case, this Resolution which lays down that the Members shall elect four Members to the Court of the Delhi University in a particular manner is not in accordance with the Schedule to the University Act, because there might be half a dozen amendments; it may be not 4 Members but 6 Members. Another amendment may be that not only elected Members but Nominated Members as well should take part in it. Third may introduce class representation in an academic body which knows of no caste, class or creed. This Resolution, if it is once placed before the House, might be subjected to a series of amendments which would contravene the Act.

My third point of order is, a Member of the Executive Council of the Government of India can only bring forward a motion concerning the Government of India and not one affecting the privileges of the elected Members of this House.

My fourth point is that such a procedure is unprecedented; ever since the establishment of the Delhi University such a procedure was never adopted. And the Honourable Member has given no reason why he is making a departure in respect of the procedure which has been hitherto followed by this House in electing four Members to the Court.

Mr. President: While the debate was proceeding I gave my best consideration to the points raised by the Honourable Member Sir Hari Singh Gour anticipating that perhaps a specific point of order would be raised. I am therefore able to give my ruling on the various points that the Honourable Member has raised. His first contention is that the Delhi University Act lays down a self-contained procedure. I asked him whether it laid down any specific method of election. It apparently does not. I have come across a large number of Acts of the Provincial as well as the Imperial Legislature which provide the right to elect, and in many of them express provisions are made regarding the manner and the method of carrying out such elections. If any specific method is provided in the statute conceding the right of election, then that method is obligatory and must be carried out. In some cases the Acts provide that the electing body should frame rules and regulations for carrying out such elections. In such cases elections are held in accordance with rules so framed. If, as in this case no provision is made, then it obviously follows that the Assembly, as a whole, should determine the manner in which these elections should be held. The present motion is intended to lay down the procedure which should be followed to carry out the election. On that point, I hold that the Assembly is entitled to determine the method and the manner in which this election should take place.

The second point that was raised was that if the procedure to be laid down for election was by way of a Resolution, then it was open to the House to move amendments. I recognise that it is open to the House to move amendments to any Resolution that may be brought forward, but let us examine what amendments can be moved to this Resolution. The Honourable Member urged that you could amend the motion by substituting four Members for six, or six Members for two. Those amendments, if they are moved, would be ruled out of order because they would be inconsistent with the statute which gives you the right to elect. The House has two courses open to it. One is to oppose the Resolution and throw it out. What the legal consequences of that action will be I am not called upon to decide, but the effect of it will be that it will be construed as meaning that the Assembly refuses to exercise the right which the Legislature has given to it. A valid amendment can be moved to this motion, laying down specifically the procedure that should apply to this election, say by the method of proportional representation or by some other method, but no one can move an irrelevant amendment altering the provisions of the statute under which this election is proposed to be held. I hold that that point also fails.

[Mr. President.]

As regards the third point, the Honourable Member has contended that the Honourable the Mover is a Member of the Executive Council and that he can only bring forward motions on behalf of the Government. I have been always of the opinion that Members of the Assembly, from whatever avenue they may come, are all equal, and that we are here in our corporate capacity dealing with the work entrusted to us by the Constitution. Any attempt to make such distinctions I personally very much deprecate. No doubt, where we have got a constituency we have to discharge our obligations by such constituency, but when we are assembled here as one corporate body we ought always to work in the spirit in which I take it that every Honourable Member is working, namely, in the best interests of our country. In my opinion, there is nothing in the constitution which deprives any Member on the Treasury Benches of his equal right as a Member of this Assembly.

Now, let me ask the Honourable Member a question. When a motion is brought forward before the House, are not Members on the Treasury Benches entitled to discuss it, whether it is Government business or non-official business? I think that every Member of this Assembly is entitled to bring forward such a Resolution. But my answer would be complete in regard to all the various points raised, including the one that the Honourable the Mover of the motion is a Government Member, if I draw attention to what has happened in the past in regard to this matter. I find the following in the official records:

"Hitherto the election of the non-official Members of the Legislative Assembly to the Court of the Delhi University has been treated as a more or less informal affair and has been held by the Secretary of the Assembly at the request of the Registrar of the University."

If a point of order can be raised, I should like to know what authority the Secretary had to carry out this informal election, but I am not raising that point because I want to go on and read what follows, which will show to Honourable Members that the procedure now adopted is the procedure laid down by my predecessor Mr. Patel. Let me read:

"It was however decided by the President of the Legislative Assembly (*and this was in 1929 when Mr. Patel was presiding*) on the last occasion when a request for an election was received from the Registrar that the statutory election should be held formally as in the case of election to the Public Accounts Committee and other Standing Committees and an appropriate motion for election should be made in the Assembly by the Member of Government concerned."

This completely meets all the points that have been raised, and when I am ruling that the motion is quite in order, I am merely doing so in accordance with my predecessor's decision.

Sir Hari Singh Gour: May I just point out that your predecessor's ruling was not given after considering. . . .

Mr. President: Order, order. Whenever I am honoured by being asked to preside over any public assembly, it is my practice to give every opportunity for placing a point of order as fully as possible before the House, and I think that the Honourable Member has had full opportunity. But it is also my practice that when I have given my ruling—whether Honourable Members regard it as right, or whether they regard it as wrong—no further discussion is allowed.

(At this stage Mr. B. Das rose in his seat.)

Are you speaking on the ruling?

Mr. B. Das: No, Sir. I am asking a question of the Honourable Member arising out of the ruling, as to why this paper was not supplied . . .

Mr. President: That is not a point of order. I should like the House to restrict discussion on this Resolution as much as possible. Does any Honourable Member wish to address the House?

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I must confess that I was not at all impressed by the speech which the Leader of the Opposition has made and the intricacies of the law which he has propounded. They appear to me to be absolutely out of point and have got no sense.

Sir Hari Singh Gour: I rise to a point of order. I understand your ruling to be that once a ruling is given the matter dealt with in the ruling shall not be discussed.

Mr. President: The points of order on which a ruling has been given cannot be re-raised, but fresh points of order can be raised at all times and I cannot stop that. But having regard to the fact that discussion has already proceeded at some length and also that it is very nearly lunch time, I should like to know whether the House desires to vote now, or whether it wishes to adjourn for lunch and resume the debate afterwards.

Mr. Amar Nath Dutt: On a point of information, Sir. May I know whether elected Members alone will vote?

Mr. President: That is the Resolution.

Mr. Amar Nath Dutt: I am talking about the Resolution itself,—whether votes will be taken from amongst the elected Members only or the official Members also will be allowed to vote on the Resolution.

