

Wednesday, 10th February, 1926

**THE**  
**COUNCIL OF STATE DEBATES**  
**(Official Report)**

**VOLUME VII**

---

**FIRST SESSION**  
**OF THE**  
**SECOND COUNCIL OF STATE, 1926**



**DELHI**  
**GOVERNMENT OF INDIA PRESS**  
**1926**

## CONTENTS.

	PAGES.
<b>MONDAY, 8TH FEBRUARY, 1926—</b>	
Members Sworn ... ..	1—2
Bills passed by the Legislative Assembly—Laid on the Table ...	2
<b>TUESDAY, 9TH FEBRUARY, 1926—</b>	
Inauguration of the Second Council of State ... ..	3—8
<b>WEDNESDAY, 10TH FEBRUARY, 1926—</b>	
Member Sworn ... ..	9
Questions and Answers ... ..	10—29
Welcome to Members by the Honourable the President ... ..	29—30
Messages from His Excellency the Governor General <i>re—</i>	
(1) Panel of Chairmen ... ..	30
(2) Presentation and Discussion of the Railway Budget ... ..	30
Committee on Petitions ... ..	31
Appointment of the Honourable Mr. K. C. Roy to the Library Committee.	31
Governor General's Assent to Bills ... ..	31
Bills passed by the Legislative Assembly—Laid on the Table ...	32
Election of a Panel for the Standing Committee on Emigration ...	32
Resolution <i>re</i> Ratification of the Draft Convention of the International Labour Conference concerning Workmen's Compensation for Occupational Diseases—Adopted.	32—37
Resolution <i>re</i> Continuation of the Imposition of a Customs Duty on Lac—Adopted.	37—41
Statement of Business ... ..	41—42
<b>MONDAY, 15TH FEBRUARY, 1926—</b>	
Members Sworn ... ..	42
Questions and Answers ... ..	43—62
Election to the panel of the Standing Committee on Emigration ...	62
Bills passed by the Legislative Assembly—Laid on the Table ...	62
Resolution <i>re</i> the Royal Commission on Agriculture—Adopted ...	62—81
Resolution <i>re</i> Reduction of the travelling and daily allowances of the Members of the Council of State—Discussion postponed <i>sine die</i> .	81—90
Statement of Business ... ..	90
<b>TUESDAY, 16TH FEBRUARY, 1926—</b>	
Member Sworn ... ..	103
Messages from His Excellency the Governor General ... ..	103
Bill passed by the Legislative Assembly—Laid on the Table ...	104
Small Cause Courts (Attachment of Immoveable Property) Bill—Passed.	104—105
Code of Criminal Procedure (Amendment) Bill—Passed ... ..	105
Government Trading Taxation Bill—Passed ... ..	106
Guardians and Wards (Amendment) Bill—Passed ... ..	106—107
Indian Lunacy (Amendment) Bill—Passed ... ..	107—108
<b>WEDNESDAY, 17TH FEBRUARY, 1926—</b>	
Questions and Answers ... ..	109—111

	PAGES.
<b>WEDNESDAY, 17TH FEBRUARY, 1926—contd.</b>	
Private Notice Questions and Answers ... ..	111—113
Statement regarding Negotiations with the Union Government of South Africa.	113—115
Resolution <i>re</i> Leader of the Indian Delegation to the League of Nations—Adopted.	115—132
Resolution <i>re</i> Formation of a separate Kannada Province—Negatived	132—144
<b>THURSDAY, 18TH FEBRUARY, 1926—</b>	
Member Sworn ... ..	145
Bills passed by the Legislative Assembly—Laid on the Table ..	145
The Railway Budget for 1926-27 ... ..	145—161
Elections to the Panel for the Standing Committees on Emigration ...	162
Resolution <i>re</i> Appointment of a Royal Commission to inquire into the working of the Indian Constitution—Negatived.	162—215
Election of Panels for Standing Committees ... ..	215
<b>SATURDAY, 20TH FEBRUARY, 1926—</b>	
Questions and Answers ... ..	217—249
Nominations to the Panels for Standing Committees ... ..	220
Bills passed by the Legislative Assembly—Laid on the Table ...	220
General discussion of the Railway Budget ... ..	220—254
Statement of Business ... ..	254
<b>MONDAY, 22ND FEBRUARY, 1926—</b>	
Members Sworn ... ..	255
Statement laid on the Table ... ..	255—257
Indian Medical Education Bill—Introduced ... ..	258
Election of a Panel for the Central Advisory Council for Railways ...	259
<b>TUESDAY, 23RD FEBRUARY, 1926—</b>	
Questions and Answers ... ..	261—262
Code of Civil Procedure (Amendment) Bill—Passed ... ..	262
Indian Naturalization Bill—Passed ... ..	263—265
Steel Industry (Amendment) Bill—Passed ... ..	265—268
Insolvency (Amendment) Bill—Passed ... ..	268—269
Code of Criminal Procedure (Second Amendment) Bill—Passed ...	269—284
Madras Civil Courts (Amendment) Bill—Passed as amended ...	285—286
Resolution <i>re</i> Grant of Supplementary Assistance to the Tin-plate Industry—Adopted.	286—290
Nominations to the Panel for the Central Advisory Council for Railways.	290—291
<b>THURSDAY, 25TH FEBRUARY, 1926—</b>	
Questions and Answers ... ..	293—296
Legal Practitioners (Amendment) Bill—Passed as amended ...	296—297
Promissory Notes Stamp Bill—Passed ... ..	297—298
Indian Trade Unions Bill—Passed as amended ... ..	298—304
Election of a Panel for the Central Advisory Council for Railways ...	305
Nominations to the Panels for Standing Advisory Committees ...	305—306
<b>MONDAY, 1ST MARCH, 1926—</b>	
Questions and Answers ... ..	307—316
Result of the Election to the Central Advisory Council for Railways ...	317

MONDAY, 1ST MARCH, 1926—*contd.*

Election to the Advisory Publicity Committee of Messrs. Ramadas Pantulu and Khaparde.	317
Elections to the Panels of Departmental Standing Committees	317
General Budget for 1926-27	317-327

## TUESDAY, 2ND MARCH, 1926—

Result of the Elections for the Panels of the Standing Departmental Committees.	329
Contempt of Courts Bill—Passed	330-341
Indian Medical Education Bill—Motion to circulate—Adopted	341-343
Photographic group of the Members of the Council of State	343

## WEDNESDAY, 3RD MARCH, 1926—

Resolution <i>re</i> Import Duty on Artificial Ghee—Withdrawn	345-359
Indian Registration (Amendment) Bill—Passed	359

## SATURDAY, 6TH MARCH, 1926—

Questions and Answers	361-373
General Discussion of the Budget (Part II)	373-422
Statement of Business	422

## MONDAY, 8TH MARCH, 1926—

Questions and Answers	423-424
Resolution <i>re</i> Guarantee of Appointments on State Railways to qualified students of the Madagan Engineering College, Lahore, etc.—Negatived.	424-438
Resolution <i>re</i> Privileges and Status of Members of the Council of State—Adopted.	438-442

## WEDNESDAY, 10TH MARCH, 1926—

Questions and Answers	443-450
Resolution <i>re</i> Qualifications of Assistant Commissioners of Income-tax—Withdrawn by leave of the Council.	451-458
Resolution <i>re</i> Banking Legislation—Discussion adjourned	458-466

## MONDAY, 15TH MARCH, 1926—

Questions and Answers	467-471
Resolution <i>re</i> Salaries of the two Members of the Judicial Committee of the Privy Council with Indian Experience—Adopted as amended.	471-488
Resolution <i>re</i> Creation of a self-governing Tamil-speaking Province—Discussion adjourned.	489-505

## TUESDAY, 16TH MARCH, 1926—

Statement laid on the Table	507-543
Bills passed by the Legislative Assembly—Laid on the Table	544
Resolution <i>re</i> Reduction of the Exports of Opium—Adopted	544-547
Resolution <i>re</i> Creation of a self-governing Tamil-speaking Province—Negatived.	548-562
Statement of Business	562

## WEDNESDAY, 17TH MARCH, 1926—

Questions and Answers	563
Bill passed by the Legislative Assembly—Laid on the table	564
Indian Succession (Amendment) Bill—Introduced ✓	564-565
Message of Gratitude from the Council of State to Their Excellencies the Earl and Countess of Reading—Motion adopted	565-579

## FRIDAY, 19TH MARCH, 1926—

Members Sworn ...	...	...	...	...	...	581
Message from His Excellency the Governor General ...	...	...	...	...	...	581
Bills passed by the Legislative Assembly—Laid on the Table ...	...	...	...	...	...	581—582
Message from the Legislative Assembly ...	...	...	...	...	...	582
Indian Tariff (Amendment) Bill—Passed ...	...	...	...	...	...	582—583
Madras Civil Courts (Second Amendment) Bill—Passed ...	...	...	...	...	...	583—584

## MONDAY, 22ND MARCH, 1926—

Members Sworn ...	...	...	...	...	...	585
Question and Answer ...	...	...	...	...	...	585
Message from H. E. the Governor General ...	...	...	...	...	...	585—586
Indian Finance Bill—Passed ...	...	...	...	...	...	586—611
Cotton Industry (Statistics) Bill—Passed ...	...	...	...	...	...	611—612
Legal Practitioners (Fees) Bill—Passed ...	...	...	...	...	...	612—613
Code of Civil Procedure (Second Amendment) Bill—Passed ...	...	...	...	...	...	613
Delhi Joint Water Board Bill—Passed ...	...	...	...	...	...	613—614
Indian Income-tax (Amendment) Bill—Passed ...	...	...	...	...	...	614—630
Indian Divorce (Amendment) Bill—Passed ✓...	...	...	...	...	...	630—632
Indian Factories (Amendment) Bill—Passed ...	...	...	...	...	...	632
Transfer of Property (Amendment) Bill—Passed ...	...	...	...	...	...	<del>632</del>

## TUESDAY, 23RD MARCH, 1926—

Questions and Answers ...	...	...	...	...	...	635—641
Resolution <i>re</i> Emigration of Indian Unskilled Labourers to British Guiana—Adopted.	...	...	...	...	...	641—643
Indian Succession (Amendment) Bill—Passed as amended ✓...	...	...	...	...	...	643—644

## THURSDAY, 25TH MARCH, 1926—

Farewell speech delivered to the Council of State and the Legislative Assembly by His Excellency the Viceroy.	...	...	...	...	...	645—649
---	-----	-----	-----	-----	-----	---------

# COUNCIL OF STATE.

*Wednesday, 10th February, 1926.*

---

The Council met in the Council Chamber at Eleven of the Clock, the Honourable the President in the Chair.

---

## MEMBER SWORN :

The Honourable Rai Bahadur Lala Ram Saran Das, C.I.E. (Punjab : Non-Muhammadian).

---

## QUESTIONS AND ANSWERS.

### CONSTRUCTION OF A RAILWAY LINE BETWEEN MANGALORE AND HASSAN.

1. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Honourable Member in charge of Commerce and Railways be pleased to state :

- (i) whether it is proposed to construct a railway line between Mangalore and Hassan;
- (ii) if so, of what gauge; whether the estimates therefor have been sanctioned and approved by the Railway Board and for what amount;
- (iii) the principal towns which the line is intended to touch in the district of South Kanara; and
- (iv) when the construction work is likely to commence?

