

27th March 1935

THE  
**LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

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Volume III, 1935

(9th March to 28th March, 1935)

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**FIRST SESSION**

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,  
1935**



NEW DELHI  
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1935

# **Legislative Assembly.**

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## *Deputy President :*

**MR. AKHIL CHANDRA DATTA, M.L.A.**

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**MR. S. SATYAMURTI, M.L.A.**

**LIEUT.-COLONEL SIR HENRY GIDNEY, KT., M.L.A.**

**SARDAR SANT SINGH, M.L.A.**

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**MIAN MUHAMMAD RAFI, BAR.-AT-LAW.**

## *Assistant of the Secretary :*

**RAI BAHADUR D. DUTT.**

## *Marshal :*

**CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.**

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**MR. S. SATYAMURTI, M.L.A.**

**DR. ZIAUDDIN AHMAD, C.I.E., M.L.A.**

**RAJA SIR VASUDEVA RAJAH, KT., C.I.E., M.L.A.**

**MR. N. M. JOSHI, M.L.A.**

# CONTENTS.

VOLUME III.—9th March to 28th March, 1935.

	PAGES.		PAGES.
<b>SATURDAY, 9TH MARCH, 1935—</b>		<b>TUESDAY, 12TH MARCH, 1935—</b>	
Questions and Answers . . . . .	1959—91	Questions and Answers . . . . .	2159—96
Unstarred Questions and Answers . . . . .	1991—2023	Short Notice Questions and Answers . . . . .	2196—98
Motion for Adjournment <i>re</i> Arrests in Calcutta of prominent workers connected with the All-India Trade Union Congress—Ruled out of order . . . . .	2024—29	The General Budget—List of Demands— <i>concl'd.</i>	
Statement of Business . . . . .	2029—30	Demand No. 39—Army Department—	
The General Budget—List of Demands— <i>cont'd.</i>		Indianisation and over-expenditure . . . . .	2198—2244
Demand No. 23—Indian Posts and Telegraphs Department (including Working Expenses)—		Demand No. 79—Baluchistan—	
Grievances of the Inferior Services . . . . .	2031—57	Repressive policy in Baluchistan . . . . .	2244—48
Position of the Bengal Mussalmans in the Office of the Postmaster General, Bengal and Assam Circle . . . . .	2057—63	Demand No. 16—Customs . . . . .	2248
Demand No. 18—Salt—Damage done to the poor Zamindars of the Khushab and Pind Dadan Khan Tahsils in the District of Shahpur and Jhelum in the Punjab on account of the Salt Range and the Khewra Salt Mines . . . . .	2064—75	Demand No. 17—Taxes on Income . . . . .	2248
<b>MONDAY, 11TH MARCH, 1935—</b>		Demand No. 18—Salt . . . . .	2249
Members Sworn . . . . .	2077	Demand No. 19—Opium . . . . .	2249
Questions and Answers . . . . .	2077—2113	Demand No. 19A.—Excise . . . . .	2249
Short Notice Questions and Answers . . . . .	2113—15	Demand No. 20—Stamp . . . . .	2249
The General Budget—List of Demands— <i>cont'd.</i>		Demand No. 21—Forest . . . . .	2249
Demand No. 28—Executive Council— <i>cont'd.</i>		Demand No. 22—Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works . . . . .	2250
Grievances of working classes . . . . .	2115—32	Demand No. 23—Indian Posts and Telegraphs Department (including Working Expenses) . . . . .	2250
Necessity of adapting the administration to meet modern economic needs . . . . .	2132—57	Demand No. 25—Interest on Debt and Reduction or Avoidance of Debt . . . . .	2250
		Demand No. 26—Interest on Miscellaneous Obligations . . . . .	2250
		Demand No. 27—Staff, Household and Allowances of the Governor General . . . . .	2250
		Demand No. 28—Executive Council . . . . .	2251
		Demand No. 29—Council of State . . . . .	2251
		Demand No. 30—Legislative Assembly and Legislative Assembly Department . . . . .	2251