Mr. President: I should like to draw the attention of the Honourable Member to the wording of the Resolution. It says, "that the procedure shall be as laid down by the Chair". You may be quite sure that if the Resolution is carried I shall issue voting papers only to elected Members.

Sir Hari Singh Gour: May I say that the point of order of Mr. Amar Nath Dutt is that when this Resolution is submitted to the vote of the House, will all Members be entitled to vote for or against the Resolution, or only elected Members?

Mr. President: I think I have explained at considerable length the position of this House as a whole, and I think I pointed out then that the Assembly as a whole shall decide the method and the manner in which the election shall take place. This House having done that, it will be the elected Members only who will take part in the election to the Delhi University.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): On a point of order, Sir. The last speaker, Mr. Yamin Khan, referring to certain points of order raised by the Leader of the Opposition, said that there was no sense in them. I should like to know whether that is in order or not, and I would ask the Honourable Member to withdraw his remark.

Mr. Muhammad Yamin Khan: I never said that about the point of order; I said that about his speech and the distinction which he had tried to make.

Mr. President: Gentlemen, I hope you will respond to my appeal and intimate to me whether you desire that we should adjourn now for Lunch or whether we should continue the debate. . .

Some Honourable Members: Continue and finish.

Some Honourable Members: Let the question be now put.

Sir Hari Singh Gour: Sir, in the afternoon we have an engagement . . .

Mr. President: I know that. Closure has been asked and I am accepting it subject to the wishes of the House. Order, order. The question is that the question be now put.

The motion was adopted.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Sir, I must say that I was taken by surprise when from the opposite Benches objection was taken to what I considered an extremely innocent Resolution.

An Honourable Member: Every one considers his Resolution an innocent one.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: And I was just revolving in my mind the possibilities of the human mind discovering all sorts of fiendish schemes and conspiracies in what, as I even now claim, is nothing but an extremely simple, inoffensive and innocent proposal.

An Honourable Member: But a new proposal.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: At the time I did not know that this innocent Resolution of mine which appeared to me to be extremely simple and rational had the support of the august authority who presided over the deliberations of this Assembly for a number of years and within the authority of which authority, or under the control of which authority—not to repeat the same word—the privileges of this House were always safe. So, Sir, when the Honourable Members sitting opposite attribute to me all sorts of sinister motives with the object of depriving them of their rights and privileges, I am afraid they are doing me an injustice. Sir, it never does anyone any good to develop a suspicious frame of mind. It leads one to all sorts of difficulties as apparently it has done today. (Laughter.) Well, Sir, when you once develop a suspicious mind and bring forward arguments of all sorts in the heat of the moment, those arguments later on, when you are calmly deliberating over what you have said, strike you as having been said without calm and quiet deliberation. Sir, one of the Honourable Members went so far as to ask what I have got to do with the Delhi University. The Delhi University, Sir, being a non-official body, a Government

Member trying to propose a Resolution in connection therewith was considered absolutely out of order and very bad manners. The Honourable Member who made that speech had filled the distinguished office of Vice-Chancellor of that University. But Honourable Members will remember that he was nominated by the Government to that exalted office when the University was created.

Sir Hari Singh Gour: I was elected on the second occasion.

An Honourable Member: Not on the second occasion.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Nor on the third either. To continue my speech, Sir, if the Education Member, who is virtually the *ex-officio* pro-Chancellor of the Delhi University, has no concern with the question whether the University is properly constituted in the sense that the statutory obligation that four of its members should be the distinguished elected Members of this House is being carried out or not.

Sir Hari Singh Gour: Did I understand the Honourable Member to say that the Education Member is the *ex-officio* pro-Chancellor of the Delhi University? Is he quite sure of his facts?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: He is pro-Chancellor, and if the Honourable Member thinks he is not *ex-officio*, does he not realise that there is no chance for anybody but the Education Member being pro-Chancellor of that University? No, Sir.

Mr. B. R. Puri (West Punjab: Non-Muhammadian): Are you speaking in the capacity of pro-Chancellor of the Delhi University?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I have many capacities, Sir, but here before this House I am in my capacity as a Member of this great body. Sir, as I said before, the Resolution really is an extremely simple and innocent one, and but for the fact that there was such a lot of heat imported into the controversy, I should not have thought it really necessary to make any observations; and my only excuse for taking a few minutes of the House is that perhaps for the future I may be in a position to save time on similar occasions. Now I think I really ought to make it quite clear to Honourable Members that there is no intention whatsoever on the part of Government, and could never certainly be on my part, to interfere with the election of representatives by the elected Members of this body. Here, in the matter of electing to Standing Committees the Members of the Government, official Members as well as nominated Members, vote, but in some of the provincial Legislatures the practice is that only non-official Members of the Legislature elect their own Standing Committees, and I was one of those who pressed for that particular rule in the Legislature where I was a Member. So I can assure the Honourable Members that the rights of non-official Members of this Assembly . . .

Mr. B. R. Puri: Not non-official Members, but *elected* Members only. Not non-official.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I quite understand the distinction between non-official Members and elected Members. Under this Resolution the elected Members shall have the right and not non-elected non-official Members.

Sir Hari Singh Gour: Should they not determine how they will vote?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: But the distinction I was trying to emphasise was that in my humble opinion it is the non-official Members who have certain specific rights as distinct from those possessed by other Members of the Assembly who are not non-officials, i.e., who are official Members. The Honourable Member wants no doubt, in a general way, to say that a non-elected Member does not count, while to my mind he does count for a great deal, because as yet there are a number of interests which have not got elected seats, and through no fault of their own. Therefore he ought not to be hard on those non-official Members who do not happen to be elected Members.

Mr. K. Ahmed: That time is coming.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Quite, the time is very near indeed. Therefore, Sir, I trust Honourable Members, having seen that there is nothing wrong about my Resolution, having also seen that their opposition arose out of suspicions which were unfounded, having also seen that not only is my Resolution simple, innocent and reasonable but it has behind it the great authority of an ex-President of this Assembly in whose custody the privileges, rights and liberties of this House developed and prospered. . . .

Mr. Amar Nath Dutt: Is that the opinion of the Government?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: It is only the opinion of the Honourable Member sitting opposite that in this matter counts! I have no doubt, Sir, that in the spirit that befits this House and befits all Parties in this House, they will not press their opposition, having seen the light of reason, as well as of authority.

Mr. President: The question is:

"That the elected Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, four persons from among their own Members to be members of the Court of the University of Delhi in pursuance of sub-clause (5) of clause 2 of the First Statutes of the University scheduled to the Delhi University Act, 1922 (VIII of 1922)."

The motion was adopted.