THE HONOURABLE MR. D. T. CHADWICK: (i)—(iv). The proposal for the construction of a railway line from Mangalore to Hassan is in abeyance, as an examination of the project prepared in 1917 showed that its financial prospects do not justify the construction of this line at present.

### SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

2. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state :

- (a) whether they have received from the Government of Madras the report of the Committee appointed by the latter to report on the separation of executive and judicial functions, with their opinions thereon;
- (b) whether the Government have so far issued any orders laying down their policy in the matter; and
- (c) if so, will the Government be pleased to place their orders on the table of the House; if not, will the Government be pleased to state when orders are likely to issue?

THE HONOURABLE MR. J. CRERAR: (1) Yes.

(2) No.

(3) I cannot say at present when a decision is likely to be arrived at.

### THE MADRAS LAND REVENUE BILL.

3. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state:

- (a) whether they have received for sanction from the Madras Government a Land Revenue Bill to give effect to the recommendations of the Joint Parliamentary Committee;
- (b) whether sanction has been accorded; if not, why; and
- (c) whether the Government will place a copy of the Bill received from the Madras Government on the table of this House?

THE HONOURABLE SIR MUHAMMAD HABIBULLAH: (1) The Government of India have received the draft Bill referred to.

(2) It is presumed that in speaking of "sanction" the Honourable Member refers to the executive approval of the Government of India. That approval has not yet been conveyed. The draft Bill raised certain important questions of principle which are the subject of correspondence between the Government of India and the Government of Madras.

(3) Government regret their inability to comply with the Honourable Member's request.

### RETRANSFER TO BENGAL OF CERTAIN BENGALI STATE PRISONERS DETAINED IN JAILS IN THE MADRAS PRESIDENCY.

4. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state:

- (a) whether the Bengali State prisoners, Messrs. Das, Ganguly and Gupta, have been transferred to Trichinopoly and Messrs. Sen, Sircar and Muzumdar to Cannanore Jails;
- (b) whether it is a fact that they have been put in punishment cells;
- (c) whether it is a fact that they have been deprived of the privileges enjoyed by them in the jails in Burma and Bengal in which they were previously stationed;
- (d) whether Messrs. Das and Ganguly had been suffering from duodenal ulcer and nasal catarrh and cystitis, respectively, in the places in which they were previously stationed and whether they were recommended by the medical officers of the respective jails to be placed under the treatment of specialists;
- (e) whether it is a fact that no treatment has been given them till now; and
- (f) whether in view of the unsuitability of Madras jails, owing to climatic, food, and other considerations, the Government will order their retransfer to Bengal?

**THE HONOURABLE MR. J. CRERAR:** (a) Certain State prisoners have been transferred to jails in the Madras Presidency. I am not prepared to specify the jails in which individual prisoners are confined.

(b) The facts are that in one jail each prisoner has two cells, one for use as a bed room and the other as a store room. They have also another cell as a common dining room. In the other, State prisoners are confined in a separate enclosure consisting of 20 well ventilated airy cells. Each prisoner has the use of three cells, one as a bed room, one for storage of property and one as a sitting room.

(c) No. Uniformity of treatment has as far as possible been secured.

(d) and (e). The reply to (d) is in the negative, in so far as Babu Purna Chandra Das is concerned. Babu Pratul Chandra Ganguli had been suffering from nasal catarrh and bacillary infection of the urinary tract and the medical officer had recommended treatment by a specialist. As, however, his condition did not appear to give cause for anxiety, the question of specialist treatment was postponed until his transfer to the Madras Presidency. Since his arrival there he has been examined by the District Medical Officer and the Inspector General of Prisons, both of whom have expressed the opinion that the prisoner is not seriously ill, that his condition does not necessitate surgical treatment and that treatment on constitutional lines should be given a fair chance before other action is taken.

(f) Government have no present intention of doing so.

**THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** Is the Honourable Member aware that, in reply to private notice question No. 4 (b) put by Mr. A. Rangaswami Iyengar in the Legislative Assembly on the 26th January last (*vide* page 256, Volume VII, No. 4, Legislative Assembly Debates), the Honourable the Home Member said, in respect to the prisoner, Mr. P. C. Ganguli, that "he is not seriously ill, that his condition does not necessitate surgical treatment and that treatment on constitutional lines should be given a fair chance before other action is taken?"

**THE HONOURABLE MR. J. CRERAR:** I am aware that the Honourable the Home Member gave a reply in another place in terms very similar to my reply to the Honourable Member now.

**THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** In view of that reply, will the Honourable Member kindly enlighten us as to the nature of the treatment given to this prisoner, surgical or otherwise?

**THE HONOURABLE MR. J. CRERAR:** As explained in my reply our latest information is this, that medical opinion is that surgical treatment is not necessary and that treatment on constitutional lines, that is, treatment directed to a general improvement of the general health of the prisoner is all that is at present required.

**THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** Will the Honourable Member say if these prisoners are all free from their respective complaints now?

**THE HONOURABLE MR. J. CRERAR:** The information I have given is most recent information in the possession of the Government of India. If the Honourable Member desires any further information of a more recent date, I must ask him to give me notice.



## SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

5. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Will the Government be pleased to give a list of the Provincial Governments from whom they have received proposals in respect of the separation of judicial and executive functions?

(b) When did they receive the proposal from the Government of Bihar and Orissa on the report of the Committee appointed by the latter in that province to formulate a scheme for the said separation of functions?

(c) Have the Government of India been able to reach a definite decision on the matter? If so, have they addressed or do they propose to address the Local Governments concerned on the subject? If not, why not?

(d) Are they aware that public dissatisfaction with the delay in giving effect to the scheme of separation has been voiced in the Bihar and Orissa Legislative Council more than once by means of questions and budget motions?

THE HONOURABLE MR. J. CRERAR: (a) Proposals have been received from the Governments of Madras, Bengal, the United Provinces and Bihar and Orissa, some of which are tentative.

(b) The Bihar and Orissa proposals were received in June 1923.

(c) Not at present. The reply to the second part does not therefore arise, and the reply to the third part is the complexity of the subject.

(d) Government are aware of the references to the subject in the Bihar and Orissa Legislative Council.

## PROPOSED LEVY OF RATES ON COAL EXPORTED FROM BIHAR AND ORISSA.

6. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: Will the Government of India be pleased to state:

(a) if it is a fact that the Government of Bihar and Orissa sent up proposals to them suggesting the levy of rates on coal exported from the province with a view to increase their financial resources;

(b) if the answer be in the affirmative, will the Government be pleased to state whether they approved of the suggested scheme; if not, why; and

(c) if the correspondence mentioned in (b) has been received, will the Government be pleased to state the month and year in which they received the communication in question from the Bihar Government and the month and the year in which they sent them (the Bihar Government) their reply?

THE HONOURABLE MR. A. C. McWATTERS: (a) Yes.

(b) The proposal was not accepted. It involved taxing the raw material of industry all over India, and it was considered unfair to other provinces to abandon to one province, on account of its privileged position, what should be, if imposed at all, a source of central revenue.

(c) The proposal was made in June 1922 and the final communication from the Government of India, after consulting other Local Governments, was in March, 1923.

ARREARS OF WORK IN THE PATNA HIGH COURT.

7. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Will the Government be pleased to lay on the table a statement showing the total number of undisposed of cases in the Patna High Court up to the 1st of January last under the following heads and also stating under each head the year in which they were filed:

- (1) First Appeals;
- (2) Second Appeals;
- (3) Civil Revisions;
- (4) Miscellaneous?

(b) Is there any proposal permanently to increase the number of puisne judges of the Patna High Court by making the present additional judges permanent or to appoint more additional judges to dispose of the arrears?

THE HONOURABLE MR. J. CRERAR: (a) A statement is laid on the table showing the number of pending cases on the 1st January 1925. The further information desired by the Honourable Member is not readily available and to collect it would entail the expenditure of considerable time and labour which, in the opinion of Government, would not be commensurate with the result.

(b) The Government of India are not aware of any such proposals.

*List of pending cases in the Patna High Court on the 1st January, 1925.*

	Pending on the 1st January, 1925.
First appeals . . . . .	823
Second appeals . . . . .	3,136
Civil revisions . . . . .	232
Miscellaneous cases . . . . .	108

AMALGAMATION OF THE ORIYA-SPEAKING TRACTS.

8. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Have the Government of India concluded their consideration of the report of Messrs. Phillip and Duff on the question of the amalgamation of the Oriya-speaking tracts in the Presidency of Madras with the Orissa Division of the province of Bihar and Orissa?

(b) If the answer is in the affirmative, will they be pleased to state if they have sent up their proposals to the Secretary of State? If so, when?

(c) Will the Government also be pleased to lay on the table copies of their despatch on the report?

THE HONOURABLE MR. J. CRERAR: The question is still under consideration.

COMMITTEES APPOINTED DURING THE YEARS 1922, 1923 AND 1924.

9. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: Will the Government be pleased to lay on the table a statement

(a) showing the number of Committees appointed by them during the years 1922, 1923 and 1924;

- (b) the expenditure incurred on each of them;
- (c) how many and which of them have already submitted their reports and how many are yet engaged in their work; and
- (d) the action Government have taken on those reports that have already been submitted to them?

THE HONOURABLE MR. J. CRERAR: I am having the information asked for in parts (a), (b) and (c) of the question collected and will lay it on the table of the House in a few days' time. As regards part (d) I regret that it would be impossible for me to give the information asked for within the reasonable limits of a reply to a question. I suggest that, in respect of any report or reports in which the Honourable Member is particularly interested, he should address specific questions to the Honourable Members representing the Departments concerned.

PERCENTAGE OF APPOINTMENTS HELD IN THE IMPERIAL SERVICES BY  
INDIANS AND NON-INDIANS.

10. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: Will the Government be pleased to lay on the table a statement stating:

- (a) the various Imperial Services existing in the country;
- (b) the percentage of appointments held in these services by Indians and non-Indians in the years 1921 and 1925;
- (c) which of these Imperial Services are to be provincialised in accordance with the recommendations of the Lee Commission and what steps have the Government of India taken to provincialise these departments?
- (d) Will the Government be pleased to state, province by province, in respect of the Indian Civil and the Indian Police Services, how many years it will take to reach the minimum 50 per cent. of Indians in those services, and what steps they have taken to work up to these percentages?

THE HONOURABLE MR. J. CRERAR: (a) and (b). The necessary information in respect of the year 1921 is given in the statement printed on page 204 (a) of the Legislative Assembly Debates. A similar statement in respect of the year 1924 will be found on pages 2179-2183 of those Debates. The collection of the necessary material entails considerable time and labour and I hope the information furnished will meet the Honourable Member's requirements.

- (c) The following services are to be provincialised:

The Indian Educational Service.

The Indian Agricultural Service.

The Indian Veterinary Service.

The Indian Forest Service in Bombay and Burma.

The portion of the cadre of the Indian Service of Engineers working in the Buildings and Roads Branch, on the basis proposed in paragraph 40 of the Lee Commission's Report.