	PAGES.		PAGES.
<b>SATURDAY, 23RD MARCH, 1935—</b>		<b>TUESDAY, 26TH MARCH, 1935—<i>contd.</i></b>	
Statements laid on the Table . . . . .	2531—37	Election of Members to the Court of the University of Delhi . . . . .	2762
Election of Members to the Central Advisory Council for Railways . . . . .	2538	Government's Right to make any modification in the business of the House . . . . .	2762
Election of Members to the Standing Committee for Roads . . . . .	2538—39	Demands for Supplementary Grants in respect of Railways . . . . .	2763—90
Election of Members to the Imperial Council of Agricultural Research and its Governing Body . . . . .	2539	Demands for Supplementary Grants . . . . .	2790—2825
Bill passed by the Council of State . . . . .	2539		
The Indian Finance Bill—Discussion on the motion to consider not concluded . . . . .	2540—65, 2567—96	<b>WEDNESDAY, 27TH MARCH, 1935—</b>	
Statement of Business . . . . .	2565—67	Questions and Answers . . . . .	2827—55
<b>MONDAY, 25TH MARCH, 1935</b>		Short Notice Question and Answer . . . . .	2853—57
Questions and Answers . . . . .	2597—2639	Motion for Adjournment <i>re</i> Reservation of the Highlands of Kenya for Europeans—Withdrawn . . . . .	2857—59
Unstarred Questions and Answers . . . . .	2639—58	Election of a Member to the Council of the Indian Institute of Science, Bangalore . . . . .	2859, 2898—2913
Short Notice Question and Answer . . . . .	2659—61	Demands for Supplementary Grants . . . . .	2859—98
Statement of Business . . . . .	2662—65		
Election of the Public Accounts Committee . . . . .	2665	<b>THURSDAY, 28TH MARCH, 1935—</b>	
Statement laid on the Table . . . . .	2665—70	Questions and Answers . . . . .	2919—57
The Indian Finance Bill—Motion to consider adopted . . . . .	2671—2714	Statement <i>re</i> Tribunal for Indo-Burma Financial Settlement . . . . .	2958—60
<b>TUESDAY, 26TH MARCH, 1935—</b>		Motions for Adjournment <i>re</i> —	
Questions and Answers . . . . .	2715—58	Working of the new Constitution by Indians despite disclaimers—	
Motion for Adjournment <i>re</i> Financial adjustments between India and Burma—Adopted . . . . .	2758—61, 2802—25	Ruled out of order . . . . .	2960—64
Election of the Standing Finance Committee for 1935-36 . . . . .	2761	Confidential report made on Members of the Legislative Assembly—Ruled out of order . . . . .	2965—68
		Demands for Supplementary Grants . . . . .	2968—3025



# LEGISLATIVE ASSEMBLY.

Wednesday, 27th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

## QUESTIONS AND ANSWERS.

### ~~REPRESENTATION FROM THE BANK OF HINDUSTAN, MADRAS, REGARDING~~ ~~LOST HALVES OF THE CURRENCY NOTES.~~

1059. \*Mr. S. Satyamurti: Will Government be pleased to state whether they have received a representation from the Bank of Hindustan, Madras, about the hardships resulting from the working of the rules under the Currency Act in respect of the lost halves of the currency notes; if so, whether they propose taking any action in the matter; if not, why not?

The Honourable Sir James Grigg: A representation was received by the Government of India from the Bank of Hindustan, Limited, Madras, but after careful consideration, it was decided that, under the Currency Notes (Refund) Rules, their claim could not be entertained.

Mr. S. Satyamurti: Is there any proposal pending before the Government to amend those rules?

The Honourable Sir James Grigg: No, Sir.

Mr. S. Satyamurti: May I know the reason why, in view of the facts alleged by the Hindustan Bank about the applicability of the rules—there I have no quarrel with the Government—they are not considering the question of amending rules with a view to avoiding such hardships in future?

The Honourable Sir James Grigg: Sir, I do not admit any hardship.

## INDIANISATION OF THE ARMY.

1060. \*Mr. S. Satyamurti: Will Government be pleased to state:

- (a) what are their latest policy and programme in respect of the Indianisation of the Army, namely, Air Force, etc.?
- (b) the period of time at the end of which, according to the programme, the Army will be completely Indianised; and
- (c) the results from the military point of view of the Indianisation of the Army carried out so far?

**Mr. G. R. F. Tottenham:** I do not think I can add anything to the information that I gave to the House in my speech on the Army cut motion on March 12th.

**Mr. S. Satyamurti:** Since that motion was carried in this House, have Government begun to reconsider their attitude in this matter?

**Mr. G. R. F. Tottenham:** No, Sir.

**Mr. S. Satyamurti:** Do Government propose to do so?

**Mr. G. R. F. Tottenham:** No, Sir—not to any greater extent than I explained in my speech.

**Mr. S. Satyamurti:** With regard to clause (c) of the question—namely, what the results are from the military point of view of the Indianisation of the army carried out so far—what is the answer?

**Mr. G. R. F. Tottenham:** Well, Sir, as I explained, the army authorities regard the Indianisation programme at present as being in the experimental stage; that is to say, they cannot pronounce a judgment on it for some years yet. It is equally impossible for them to say that the experiment has been a success, or that it has been a failure, at this stage.