Mr. President: I may inform the House that for the purpose of election of Members to the Court of the University of Delhi, the Assembly Office will be open to receive nominations up to 12 noon on Thursday, the 12th February, while the election, if necessary, will take place in this Chamber on Wednesday, the 18th February, 1931. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

Mr. President: I think, as the agenda has not been finished, the House will have to adjourn for lunch now and meet again in the afternoon.

Sir Hari Singh Gour: I do not know whether the Honourable the Leader of the House would permit us to say that we have an engagement in the afternoon and Members on this side of the House would very much like if the House adjourned now for the day. The rest of the agenda might be taken up on some other Government day.

The Honourable Sir George Rainy: I cannot undertake that time will be found later in the Session for the discussion of the Report of the Public Accounts Committee if the House elects not to discuss it today.

Mr. President: The issue is this. If the House wish to discuss the Public Accounts Committee's Report, they have to meet in the afternoon after lunch. Otherwise Government are not prepared, as I understand it, to guarantee any time for the discussion of that Report on some other occasion.

The Honourable Sir George Rainy: I can give no guarantee.

Mr. B. Das: We should discuss the Report now, because the Railway Budget is coming before us shortly; and in order to enable us to lay down the proper procedure with regard to the Railway Budget and the General Budget, we should discuss the Report of the Public Accounts Committee now.

Mr. President: Then, we will meet in the afternoon. We will adjourn till 2-45 P.M.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled at a Quarter to Three of the Clock, Mr. President in the Chair.

STATEMENT LAID ON THE TABLE.

WHITE PAPER IN CONNECTION WITH THE ROUND TABLE CONFERENCE.

The Honourable Sir George Rainy (Leader of the House): In accordance with the undertaking which I gave in the Assembly in answer to Sir Hari Singh Gour's short notice question on the 26th January, 1931, I lay on the table a copy of the first White Paper* presented to Parliament in connection with the Indian Round Table Conference.

Sir Hari Singh Gour: Sir, may I inquire how soon the second and third parts will be available to the Members of this House?

The Honourable Sir George Rainy: I have not heard of a third part, but the second part ought to have arrived or is arriving by air mail this week.

Sir Hari Singh Gour: I see in the introduction to the first part that there are three parts in contemplation. The third contains, I think, the evidence and the memoranda submitted by the various Departments to the Conference.

The Honourable Sir George Rainy: I cannot say when that will be received.

Mr. K. Ahmed: Do we understand, Sir, that the first volume which has been distributed to all the Members of the Assembly this morning is the one which is laid on the table?

*The White Paper was placed in the Library of the House.

The Honourable Sir George Rainy: Yes, it was circulated in advance of being laid on the table.

Maulvi Muhammad Yakub: May I take it, Sir, that the House will be given an opportunity to discuss these when both the volumes have been received?

The Honourable Sir George Rainy: I said, already, in reply to a question, that I will do my best to find a day, and I shall be very glad to communicate with the various parties in the Assembly as regards the particular date and also whether the House would wish to have both the sets of papers or also the third. I fancy the third may take some time.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Report of the Public Accounts Committee on the accounts of 1928-29 be taken into consideration.

I think Honourable Members are well aware of the various discussions which led to the adoption of this procedure for discussing the Report of the Public Accounts Committee. I think perhaps I might say that the procedure which it represents might be regarded as a child which has been born after long labour, in which my Honourable friend, Mr. B. Das, took an important part. (Laughter.) But it has been born in very unfortunate times. This motion seems to have been dogged by ill luck. Last year it could not be taken up until the end of the Session and it then had to be postponed till the Simla Session, and then came up for discussion at a time when Honourable Members' thoughts were elsewhere. And now again it has happened to come on a day when there are many other matters of perhaps more compelling interest and also at a time when Honourable Members' thoughts are perhaps more occupied with other issues. I trust, Sir, that, if there is some lack of interest in the discussion today that will not be regarded as an augury for the future, because I feel strongly that the discussion of the Public Accounts Committee's Report should be an important part of this Assembly's business. But if any of my Honourable friends, who might normally have wished to speak on this motion today, feel that the time is inappropriate for making an important speech, it may be that they can let that feeling prevail without the fear that they are damaging the future prospects of the discussion in years to come of this motion. Sir, this is a question on which we on these Benches are perhaps more prepared to act as listeners to suggestions which come from the other side than to make long speeches ourselves, and I reserve anything that I myself have to say until I have heard the observations of my Honourable friends on the Opposition Benches.

Sir, I move.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, considering the fact that the discussion of this Report is so very important and also taking into account, as the Finance Member has himself said, that today we have got some other functions to attend and the House is very thin and not in a mood to enter into a serious discussion, will it not be proper that after one or two speeches

have been made this afternoon, this debate should be carried over to some other day if the Finance Member agrees?

The Honourable Sir George Schuster: Sir, if you should think fit, and if it is the desire of most of the Members present today, I for my own part should offer no objection to that suggestion. But I would remind my Honourable friends of what fell from my Honourable colleague this morning as regards the claims which already exist on the future time of the Assembly. Although I feel sure he will do his best to find time, no guarantee can be given of that, and if the Assembly does not take advantage of this opportunity it may be impossible to find any other time. But speaking for myself, if it is the general wish of Honourable Members present here today that they are prepared in this particular case to take upon themselves the responsibility of foregoing an immediate opportunity for the sake of a chance in the future, I would offer no objection at all.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I quite agree with my Honourable friend, the Finance Member, that the atmosphere is not opportune when we can discuss the financial control of the finances of the Government of India. Yet, I think we must be fair to the Treasury Benches. We are glad that the Treasury Benches have given us this opportunity to discuss the implications of the Reports of the Public Accounts Committee, and if on this side we have failed to appreciate that privilege which the Government conferred on this House, the fault is on our side and not on the Treasury Benches. As regards the suggestion that the debate should be carried on to some other day, I do not know whether it will be adjourned *sine die* during this Session. There is no use of adjourning it to another day because we must introduce the practice that the Public Accounts Committee's Report should be discussed on the floor of the House before the budget discussions take place. The Railway Budget is coming up shortly and the General Budget will come up at the end of the month. So the new Members who have shown their lack of interest by their absence today will not derive any profit by our discussion today. (Interruption.) I am not anxious to inflict a speech on this House, but I think, as I was a member of that Committee, it is for us to state what we have done. We have discharged our duty in that Committee, and the Report is there, and we would like the other Members of the House to criticise the Report. Of course I am very much interested in the financial control of the finances of the Government of India and I would very much like to contribute my humble part to the discussion.

Mr. President: Will the Honourable Member start with his observations on the motion before the House?

