

LEGISLATIVE ASSEMBLY DEBATES

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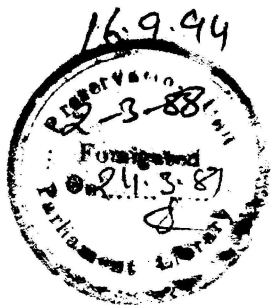
WEDNESDAY, 14th JANUARY, 1931.

Vol. I—No. 1

OFFICIAL REPORT



CONTENTS.



Message from H. E. the Viceroy.

Members Sworn.

Motion for Adjournment—Death sentences passed in connection with the Sholapur Riot.

Statement laid on the Table *re* Purchase of Stores by the High Commissioner for India.

Election of the Standing Finance Committee.

Election of the Standing Finance Committee for Railways.

Election of the Public Accounts Committee.

Statement of Business.

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THE
LEGISLATIVE ASSEMBLY DEBATES
(OFFICIAL REPORT OF THE FIRST SESSION OF THE FOURTH
LEGISLATIVE ASSEMBLY.)

VOLUME I—1931.

LEGISLATIVE ASSEMBLY.

Wednesday, 14th January, 1931.

The Assembly met in the Assembly Chamber of the Council House in New Delhi at Eleven of the Clock, being the first day of the meeting of the Fourth Legislative Assembly, pursuant to S. 63D (2) of the Government of India Act.

MESSAGE FROM H. E. THE VICEROY.

Secretary of the Assembly: The following Message has been received from His Excellency the Viceroy:

(The Assembly received the Message standing.)

"In pursuance of the provisions of sub-rule (2) of rule 3 of the Indian Legislative Rules, I, Edward Frederick Lindley, Baron Irwin, hereby appoint Mr. Ramasamy Chetty Kandasamy Shanmukham Chetty to be Chairman of the Legislative Assembly with effect from the morning of Wednesday, the 14th January, 1931.

(Signed) IRWIN,
Viceroy and Governor General."

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural) then took the Chair.

Mr. Chairman: In order that this, the first meeting of the Fourth Legislative Assembly, may be fully constituted, Members will now take the oath or make the affirmation of allegiance to the Crown in the manner prescribed in the order in which their names are read out by the Secretary.

Mr. Chairman first himself made the affirmation of allegiance.

MEMBERS SWORN :