**Mr. S. Satyamurti:** What is the earliest year when the Government expect to be in a position to arrive at some results at least?

**Mr. G. R. F. Tottenham:** As I indicated before, probably the year 1938.

#### INCREASE OF THE PROTECTIVE DUTY ON SILK AND SILK FABRICS.

1061. **\*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have received representations from the Mysore Government and others, regarding the absolute necessity of increasing the protective duty on silk and silk fabrics to such a level as would effectively counter the fierce foreign competition and save the industry not only in Mysore but throughout India from its threatened collapse;
- (b) what action Government propose to take in order to protect the silk industry in India; and
- (c) when such steps will be taken?

**The Honourable Sir Joseph Bhoré:** (a) Yes, Sir.

(b) and (c). I would refer the Honourable Member to the reply given to part (c) of his question No. 638 and its supplementaries on the 5th March.

**Mr. S. Satyamurti:** Has any progress since been made?

**The Honourable Sir Joseph Bhoré:** Yes, Sir. Progress has been made in examining the question.

**Mr. S. Satyamurti:** Are Government in a position now to define more accurately as to when they think they will come to a conclusion in this matter?

**The Honourable Sir Joseph Bhoré:** No, Sir. I am afraid not.

**PACKERS IN THE POSTAL DEPARTMENT.**

**1062. \*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether packers in the Postal Department get only one *pugree* and one shirt every year as their uniform from the Department;
- (b) whether these packers are often refused leave of absence;
- (c) whether the packers get only a pension of four rupees per mensem after a full service of thirty years;
- (d) whether telegraph messengers and peons are similarly treated in respect of their pension; and
- (e) whether they are prepared to redress their grievances? If not, why not?

**The Honourable Sir Frank Noyce:** (a) The fact is substantially as stated by the Honourable Member.

(b) Government have no information but they have no reason to believe the case is as stated by the Honourable Member.

(c) The fact is as stated, except that the officials are also eligible for temporary increases in pension varying between Re. 1 and Rs. 2 according to locality.

(d) Yes.

(e) By the term grievances, the Honourable Member presumably refers to the items mentioned in parts (a) to (d) of his question.

The question of the adequacy of the uniform supplied to packers is under consideration. As regards pensions to packers, telegraph messengers and peons, I would inform the Honourable Member that the question of the revision of pensions of these, as well as other inferior servants in the Posts and Telegraphs Department, will be considered with the main scheme of revision of pensions of the general body of inferior servants under the Central Government which has had to be postponed until the financial position improves.

**Mr. S. Satyamurti:** When will that examination be, Sir?

**The Honourable Sir Frank Noyce:** I think my Honourable colleague, the Finance Member, stated the position in that respect in recent discussions in this House.

**The Honourable Sir James Grigg:** The matter will be very carefully considered before the next budget.

**Mr. S. Satyamurti:** With reference to the answer to clause (b) of my question, may I ask whether the Honourable Member will be pleased to call for information in view of the very strong and just grievance in this matter that these unfortunate, low-paid men are often refused leave of absence?

**The Honourable Sir Frank Noyce:** I think, Sir, it would be very much better if my Honourable friend could furnish me with information in that respect. If he knows of any offices in which packers are often refused leave of absence, I should be glad to know so that I can make inquiries.

**Mr. Lalchand Navarai:** May I inform the Honourable Member . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member can rise to furnish any information now.

**Mr. Lalchand Navarai:** I am putting a question, Sir, I want to inform the Honourable Member first (Laughter)—very well, may I ask a question—whether it is not a fact that there have been complaints with regard to the Karachi office that these packers are not given leave even on very urgent business?

**The Honourable Sir Frank Noyce:** I have no information on that point, Sir, but I shall be very happy to send a copy of this question and of my reply to the Head of the Circle so that he may take suitable action if necessary.

#### CONFERENCE OF REFORMS COMMISSIONERS.

1063. **\*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether a Conference of Reforms Commissioners or officers from the Provinces is to be held shortly at Delhi; if so, when, and
- (b) the purpose of the conference?

**The Honourable Sir Nripendra Sircar:** (a) A conference of Reforms Officers was held on the 5th to the 8th of March this year.

(b) The conference was held on an entirely informal basis for the purpose of exchanging and co-ordinating the provisional views of Provincial Governments, particularly on matters connected with electoral preparations.

**Mr. S. Satyamurti:** Does that include an examination of the electoral rolls on the basis of the Lothian franchise, or any amended franchise?