Draft rules to give effect to the arrangements are under the consideration of the Secretary of State in Council.

(d) It is anticipated that the proportion will be reached approximately in the case of the Indian Civil Service in 15 years and in the case of the Indian Police Service in 25 years.

I am unable to make any detailed forecast of the results in each province separately, but would refer the Honourable Member to the answer given on the 25th August, 1925, to Khan Bahadur Ghulam Bari's question No. 4 in the Legislative Assembly.

NUMBER OF SUPERIOR POSTS IN THE GOVERNMENT OF INDIA  
SECRETARIAT HELD BY INDIANS ON THE 1ST JANUARY, 1921, AND  
THE 1ST JANUARY, 1926.

11. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Will the Government be pleased to lay on the table a comparative statement showing the total number of departmental Secretaries, Under-Secretaries, Deputy Secretaries and Assistant Secretaries working in the Government of India on the 1st of January, 1921, and on the 1st of January, 1926?

(b) How many of these posts, under each head, were held by Indians in 1921 and how many on the 1st of January, 1926?

THE HONOURABLE MR. J. CRERAR: I lay on the table a statement giving the information required.

*Statement showing the number of superior posts in the Government of India Secretariat held by Indians on 1st January, 1921 and 1st January, 1926.*

Appointments.	1ST JANUARY, 1921.		1ST JANUARY, 1926.		REMARKS.
	Total.	Indians.	Total.	Indians.	
Secretaries . . .	14	1	14		
Joint Secretaries . .	2		3	1	
Deputy Secretaries .	20	1	24	6	
Under Secretaries .	8	1	10(a)	7	
Assistant Secretaries .	22	4	22(b)	15	
Total .	66	7	73	29	

*Note.*—Appointments of Additional Deputy Secretaries and Under Secretaries have been included among Deputy Secretaries and Under Secretaries.

(a) One appointment of Under Secretary in the Department of Education, Health and Lands, was held in abeyance.

(b) Two appointments of Assistant Secretaries in the Department of Education, Health and Lands were temporary lasting from 23rd November, 1925, to 19th January, 1926.

## GRANT OF PREFERENCE TO THE DOMINION OF CANADA.

12. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Has the attention of the Government of India been drawn to the following statement by the (London) *Financial News*:

“ Efforts to expand Canada's foreign trade may result in the opening of negotiations in the near future with the Government of India. It is considered that the grant of minor concessions by Canada may result in substantial benefits to Canadian trade. Up to the outbreak of war India maintained a tariff of 5 per cent. In 1916, this was raised to 7½ per cent., while in 1922, a tax of 30 per cent. was placed on automobiles, which are now the chief Canadian export in India. In view of this it is considered in Canada that the Dominion should receive more substantial preference.”

(b) If the answer be in the affirmative, will the Government be pleased to state if any negotiations have taken place between them and the Government of Canada; and if they propose to take the Central Legislature into their confidence as to the nature of these negotiations?

THE HONOURABLE MR. D. T. CHADWICK: (a) Government have seen the extract quoted.

(b) No such negotiations have taken place.

## ANTI-ASIATIC LEGISLATION IN SOUTH AFRICA.

13. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: (a) Will the Government be pleased to state if their attention has been drawn to the resolutions adopted at the recent sessions of the Indian National Congress, the Liberal Federation and the Moslem League on the present position of Indians in South Africa?

(b) Has their attention been drawn to the refusal of the Union Government of South Africa to agree to any scheme of a Round Table Conference for a settlement of the Indian problem?

(c) Has the attention of the Government been drawn to recent cables from Mr. Andrews depicting the seriousness of the situation and stating that the anti-Asiatic Bill is to be proceeded with and passed practically without any opposition?

(d) If the answers to these questions be in the affirmative, will they be pleased to enlighten the Council on the steps they have taken:

(i) to secure a postponement of the impending Bill in South Africa;

(ii) to urge upon His Majesty's Government the intensity of Indian feeling and a veto of the measure if it be enacted into an Act; and

(iii) if neither of these be of any avail, to see that Indians are not deprived of their just rights as subjects of the Empire?

THE HONOURABLE SIR MUHAMMAD HABIBULLAH: (a) to (c). The reply is in the affirmative.

(d) The attention of the Honourable Member is invited to the statements on this subject made by His Excellency the Viceroy in opening the

Session of the Legislative Assembly on the 20th January last and the current Session of this Chamber.

THE COMMONWEALTH OF INDIA BILL.

14. THE HONOURABLE BABU ANUGRAHA NARAYAN SINHA: Will the Government be pleased to state if they have been consulted by the Secretary of State on the Commonwealth of India Bill either before or after its introduction in the House of Commons? If so, will they be pleased to lay on the table copies of the correspondence on the subject including their own reply, if any, to the Secretary of State?

THE HONOURABLE MR. J. CRERAR: The reply to the first part of the Honourable Member's question is in the negative. The second part therefore does not arise.

RATIFICATION BY THE JAPANESE GOVERNMENT OF THE CONVENTIONS OF THE INTERNATIONAL LABOUR CONFERENCE.

15. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Is it a fact that the Japanese Government has not ratified the conventions and recommendations passed by the International Labour Conference?

THE HONOURABLE MR. A. H. LEY: Japan has ratified 6 of the 17 Conventions approved at the International Labour Conferences up to the end of 1924. Recommendations are not capable of ratification.

RESOLUTION RE RUPEE TENDERS.

16. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government be pleased to inform the Council of any action they may have taken or contemplate taking on the Resolution moved by Mr. Jinnah on the 14th February, 1924, and accepted by the other House regarding the inviting of tenders in this country and in rupees?

THE HONOURABLE MR. A. H. LEY: The Government of India have thought it desirable to examine in the first instance the question to what classes of stores the rupee tender purchase system could be applied without undue sacrifice of economy and without incurring undue risk of unsatisfactory supplies. This has necessarily involved detailed discussion with the various purchasing and consuming departments of Government, but I am able to say that these discussions have now got so far that a list of the different kinds of stores to which the system might be extended without undue risk has been compiled and is now under examination.

REDUCTION OF RAILWAY FREIGHTS ON COAL.

17. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state what action they have taken or intend to take on my Resolution, which was adopted by this House on 15th September, 1925, regarding a decrease in the rate of coal railway freight for long distances?

THE HONOURABLE MR. D. T. CHADWICK: The matter has been considered in consultation with the Indian Railway Conference Association, but I am not prepared to make any statement at this stage.

## IMPORTS OF ARTIFICIAL GHI.

18. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state what has been the quantity and value of "Vegetable Product" and other artificial ghi imported into the country during each of the last five years? Will they also state what has been the revenue derived by Government from the customs duties levied on these vegetable products?

THE HONOURABLE MR. D. T. CHADWICK: The Government have not the information as statistics are not separately recorded.

## RECRUITMENT OF TRAFFIC INSPECTORS (TRANSPORTATION, ON THE NORTH WESTERN RAILWAY.

19. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state whether they have taken or contemplate taking any action on my Resolution, adopted on 28th February, 1923, by the Council of State, regarding recruitment of Traffic Inspectors (Transportation) on the North Western Railway?

## INDIAN TRAFFIC INSPECTORS (TRANSPORTATION) ON THE NORTH WESTERN RAILWAY.

20. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state how many Indians have been appointed (a) permanently; and (b) on probation as Traffic Inspectors (Transportation) from 1st April, 1923, up to the 31st December, 1925? Will they also kindly state how many of these have during this period retired, and how many are still in service? Will they also state how many Indians are at present working in officiating appointments, together with the dates from which they are so working?

THE HONOURABLE MR. D. T. CHADWICK: I propose to reply to questions Nos. 19 and 20 together. As was pointed out in reply to question No. 572, asked on the 2nd September, 1925, in the Legislative Assembly railway administrations have been especially addressed on the subject and they will no doubt give it their careful consideration when vacancies occur, and if Indians with the requisite qualifications are available.

Government have not got any information beyond that furnished in the Legislative Assembly in their reply to question No. 853 put by Khan Bahadur Sarfaraz Hussain Khan on the 17th of March, 1924, nor do they consider that it will serve any useful purpose to call for further information of this piecemeal character after so short an interval of time.

## SELECTION OF STATION MASTERS AS TRAFFIC INSPECTORS (TRANSPORTATION) ON THE NORTH WESTERN RAILWAY.

21. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: (a) Is it a fact that some time back some station masters on the North Western Railway were, after some examination, selected for trial as Traffic Inspectors (Transportation)? Will the Government kindly state how many station masters were thus selected? How many of them are now officiating and how many have reverted?

(b) Will the Government kindly state what was the length of service and grade of each of the Indian station masters so selected?

**THE HONOURABLE MR. D. T. CHADWICK:** Government have no information but will make inquiries.

**APPOINTMENTS OF EUROPEANS AND ANGLO-INDIANS AS TRAFFIC INSPECTORS  
(TRANSPORTATION) ON THE NORTH WESTERN RAILWAY.**

**22. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state how many (a) Europeans and (b) Anglo-Indians have been appointed as Traffic Inspectors (Transportation) on the North Western Railway from 1st April 1923 to 31st December 1925, by (i) direct recruitment and (ii) promotion? What have been the length of service, grade and qualifications of each of them?

**THE HONOURABLE MR. D. T. CHADWICK:** The Honourable Member is referred to the reply just given by me to questions Nos. 19 and 20.

**MEMORIAL TO THE CHIEF MECHANICAL ENGINEER, NORTH WESTERN  
RAILWAY, FROM THE INDIAN LITERATE APPRENTICES.**

**23. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state what decision they have now arrived at in connection with the memorial to the Chief Mechanical Engineer, North Western Railway, Lahore, from the Indian literate apprentices?

**THE HONOURABLE MR. D. T. CHADWICK:** The case has not been referred to Government and they have no information.

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Last time when I put this question, as far as I remember, the reply given was that the matter was under consideration. If it was under consideration then, has no decision been arrived at yet?

**THE HONOURABLE MR. D. T. CHADWICK:** It was under consideration by the officer to whom the memorial was sent. No memorial was sent to Government. An unsigned copy of a printed one was sent but it was not addressed to Government.

**ENLISTMENT IN THE INDIAN ARMY OF HINDU JATS FROM THE  
JULLUNDUR AND LAHORE DIVISIONS.**

**24. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Is it a fact that in the Jullundur and Lahore Divisions of the Punjab the Hindu Jats can get enlistment in the Indian Army only with great difficulty?

**THE HONOURABLE MR. A. H. LEY:** (on behalf of His Excellency the Commander-in-Chief): Hindu Jats from the Jullundur and Lahore Divisions are eligible for service in the Indian Army. It is, however, a fact that, apart from those who are Dogras, Hindu Jats are not taken into the Army in large numbers from these two civil divisions.

**NUMBER OF HINDU, SIKH AND MUSLIM JATS IN THE INDIAN ARMY.**

**25. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state what is the number at present in the Indian Army of Hindu Jats, Sikh Jats and Muslim Jats, recruited from Ambala Division, and from districts in the Jullundur and Lahore Divisions?



Is this number of recruits in the Indian Army, from the different sections of the Jat community in proportion to their respective populations?