Mr. B. Das: Sir, Honourable Members know that the functions of the Public Accounts Committee are given in paragraphs 163 and 164 of the Legislative Manual. They know what work is expected from that Committee. As stated therein, the Honourable the Finance Member happens to be the Chairman of that Committee. I think that privilege he will exercise for another two years, and the English practice will come into vogue in this House and probably one of the non-officials will then preside. But I must pay my tribute to the Chairman of the Committee in which I have worked for the last five years as a member. My Honourable friend, Sir George Schuster, has always presided as a very impartial

[Mr. B. Das.]

and able Chairman and has always acted as a member of the Committee without thinking that he represents the Finance Department of the Government and whenever we had pursued any points exercising stricter financial control, the Honourable the Finance Member had pursued the point in such minute detail, and by bringing his great financial knowledge into such lucid, and shrewd cross-examination, that at times I thought that he was a greater nationalist than many of us here. (Hear, hear) I pay him that tribute. In the Committee I have always found very little difference between him and myself.

Mr. S. C. Mitra: So also was his predecessor.

Mr. B. Das: Yes, that tribute I gave to his predecessor, Sir Basil Plackett, last year when I spoke at Simla. The purpose of the Public Accounts Committee is stricter financial control. There are also other statutory committees that have been evolved by Resolutions of this House, such as the Standing Finance Committees, where unfortunately Members who are there do not see the whole picture of the finances of the Government of India. It is only in the Public Accounts Committee that we see how the finances have been spent and whether they are rightly spent. Sir, my Honourable friend, Sir George Schuster, referred to the procedure we have for the present adopted about the discussion of the Report on the floor of this House. That is given in paragraph 5 of this year's Report, and the Committee has accepted there the Government of India, Finance Department, Resolution paragraph 4, which is given on page 48. I do not want to read any extracts, because I find the atmosphere is not opportune to read extracts. But I personally am satisfied

3 P.M. with the present procedure by which the Honourable the Finance Member will move his Resolution and we can make such suggestions as we can in this House when taking the Report into consideration. Sir, although, in the Public Accounts Committee, we are expected to see that the grants that the Assembly has sanctioned have been spent on the particular Demands for which the grants were voted, and we have to see that the appropriation and reappropriation under particular sub-heads on a particular grant are properly made, we have established conventions for giving better financial control to the Finance Department and also to this House. There has been at times overbudgeting to the extent of 25 per cent. or more, and for that my Honourable friend, Mr. Parson's Department had been responsible in the past. I will just point out one or two things that we raised in the last year's examination before the Public Accounts Committee. Certain glaring instances of faulty estimating in the Eastern Bengal Railway were brought to notice and the Committee has recommended and the Departmental witnesses also have given the assurance that no such things will occur in the future. Another point that was brought out before the last Public Accounts Committee was that the Railways were not keeping commercial accounts for their collieries and they were not publishing annual balance sheets for their Railways. In this matter, the non-official members of the Committee received valuable support from the Honourable the Finance Member as Chairman, and it has been recommended by the Committee that annual balance sheets of different Railways, whether State or Company-managed, should be published and submitted before the next Public Accounts Committee, and I hope this will materialise. Incidentally, I may

observe that, so far, the practice is that the Finance Department reviews the Report of the Public Accounts Committee by a Resolution. As the Government have conferred this privilege on the House to discuss the same, they have also decided that they will not present any more such omnibus Resolutions where Government decisions will be announced to the public and to this House; but there will be tri-monthly statements from the various Departments, collected by the Finance Department, which will be presented before the Public Accounts Committee. But as the Public Accounts Committee has not come into existence this year, those of us who are interested in that matter have not been able to ascertain from the Finance Department whether such tri-monthly reports have been submitted to the Finance Department by the various departments and whether action has been taken on various recommendations of the Committee. One other important chance in regard to last year's Report is this. Not only the Report as it is signed by the members forms part of the Report but also the proceedings—I read this from paragraph 38 of the Report, page 14—

“We do not desire to add to the length of this Report by including in it things of minor importance which appear in the proceedings appended. We desire that the suggestions and recommendations made therein should be dealt with in exactly the same manner as those embodied in the Report proper”.

That means a heavy responsibility to the officer of the Finance Department who is in charge of the Public Accounts Committee's Report to see that its recommendations are carried out and given effect to by the various Departments of the Government of India.

There is another important point. I would refer to the Stores Accounting of the East Indian Railway which has been pending for the last two or three years. The Public Accounts Committee took strong views on the matter and it was pointed out by the then Controller of Accounts, Mr. Scott, that by his mechanisation process, by introducing machines, he would put the accounts in order within six months. When after a year we examined the Department again, it was pointed out that the machines had failed; Mr. Badenoch, the Director of Railway Audit, told us that the machines had failed, in the N. W. Ry., and that they were still in an experimental stage. But we were afterwards assured by Mr. Parsons and his new Controller of Accounts, Mr. M. K. Mitra, that by February this year the East Indian Railway Stores Accounts would be reorganised completely and the Report would be discussed by the Public Accounts Committee. As no Public Accounts Committee exists, we have not been able to inquire how far action has been taken in the matter.

I will now digress a little and refer to the Controller of Indian Stores. In the Public Accounts Committee's Report of 1927-28, the Committee suggested that, if the various Departments, like the Army Department and the Railway Department, did not patronise the Indian Stores Department and give them sufficient orders to make it self-supporting, then Government would appoint a Committee of this House to consider whether the existence of that Department was justified. We had last year the privilege of examining the representatives of the Army and Railway Departments as also the Chief Controller of Stores, and we found that though Departments are willing to patronise it in a rather half-hearted way, it still remains to be seen how far the Indian Stores Department will be self-supporting. Perhaps the Stores Department will come with a Report

[Mr. B. Das.]

next year before the Committee, and the Committee will then have to examine the whole position. There is one other thing about the Indian Stores Department. It was pointed out that part of the money spent on the Stores Department is spent on educative work. But neither the Chief Controller of Stores, who appeared as a witness, nor the Industries and Labour Department could produce any leaflets or books that they had issued for educative work in India. The Committee has therefore recommended that that Department should bring out such publications about their educative work as they have done or do from year to year in order to industrialise the country.