**The Honourable Sir Nripendra Sircar:** Sir, so far as I know, I would like to give my Honourable friend all the information I have got. The information I have got is this, that the Reforms Commissioners, when they met here between the 5th and 8th of March last, considered the following subjects: the question of delimitation; the question of preparation of electoral rolls; the question of corrupt practices during elections, and so on. They proceeded, provisionally, on the recommendations of the Lothian Committee. I do not know exactly as to whether that would be the final form, but they did not proceed in any other wise except that indicated by the Lothian Committee.

**Mr. S. Satyamurti:** With regard to the important question of the delimitation of constituencies, is there any proposal on the part of Government for consulting public opinion, as to whether there should be single-member constituencies or plural-member constituencies, and so on and so forth?

**The Honourable Sir Nripendra Sircar:** As I told my Honourable friend, no conclusions whatsoever have been arrived at. This was an exchange of views provisionally between the Reforms Officers in the different provinces, and the question whether it will be necessary to consult public opinion or not has not yet arisen, and I can only say that I shall bear that in mind when the situation arises.

**Mr. S. Satyamurti:** Will the conclusions of this Conference be reported to the Government as "recommendations" of the Conference?

**The Honourable Sir Nripendra Sircar:** I am not sure of that, because it is quite possible that, before the report is made, things may change; but, if there is any such report, and if my Honourable friend wants information, I shall be glad to give it to him.

**Mr. S. Satyamurti:** May I take it, therefore, that no action will be taken till after the Government have had an opportunity of deciding whether to take public opinion into their confidence or not in implementing these conclusions?

**The Honourable Sir Nripendra Sircar:** Certainly, Sir.

#### PROVISION OF TWO-SEATER BENCHES IN CERTAIN TRAINS ON THE SOUTH INDIAN RAILWAY.

1064. **\*Mr. T. S. Avinashilingam Chettiar:** (a) Will Government please state if they are aware that in trains other than local trains, and sometimes in long distance trains, the South Indian Railway authorities put third class carriages with benches which can accommodate only two persons sitting? If not, are they prepared to ascertain and lay the facts on the table?

(b) If the fact stated above be correct, are Government prepared to issue early orders to stop this practice of providing two-seater benches?

(c) Are Government aware that in many of the through trains on the South Indian Railway the third class compartments are small and designed to hold eight or ten persons, thus enabling small parties of families to travel together, but that in others there is no partition between the compartments?

(d) Are Government prepared to issue orders to see that in all the through trains and trains running for more than a hundred miles distance, this type of carriage, with separate compartments designed to hold not more than ten persons, is introduced and that the system is extended to other railways also?

**Mr. P. B. Rao:** (a) to (c). I have called for information from the South Indian Railway and shall place a reply on the table later.

(d) The question of providing smaller third class compartments will be considered.

**PROSECUTIONS UNDER THE INDIAN STATES (PROTECTION AGAINST  
DISAFFECTION) ACT.**

**1065. \*Sardar Sant Singh:** (a) With reference to their reply to question No. 283 of the 5th February, 1930 asked by Dr. B. S. Moonje, will Government be pleased to state how many prosecutions under Indian States (Protection against Disaffection) Act, 1922 were sanctioned by them and against what papers and on what grounds?

(b) What was the cost incurred by Government in each case?

(c) What was the result of the prosecution?

**Mr. H. A. F. Metcalfe:** (a) Since 5th February, 1930, there has been only one instance of a prosecution authorised by the Governor General in Council, *viz.*, of the *Tagat* newspaper of Delhi by the Jaipur Darbar, for publishing two articles intended to bring His Highness the Maharaja of Jaipur into hatred or contempt or to excite disaffection towards him.

(b) and (c). In a later issue the newspaper published a full apology which was accepted by the Jaipur Darbar. The prosecution was accordingly dropped.

**Sardar Sant Singh:** The Honourable Member has not answered part (b). What was the cost incurred by Government in this case?

**Mr. H. A. F. Metcalfe:** I imagine that no cost was incurred by Government, but I have no information on that point. The suggestion certainly is that no cost was incurred.

**Sardar Sant Singh:** Is there any prosecution still pending against any newspaper under this Act?

**Mr. H. A. F. Metcalfe:** Not so far as I know. I should have to have notice of that question.

**Sardar Sant Singh:** My question was how many prosecutions were going on. How many prosecutions are there? You said that there was only one prosecution by the Government. Is there any prosecution which is pending now under this Act?

**Mr. H. A. F. Metcalfe:** I have already stated that I am not in a position to answer that. I have given the information which I have received from the Department saying that only one instance of a prosecution authorised by the Governor General in Council is known of to me. That is the question which the Honourable Member put down.

**Sardar Sant Singh:** Is it not a fact that the prosecution against the *Riyasat* newspaper is still pending in the Hoshangabad Court?