THE HONOURABLE MR. A. H. LEY (on behalf of His Excellency the Commander-in-Chief): The information desired by the Honourable Member in the first part of this question is not available, as our statistics do not show the numbers recruited by districts or divisions but by provinces. With regard to the second part, I may state that the extent to which the different castes and classes are enlisted in the Indian Army depends more on their suitability for service as soldiers, than on their total numbers.

#### NUMBER OF PUNJABI HINDUS IN THE INDIAN ARMY.

26. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly lay on the table a statement showing the number of soldiers in the Indian Army, recruited from each of the Hindu castes and tribes in each district of the Punjab?

THE HONOURABLE MR. A. H. LEY (on behalf of His Excellency the Commander-in-Chief): I regret that I am unable to furnish the Honourable Member with the information which he desires, since as I have just stated in reply to the previous question, our recruiting statistics are not compiled to show the classes and castes by districts but by provinces as a whole: I lay on the table, however, a statement showing the total number of the various Hindu castes and tribes (other than Sikhs) serving in the Indian Army on the 1st January 1925, from the whole of the Punjab Province and I trust that this information will suffice for the Honourable Member's purpose.

*Statement showing the number of various Hindu castes and tribes other than Sikhs from the Punjab serving in the Indian Army on the 1st January, 1925.*

Dogras . . . . .	{	Brahmans . . . . .	691
		Rajputs . . . . .	8,191
		Jats . . . . .	739
		Other castes of Dogras . . . . .	793
			<hr/> 10,414

#### *Other Punjabi Hindus.*

Brahmans . . . . .	604
Rajputs . . . . .	1,027
Jats . . . . .	4,941
Ahirs . . . . .	1,795
Gujars . . . . .	387
<hr/>	
	8,754
<hr/>	
GRAND TOTAL . . . . .	19,168

#### RECRUITMENT OF MUHYAL BRAHMANS OF THE RAWALPINDI DIVISION FOR THE INDIAN ARMY.

27. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Is it a fact that in the Rawalpindi Division for some time past the Muhyal Brahmans cannot now get enlistment in the Army? Will the Government kindly state why this is so?

THE HONOURABLE MR. A. H. LEY (on behalf of His Excellency the Commander-in-Chief): The answer to the first part of the question is in the negative. The second part does not arise. The Honourable Member will be interested to learn that there are now more than half as many more Muhyal Brahmans serving in the Indian Army than was the case before the war.

#### RECRUITMENT OF PUNJABI HINDU REGIMENTS FOR THE INDIAN ARMY.

28. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Is it a fact that in the Indian Army raised from the Punjab, we have regiments known under the names of "Punjabi Musalmans" and "Sikhs"? Is it a fact that in the regiments known as the "Punjabi Musalmans", there are usually recruits from several Muslim castes and tribes, and similarly in the "Sikh" regiments there are recruits from several Sikh castes and tribes? Is it also a fact that there is in the Indian Army raised from the Punjab no regiment known under the name of "Punjabi Hindus", and consequently Hindu Jats in the Jullundur and Lahore Divisions, Muhyal Brahmans and Hindu Khattris in the Rawalpindi, Lahore and Jullundur Divisions, and several other Hindu fighting classes in different parts of the province cannot get enlistment in the Indian Army? Will the Government kindly state why no "Punjabi Hindu" regiments as such are raised in the Punjab?

THE HONOURABLE MR. A. H. LEY (on behalf of His Excellency the Commander-in-Chief): There is no regiment known under the name of "Punjabi Mussalmans". There is one regiment known as Sikhs, namely, the 11th Sikhs, but only three of its battalions are composed exclusively of Sikhs.

Government do not propose to raise a "Punjabi Hindu" regiment as such.

#### REBATES IN RAILWAY FREIGHT ON COAL BOOKED TO CALCUTTA FOR EXPORT.

29. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state the total weight and the total amount of rebates allowed in railway freight by railways on coal booked to Calcutta for export during 1924-25 and up to 31st December, 1925?

THE HONOURABLE MR. D. T. CHADWICK: The total weight and the total amount of rebate were as follows:—

	Weight.	Amount.
	Tons.	Rs.
During 1924-25 . . . . .	12,00,000	12,00,000
From April 1925 to December 1925.	*10,82,000	10,24,000

#### NUMBER OF MAZHBI SIKHS IN THE INDIAN ARMY.

30. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state how many Mazhbi Sikhs there are in the Indian Army? Is it a fact that almost all these Mazhbi Sikhs come originally from among the caste of Chuhras? If so, will they state why Government do not recruit from among the Hindu Chuhras?

\* This does not include figures for part of November and December 1925 for the Bengal-Nagpur Railway, which have not yet been received.

THE HONOURABLE MR. A. H. LEY (on behalf of His Excellency the Commander-in-Chief): The answer to the first part of this question is that 1,584 Mazhbi Sikhs are serving in the Indian Army. With regard to the second part, these Sikhs originally came and a few still come from the Chuhra caste. But, on the other hand, the majority of this class now serving in the Army are the descendants of Mazhbi Sikhs who originally may have been Chuhras, but who had long since given up the duties of domestic sweepers.

In view of the reply which I have just given, the third part of the question does not arise.

#### TRANSFER OF THE MANAGEMENT OF THE DERA ISMAIL KHAN-TANK DECAUVILLE RAILWAY TO THE NORTH WESTERN RAILWAY.

31. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state whether the narrow gauge light railway, between Dera Ismail Khan and Tank, is still under the control and management of the Military Department? If the management of the railway has been transferred to the North Western Railway, will they kindly state since when has this been done, and on what conditions has this transfer been made?

THE HONOURABLE MR. D. T. CHADWICK: The management of the Dera Ismail Khan-Tank Decauville Railway has been transferred to the North-Western Railway, with effect from the 1st April 1925. The terms of the transfer are that the Railway Department acquires the line at present value and works it as part of the strategic lines of the North Western Railway system.

#### ANNUAL LOSS ON THE DERA ISMAIL KHAN-TANK DECAUVILLE RAILWAY.

32. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state what is the annual deficit in running this narrow-gauge light railway between Dera Ismail Khan and Tank? Will they also state which department is debited with this annual deficit—the Military Department or the Railway Department?

THE HONOURABLE MR. D. T. CHADWICK: As entirely separate accounts of the working of the line were not maintained when it was under the administration of the Military Department, no accurate figure of the annual loss of working is available. But it is estimated that the present annual loss, including provision for interest on capital expenditure, will amount approximately to Rs. 1½ lakhs. The question of improving the financial position of the line is, however, receiving attention. The loss in working the line will appear in the railway accounts as part of the loss on working of strategic railways which, under the terms of the Convention for the separation of Railway from General Finance, is borne by General revenues.

#### DISMANTLING OF THE DERA ISMAIL KHAN-TANK DECAUVILLE RAILWAY.

33. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state whether it is under contemplation to dismantle this light railway?

**THE HONOURABLE MR. D. T. CHADWICK:** There is no present intention of dismantling the line with the idea of abandoning it.

**SURVEY OF RAILWAY LINES FROM HINDUBAGH TO FORT SANDEMAN AND  
FROM FORT SANDEMAN TO TANK.**

**34. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state whether it is under contemplation to make a survey of a railway line from Hindubagh to Fort Sandeman in Baluchistan, and to make another survey of a railway line from Fort Sandeman across the Gomal River to Tank in the Dera Ismail Khan district? Has the sanction of the survey of these railway lines been received? If so, how far have the survey operations progressed? When can the commencement of the construction of these lines be expected?

**THE HONOURABLE MR. D. T. CHADWICK:** The Hindubagh-Fort Sandeman Railway survey has recently been completed. A proposal to sanction the construction of the first section from Hindubagh to Kila Saifullah is under consideration, and it is expected that a decision will be arrived at very shortly. The Tank-Dera Ismail Khan-Fort Sandeman section of the Zhob Valley Railway was surveyed in 1918-14. The estimated cost of the line, based on the results of the survey, proved to be disproportionate to the resulting advantages and the construction of the line was, therefore, held in abeyance. Government do not contemplate taking up this project at present.

**CONSTRUCTION OF NEW RAILWAY LINES AND ROADS IN THE FRONTIER.**

**35. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state what new railway lines and new metalled and unmetalled roads are projected in the Frontier? What is the total mileage to-day in the trans-border area of metalled and unmetalled roads?

**THE HONOURABLE MR. J. P. THOMPSON:** Government regret that they are unable to make a statement regarding roads and railways projected in the Frontier as it would not be in the public interest to do so.

The approximate mileage of metalled roads in the trans-border area is 280, but no figure can be given as to the total length of unmetalled roads in view of the vagueness of the term, which would presumably include mountain tracks made by the tribesmen themselves.

**NUMBER OF SENIOR STATION MASTERS ON THE NORTH WESTERN  
RAILWAY.**

**36. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state what is the number of senior grade station masters, carrying a salary of Rs. 250, or more, on the North Western Railway? How many of these station masters are Europeans, Anglo-Indians and Indians? What increase in the number of Indians in the grades of station masters has been made during each of the last five years ending 31st December, 1925?

**THE HONOURABLE MR. D. T. CHADWICK:** The names of station masters drawing Rs. 250 and over are given in the Railway Board's Classified List of Establishment, the latest copy of which is available in

the Members' Library. The Honourable Member is also referred to page 65 of the Report of the Railway Board for 1924-25 in which statistics are furnished showing the distribution of the number of railway employees amongst the several communities, both on the 3 old State Railways and on other Class I lines excluding those belonging to Indian States.

**PROSPECTS OF LITERATE APPRENTICES ON THE NORTH WESTERN RAILWAY,  
ETC.**

37. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state what are the prospects of literate apprentices on the North Western Railway? Will they also state what are the qualifications required from candidates for the posts of journeymen?

THE HONOURABLE MR. D. T. CHADWICK: I regret Government have no information. Inquiry is being made from the Agent, North Western Railway, and the Honourable Member will be informed of the results of the inquiry.

**NUMBER OF FOREMEN, CHARGEMEN AND JOURNEYMEN EMPLOYED ON  
THE NORTH WESTERN RAILWAY.**

38. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state what is the total number of (a) Foremen, (b) Chargemen, and (c) Journeymen employed in the Loco, Carriage and Electric Shops of the North Western Railway? How many of these are Indians, Anglo-Indians and Europeans? How many of these have been recruited (a) in England, and (b) in India, during each of the last five years on covenant? What are the qualifications and rules for recruitment for each of such posts, and what steps are Government taking to increase the number of Indians in these appointments?

THE HONOURABLE MR. D. T. CHADWICK: Government have not the information exactly in the detailed form asked for. But the Honourable Member's attention is invited to Chapter V and Appendix G on page 108 of Vol. I of the Report on Indian Railways for 1924-25, to which I have just alluded, and to the Railway Board's Classified List, copies of which publications are in the Library.

**LIGHTING OF ROADSIDE STATIONS ON THE NORTH WESTERN RAILWAY.**

39. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will the Government kindly state what steps they are taking to improve the arrangements for lighting the roadside stations of the North Western Railway?

THE HONOURABLE MR. D. T. CHADWICK: Government are not aware what arrangements require improvement, and I suggest that the matter is one which can suitably be brought to the notice of the Agent through his Local Advisory Committee.