The Honourable Sir George Rainy, K.C.S.I., K.C.I.E. (Member for Commerce and Railways); The Honourable Sir James Crerar, K.C.S.I., C.I.E. (Home Member); The Honourable Sir George Ernest Schuster, K.C.M.G., C.B.E., M.C. (Finance Member); The Honourable Khan Bahadur Mian Sir Fazl-i-Husain, K.C.I.E., Kt. (Member for Education, Health and Lands); Mr. B. Sitaramaraju, M.L.A. (Ganjam *cum* Vizagapatam: Non-Muhammadan Rural); Mr. M. N. Rao, M.L.A. (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural); Dewan Bahadur T. Rangachariar, C.I.E., M.L.A. (South Arcot *cum* Chingleput: Non-Muhammadan Rural); Raja Bahadur G. Krishnamachariar, M.L.A. (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural); Mr. Bhaskara Rajaram Pandian, M.L.A. (Madura and Ramnad *cum* Tinnevely: Non-Muhammadan Rural); Mr. Kuthiravattath Prabhakaran Thampan, M.L.A. (West Coast and Nilgiris: Non-Muhammadan Rural); Mr. Mahomed Muazzam Sahib Bahadur, M.L.A. (North Madras: Muhammadan); Maulvi Sayyid Murtuza Sahib Bahadur, M.L.A. (South Madras: Muhammadan); Mr. William Alexander, M.L.A. (Madras: European); Raja Sir Vasudeva Rajah, Kt., C.I.E., M.L.A. (Madras: Landholders); Mr. Sahibsing Chandasing Shahani, M.L.A. (Sind: Non-Muhammadan Rural); Mr. Nassarwanji Navroji Anklesaria, M.L.A. (Bombay Northern Division: Non-Muhammadan Rural); Sir Ibrahim Rahimtoola, K.C.S.I., C.I.E., M.L.A. (Bombay Southern Division: Muhammadan Rural); Seth Haji Abdoola Haroon, M.L.A. (Sind: Muhammadan Rural); Nawab Naharsingji Ishwar-singji, M.L.A. (Bombay Northern Division: Muhammadan Rural); Mr. Edward Francis Sykes, M.L.A. (Bombay: European); Sardar Gangadhar-rao Narayanrao Mujumdar, M.L.A. (Gujrat and Deccan Sardars and Inamdars: Landholders); Mr. Charu Chandra Biswas, M.L.A. (Calcutta: Non-Muhammadan Urban); Mr. Nabakumar Sing Dudhuria, M.L.A. (Calcutta Suburbs: Non-Muhammadan Urban); Mr. Amarnath Dutt, M.L.A. (Burdwan Division: Non-Muhammadan Rural); Pandit Satyendra Nath Sen, M.L.A. (Presidency Division: Non-Muhammadan Rural); Sir Abdur Rahim, K.C.S.I., Kt., M.L.A. (Calcutta and Suburbs: Muhammadan Urban); Mr. Satyendra Chandra Mitra, M.L.A. (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural); Dr. Abdullah al-Ma'mun Suhrawardy, M.L.A. (Burdwan and Presidency Divisions: Muhammadan Rural); Haji Chaudhury Muhammad Ismail Khan, M.L.A. (Bakarganj *cum* Faridpur: Muhammadan Rural); Mr. Muhammad Anwar-ul-Azim, M.L.A. (Chittagong Division: Muhammadan Rural); Mr. Kabeer-ud-din Ahmed, M.L.A. (Rajshahi Division: Muhammadan Rural); Mr. William Arthur Moore, M.B.E., M.L.A. (Bengal: European); Mr. Eric Studd, M.L.A. (Bengal: European); Mr. George Morgan, C.I.E., M.L.A. (Bengal: European); Mr. Dharendra Kanta Lahiri Chaudhury, M.L.A. (Bengal: Landholders); Mr. Satish Chandra Sen, M.L.A. (Bengal National Chamber of Commerce: Indian Commerce); Lala Rameshwar Prasad Bagla, M.L.A. (Cities of the United Provinces: Non-Muhammadan Urban); Kunwar Raghubir Singh, M.L.A. (Agra Division: Non-Muhammadan Rural); Mr. A. Hoon, M.L.A. (Allahabad and Jhansi Divisions: Non-Muhammadan Rural); Mr. Ayodhya Das, M.L.A. (Benares and Gorakhpur Divisions: Non-Muhammadan Rural); Khan Bahadur Haji Wajihuddin, M.L.A. (Cities of the United Provinces: Muhammadan Urban); Kunwar Hajee Ismail Ali Khan, M.L.A. (Meerut Division: Muhammadan Rural);