**Mr. H. A. F. Metcalfe:** There may be; I am not aware of that point. The point is that if it is pending, it was presumably either not sanctioned by the Government of India or it is not under the particular Act which the Honourable Member has put down in his question.

**REPORT OF MAJOR-GENERAL SIR JOHN MEGAW ON CONDITIONS OF HEALTH OF RURAL AREAS IN INDIA.**

1066. \***Mr. B. Das:** (a) Has the attention of Government been drawn to the report made by Major-General Sir John Megaw in 1938 on conditions of health of rural areas in India?

(b) Is it a fact that the suggestions of Sir John Megaw for a review of the health situation in India by the appointment of a commission of experts on public health and every aspect of rural life in India has been supported by the Public Health Commissioner with the Government of India?

(c) What steps do Government propose to take on these recommendations?

**Mr. G. S. Bajpai:** (a) and (b). Yes.

(c) Government have decided that the first step should be to constitute a Central Medical and Health Advisory Board and it is their intention to do so as soon as financial conditions permit.

**Mr. B. Das:** What will be the nature of this Central Medical and Health Advisory Board and whether the Indian Medical Council will be amalgamated with it or not or will it be a separate organisation?

**Mr. G. S. Bajpai:** Sir, according to the examination which we made sometime ago, it will be entirely independent of the Indian Medical Council which is a purely educational body.

**Mr. B. Das:** Have Government decided upon the principles on which this body will function?

**Mr. G. S. Bajpai:** The one principle upon which the Government have decided is that it should be a representative body.

**Mr. Lalchand Navai:** With regard to part (b), did the Honourable Member say that any subsidies are being reduced or there will be any reduction?

**Mr. G. S. Bajpai:** I am afraid I am not aware of anything about subsidies.

**TRANSMISSION OF AIR MAILS BETWEEN GREAT BRITAIN AND INDIA.**

1067. \***Mr. B. Das:** Will Government be pleased to state:

- (a) the nature of the proposals made by the representatives of the British Post Office and the Air Ministry during their recent visit to Delhi to the Government of India, regarding transmission of Air Mails between Britain and India;
- (b) whether any suggestion of a subsidy out of Indian revenues has been made; if so, the amount proposed and whether the Government of India have agreed to any payment;
- (c) what arrangements will be made for transmission of Air Mails between Karachi and Singapore, when the new scheme comes into operation;

- (d) whether the question of reducing mail subsidy to the P. and O. Steamship Company has been or will be considered in view of the diversion of first class mail to the air route;
- (e) whether the new scheme will offer facilities for the use of the air route for first class mail to other parts of the British Empire or to non-British areas also;
- (f) whether, if any concessions are granted to any airway company in this connection, the Government of India will insist on adequate training facilities being given to Indians;
- (g) whether there will be uniformity of rates all over the British Empire regarding first class mail;
- (h) whether any revision of rates is under consideration; and
- (i) whether this Legislature will exercise control over the policy of Government in regard to the development of aviation?

**The Honourable Sir Frank Noyce:** (a) to (h). The Honourable Member's attention is invited to the statement made by the Under Secretary of State for Air in the House of Commons on the 20th December, 1934, which is reported in Volume 296, No. 23, of the official report of Parliamentary Debates in the House of Commons, a copy of which is in the Library of this House. The whole scheme is at present under the careful consideration of Government and I regret I am not in a position to make a detailed statement on the various points raised by the Honourable Member. I hope it is unnecessary for me to assure the Honourable Member that Government are giving, and will continue to give, careful attention to the protection of the interests of this country. Among other things, they will take the necessary steps to ensure provision for the training and employment of Indians.

(i) The Legislature will have the same control over Civil Aviation as over any other subject expenditure on which is required to be voted by it.

**Mr. B. Das:** Was the attention of the Honourable Member drawn to the two special contributions which appeared in the *Statesman* of Delhi where it was mentioned that the air mail rates will be the same as the British post office rates, namely, one anna and six pies, and that the Government of India had reached their conclusions on this matter and have agreed to the rate?

**The Honourable Sir Frank Noyce:** No, Sir; my attention was not especially drawn to these articles.

**Mr. B. Das:** Did not the Honourable Member's Department supply those special informations which were published in the *Statesman* about the very time when those three gentlemen representing the British Government were negotiating with my Honourable friend, Mr. Bewoor and others?

**The Honourable Sir Frank Noyce:** I can assure my Honourable friend that the facts are exactly as I have stated, and that, if anything beyond this was published in the *Statesman*, it was entirely unauthorised.