**REDUCTION OF FARES ON THE NORTH WESTERN RAILWAY.**

40. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: With reference to the recent notification of the North Western Railway regarding reduction in railway fares, will the Government state why a flat rate

of 8 pies per mile for third class passengers has not been adopted for all distances on the railway and why the railway have decided in favour of  $3\frac{1}{2}$  pies per mile up to a distance of 50 miles? Will the Government kindly state what difference in income would it make to the railway if 3 pies instead of  $3\frac{1}{2}$  pies were charged up to a distance of 50 miles?

**THE HONOURABLE MR. D. T. CHADWICK:** The reduction in third class fares which is being made on the North Western Railway is estimated to cost 20½ lakhs. A reduction to 3 pies for the first 50 miles would cost an additional 34½ lakhs, and it is considered unlikely that such a reduction would stimulate traffic to an extent sufficient to recoup the loss.

#### CONSTRUCTION OF NEW RAILWAY LINES IN THE PUNJAB.

**41. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Will the Government kindly state what new railway lines are to be constructed in the Punjab this year? What is their gauge, mileage and estimated cost?

**THE HONOURABLE MR. D. T. CHADWICK:** The construction of the following new railway lines in the Punjab will it is hoped be commenced this year:—

Railway.	Gauge.	Length.	Estimated cost.
			Rs.
1. The Kangra Valley Railway . .	2' 6"	101 miles.	1,34,00,000
2. The Shahdara Narowal Railway . .	5' 6"	49 "	28,00,000
3. The Amritsar Narowal Railway . .	5' 6"	40 "	59,87,968
4. The Sirhind Rupar Railway . .	5' 6"	30 "	38,00,000

Items (1) and (2) have been sanctioned and work is being put in hand.

Items (3) and (4) will probably be sanctioned shortly.

Government have under investigation several other proposed lines, namely:—

Bhiwani Rohtak.  
Jagadhari Thaneswar.  
Montgomery Pakpatan-McLeodgunj.  
Sangla Hill Khushab.  
Rohtak Gohana Panipat.

and, should, as a result of such investigation, any of them be considered financially justifiable, their construction will be sanctioned.

#### ABANDONMENT OF LAND UNDER CULTIVATION BY CANAL WATER OWING TO THE ACCUMULATION OF HEAVY ALKALINE DEPOSITS.

**42. THE HONOURABLE SIR DINSHAW WACHA:** Will the Government be pleased to state:

- what lands under cultivation by canal water in different parts of the country have already been, or are likely to be, abandoned by reason of accumulation of heavy alkaline deposits;
- what is the percentage of the area which such abandoned lands bear to the total area of land under cultivation by canal water; and

- (c) what measures have the Government taken, and what measures do they propose to take, in order that other lands under cultivation by canal water may not be similarly abandoned in future by reason of the formation and accumulation of alkaline deposits?

**THE HONOURABLE MR. A. H. LEY:** The information available with the Government of India is insufficient to enable a full reply to be framed at present but I am asking Local Governments for reports and, on their receipt, will lay a reply on the table.

**TRAINING OF STUDENTS IN STATE AGRICULTURAL COLLEGES IN METHODS  
FOR THE PREVENTION OF ALKALINE DEPOSITS ON LANDS UNDER  
CULTIVATION BY CANAL WATER.**

**43. THE HONOURABLE SIR DINSHAW WACHA:** Will the Government be pleased to state whether the State Agricultural Colleges have in their syllabus any course of lectures on the subject of the formation of alkaline deposits on lands under cultivation in this country by canal water? Are the post-graduates and students trained in the practical methods by which such deposits may be prevented? If not, do the Government propose to instruct the Colleges so to train the students?

**THE HONOURABLE SIR MUHAMMAD HABIBULLAH:** Though the subject is not specifically mentioned in the syllabus of studies of the Agricultural Colleges, it comes under the heading of soils and their treatment—a subject which forms part of the general curriculum of these colleges. In provinces where the question is acute, it forms part of a special study both in the laboratory and in the field. In the Punjab, for instance, a special station has been established on the Lower Bari Doab Colony for investigating and carrying out experiments in the reclamation of salt lands.

**LAND MORTGAGE BANKS.**

**44. THE HONOURABLE SIR DINSHAW WACHA:** Will the terms of reference to the Agricultural Commission recently announced include the desirability or otherwise of establishing Land Mortgage Banks to finance the existing Co-operative Agricultural Societies for the purpose of affording a certain measure of relief to indebted agriculturists?

**THE HONOURABLE SIR MUHAMMAD HABIBULLAH:** The answer is in the affirmative.

**THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** May I know whether copies of the terms of reference to the Agricultural Commission are available to Members of this House?

**THE HONOURABLE SIR MUHAMMAD HABIBULLAH:** Yes.

**FAILURE OF THE JAPANESE GOVERNMENT TO GIVE LEGISLATIVE EFFECT  
TO CERTAIN RESOLUTIONS OF THE GENEVA LABOUR CONFERENCE.**

**45. THE HONOURABLE SIR DINSHAW WACHA:** Have the Japanese Government failed hitherto to give legislative effect to certain resolutions of the Geneva Labour Conference, passed some time since, regarding

shorter hours of labour, non-employment of children and women at night and other kindred matters; if so, do Government propose drawing the attention of the coming Labour Conference to this failure?

**THE HONOURABLE MR. A. H. LEY:** The Honourable Member is presumably referring to the draft Conventions adopted at the first session of the International Labour Conference held at Washington in 1919, relating to hours of work, night-work for women, and night-work for young persons. As considerable misapprehension appears to exist on the subject of these Conventions and the obligations involved in them, I am glad to have this opportunity of explaining the position. No country is obliged to enforce any draft Convention adopted by an International Labour Conference unless and until it has ratified that Convention, and the question whether a Convention shall or shall not be ratified is a matter for the authorities within the country to decide. Should the competent authority decide that the Convention shall not be ratified, no legal obligation rests on that country to secure the enforcement of the Convention. If a member fails to secure the effective observance of any Convention which it has ratified, any other member ratifying that Convention is entitled to file a complaint with the International Labour Office under Article 411 of the Treaty of Versailles. As however Japan has not ratified any of the Conventions to which I have referred, no question of such a complaint can arise.

**SIR FREDERICK WHYTE'S BOOK ON FEDERAL CONSTITUTIONS.**

**46. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** Will the Government of India be pleased to state:

- (a) the terms of reference on which Sir Frederick Whyte was deputed on his mission;
- (b) the total expenses incurred in this behalf; and
- (c) the action Government propose to take on his report?

**THE HONOURABLE MR. J. CRERAR:** (a) There were no terms of reference to Sir Frederick Whyte.

(b) The total gross cost involved is approximately Rs. 12,000. We shall not know the net cost until we know how many copies are sold.

(c) The purpose of the publication was to provide material for the study of Indian Constitutional Reforms. It was thought that, as similar questions may call for settlement in India in the future a statement in a readily available form of the relations subsisting between Central and Local Governments in the principal federal constitutions of the world would be valuable to public men in India.

**TREATMENT OF BENGALI STATE PRISONERS IN JAILS IN THE MADRAS PRESIDENCY.**

**47. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO:** Will the Government of India be pleased to state:

- (a) whether in all the jails in Bengal and in Burma, State prisoners were accommodated in big halls and whether in the jails in the Madras Presidency to which some of them have recently been transferred, they are confined in punishment cells;
- (b) whether out-door games, such as tennis, badminton, football and indoor games were provided in the Bengal and Burma



jails and whether no such provision has been made in the Madras jails;

- (c) whether the food of these State prisoners is prepared by the ordinary convicts in the Madras jails and whether they are unaccustomed to the Madras food;
- (d) whether the privilege of being supplied with books has been denied to them in the Madras jails; and
- (e) whether their privileges in the matter of writing three letters every week has been restricted to two, if to their relatives, and to one, if to their friends?

THE HONOURABLE MR. J. CRERAR: I invite attention to the reply which I have already given to the Honourable Member's question No. 4. I need only add that State prisoners detained in the Madras Presidency are given a diet allowance, subject to a maximum of Rs. 2 per day, according to the scale in force in Bengal; they are allowed to prepare their own menu and to supervise the cooking of dishes. As regards games, books and letter-writing they are afforded the same facilities as they enjoyed prior to their transfer.

#### ALLOWANCES OF STATE PRISONERS TRANSFERRED FROM BENGAL TO OTHER PROVINCES.

48. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state:

- (a) whether their attention has been drawn to the statement made by Sir Hugh Stephenson in the Bengal Council that, with the transfer of State prisoners to other provinces, the responsibility of the Bengal Government to pay their allowances also automatically lapses;
- (b) whether it is on this condition that sanction has been accorded to the transfer of the State prisoners to Madras jails; and
- (c) whether the Madras Government has undertaken the responsibility of meeting their allowances?

THE HONOURABLE MR. J. CRERAR: I have seen the statement and understand the reference to allowances to be to the diet allowance. This allowance is fixed with regard to conditions obtaining in the place where the detenu happens to be confined, and any proposal to enhance the rate must obviously be initiated by the local authorities concerned. All allowances for State prisoners are sanctioned by the Government of India and are debited to Central Revenues.

#### SPEECH OF LORD LYTTON AT THE ROTARY CLUB ON THE REFORMATIVE TREATMENT OF CRIMINALS.

49. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state:

- (a) whether their attention has been drawn to the speech of Lord Lytton at the Rotary Club on the reformative treatment of criminals; and
- (b) if so, what action they propose to take in the matter?

THE HONOURABLE MR. J. CRERAR: (a) I have read the speech.

(b) Government are much interested in all proposals for prison reform, but they note that the kind of work which His Excellency Lord Lytton was specially advocating was work for private philanthropy and enterprise, work which, in his own words,—“ No Government can do ”.

#### MOPLAH COLONISATION OF THE ANDAMANS.

50. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state:

(a) whether they have received the report of the Special Committee appointed to inquire into the fitness of the Andamans for Moplah colonisation; and

(b) if so, whether they propose to place the report on the table of this House and to defer action thereon until this House has had its say on the matter?

THE HONOURABLE MR. J. CRERAR: (a) and (b) I understand that the Honourable Member is referring to the visit, for which Government granted facilities, of four gentlemen to the Andamans to examine the conditions and circumstances of the Mappilla villages there. Government have received the views of one of these gentlemen but not of the others. They cannot, of course, arrive at any conclusions until the complete reports are in their possession.

#### THE BAWLA MURDER CASE.

51. THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: Will the Government of India be pleased to state, with reference to the reply given by Sir Alexander Muddiman to the interpellation put by Mr. Gaya Prasad Singh in the Legislative Assembly, on 21st January last, on the subject of the future course of action on the part of the Government in connection with the Bawla murder case, whether the matter is engaging the attention of the Government?

THE HONOURABLE MR. J. CRERAR: Yes.

#### OFFICIAL REPORT OF THE PROCEEDINGS OF THE CONFERENCE OF FINANCE MEMBERS.

52. THE HONOURABLE MR. HAROON JAFFER: Will the Government be pleased to state whether they intend to publish an official report of the proceedings of the conference of the Finance Members?