I do not want to take up much more time: I will conclude my speech by alluding to the loans and debt position. As I said last year in Simla, this House is not privileged to discuss non-voted grants and certain other items; but yet in the Public Accounts Committee we have secured the privilege of discussing the principles underlying those things. While discussing the loans and debt position last year in the Public Accounts Committee, we found instances of financial control not having been exercised in regard to capital expenditure on Railways, and the Government of India at times paying more interest and incurring debts; and we tried to impress on the Finance Department and the Railway Department that they should confine their loans to the actual capital expenditure that was necessary during the year. We also found instances of the Government of India coming to grief on account of the Provincial Governments. There is the Government of the Punjab, which has made the Government of India spend money on two important loans: one for the Kangra Valley Railway, which at first was budgeted for a crore and afterwards came to three crores, while the Government of the Punjab guaranteed interest of four lakhs only for thirteen years. The Government of India have had to incur fresh loans on this account. Another project is the Sutlej Valley irrigation project, for which the Government of India have to advance heavy loans to the Punjab Government, and the Punjab Government indirectly committed the Government of India to advance loans to an Indian State—the Bahawalpur State—to the extent of eleven crores, and for which, as would be found in the discussions, the State could not pay interest for the last year. We were indebted to the Auditor General for bringing out this subject—provincial balances which has been quoted in full in paragraph 37 at page 13 of the Report. I shall read only two or three lines:

"As in 1928-29 treasury bills were outstanding throughout the year, for the purpose *inter alia* of supplementing the Central balances, the overdrawals of Burma in 1928-29 must have had the effect of increasing the borrowings of the Central Government and of increasing the interest charges borne by Central Revenues. It is clear that in every way the present position in regard to this matter is irreconcilable with the ordinary accepted principles which govern either business or public finance."

The Public Accounts Committee observes as follows:

"We have been informed that the whole question is bound up with the allied questions of the treatment of provincial deposits and advances, the incidence of the cost of management of treasuries, etc. The question is one which has actually been referred to in the Statutory Commission's Report and is to come up at the forthcoming constitutional review. We desire to recommend, however, that it should be carefully examined and that the services rendered by the Central Government to the Provincial Governments as their banker, should be treated on a strictly commercial basis, the Provincial Governments being required to keep balances according to the needs of the situation and to pay interest on overdrafts, just as they would do with a banker."

I hope the Finance Member, whether he is in a position to assure me today or a year hence, will be in a position to say that the Central Government's relation with the Provincial Governments as regards banking and provincial balances are treated on a strictly commercial basis, and that the Finance Department will exercise control over Provincial Governments to the extent of seeing that they do not incur debts unnecessarily, as has happened in the Kangra Valley Railway project and the Sutlej Valley Irrigation project, or even the Bombay Development scheme, which this Committee dealt with two or three years ago. These are points we have to look into. Also restricted capital expenditure on railways is a point which we have to look into.

Then again, Sir, various points came up before the Public Accounts Committee, and we were told that some of those points would be decided after the statutory changes had been made. For example, the convention about the separation of the railway finances, the settlement of the financial question between the provincial balances, whether Provincial Governments who draw overdrafts will pay interest to the Central Government, whether the Government of India are going to prepare statements about these points left over from the Reports of the Public Accounts Committees, and to place them for final settlement before the Secretary of State or before such Committees or Commissions that might sit in the near future to decide upon the constitutional charges arising out of strict financial control, are important points. I should like the Honourable the Finance Member to enlighten us.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, we are very thankful to the members of the Public Accounts Committee for placing such valuable material in the hands of the Members of this House. I read every word contained in these two volumes, and I entirely agree with my friend, Mr. B. Das, that the Honourable the Finance Member has done yeoman service in bringing out and elucidating all the obscure points in connection with the finances. I also associate with him the Auditor General, whose Report has proved to be very valuable to the members of the Committee, as I noticed that that was really the basis of discussion in their meetings. No doubt, this Report does not give such a lucid account of the general finances of India as I would like to see it do, but it throws a flood of light on certain very important questions. For example, I have been reading the evidence contained in these volumes, and I find that all is not well so far as the Railway and Post Office Departments are concerned. These two are very important Departments from the point of bringing in revenue to the coffers of the Government.

There is one more thing which I would have liked the members of the Public Accounts Committee to do, and that is to discuss the details and affairs of the Public Works Department and especially those relating to some of the works carried out at Dehra Dun during the last five years. I hope that in the future meetings, the Public Accounts Committee will go into all details in connection with the expenditure incurred by the Public Works Department, and particularly with regard to the expenditure incurred in Dehra Dun.

[Dr. Ziauddin Ahmad.]

Now, I take up the condition of the finance in those two Departments which has been the subject-matter of detailed discussions in the Public Accounts Committee. First, I shall take the Post Office. Reading through these Reports, it would seem that the administration of the Post Office is quite all right at the bottom, but there is something seriously wrong at the top; that is to say, though the officers who are working in the various towns carry on their duties with great satisfaction, there is something wrong somewhere in the general administration at the centre on account of which the Postal Department is not a self-supporting Department. I shall give an illustration. It has been pointed out by the members of the Public Accounts Committee that the Postal authorities give stamps free of cost to various Indian States. I cannot understand why these stamps are given to them without any payment. In olden days every State managed its own Post Office and as compensation for giving up their State postal arrangements in favour of the central organisation, we agreed to give them stamps. I think that it was done as compensation for the loss of income. If the States agree to participate in profits, they ought also to share in our losses. I will give the House some figures to show that the present arrangement which the Postal Department has with the States is not satisfactory, and that it leads to a definite loss. Instead of giving them some stamps, we ought to charge them a proportionate share which the Government of India incurs on its post offices. This is only one thing. I find there are many other things which I think ought to be set right. The question was put to the Director General of Posts and Telegraphs whether the present arrangement of postal organisation is a paying proposition. This is a thing which we Members of this House ought to know. We would also like to know whether in other countries like Europe and elsewhere the Postal Department is a self-supporting Department or whether the State always pays this Department to meet its demands.

I now come, Sir, to the Railway Department. The Public Accounts Committee, in their proceedings, have made serious allegations against the administration of the Railway Board, and I take these allegations in turn. I do not like to enter into a detailed discussion, because we will have an opportunity of doing so when discussing the Railway Budget, but I shall confine myself to only a few points which are brought out by the Public Accounts Committee. Now, in question No. 904 it was stated that a proposal was made to build a certain railway line. It was sanctioned and the railway line was completed, but no estimate was ever prepared nor was it produced before any authority. This is one instance illustrating the manner in which affairs are carried on in the Railway Board. Now, any one who knows even the A. B. C. of finance will notice that a thing of this kind is an impossibility in any sound financial administration. I do not think the Finance Member will allow any works to be executed unless the estimates are laid before him. But in this particular case which I have mentioned, no estimate was ever prepared, and the whole line was completed without practically the sanction of any superior authority.