**REPORT OF SPECIAL OFFICER ON THE AMENDMENT OF THE INDIAN COMPANIES ACT.**

**1068. \*Mr. B. Das:** Will Government be pleased to state:

- (a) if the Special Officer has completed his report on the amendment of Indian Companies' Act;
- (b) if the report will be published and circulated for opinion of commercial bodies;
- (c) whether opinions of commercial bodies, commercial lawyers and the various provincial Governments were consulted before the Report was submitted;
- (d) which are the Provincial Governments and Chambers of Commerce that supplied their opinions;
- (e) whether they intend to submit the report for examination to a committee of commercial experts before they introduce the amending bill; and
- (f) when they propose to introduce the amending bill?

**The Honourable Sir Joseph Bhoré:** (a) Yes.

(b) There is no intention of doing so at present. The report is purely departmental.

(c) Yes. Proposals received from time to time from various commercial bodies and individuals, before the appointment of the Special Officer, were also taken into consideration by him.

(d) Most of the Local Governments, the Federation of Indian Chambers of Commerce and Industry and a few other commercial bodies.

(e) The question as to the further procedure to be adopted is at present under consideration.

(f) Government are not yet in a position to say when the amending Bill will be introduced.

**Mr. B. Das:** May I inquire, Sir, if Government received opinions of the Associated Chambers of Commerce and the various European Chambers of Commerce in this matter?

**The Honourable Sir Joseph Bhoré:** I could not tell my Honourable friend that straightoff, but I believe so. That is merely my recollection.

**Mr. B. Das:** May I just inform the Honourable Member that those bodies did not contribute any opinion with regard to the amendment of the Companies Act? I say this subject to correction. Let my friend, Mr. James, or any other Member reply.

**The Honourable Sir Joseph Bhoré:** I am always happy to receive information from my Honourable friend.

**Mr. B. Das:** I said that the European Chambers of Commerce did not express any opinion in this matter, and how is it that the Government of Bengal did not supply any information?

**The Honourable Sir Joseph Bhore:** I cannot answer either for the Chambers of Commerce or for the Government of Bengal.

**Mr. S. Satyamurti:** In view of the large and strong demand in the country for a radical amendment of the Companies Act in order to promote commercial activities in this country, will Government consider the desirability of expediting legislation on this matter?

**The Honourable Sir Joseph Bhore:** My Honourable friend will realise that this is a most important matter and Government are fully aware of the desire in this country for a very radical alteration of the existing Companies Act. My Honourable friend may rest assured and content that no avoidable delay will be allowed to occur.

**Mr. B. Das:** May I inquire when a Bill to this effect is likely to be introduced in this House and when the commercial bodies will be consulted?

**The Honourable Sir Joseph Bhore:** My Honourable friend has already had that question answered. I answered his part (f) by saying that Government are not yet in a position to say when the amending Bill will be introduced. Obviously a Bill of this magnitude and importance will have to be most carefully canvassed before we put it before this House.

#### EXPENDITURE ON STRATEGIC AND COMMERCIAL RAILWAYS.

1069. **\*Mr. O. N. Muthuranga Mudalliar:** (a) Will Government be pleased to state the expenditure on strategic railways and commercial railways each year for the past five years?

(b) Is the expenditure on strategic railways met by Railway Department or Army Department?

**Mr. P. R. Rau:** (a) Full information regarding the expenditure on strategic and commercial railways, since the separation of the Railway Budget till the end of 1933-34, will be found in the statistical compilation 'Financial Results of Working of Indian State Railways from 1924-25 to 1933-34', copies of which are available in the Library of the House. For later years the information is contained in the budget memorandum for the current year.

(b) Under the present arrangements the expenditure on strategic lines is initially met from railway revenues but is ultimately recovered from general revenues as the loss on strategic railways is deducted from the contribution payable by Railways to general revenues.

#### CASE OF MR. AMIR HYDER KHAN, A STATE PRISONER IN THE COIMBATORE JAIL.

1070. **\*Mr. S. Satyamurti:** (a) Will the Honourable the Home Member be pleased to state what the conveniences are to which a State Prisoner is entitled? Is he entitled to have books and writing materials? If not, why not? If so, what is the nature of the books that can be allowed to him?

(b) Have the jail authorities any right to search the person and the cell of a State Prisoner, and how often can they do so?

(c) Are Government aware that this right, if it exists, has been abused in the case of Mr. Khan?

(d) Is it true that Mr. Khan's cell is opposite to the condemned prisoners' cell?

(e) Are Government prepared to consider the advisability of placing Mr. Khan in a more convenient cell?

(f) Will Government please state on what grounds they arrested and detained Mr. Khan as a State Prisoner within forty days of his release from jail?

(g) Is it true that the prisoner was tested by the Medical Officer and that the latter has stated that the prisoner is on the verge of lunacy owing to the effects of continuous isolation? If so, do Government propose to allow him to move about more freely, or transfer him to some jail where other detenus are kept?