THE HONOURABLE MR. A. C. MCWATTERS: I would invite the Honourable Member's attention to the reply given by me to a similar question by the Honourable Mr. Sethna on the 22nd January, 1925. For the reasons then given the Government do not propose to publish an official report of the proceedings.

#### WELCOME TO MEMBERS BY THE HONOURABLE THE PRESIDENT.

THE HONOURABLE THE PRESIDENT: Before proceeding with the further business of the day I am glad to take this early opportunity of welcoming Members of the second Council of State to the labours of its first Session. Those who heard the brief words of farewell which I addressed to the Members of the first Council at its last meeting a few months ago in Simla

[The President.]

will realize what a great pleasure it is to me to see so many former Members back to their old places in this House. The fact alone that there are so many familiar faces will be sufficient assurance to me that I may count on the same support in maintaining the dignity and traditions of this House as has always been accorded to the Chair in the past. But among the new Members there are several who are not new to parliamentary life. There are several who have sat in other Legislative Assemblies and Councils, and I am glad also to add that among the new Members there are several who are old personal friends of mine. These facts combined lead me to appeal with confidence to the House to assist me in maintaining the traditions of the House. I feel quite sure that I shall have the assistance of all Honourable Members in carrying on the work that has been done from this Chamber. I know that there can be no doubt that the decisions and deliberations of this House will receive the consideration from Government and from the country which they have always merited and received in the past.

### MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: I have two Messages for Honourable Members from His Excellency the Governor General.

(The Messages were received by the Members of Council standing.)

The first message reads:

#### PANEL OF CHAIRMEN.

*"In pursuance of the provisions of sub-section (2) of section 63-A of the Government of India Act, I, Rufus Daniel, Earl of Reading, hereby nominate the following Members of the Council of State to be on the Panel of Chairmen of the said Council of State:—*

*In the first place, the Honourable Mr. Phiroze Cursetji Sethna; in the second place, the Honourable Saiyid Raza Ali; in the third place, the Honourable Sir S. R. M. Annamalai Chettiyar, and lastly, the Honourable Mr. John William Anderson Bell.*

(Sd.) READING,

Viceroy and Governor General."

### PRESENTATION AND DISCUSSION OF THE RAILWAY BUDGET IN THE COUNCIL OF STATE.

The second message reads:

*"For the purpose of sub-section (1) of section 67A of the Government of India Act and in pursuance of Rules 43, 46 and 47 of the Indian Legislative Rules and of Standing Order 70 of the Council of State Standing Orders, I, Rufus Daniel, Earl of Reading, hereby appoint the following days for the presentation to the Council of State and to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways and for the subsequent stages in respect thereof in the Council of State and in the Legislative Assembly, namely:—*

<i>Thursday, February 18th</i>	<i>...</i>	<i>Presentation in both Chambers.</i>
<i>Saturday, February 20th</i>	<i>...</i>	<i>General discussion in the Council of State.</i>
<i>Monday, February 22nd</i>	<i>...</i>	<i>General discussion in the Legislative Assembly.</i>
<i>Tuesday, February 23rd</i>	<i>...</i>	} <i>Voting of Demands for Grants in the Legislative Assembly.</i>
<i>Wednesday, February 24th</i>	<i>...</i>	
<i>Thursday, February 25th</i>	<i>...</i>	
<i>Friday, February 26th</i>	<i>...</i>	

(Sd.) READING,

Viceroy and Governor General."

## COMMITTEE ON PETITIONS.

THE HONOURABLE THE PRESIDENT: Under Standing Order 76 of the Council of State Standing Orders I am required at the commencement of the Session to constitute a Committee on Petitions consisting of a Chairman and four Members. The following Honourable Members have at my request kindly consented to preside over and serve on the Committee. I hereby accordingly have much pleasure in nominating as Chairman of the Committee the Honourable Rai Bahadur Lala Ram Saran Das, and as Members the Honourable Raja Sir Rampal Singh, the Honourable Mr. V. Ramadas Pantulu, the Honourable Mr. Haroon Jaffer, and the Honourable Sir C. Sankaran Nair.

---

## APPOINTMENT OF THE HONOURABLE MR. K. C. ROY TO THE LIBRARY COMMITTEE.

THE HONOURABLE THE PRESIDENT: I have also to announce to the House that I have appointed the Honourable Mr. K. C. Roy to the Library Committee in the vacancy caused by the resignation of Sardar Jogendra Singh from this Council.

---

## GOVERNOR GENERAL'S ASSENT TO BILLS.

SECRETARY OF THE COUNCIL: Sir, information has been received that His Excellency the Governor General has been pleased to grant his assent to the following Bills:

The Provident Funds Act, 1925.

The Code of Civil Procedure (Amendment) Act, 1925.

The Religious Endowments (Amendment) Act, 1925.

The Salt Law Amendment Act, 1925.

The Legislative Members Exemption Act, 1925.

The Sikh Gurdwaras (Supplementary) Act, 1925.

The Bamboo Paper Industry (Protection) Act, 1925.

The Indian Carriage of Goods by Sea Act, 1925.

The Opium (Amendment) Act, 1925.

The Provident Funds (Amendment) Act, 1925.

The Indian Penal Code (Amendment) Act, 1925.

The Indian Limitation (Amendment) Act, 1925.

The Coal Grading Board Act, 1925.

The Oudh Courts (Supplementary) Act, 1925.

The Criminal Tribes (Amendment) Act, 1925.

The Cotton Transport (Amendment) Act, 1925.

The Madras, Bengal and Bombay Children (Supplementary) Act, 1925.

The Indian Ports (Amendment) Act, 1925.

The Repealing and Amending Act, 1925.

The Transfer of Property (Amendment) Act, 1925.

The Indian Succession Act, 1925.

## BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table copies of a Bill to define and limit the powers of certain Courts in punishing contempts of courts, and of a Bill to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions in British India which were passed by the Legislative Assembly at its meeting held on the 8th February, 1926.

### ELECTION OF A PANEL FOR THE STANDING COMMITTEE ON EMIGRATION.

THE HONOURABLE SIR MUHAMMAD HABIBULLAH (Member for Education, Health and Lands): Sir, I move:

"That this Council do proceed to elect in the manner described in the Department of Education, Health and Lands Notification No. 114, dated the 7th February, 1924, a panel of 8 members from which the members of the Standing Committee to advise on questions relating to emigration in the Department of Education, Health and Lands, will be nominated."

I take it, Sir, that copies of the Notification which have been quoted herein are already in the hands of Honourable Members, and they would have noticed that under rule 3 a panel is elected by both Houses, and that His Excellency the Viceroy nominates the required number therefrom to the Committee. The last Committee was constituted on the 24th of March, 1925, consisting of 8 Members of the other House and four Members of this House. Under the same rule, Sir, the term of office extends to a period of one year. In the normal course, therefore, the office of these Members would have continued until the 24th of March of this year, but owing to the dissolution of this House last year such of the Members of this House who were members of the Emigration Committee have ceased to be members thereof. We are anxious to secure the full complement of members on the Emigration Committee, as we anticipate that there will be some work for the Committee to discharge in the near future. I have therefore ventured to bring forward this Resolution at the earliest possible opportunity and to ask the House that it do proceed to elect the panel.

The motion was adopted.

THE HONOURABLE THE PRESIDENT: With regard to the motion just adopted by the House, I will at the next meeting of the Council announce the date by which nominations should be handed in and the date on which, if necessary, the election will take place in this Chamber.

### RESOLUTION RE RATIFICATION OF THE DRAFT CONVENTION OF THE INTERNATIONAL LABOUR CONFERENCE CONCERNING WORKMEN'S COMPENSATION FOR OCCUPATIONAL DISEASES.

THE HONOURABLE MR. A. H. LEY (Secretary for Industries and Labour): Sir, I beg to move the following Resolution:

"That this Council having considered the Draft Conventions and Recommendations adopted by the seventh International Labour Conference recommends to the Governor General in Council that he should ratify the Draft Convention concerning workmen's compensation for occupational diseases."

Before, Sir, I come to the details of the Resolution, I should like to make one or two introductory remarks. In the first place, I must explain why it is necessary for me to trouble this Council with this matter. Probably Honourable Members of this Council are fully aware that under Article 405 of the Treaty of Peace, it is necessary for each member of the International Labour Organisation to lay before the competent authority any draft Conventions or Recommendations adopted at an International Labour Conference within a period of one year or, in very special cases, 18 months from the date on which those Draft Conventions or Recommendations were adopted. The "competent authority" in cases which would involve legislative action in connection with the ratification of a Convention or the adoption of a Recommendation is in the case of India of course one or other or both of the Houses of Legislature, and that is my sole reason for troubling the Council with this matter now. The second introductory point to which I would invite the attention of the Council is of a more particular nature. I would ask the Council particularly to examine the precise wording of my Resolution:

"That this Council having considered the Draft Conventions and Recommendations adopted by the seventh International Labour Conference recommends to the Governor-General in Council that he should ratify"—

One of them.

The implication of that is of course that there are certain other Draft Conventions which he should not ratify. Possibly I owe the House an apology for having put it in this way. I have done it merely because I think it would be convenient and save the time and trouble of this Council if it were possible to consider all these Draft Conventions and Recommendations passed at the last session of the International Labour Conference as one subject, and to dispose of these rather intricate, and possibly a little dry, subjects at one sitting of this Council. That leads me on, Sir, to one other introductory remark of a more general nature. There are, I think, two more or less opposing points of view, which I think it necessary to take into consideration in considering these Conventions and Recommendations adopted at International Labour Conferences. There are some who hold the view that India is possibly not going fast enough in adopting legislation designed to improve and render more humane the conditions of the working classes. If there are any such in this Council, I only wish to remind them that in point of fact India has done as much as, if not more than, any other member of the International Labour Organisation in ratifying and enforcing Conventions adopted in the past designed to improve the conditions of the working classes. That is, I think, a justifiable source of pride to India, who wishes to take her proper place in advancing the social, economic and spiritual progress of the working classes. But I think it is obvious that it is unwise to advance at a rate with which social conditions and the state of development of labour organisations in this country can hardly keep pace. We must obviously, in considering Conventions and Recommendations of this nature, consider the different social conditions of the country. It is always a dangerous proceeding to pour new wine into old bottles. Then there is another line of criticism—and perhaps this is a more subtle criticism—which thinks that we have gone too far already in legislation of this kind. There are those who urge that we are hampering ourselves in competition with other countries which have not ratified these various Conventions. I think there was a suggestion of that attitude in a question which I answered a few minutes ago in this Council. This is a point of

[Mr. A. H. Ley.]

view which I thoroughly appreciate, though it is one which I think it would be unfortunate to press too far. However, it is fortunately not necessary for me to dilate upon that point any further, because even these critics will, I am sure, agree with me that it is desirable that India should ratify Conventions of this nature designed to render more humane the conditions in which the working classes work, at any rate in cases where they are able to do so without any injury to their own material interests. That in fact is the point of view which I wish to impress upon this Council with regard to the one draft Convention which I ask this Council to ratify.