Mr. Muhammad Yamin Khan, M.L.A. (Agra Division: Muhammadan Rural); Maulvi Muhammad Yakub, M.L.A. (Rohilkund and Kumaon Divisions: Muhammadan Rural); Chaudhri Isra, M.L.A. (Meerut Division: Non-Muhammadan Rural); Dr. Ziauddin Ahmad, C.I.E., M.L.A. (United Provinces Southern Divisions: Muhammadan Rural); Mr. Muhammad Azhar Ali, M.L.A. (Lucknow and Fyzabad Divisions: Muhammadan Rural); Mr. John Ramsay Scott, M.L.A. (United Provinces: European); Lala Hari Raj Swarup, M.L.A. (United Provinces: Landholders); Rai Sahib Pandit Hari Das, M.L.A. (Ambala Division: Non-Muhammadan); Mr. Bhagat Ram Puri, M.L.A. (West Punjab: Non-Muhammadan); Lieutenant Nawab Muhammad Ibrahim-Ali Khan, M.L.A. (East Punjab: Muhammadan); Shaikh Sadiq Hasan, M.L.A. (East Central Punjab: Muhammadan); Mr. Narayan Ramji Gunjal, M.L.A. (Bombay Central Division: Non-Muhammadan Rural); Mr. Uppi Sahib Bahadur, M.L.A. (West Coast and Nilgiris: Muhammadan); Mian Muhammad Shah Nawaz, C.I.E., M.L.A. (West Central Punjab: Muhammadan); Nawab Major Malik Talib Mehdi Khan, O.B.E., M.L.A. (North Punjab: Muhammadan); Shaikh Fazal Haq Piracha, M.L.A. (North West Punjab: Muhammadan); Sardar Harbans Singh Brar, M.L.A. (East Punjab: Sikh); Sardar Sant Singh, M.L.A. (West Punjab: Sikh); Sardar Sohan Singh, M.L.A. (Punjab: Landholders); Pandit Ram Krishna Jha, M.L.A. (Darbhanga *cum* Saran: Non-Muhammadan); Mr. Gaya Prasad Singh, M.L.A. (Muzaffarpur *cum* Champaran: Non-Muhammadan); Mr. B. N. Misra, M.L.A. (Orissa Division: Non-Muhammadan); Mr. B. Das, M.L.A. (Orissa Division: Non-Muhammadan); Mr. Badri Lal Rastogi, M.L.A. (Patna *cum* Shahabad: Non-Muhammadan); Rai Bahadur Sukhraj Rai, M.L.A. (Bhagalpur, Purnea and the Santhal Parganas: Non-Muhammadan); Thakur Mahendra Nath Shah Deo, M.L.A. (Chota Nagpur Division: Non-Muhammadan); Mr. M. Maswood, M.L.A. (Patna and Chota Nagpur *cum* Orissa: Muhammadan); Maulvi Muhammad Shafee Daoodi, M.L.A. (Tirhut Division: Muhammadan); Mr. C. S. Ranga Iyer, M.L.A. (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural); Mr. Bhuput Sing, M.L.A. (Bihar and Orissa: Landholders); Rao Bahadur S. R. Pandit, M.L.A. (Nagpur Division: Non-Muhammadan); Sir Hari Singh Gour, Kt., M.L.A. (Central Provinces: Hindi Divisions: Non-Muhammadan); Seth Liladhar Chaudhury, M.L.A. (Central Provinces: Hindi Divisions: Non-Muhammadan); Khan Bahadur H. M. Walayatullah, I.S.O., M.L.A. (Central Provinces: Muhammadan); Mr. Goswami M. R. Puri, M.L.A. (Central Provinces: Landholders); Mr. T. N. Ramakrishna Reddi, M.L.A. (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural); Kumar G. R. Roy, M.L.A. (Surma Valley *cum* Shillong: Non-Muhammadan); Mr. Abdul Matin Chaudhury, M.L.A. (Assam: Muhammadan); Mr. P. G. Reddi, M.L.A. (Guntur *cum* Nellore: Non-Muhammadan Rural); Bhagat Chandi Mal Gola, M.L.A. (Delhi: General); Rai Sahib Harbilas Sarda, M.L.A. (Ajmer-Merwara: General); Mr. S. G. Jog, M.L.A. (Berar Representative); Mr. K. C. Roy, C.I.E., M.L.A. (Nominated Non-Official); Sardar Bahadur Sardar Jawahar Singh, C.I.E., M.L.A. (Nominated Non-Official); Rai Bahadur S. C. Mukherjee, C.B.E., M.L.A. (Nominated Non-Official); The Revd. J. C. Chatterjee, M.L.A. (Nominated Non-Official); Rao Bahadur M. C. Rajah, M.L.A. (Nominated Non-Official); Mr. R. S. Sarma, C.I.E., M.L.A. (Nominated Non-Official); Mr. L. V. Heathcote, M.L.A. (Nominated Non-Official); Khan Bahadur Maulvi Rafiuddin Ahmad, M.L.A. (Nominated Non-Official); Dr. R. D. Dalal, M.L.A. (Nominated Non-Official); Mr. C. W. Gwynne, C.I.E., O.B.E., M.L.A. (Government of India: Nominated Official);

Mr. R. S. Bajpai, O.B.E., M.L.A. (Government of India: Nominated Official); Mr. E. B. Howell, C.S.I., C.I.E., M.L.A. (Foreign Secretary); Mr. G. M. Young, C.I.E., M.L.A. (Army Secretary); Mr. K. Sanjiva Row, M.L.A. (Government of India: Nominated Official); Sir Lancelot Graham, K.C.I.E., M.L.A. (Secretary, Legislative Department); Mr. J. A. Shillidy, M.L.A. (Secretary, Industries and Labour Department); Mr. H. A. Sams, C.I.E., M.L.A. (Director General of Posts and Telegraphs); Mr. Tin Tüt, M.L.A. (Government of India: Nominated Official); Mr. Alfred Alan Lethbridge Parsons, C.I.E., M.L.A. (Financial Commissioner, Railways); Mr. George Townsend Boag, C.I.E., M.L.A. (Madras: Nominated Official); Mr. Valavaram Bhasiyam Ayyangar, M.L.A. (Madras: Nominated Official); Mr. Archibald Mervin Macmillan, C.I.E., M.L.A. (Bombay: Nominated Official); Mr. Henry Montgomery, M.L.A. (Bombay: Nominated Official); Mr. Joseph Charles French, M.L.A. (Bengal: Nominated Official); Mr. Rajnarayan Banerji, M.L.A. (Bengal: Nominated Official); Mr. Khurshed Ahmad Khan, M.L.A. (United Provinces: Nominated Official); Khan Bahadur Malik Allah Bakhsh Khan Tiwana, M.B.E., M.L.A. (Punjab: Nominated Official); Mr. Ram Prasad Narayan Sahi, M.L.A. (Bihar and Orissa: Nominated Official); Mr. Kismet Delfand Brewer Hamilton, M.L.A. (Central Provinces: Nominated Official); and Mr. Ernest Frederick Baum, M.L.A. (Burma: Nominated Official).