(h) Is it a fact that even after Government allowed the prisoner to have whatever books he liked, the Superintendent of the Jail under instructions from the Criminal Investigation Department has not granted even one book?

(i) Do Government propose to stop the Criminal Investigation Department dictating to Government in the matter of the supply of books to Mr. Khan?

(j) Is the Honourable the Home Member aware that the State Prisoner, Mr. Amir Hyder Khan, who is now in Coimbatore Sub-jail, is subject to various indignities, such as frequent searches, abuses from the Superintendent, etc.?

**The Honourable Sir Henry Craig:** Sir, with your permission I propose to answer questions Nos. 1070 and 1076 together.

State Prisoners are permitted to have writing materials and books and newspapers, which are not considered undesirable, and are granted allowances to cover the cost of diet and personal requirements, including clothing. Amir Haider Khan is detained as a State Prisoner, under the Madras Regulation II of 1819, on account of his dangerous Communist activities. He was first detained in the Central Jail at Coimbatore, where he was accommodated in an "A" class block, which though near the condemned cell, is the most comfortable building in that jail, consisting of four rooms each 18 ft. x 11 ft. with a yard, the whole of which was at his disposal. He was not subjected to any indignity or abuse and was allowed all books asked for, except one which was considered undesirable. Owing to the difficulty of finding another prisoner with whom he could be permitted to associate, the Local Government issued orders for his transfer to the Central Jail at Rajahmundry where he is now confined in association with other State Prisoners. He has been permitted to buy and keep writing materials and allowed books from the jail library and booksellers, subject to the approval of the C. I. D.

In the matter of search, the jail authorities are required to search State Prisoners and their cells at least once a week, but may do so more frequently if considered necessary.

**Seth Govind Das:** Is there any daily paper supplied to the Prisoners?

**The Honourable Sir Henry Craik:** I am not sure about that, but I think probably there is.

**Mr. A. K. Fuzlul Huq:** Under what Regulation is this prisoner detained?

**The Honourable Sir Henry Craik:** Under Madras Regulation II of 1819.

**Mr. A. K. Fuzlul Huq:** Is it not a fact that Mr. Khan claimed to be tried in an ordinary Court of law?

**The Honourable Sir Henry Craik:** No, Sir. I do not think so.

**Mr. S. Satyamurti:** With reference to the answer to part (f), what are the specific grounds on which Mr. Khan was arrested within 40 days after his release from jail?

**The Honourable Sir Henry Craik:** Because he was engaged in dangerous Communist activities.

**Mr. S. Satyamurti:** Was any overt act alleged against him?

**The Honourable Sir Henry Craik:** Yes, Sir.

**Mr. S. Satyamurti:** What are those?

**The Honourable Sir Henry Craik:** I am not prepared to say.

**Mr. S. Satyamurti:** May I know what is the latest report about his health, in possession of the Honourable the Home Member?

**The Honourable Sir Henry Craik:** I have no adverse report about his health. He was removed from the Coimbatore Jail to the Rajahmundry Jail, because there was no prisoner in the Coimbatore Jail with whom he could associate, and he is now in a position to associate with other State Prisoners in the Rajahmundry Jail.

**Mr. S. Satyamurti:** When was he removed?

**The Honourable Sir Henry Craik:** I do not know the exact date.

**Mr. S. Satyamurti:** Has his health improved since his removal to the Rajahmundry Jail?

**The Honourable Sir Henry Craik:** I have never had any report about his bad health.

**Prof. N. G. Ranga:** With reference to answer to part (d), is the Honourable Member aware that to be kept in a cell opposite to condemned prisoners cells will have the most depressing effect upon the prisoner's mind and heart?

**The Honourable Sir Henry Craik:** He is no longer there in that cell. He was in that cell formerly.

**Prof. N. G. Ranga:** Will the Honourable Member consider the advisability of transferring him to some other jail?

**An Honourable Member:** That question has been already answered.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member ought to listen before putting his question.

**Prof. N. G. Ranga:** It is not always possible to hear what Members on the Treasury Bench say.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Next question.

#### POLICE FORCE IN THE CRIMINAL INVESTIGATION DEPARTMENT IN THE CENTRALLY ADMINISTERED AREAS.

1071. \***Mr. T. S. Avinashilingam Chettiar:** Will Government please state:

- (a) the number of constables, head constables sub-inspectors, Inspectors, Deputy Superintendents, Superintendents and other higher officers in the Criminal Investigation Department in the centrally administered areas;
- (b) what is the total amount spent on that department;
- (c) whether the amounts spent in that department are audited, if not, why not;
- (d) of the total staff, how many are engaged in the regular criminal investigation; and
- (e) how many are employed in watching the movements of men engaged in political activities?