I now come to these Draft Conventions in detail. I will take first the one which I have suggested to the Council that they should agree that the Government of India should ratify, that is, the Draft Convention relating to workmen's compensation for occupational diseases. I think all Honourable Members have been furnished with a copy of this Bulletin, which gives the Recommendations adopted at the International Labour Conference. The only operative Article in this Draft Convention is Article 2, which gives a list of diseases regarded as occupational diseases and a list of corresponding industries and processes, workers in which, if they contract these diseases, will be entitled to workmen's compensation under the terms of the Workmen's Compensation Act. The first of these is lead poisoning. I do not wish to say anything about this, as Honourable Members are perfectly well aware that it is already provided for in Schedule III of the existing Workmen's Compensation Act and no action is therefore necessary. Then we come to mercurial poisoning. I have been at some pains to try and discover whether in point of fact mercurial poisoning does arise as a result of industrial occupations in this country and I have not found any evidence of it. The disease, if known at all, is extremely rare here. But in any case I think it is obvious that a disease of this kind, if contracted as a result of industrial occupations, is one which should entitle the workmen concerned to the benefits of the Workmen's Compensation Act. In point of fact that does not require any amendment of the Act, because all that is necessary is for the Governor-General in Council to issue a Notification under section 3, sub-section (3), adding mercurial poisoning to the list of occupational diseases given in Schedule III to the Act. That will be done if the Council agrees with me that the Convention should be ratified. In fact it was not really necessary to place this matter before them, because it involves no amendment of the law. Then we come to anthrax which is the third of those diseases. The ratification of this Convention will involve a very small amendment of our existing Act and that is why I have to place it before this Council. Honourable Members are perfectly well aware that anthrax is already provided for in sub-section (2) of section 3, which says:

"If a workman employed in any employment involving the handling of wool, hair, bristles, hides or skins contracts the disease of anthrax . . ."

he is entitled to compensation. But it will be necessary to make a small amendment because it will be observed that in the Schedule to Article 2 of this Draft Convention there are certain kinds of work which would entitle the workmen contracting the disease of anthrax to workmen's compensation which are not included in sub-section (2) of section 3 of the Act, namely, work in connection with animals infected with anthrax, handling of animal carcasses or parts of such carcasses, including hides, hoofs and horns, and loading and unloading or transport of merchandise.

Our Act does not include the handling of animal carcasses or the handling of hoofs and horns, and it will therefore involve a very small amendment of the existing Act to give effect to this Convention. I would ask the Council to agree to the Convention being ratified. It is obviously a very small point and no material interest is involved. In point of fact anthrax is a disease which is practically unknown in this country. That is the major portion of my Resolution.

I would like to detain the Council for just a few minutes to run through the other Draft Conventions and Recommendations, which it is necessary for me to do in order to give effect to my Resolution. I will take them as quickly as I can. Firstly, there is the Draft Convention regarding equality of treatment for national and foreign workers as regards workmen's compensation for accidents. That I may say, before I go any further, is a Convention which the Government of India propose to ratify, but it is not necessary technically for me to place it before the Council for the very simple reason that it involves no alteration in our existing law. The Workmen's Compensation Act, as Honourable Members are aware, gives equal treatment for national and foreign workers in the matter of workmen's compensation. I only mention it here for the sake of completeness in dealing with these Draft Conventions and Recommendations as one whole and single subject. Then there remain two other Draft Conventions which, if adopted, would require legislative action and which it is necessary for me to refer to. There is a Draft Convention about night work in bakeries. I ask the Council to agree with me that this Convention is one which it would be quite impossible for the Government of India to ratify. It is, if I may say so, based on conditions prevailing in countries with more moderate climates quite different from India. In European countries the baking industry is an industry of a wholly different nature from what it is in India. I need hardly say that it would in any case be quite impossible to enforce the Convention in regard to the number of small bakeries in this country. In the second place, there are of course climatic reasons. It is necessary and is also conducive to the comfort and the health of the petty bakers in this country that they should bake their bread at night. I do not think it is necessary for me to say much on this subject. I only wish to add that the Government of India consulted all the Local Governments on this question before the matter came up at the last session of the International Labour Conference and, as might have been expected, Local Governments were unanimously of opinion that it was a matter which could not apply to India, and therefore it was undesirable to ratify this Convention.

The third Draft Convention is a Draft Convention relating to workmen's compensation for accidents. There are various articles in this Draft Convention which are given in this Bulletin. It will, I think, be clear if Honourable Members will study it that this Draft Convention is really based, if I may say so, on principles which exist in countries where labour organisation is very much more advanced and developed than it is in this country at the present moment. Article 2, for instance, would apply to workmen, employees and apprentices employed in any enterprise, undertaking or establishment of whatsoever nature, whether public or private; subject to certain exceptions in that Article, which however make no difference to my argument. There are various other Articles in this Convention which go a great deal beyond anything which exists in our present Act. Article 6 introduces a change in the waiting period.



[Mr. A. H. Ley.]

which is I think undesirable, having regard to the prevailing conditions in this country. Articles 7, 9 and 10 also introduce principles which are foreign to our Compensation Act. The point of view which I wish to impress upon the Council in regard to this matter is that our Workmen's Compensation Act is quite new—it has been in force only for a little over a year—and this Convention will introduce an entirely new principle in Indian legislation, which is obviously undesirable. In fact, it would be quite impracticable at the present moment to undertake a total revision of the Act, which would be necessary if this Convention is ratified. It is obviously desirable to have several years' experience of the working of the existing Act to see how far it has achieved the objects for which it was introduced and also how far there is any real need for a further advance, before we undertake this revision. I think this is all that I have got to say with regard to these Draft Conventions.

As to the Recommendations, only a few words are required. A Recommendation is, of course, different from a Draft Convention; it is, if I may say so, of a less binding character. A Draft Convention has to be accepted *in toto* or rejected. A draft Recommendation is merely a recommendation, as its name implies, which has to be placed before the competent authority for such action as that authority deems necessary. There are only two or three Recommendations and I will take them in the order in which they appear in the bulletin. The first Recommendation relates to the equality of treatment for national and foreign workers as regards workmen's compensation for accidents. There is nothing in this Recommendation which really applies to India, and as I have already indicated our law fully complies with the principle of equality of treatment. Therefore, no specific action is necessary in regard to this Recommendation. Then there are two Recommendations regarding workmen's compensation for accidents. The first is a recommendation regarding the minimum scale of compensation. I do not want to repeat what I have already said on the substantive part of this subject, namely, the Draft Convention. The minimum scale of compensation suggested in this Recommendation is much more liberal than the scales of compensation provided by our existing Workmen's Compensation Act, and it is obviously a recommendation which would necessitate a wholesale revision of our Act, which, as I have already said, is not desirable. Then, the second Recommendation is on Jurisdiction in Disputes on Workmen's Compensation. That is a recommendation which is designed to secure arbitration boards to decide workmen's compensation cases. The Council is well aware that our Act which has only recently been passed appoints a Commissioner for Workmen's Compensation to decide these cases, and I think, whatever may be the merits of this proposal in countries where labour is well educated and well organised, there is nothing to be gained by adopting a system of this character in India at the present moment. Finally, there is a small recommendation regarding occupational diseases which runs as follows:

“Each member of the International Labour Organisation should adopt, where such procedure does not already exist, a simple procedure by which the list of diseases considered occupational in its national legislation may be revised.”

I need hardly remind the Council that this is already provided for in our existing Act. It is quite a simple matter. The object can be achieved merely by issuing a Notification under section 8, sub-section (3).

I think this is all that I have got to say on this matter. I am afraid, Sir, I have taken rather more time than I had intended on a subject which is somewhat intricate and perhaps not very exciting. I wish the Council, however, to remember that the really important matters are the Draft Conventions. Of the four Draft Conventions, one will in any case be ratified by the Government of India, as it is met under the existing law. One, that relating to occupational diseases, I ask this Council to agree should be ratified. I suggest that this Council should agree with me that the other two relating to night work in bakeries and workmen's compensation should not be ratified in the circumstances prevailing in this country.

THE HONOURABLE THE PRESIDENT: The question is that the following Resolution be adopted:

"That this Council, having considered the Draft Conventions and Recommendations adopted by the seventh International Labour Conference recommends to the Governor General in Council that he should ratify the Draft Convention concerning workmen's compensation for occupational diseases."

The motion was adopted.

## RESOLUTION RE CONTINUATION OF THE IMPOSITION OF A CUSTOMS DUTY ON LAC.

THE HONOURABLE MR. D. T. CHADWICK (Commerce Secretary): Sir, I beg to move:

"That this Council recommends to the Governor General in Council that he may be pleased to declare that sections 2 to 6 of the Indian Lac Cess Act, 1921 (XIV of 1921), which provide for the imposition of a customs duty on lac exported from British India, shall continue in force until the 31st day of December, 1931."

Sir, I cannot claim for my Resolution such high authority as the Honourable Mr. Ley claimed for his. He spoke on a recommendation passed by the International Labour Conference. I, Sir, am speaking on a recommendation of a much humbler association, namely, the Indian Lac Association. I maintain, however, that the subject with which I have to deal is one of very direct and material economic interest to India. I am not even asking the Council to adopt a new policy nor to undertake to make even a small amendment in an Act which, I understand, will be one of the results of our adopting the previous Resolution. I am only asking the Council to continue to make operative an Act which is already on our Statute-book and which is a very useful and very beneficent Act. This Act was passed in 1921, four and a half years ago, by the first reformed Council. Under it there is permitted the imposition of a small cess on all lac exported from India, the proceeds of which is to be devoted to scientific research and improvement of cultivation of lac both in quantity and quality. Section 7 of this Act, however, reads as follows:

"This Act shall remain in force until the thirty-first day of December, 1926, provided that the Governor General in Council may, on the recommendation of the Lac Association and with the previous consent of the Indian Legislature, declare by notification in the Gazette of India that the said sections shall continue in force for any further period specified in the notification."