MOTION FOR ADJOURNMENT.

DEATH SENTENCES PASSED IN CONNECTION WITH THE SHOLAPUR RIOT.

Mr. Chairman: I have received notice of a motion for the adjournment of this House from two Honourable Members, Mr. N. R. Gunjal and Mr. S. G. Jog. It runs as follows:

"I beg to give you notice of my intention to move a motion for the adjournment of the House in a matter of urgent public importance, viz., the infliction of the sentence of death upon four persons of Sholapur in respect of whose guilt there was a difference of opinion between the judges of the Bombay High Court. I understand the sentence is to be executed to-morrow. I, therefore, request that a clear the line message be immediately sent to stay the execution."

This notice was sent on the 12th instant. Does the Honourable Member (Mr. Jog) wish to move this motion for adjournment?

Mr. S. G. Jog (Berar Representative): Sir, it is very sad and unfortunate that we are opening the session of the Assembly in an atmosphere of gloom and despair

Mr. Chairman: Order, order. The Honourable Member is probably new to this House and he is not acquainted with the procedure. No speech is allowed at this stage. First of all, the Honourable Member must make up his mind whether he intends to ask the leave of the House to make this motion?

Mr. S. G. Jog: Yes, Sir; I do wish to ask for the leave of the House.

The Honourable Sir James Crerar (Home Member): Perhaps I might with advantage at this stage suggest that, in view of the fact that the sentences of the Court in this case have already been carried out, the Honourable Member might consider whether the object which he has in view could in any way be attained by proceeding with his motion.

Mr. S. G. Jog: I want the official statement from the Honourable the Home Member that the sentences have been executed. It is always unreliable to rely upon the newspapers, with due respect to the Press Gallery, and therefore I would like to have an official statement on the subject.

The Honourable Sir James Orerar: My object was to make that point clear to the Honourable Member.

Mr. Chairman: The Honourable the Home Member has said officially that the sentence has been executed.

Mr. S. G. Jog: In view of the statement made by the official Member, I withdraw my motion.

STATEMENT LAID ON THE TABLE.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

Mr. J. A. Shillidy (Secretary, Industries and Labour Department): Sir, I lay on the table a statement furnished by the High Commissioner for India, showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending 30th June, 1930.

HIGH COMMISSION

INDIA STORE

ABSTRACT OF CASES in which tenders for stores demanded by the Central of the goods demanded, were accepted on the grounds of facility of inspection,

HALF-YEAR ENDING

PART A.—Cases in which lower foreign tenders, including British tenders for British

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Medicines . . .	K. 3988/5765/28-1-30 . . .	Burgoyne, Burbidges & Co., Ltd.	539 15 10 (British).
Locomotive boilers . . .	K. 4675/6899/24-3-30 . . .	Nasmyth Wilson & Co. . .	6,180 0 0 (British).
Lead pipes . . .	L. 59/7747/5-4-30 . . .	Geo. Farmiloe & Sons, Ltd.	99 10 7 (British).
Zinc sheets . . .	L. 68/7861/7-4-30 . . .	London Zinc Mills, Ltd. . .	106 10 11 (British).

ER FOR INDIA.

DEPARTMENT.

Government, other than the lowest complying with the technical description superior quality, superior trustworthiness of the firm tendering, greater quicker delivery, etc.

30TH JUNE, 1930.

foreign made goods, have been set aside wholly or partially in favour of tenders.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d.</p> <p>537 16 6 (Part French).</p>	<p>The accepted tender was the better offer, having regard to the cost of inspection.</p>
<p>6,170 0 0 (Swiss).</p>	<p>The accepted tender was the better offer, having regard to the cost of inspection.</p>
<p>91 3 7 (Belgian).</p>	<p>The accepted tender was the better offer, having regard to the cost of inspection.</p>
<p>105 10 7 (Belgian).</p>	<p>The accepted tender was the better offer, having regard to the cost of inspection.</p>

PART B.—Cases in which the discrimination

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Barometer, "Fortin's".	K. 4417/7128/27-2-30	S. & A. Calderara	17 18 6 (British).
Coupling rod for Mallet engine.	K. 4497/7421/6-2-30	Kitson & Co., Ltd.	17 0 0 (British).
Flannel	L. 360/7635/24-4-30	James Harper & Sons	1,093 15 0
	L. 359/7635/24-4-30	Kelsall & Kemp, Ltd.	2,202 1 8
			3,295 16 8 (British).
Buffer heads and spindles :—			
No. 1770	L. 781/S. 612/4-6-30	Tees Side Bridge & Engineering Works, Ltd.	1,216 17 6
No. 600	L. 782/S. 612/4-6-30	Metropolitan Cammell Carriage, Wagon & Finance Co., Ltd.	420 0 0
			1,636 17 6 (British).

is between British firms only.