Now, the second allegation is the one which has been mentioned by my friend, Mr. B. Das, that the estimate for the Kangra Valley line was only one crore, while, as Mr. B. Das mentioned in his question, the actual

cost was about 3½ crores. Mr. Russell however admitted that there was a mistake in estimating only to the extent of 300 per cent. I cannot possibly conceive that an estimate could be changed by this amount. Had we been told at the outset that the line would have cost three crores instead of one crore, then probably sanction would never have been given by this House to such a costly undertaking which will prove a hopeless financial loss to the Government. So this mistake of 300 per cent. is really a very serious affair, and in any other Government besides the Indian Government, the persons who were primarily responsible for such mistakes would never have found a place in the future administration of the country.

Now, we are promised that a Committee has been appointed to prepare a Report, and we are anxiously waiting for this Report. We are also equally anxiously waiting to see what punishment is going to be awarded to those who are responsible for this serious mistake.

The third allegation that is brought out is in question No. 893.

Mr. B. Das: They are not allegations, but they are facts.

Dr. Ziauddin Ahmad: Still they have to admit these charges. Now, all these things show how unreliable the estimates of the Railway Board are. The Honourable the Finance Member asked Mr. Russell as to what he thought the value of orders the Railway Board was likely to place with the Railway Stores Department. In reply, Mr. Russell said this:

"I think this year possibly the orders might be 2 crores, but I cannot prophesy whether the amount would be 3 crores, 4 crores or 5 crores".

It is quite all right in private conversation to say a thing like that and say that a certain project might cost one, two, three, four or five crores, but we can least expect such an indefinite statement from an officer holding the position of Financial Commissioner for Railways

Mr. A. A. L. Parsons: I did not say that.

Dr. Ziauddin Ahmad : I don't say you said that, but it looks rather strange, that Mr. Russell of your Department should make such a vague statement.

This was my third allegation. The fourth allegation that has been made by the members of the Committee is this. They say, "You intentionally put up your estimates so that you may have a large margin to meet new items of expenditure." This was brought out in connection with a certain expenditure of Rs. 20 lakhs incurred in regard to some arrangements in the Burma Railways. Of course, I am not concerned with the fact whether the expenditure was justifiable or not, but what is important is this, that you obtained this permission by a back door. You put your estimates intentionally at a very high pitch, and from the savings of those wrong estimates you incur this expenditure. Really speaking, the Railway Board ought to have come directly to the Assembly and got permission. What we seriously object to is this, that you take the permission by means of the back door and that you manipulate these figures yourself.

[Dr. Ziauddin Ahmad.]

The fifth allegation was that the Railway Board was asked to appoint a Retrenchment Committee, and Mr. Russell in his reply said that the Railway Board was in itself a Retrenchment Committee. This is a very strange reply. We believe that God can do everything, but there is one thing that God cannot do, and that is that He cannot create another God like Himself. So is the case with the Retrenchment Committee. We want to retrench the Members of the Railway Board, and they themselves say "We are the Retrenchment Committee", and I cannot see how they can retrench themselves.

The next allegation which I would like to bring forward is on page 253. It is a very curious thing. I hope Mr. Parsons had some experience in his early days of district administration, and I am sure that the Honourable the Commerce Member has had a good deal of experience of district life, and I wonder whether a thing of this kind would ever have been allowed by them, and how they swallowed this big pill. Here was the case of the dismantling of abutments of a certain bridge. What happened was this, that a certain engineer went there and in his opinion it was desirable that the dismantling of the abutments should be carried out. He was transferred and somebody else took his place. He went to the place and thought that dismantling was not necessary. He made a report to that effect, but while this report was going on, the whole thing had been dismantled, and afterwards he found that there was nothing to be discussed. I quite understand that there may be a difference of technical opinion, but while the thing is being discussed, I cannot understand that any administration will allow action to be taken. Now, Sir, if a district officer is of a certain opinion about a particular thing, and his successor comes and is of a different opinion and refers the matter to a higher authority, then the thing could never be carried out, and if the subordinates had done so, they would have no place in the administration of the Government. There is no mention in the Report whether the Railway Board, which possess princely authority and functions also as a Retrenchment Committee, took any action against the subordinate officers who were responsible for this action. They did not wait for evident personal reasons for the final orders but carried out the demolition on the supposition that a report would be what suited them. This time it was Mr. Parsons who answered the question in the Committee, and instead of apologising, instead of asking for a final report from the officers concerned, instead of taking any action, he simply says that the Engineer in charge was in no way at fault and that it was purely a difference of technical opinion. I ask, is this the sort of reply that should be given considering the great mistake that was committed by the officers concerned?

The next point to which the Committee have drawn attention is the abnormal expenditure on publicity. When the Railway Board were questioned about it, they said that it was not abnormal, but when they were asked to mention the expenditure that was incurred by other countries and other Railways, no reply was forthcoming. It means that they really do not know their own business; they simply go on passing orders without knowing their trade.

There is one remark to which I would like to draw attention, and that is at pages 99 and 100. It deals with permission for capital grants, and

they have put forward a proposal. It is published here, but any one who scrutinises it will be surprised at the wisdom of the person who has adumbrated it. He said:

"What we are really to do is that we should give 5 or 6 alternatives and leave it to the Assembly by means of token cut to suggest which of the alternative projects they would like."

What I should have expected was they should have a committee of experts who ought to decide definitely and come forward with definite suggestions. The method of deciding questions of this kind by a token cut is really a very novel way of doing business, and I hope that the Railway Board and the Finance Department will devise some new method by means of which permission for capital expenditure may be obtained. Of course, I do not desire at this stage to dilate on the difficulties under which the Railway Board are suffering now, because I know very well that the Railway Board do not command the same respect and the same confidence as its predecessors once commanded, owing to the mistakes they have committed. I hope that they will be able to come out with some solution of the difficulties, and as we shall have another opportunity of discussing the matter in all its details when the Railway Budget comes up before us for consideration, I shall leave the question at this stage.

In the end, I thank the members of the Public Accounts Committee once more for the valuable services that they have rendered. I do not want to discuss the work of the Finance Committee at this stage, as a time will come when we shall discuss it, but I may mention today that the way in which they are carrying on their work is by no means satisfactory and we need some kind of reform in the procedure of their work as well.