We have received a recommendation from the Indian Lac Association to continue the Act, and I am now asking the consent of the Legislature to that course. The cess, as I have said, is a small one. It is a matter

[Mr. D. T. Chadwick.]

of 4 annas a maund on lac and 2 annas a maund on refuse lac exported from India. The present export price of lac is about Rs. 80, therefore the cess is extremely small. At the same time it has yielded a useful income of about one and a third lakhs a year to this Association which is thoroughly representative of all sections and interests in the lac trade. Under the Act these funds are devoted to scientific research and improvement in cultivation of lac. I put it to the Council that if 4½ years ago the case for this lac cess was a strong one, it is much stronger to-day. Our lac exports are worth about 7½ crores a year, and India has always comforted itself that it enjoys a monopoly in lac. That is a very comforting position in which to be, but it is a position which is always a challenge to every other country. Four and a half years ago there was a suggestion that that position of monopoly would be challenged, and to-day that challenge is beginning to materialise. The challenge is coming from two directions, one from the use of synthetic substitutes and the other from Siam. I need not worry the House with details as to the use of this very valuable commodity, lac. In fact it is beyond me to specify every article into which it goes. Some ingenious person always seems to be finding some new use for lac whether in varnishes, electrical machinery or gramophone records, etc. Other ingenious persons are constantly devising substitutes for lac. And so far as synthetic substitutes are concerned we were told by Mr. Lindsay that about ten per cent. of the market for our lac in England has now been lost by competition of synthetic substitutes. These substitutes are not as good as pure lac but they are coming on. On the other side, America and Europe import more and more stick lac from Siam and have improved their methods for purifying and utilising such lac, so much so that while 4 years ago exports from Siam were only 3,000 tons last year they were 5,000, as compared with 25,000 tons from India. There is nothing to get very mournful about in either of those figures, but they are a warning to us, and to India generally, that in the interests of this very important commodity it is most desirable to pay as much attention as possible to improving the quantity and quality of the lac. That is one strong reason for continuing this Act. The other strong reason that I put forward for the consideration of the Council in accepting this Resolution is that after all five years is a very short time in the life of any research institute especially in its initial stage. This Association has utilised its five years to good purpose. It has got over its early difficulties and to-day it is getting to grips with its problems. After consultation with the Local Governments of Bihar and Orissa and of the Central Provinces a site was selected close to Ranchi. Scientific laboratories have been built, also quarters for the staff, and experimental plots have been laid down. The buildings were finished only last September but a scientific staff had already been engaged and been at work for two or three years. I have myself for a time had the good fortune of being a Director of Agriculture, so I am going to be very cautious about prophesying rapid results from experiments, but I do know from that experience, that by continuity in experiment, by working steadily from year to year, you can get very good and very lasting and useful results. Continuity, however, is the first essential. Interruption is fatal to all such classes of work. I understand, however, that by better culture and better manuring of host plants the Research Institute already expect to be able to accelerate the cultivation

of lac. That in itself will help to make much progress in increasing the quantity of the crop. This Institute also works in close touch with the local forest officers. I understand the Forest Department have opened farms for the distribution of lac.

I am perfectly certain that after this very short description of the work in progress and in sight the Council will accept this Resolution. To throw it out will stop this work entirely. To pass it will mean sending a message of encouragement to these people who are working on this task to go forward and prosper. I ask the Council to adopt this Resolution.

THE HONOURABLE MR. J. A. HUBBACK (Bihar and Orissa: Nominated Official): Sir, I rise to support the Resolution moved by the Honourable Mr. Chadwick. This Resolution very closely concerns the province for which I have the honour to be nominated to this Council. It concerns that province, Bihar and Orissa, more closely, I think, than any other province of India, seeing that quite half the lac produced in India comes from Bihar and Orissa. It is for this reason, Sir, that, though I am but a very lately born member of this Council, I dare to address it so soon. The Honourable Mr. Chadwick has already very fully covered the ground of the arguments to be advanced in favour of the Resolution which he has moved, and I do not propose to detain the Council very long with my own remarks. He has indicated that when the Act which we are now considering was under discussion in 1921, India held the practical monopoly of this commodity, and its position was then only just beginning to be threatened. He has explained how those threats have developed in the meantime. It is not surprising that the threats have developed seeing that some fifteen years ago the price of standard shellac was somewhere about Rs. 30 to Rs. 40 a maund. Shortly before 1921 it had risen to the extraordinarily high rate of Rs. 230, and when the Act was actually passed, it stood at about Rs. 130. It has now dropped to Rs. 80, but there is no doubt that the foreign consumer anticipates the possibility of it rising again to the heights it had reached previously, and it should not surprise us, nor can we blame them, that they should look round to replacing it with something cheaper. In 1921, the Indian Legislature was acting on the recommendations of Messrs. Lindsay and Harlow in their report issued very shortly before that. They made two general recommendations. The first was that steps should be taken to guard against the cutting off of supplies, which is a danger arising from the tendency of the cultivator to sell right down even to their brood lac in times of specially attractive prices. The second recommendation was to improve the cultivation and manufacture of the product, so that lower prices could be faced when the need arose without diminishing the reward either to the cultivator or to the manufacturer. The Act which we are considering really dealt with the second object. I may perhaps, however, briefly inform the Council what has been done with regard to the first object. That has been met by the action of the Local Governments in their Forest Departments. In 1921 the Government of Bihar and Orissa had just started one lac farm in the district of Palamau. I am glad to say that the Bihar and Orissa Legislative Council accepted in March 1925 budget provision for a programme of no less than 8 such farms distributed over the whole of the lac producing area. That provision was a matter of about 1 lakh non-recurring and about Rs. 20,000 recurring. The Members of this Council no doubt deal with very much larger figures, and may consider the quoted figures rather insignificant,

[Mr. J. A. Hubback.]

but I may remind them that the Bihar and Orissa Budget, as a whole, is not very much more than 5 crores. It is therefore, Sir, relatively a considerable amount of money that we are spending on this object. I understand that the example of the Government of Bihar and Orissa in this matter is likely in the near future to be followed by private firms who are interested in the supply of lac for manufacturing purposes. Now lac is not the only concern of our Forest Department, and our officers are not by any means all of them, in fact the majority, particularly expert in the matter, and it is therefore that the Government of Bihar and Orissa very strongly, supports the continuance of this impost, so that the other line of action—research in the methods of cultivation and manufacture may be prosecuted, and results of importance obtained. That work the Indian Lac Association has taken up. They have now, as the Honourable Mr. Chadwick has explained, opened a Lac Research Institute at Namkum near Ranchi. The actual buildings were formally opened by His Excellency Sir Henry Wheeler in August 1924. In September 1925, the laboratories were fully equipped and in the meantime much progress has been made in the lay-out of the experimental plantations and in other work which will lead up to good results. The Institute is under the direction of a very talented lady who holds high scientific degrees, apart from whom, she being an Englishwoman, the entire staff is Indian, and her principal colleague is a distinguished Indian scientist, Mr. Misra. They have drawn up a programme of considerable extent in which the most important matter at the present moment is a study of the yield and quality of the crop obtained by various methods of cultivation and infection of the host trees. They have not yet, I may say, even visualized the manufacturing problems which await solution. They have attacked their work up to now entirely from the cultivation point of view. I do not wish to trouble the House with details of the lines of research which are being undertaken. But I think it is clear that the Lac Association, in spending about Rs. 4 lakhs on their buildings there and in undertaking a programme of which the recurring cost will be at present at least one lakh, have not been idle in the last 4 years, since they were placed in a position to spend money. When the Act was under debate in another place, the point was raised whether this is not a function which should be properly carried out by Government. It was however decided that it would be wise to place in the hands of the Indian Lac Association, an association of private traders, the funds derived from this cess, and I think it may fairly be said that the Indian Lac Association has fully justified the decision of the Legislature taken in 1921. On the importance of the industry I do not wish to speak at any length. The manufacturers and shippers are able to look after themselves as a rule. The lac industry brings a steady source of employment to a number of small artisans who work in the factories. It gives a small income, but not one that they despise, to the superior landholders of the Chota Nagpur plateau, on which most of the lac is grown. But it is to the cultivators, the actual cultivators of the trees, that this industry is of very great importance indeed. These are the aborigines of the Chota Nagpur plateau and its outlying extensions—the Kharwars of Palamau, the Mundas and Oraons of Ranchi, the Hos of Singhbhum, the Sonthals of the Sonthal Parganas, the Bhumijs of Manbhum. It is these people, who are, in the technical phrase generally used, among the backward races of India, and it is to these people that the collapse of the industry would be a matter of very serious import. The lac industry for them supplements the profits of their

agriculture, and it makes in many cases just the difference between a mere subsistence livelihood and a little real comfort. They naturally expect a continuance of a reasonable return for the labour which they expend on cultivating lac, labour which, in order to raise the hot weather lac crop, is carried out, at times, in considerable discomfort during the hot weather. But when I speak of the collapse like the Honourable Mr. Chadwick I do not say for a moment that the collapse is imminent. I have myself seen new plantations in Manbhum recently. I have too heard from various sources that brood lac is sought from a great distance by the inhabitants of the outlying parts of the tract in which it is grown. I may also add that the extension of lac cultivation was specially brought to my notice not very long ago, when I was called upon to decide a difficult point of right between landlord and tenant regarding host trees in a part of the Sonthal Parganas to which lac cultivation has only recently spread. But, as the Honourable Mr. Chadwick has made clear, the position, though not such that we must expect an imminent collapse, is sufficiently serious. I have explained that the Lao Association and the Government of Bihar and Orissa—and I have no doubt other Governments concerned—have taken already such steps as they think advisable to secure to the industry a basis of steady supply with an adequate return to the cultivator working up to prices, at which we can undersell synthetic lac and meet other forms of competition. With this object in view, the Lac Association itself has a few weeks ago unanimously recommended the continuance of this trifling impost of 4 annas on a commodity at present valued at Rs. 80. The Government of India are now asking the Legislature to confirm this recommendation. It would, in my opinion, be most unwise, exceedingly unwise, for this Council to throw away the work done and the expense incurred during the last 4 years and thus jeopardise the future prosperity of this important, and I may add, peculiarly Indian industry.

**THE HONOURABLE THE PRESIDENT:** The question is that the following Resolution be adopted:

“This Council recommends to the Governor General in Council that he may be pleased to declare that sections 2 and 6 of the Indian Lac Cess Act, 1921 (XIV of 1921), which provide for the imposition of a customs duty on lac exported from British India, shall continue in force until the 31st day of December, 1931.”

The motion was adopted.

**THE HONOURABLE THE PRESIDENT:** Can the Honourable the Leader of the House give the Council any information as to the future course of business?

---

#### STATEMENT OF BUSINESS.

**THE HONOURABLE SIR MUHAMMAD HABIBULLAH** (Member for Education, Health and Lands): Sir, to-morrow being a holiday I understand that the Council will not meet again till Monday next. Monday and Wednesday in next week are non-official days and the business ballotted for those days has already been communicated to Honourable Members. On Tuesday, the 16th, motions will be made for the consideration and passing of

[Sir Muhammad Habibullah.]

three of the Bills which were laid on the table at the opening meeting, namely:

the Small Cause Courts (Attachment of Immoveable Property) Bill;  
the Guardians and Wards (Amendment) Bill; and  
the Government Trading Taxation Bill,

and similar motions will be made with regard to the Trade Unions Bill which was laid on the table to-day.

On Thursday, the 18th, the presentation of the Railway Budget will be followed by similar motions in respect of two of the remaining Bills laid on the table at the opening meeting, namely:

the Code of Criminal Procedure (Amendment) Bill, and  
the Indian Lunacy (Amendment) Bill.

Honourable Members have heard His Excellency the Governor General's Message allotting Saturday, the 20th, for the discussion of the Railway Budget. No other business will be taken on that day.

The Contempt of Courts Bill will be proceeded with on Tuesday, the 23rd February.

THE HONOURABLE MR. K. C. ROY (Bengal: Nominated Non-official): Sir, on a point of order, might I suggest to the Honourable the Leader of the House that he ought to give us more time to consider the Contempt of Courts Bill. The Legislative Assembly was given almost a year to settle it.

THE HONOURABLE THE PRESIDENT: I have no doubt that Government will bear in mind what the Honourable Member has said. In the meantime I would advise him to occupy his spare time in studying the Bill. There is nearly a fortnight before him now.

The Council then adjourned till Eleven of the Clock on Monday, the 15th February, 1926.

---