Lowest Tender not accepted.	Reason for acceptance.
£ s. d.	
14 2 6 (British).	Accepted on the ground of earlier delivery, as immediate supply was required by the indenter.
14 0 0 (British).	The rod was urgently required, and by accepting the second lowest tender a saving of six weeks in delivery was secured.
..	The order was divided between the two lowest tenderers in order to obtain the delivery required.
..	
3,225 10 5 (British).	
..	A portion of the order was placed with the second lowest tenderer in order to obtain the delivery required.
..	
1,629 7 6 (British).	

PART C.—*Cases in which the discrimination*

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Steel tyres .	K. 4649/7590/21-3-30 .	Fried. Krupp A. G. .	£ s. d.
			2,375 0 0 (German).

is between Foreign firms.

Lowest Tender not accepted.	Reason for acceptance.
<p>£ s. d.</p> <p>2,358 6 8 (Swedish).</p> <p>2,366 13 4 (French).</p>	<p>The order was placed with the third lowest tenderer in order to obtain the delivery required.</p>

ELECTION OF THE STANDING FINANCE COMMITTEE.

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

"That this Assembly do proceed to the election, for the rest of the financial year 1930-31, in such manner as may be approved by the Chairman, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

The motion was adopted.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move:

"That this Assembly do proceed to elect in such manner as may be approved by the Chairman, eleven Members from the Assembly who shall be required to serve on the Standing Finance Committee for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on the 20th September, 1924, on the subject of the separation of Railway Finance."

The motion was adopted.

ELECTION OF THE PUBLIC ACCOUNTS COMMITTEE.

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

"That the non-official Members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, eight Members to be Members of the Committee on Public Accounts."

Sir, it has come to my knowledge in the course of this morning that certain Honourable Members are desirous that the election to the Public Accounts Committee should be postponed until the 12th February in order that certain Members who have already served in the past on the Public Accounts Committee may be here to stand for election. Speaking on behalf of Government I may say that, if that is the wish of the House, we would have no objection to such postponement.

Mr. Chairman: The question is:

"That the non-official Members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, eight Members to be Members of the Committee on Public Accounts."

The motion was adopted.

Mr. Chairman: I may inform Honourable Members that in accordance with the motions now adopted nominations for the purpose of election of Members to the Standing Finance Committee and the Standing Finance Committee for Railways will be received in the Assembly office up to 12 noon on Thursday, the 15th January, 1931, while the

date for the nominations to the Public Accounts Committee will be announced later on. The elections for the Standing Finance Committee and the Standing Finance Committee for Railways, if necessary, will be held in this Chamber on Friday, the 16th January, 1931. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

STATEMENT OF BUSINESS.

The Honourable Sir George Rainy (Leader of the House): With your permission, Sir, I should like to make a brief statement in regard to the business which will be placed before the House on the remaining days of this week and also in the next week. The agenda paper for to-morrow has, I think, already reached Members, but I may draw their attention to the fact that we shall ask for leave to introduce six Bills. Those Bills are:

- (1) A Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes;
- (2) A Bill to supplement the Criminal Procedure Code (Punjab Amendment) Act, 1930;
- (3) A Bill to supplement the Bengal Criminal Law Amendment Act, 1930;
- (4) A Bill to provide for the better control of the Press;
- (5) A Bill to provide against instigation to the refusal of the payment of certain liabilities; and
- (6) A Bill to give effect to the International Convention for the suppression of counterfeiting currency.

If leave is given, we propose to proceed with further motions in respect of these Bills on the Government days which will be available next week and the week after. On Friday, the House will be called together for a brief time to carry through the elections to the Standing Finance Committee and the Railway Standing Finance Committee. In addition, a motion will be made by my Honourable friend, Sir Fazl-i-Husain, to ask the House to agree to elect two Members to sit on the Governing Body of the Imperial Council of Agricultural Research, and I shall move for leave to introduce a Bill effecting a small amendment in the Indian Ports Act. On Saturday, the House will be sitting in the morning to conduct the election of the President and in the afternoon to listen to the address of His Excellency the Viceroy.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 15th January, 1931.

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