Mr. S. C. Shahani (Sind: Non-Muhammadan Rural): Sir, I rise to make a few observations on the Report of the Public Accounts Committee. If Honourable Members will look at page 1, Volume I, they will find that in the statement of total grants voted by the Legislative Assembly compared with the total expenditure against these grants, the final grants amounted to Rs. 15,542 lakhs, and the actual expenditure amounted to Rs. 15,208; that is to say, there was a surplus of Rs. 334 lakhs. Now, if we have a look at the non-voted appropriations sanctioned by the Government of India, and compare these with the total expenditure against such appropriations, we find that nearly the whole amount of the appropriations has been spent. This leads a man like me to think that less effective control is exercised over non-voted appropriations. Then, if Honourable Members will look at paragraph 13 of the Report, they will find it stated:

"On the Railway side, there are two connected problems, viz., the introduction of a system of proper commercial accounts on all collieries worked by Railways and the presentation of the results of the working of each Railway in the form of regular trading and profit and loss accounts and balance sheets. As regards the former, it has been explained to us that the difficulty is one of determining the prices which the Railways ought to pay to their own collieries for coal. We consider that accurate costing accounts should be kept, including all charges, so that, in a broad way, one could see from year to year whether it paid the Railways to work their own collieries or whether they were losing in doing so instead of buying their coal from outside."

[Mr. S. C. Shahani.]

I wonder if the costing accounts of the collieries owned by private individuals or groups could be secured, and if these accounts could be secured and given for comparison, it would in a broad way enable one to see from the national point of view whether the railways should continue to work their own collieries.

Then, if Honourable Members will look at page 43, they will see it stated in paragraph 135:

"The Committee further considered the question of the relationship of the Army to the Indian Stores Department in regard to the purchase of stores."

In the next paragraph, it is stated:

"The Committee expressed satisfaction that the Departments had come into closer contact and wishes to see the results after some time."

I would like very much to know how far the purchase of articles for the Army through the Indian Stores Department has progressed.

On page 44, it is stated:

"The Chief Controller then explained certain general points put to him by Mr. Das. The Committee considered that it would be valuable if the Indian Stores Department could consider the question of publishing a pamphlet showing the extent of educative and other work which it was doing in the direction of assisting Indian industries."

Mr. Das has already referred to it, and has said that not a leaflet has been put forth. I do not know whether I understood him correctly. I would therefore like to ask again if any pamphlet has been published. I would also very much like to know the steps that have been taken by the Indian Stores Department to assist Indian industries. If the steps taken were recounted on the floor of this House, I think it would be both interesting and edifying.

If we look into page 53, we find it is stated:

"Supply of copies of 'Epitome of the Reports from the Central Committee of Public Accounts', 1923-27, prepared by the Auditor General, to members of the Committee and such other Members of the Assembly as ask for it."

If such an epitome is available, I beg to suggest that a separate day for instituting comparisons between the accounts of different years from 1923-28 would be very desirable.

Then I would ask Honourable Members to look at page 129. I find it stated there that the purchase of lubricating oils through the Indian Stores Department in the years 1927-29 meant a saving of 17,976. I find that this analysis is somewhat misleading. It is stated in the analysis that there were five items over which a loss was incurred and there were seven other items over which a gain was secured. I would very much like these items to be described each in detail and not five or seven items together.

(At this stage Mr. President vacated the Chair, which was taken by Sir Hugh Cocke.)

I think that would enable us to compare the results of the purchase by the Indian Stores Department item by item.

It is stated on page 130 in the last paragraph that:

"Lubricants, Paints, Kerosine and M. T. Petrol—the economies effected by purchase through the Director of Contracts over the three years 1927-30, aggregated Rs. 8,38,674 and it is still open to the Indian Stores Department to produce concrete evidence that it is able to purchase as cheaply and as efficiently for the Army as the existing Army Department agencies. Until such evidence is produced, it is for consideration whether the Army would be justified in entrusting the Indian Stores Department with additional purchases".

I would very much like to know if such evidence has been forthcoming, and if it is deemed desirable to purchase articles for the Army through the Indian Stores Department.

I would also say one or two things with regard to what is contained in Volume II. If Honourable Members will look into page 3, they will find in the concluding paragraph the following:

"It is improving every year. I want the Committee to be quite clear. I don't regard this as the last word on the subject. I was talking to the Auditor General yesterday, and I gathered that the Director of Commercial Audit had already been working a good deal on those lines. . . . What I feel is at present a good deal of information is given, but it is very difficult for members of the public to get at a glance a comparison of the results."

I would like to know whether such a comparative statement enabling the Members of this House to get at a glance a comparison of the results has been prepared. What you want to do is to compare a series of years.

Then on page 18, Volume II, it is stated in connection with question 61:

"One might ask the Financial Adviser whether he accepts the criticism that there is room for improvement in the estimating and also in the control of expenditure throughout the year",

and in the next paragraph it is stated:

"There is a progressive improvement. We are getting closer and closer to the actuals. You will see that the difference in 1928-29 between the final estimate and the actuals of the working expenses was Rs. 4.68.000. The previous year it was Rs. 8 lakhs odd and the year before it was a still higher figure."

I would like very much to know what steps have been taken to effect this progressive improvement.

The Honourable Sir George Schuster: Sir, at this hour of the afternoon I am sure Honourable Members will not take it amiss from me if I do not reply in detail to all the points that have been raised. Some of these are difficult to reply to in debate, and if they will accept from me an assurance that every point that has been raised will be carefully considered, I hope it will satisfy them. I am grateful to my Honourable friend, Mr. Das, for what he has said about any small part which I may have played in the work of the Public Accounts Committee; and although I think it is desirable to avoid any suggestion that this debate should develop into a sort of mutual admiration society of members of the Public Accounts Committee, I still would like on my side to say one word of appreciation for the support which I have always had from the Public Accounts Committee, and particularly from my Honourable friend, Mr. Das, who has taken so very much interest in the matter. (Applause.) These are very important questions, and it is a great encouragement to us in charge of the Finance Department if, in our rather ungrateful task

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of trying to restrain demands from other Departments, or in trying to criticize things that go wrong, we do receive support from the non-official Members of this House; and it is a great help if we find signs of interest taken by the representatives of the public.

My friend, Mr. Das, in his speech referred to some very important points. I am however only going to select one of them for special mention. He referred to the general importance of the control of our capital expenditure programme, and he referred to the loan and debt position. He made three points: the control of capital expenditure on the railways, the control of expenditure or rather of the finance provided by the Central Government for the provinces; and his third point was the control of the financial assistance rendered by the Government of India to certain Indian States. The particular instances to which he referred are of course all past history. The control of capital expenditure on the railways generally has of course been one of the most important tasks which have had to be taken up in the last two years owing to the deterioration of the financial position. I do not think that my Honourable friend would find anything to complain about in the rigidity of our control at present.

Then again the question of the financial relations between the Central Government and the Provinces and the liabilities to which the Central Government may be put owing to their having to carry the obligation of acting as bankers for the provinces is a very important question—one which will have to be considered in the new constitutional review. The particular instance to which my Honourable friend referred, *viz.*, the expenditure on the Kangra Valley Railway, is, I am glad to say, past history. This has not been a happy incident. It was all over many years ago, and I understand the Report of the special committee of investigation is just about to become available.

Dr. Ziauddin Ahmad: Is not the history of the expenditure on the Bombay, Baroda and Central India Railway in Bombay equally bad?

The Honourable Sir George Schuster: I was trying to pick out one or two points in the speech of my Honourable friend, Mr. Das. He also referred particularly to the heavy capital commitments in which the Government of India had been placed in connection with the Sutlej Valley Irrigation project, and particularly in connection with the large loan to the Bahawalpur State. That again, I am glad to say, is past history, though unfortunately the commitment still continues and in the present bad times, with low prices for agricultural produce, the returns which ought to come from the sale of land are of course being held up. At any rate we are not increasing that commitment, but we simply have to face something that was undertaken several years ago. I can assure my Honourable friend that I agree with every word that he has said on that subject; and I would like to take this opportunity to say—perhaps what one says on the subject may be of value in the future—I should like to take this opportunity of making one special observation, and that is this. A great deal of attention is paid in popular Assemblies generally to the control of budgetary expenditure. But budgetary problems and the control of budgetary expenditure are really comparatively simple matters. You know when you are going wrong with the Budget and things can be corrected at once. Capital expenditure is much more difficult to control: and from my experience of public finance in various countries, I think

that is a subject which does not receive nearly so much attention as budgetary expenditure does; and one could point to several examples—I do not wish to mention any particular names because I do not wish to commit myself in a public speech to criticisms of other countries—I could point to several examples that are in my mind today of countries that have got into serious financial difficulty owing to insufficient control of their borrowing programme and to their relying too much on borrowed money to meet unproductive expenditure. (Applause.) India in the past has had a very high standard in these matters; and there is no country in the world today whose public debt is so well covered by assets which really bring in a return every year which meets the interest charges on the expenditure. (Applause.) I trust that Honourable Members in the future who succeed to our responsibilities will keep up this high standard. There is nothing more important, and my Honourable friend, Mr. Das, has done a public service in calling attention to this very important question. I hope that he will long be in this House, however it is composed in the future, and that the value of his experience in these early years of the Indian constitution will be available in the future. For, Sir, it is a thing which sometimes causes one to regret that, though one in a small way devotes a great deal of trouble and effort to work on these Committees, feeling that they may be of some educative value, yet at times one fears that perhaps those who have served on them may not be able to play an important part in the future. I trust, however, that they will, because I do believe, in spite of the shortcomings of the constitution hitherto, or in spite of what the Honourable Members opposite may think about those shortcomings, I do believe that on these Committees in a quiet way most valuable educative work has been done and a tradition has been started which will be of enormous value to India, with her national Government in the future.

Then, Sir, my Honourable friend, Dr. Ziauddin Ahmad, took us through a number of points for criticism. He brought us down from the rather congratulatory and optimistic atmosphere in which the first speaker had travelled and to the lower ground of criticism. In connection with that there are two things which I would like to say. First of all in dealing with the Public Accounts Committee's Report, one must realise that one is dealing with past history. Here we are in 1931 discussing the accounts of 1928-29. It is a long time ago, and looking back on my own responsibilities, it covers actually the year before I became responsible for the affairs here. I merely mention that to bring out how far back and into what distance of past history the discussions of the Public Accounts Committee's Report carry us. Many of the points of criticism, of course, have been dealt with, and I think I may claim that in almost all important cases action to correct what was criticised therein has been taken. The other thing that I wish to say about the Public Accounts Committee's Report is that it is solely concerned with things that have gone wrong. It is not part of the duty of the Public Accounts Committee, when calling attention to perhaps two or three things which have gone wrong in the accounts, of a particular Department, to mention at the same time perhaps 500 instances of good work which has been done. I would ask critics like my Honourable friend, Dr. Ziauddin Ahmad, to bear that point in mind. The Report is simply an account of points for criticism. It does not bring out the enormously preponderating proportion of records of good work in all the Departments. But let me not be taken as suggesting

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that criticism should not be made, because it is of the greatest value, I think, to the efficiency of Government that the representatives of the public should criticise, and criticise most severely, provided only that they really understand the facts and do not ask for unreasonable protection in small items at the risk of putting too heavy a burden for accounting charges and supervision on to the general work of Government. (Hear, hear.)

I do not think, Sir, that it is necessary for me to say anything in detail about the observations made by my Honourable friend to whose speech I am now referring. But once again, I say that I will take account of everything that he has said and see that it is considered most carefully by the Departments concerned.

Then, Sir, the last speaker made one point which struck me, I must say, as a trifle curious. He referred to the Public Accounts Committee's Report, on page 1, and as far as I understood him, he made the point that the savings on the final appropriation in respect of voted expenditure were much greater than the savings in the case of non-voted expenditure. And he therefore suggested that the financial control as regards non-voted expenditure was much less severe than financial control over voted expenditure. But, Sir, if I remember aright the discussions that we have had on these matters, certainly if I refer to the sort of criticism that has been made in the Public Accounts Committee, the subject which is generally being made one for criticism is what is generally described as over-budgeting; and, if at the end of the year, a large saving on the final appropriation is found, my Honourable friends on the Public Accounts Committee would select that as something which seems to suggest the need for further enquiry. They take as a test of excellence in financial control, the fact that the actual expenditure in any year approaches most exactly the amount which has been asked for in the budget estimates. Therefore, I think my Honourable friend's criticism rather turns into praise and the evidence of these figures is that there is much closer control on non-voted expenditure than on the voted subjects. But I do not wish to carry the point to any great length for in both cases I think the record of past years shows that we have been steadily approaching better budgeting and a more accurate estimate of all our expenditure. The mere fact that there is some difference between voted and non-voted expenditure cannot, I feel, be taken as indicating a system of financial control which is really much better on the one side or the other.

4 P.M.

Sir, I think with my promise to look into all the points that have been raised, Honourable Members will be satisfied with the reply that I have made. I would only like to say in conclusion that I hope that next year we shall be able to have this sort of discussion under happier auspices and that more time will be available so that more speakers can be heard and, we, on the Government Benches, may get a greater opportunity of learning what are the views of the representatives of the public.

Mr. President: The question is:

"That the Report of the Public Accounts Committee on the accounts of 1928-29 be taken into consideration".

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 12th February, 1931.