**The Honourable Sir Henry Craik:** The information is being collected and will be laid on the table in due course.

#### RELIEF TO AGRICULTURISTS IN INDIA.

1072. \***Dr. Ziauddin Ahmad:** (a) Are Government aware of the following measures adopted by the American Government to give relief to agriculturists:

- (i) passing the Agricultural Adjustment Act;
- (ii) raising the price level of agricultural products by restricting cultivation;
- (iii) giving subsidy to agriculturists in compensation for the unuse of cultivable land; and
- (iv) passing the Farm Mortgage Act to provide money to farms at cheap rates of interest?

(b) What action have the Government of India taken, or propose to take, to give relief to agriculturists in India?

**Mr. G. S. Bajpai:** (a) Government have no information beyond what has appeared, from time to time, in the Press.

(b) I would invite the Honourable Member's attention to my speech on the late Lala Brij Kishore's Resolution on the 6th April, 1934. As the Honourable Member is aware the Government of India have decided to allot rupees one crore next year to the provinces for rural reconstruction. This will mainly benefit the agriculturist.

#### CASE OF MR. VATSAYANA OF THE DELHI CONSPIRACY CASE.

1073. **\*Pandit Nilakantha Das:** (a) Has the attention of Government been drawn to the news appearing in the *Hindustan Times*, dated the 17th February, 1935, town edition, on page 9, under the heading "H. S. Vatsayana (S. H. Vatsayana)" ordered out of Delhi?

(b) Is it a fact that Mr. Vatsayana was acquitted in the Delhi conspiracy case and was interned in Lahore just on his acquittal?

(c) How long has he been so interned?

(d) Was he recently wanted to appear as a prosecuting witness at Ajmer?

(e) Is it a fact that on his way back, he was served with a notice by the Local Government of Delhi to quit Delhi within 24 hours?

(f) Is there any news in possession of Government that he was not leaving Delhi within 24 hours?

(g) Is it also a fact that he was to leave Delhi and he actually left it within two hours of the service of the notice?

(h) Are Government in possession of anything to show that he was not engaging himself in Delhi, during the few hours he was here, in some strictly vocational occupation, including negotiation for sale of his manuscripts?

(i) Have Government ascertained the present occupation of Mr. Vatsayana? If so, what is it?

(j) Do Government pay him any allowance?

(k) Are Government prepared to consider the advisability of making it possible for him by giving him all facilities, including free movement, to look for an honest and suitable occupation for himself? If not, why not?

**The Honourable Sir Henry Craik:** (a) I have seen the article.

(b) Yes. He is restricted to Lahore under the orders of the Punjab Government.

(c) Since February, 1934.

(d) He was permitted to go to Ajmer on summons from the City Magistrate, Ajmer.

(e) Yes.

(g) He left Delhi four hours after the service of the order.

(f) and (h). He was externed from Delhi as his presence was considered to be undesirable. When the order was served on him he stated that he had had no intention of staying in Delhi and was on his way to Lahore from Ajmer.

(i) to (k). As the order restricting his residence to Lahore has been passed by the Local Government, it is for the Local Government to decide these questions. I understand that no allowance is paid to him.

**Pandit Lakshmi Kanta Maitra:** Why was his presence considered undesirable in Delhi?

**The Honourable Sir Henry Craik:** He is considered to be a dangerous person.

**PROBLEM OF UNEMPLOYMENT AMONGST THE BHADRALOKE CLASSES.**

1074. **\*Mr. Akhil Chandra Datta:** (a) Has the attention of Government been drawn to the fact that the problem of unemployment amongst the Bhadrалоке classes throughout India is becoming more and more acute?

(b) Has the Government made any arrangement for having reliable statistics about the number, status, education and other particulars of the unemployed?

(c) What remedial measures, if any, have been suggested and formulated by Government for the solution of the problem? What steps have actually been taken to give effect to the same in the provinces?

**The Honourable Sir Frank Noyce:** (a) Government are aware that "middle class" unemployment is causing considerable anxiety.

(b) An attempt was made, at the 1931 Census, to obtain figures of unemployed graduates but it did not yield any satisfactory results.

(c) As the Honourable Member appears to be aware, the question is one that primarily concerns the Provincial Governments and a number of them have appointed special Committees to consider the question in recent years. It is impossible for me to give any indication of the various steps suggested by these Committees within the limits of a reply to a question, nor am I in possession of a record of the steps taken. The opportunity was taken to discuss the subject at the Fifth Industries Conference in Simla in 1933 and a summary of the views expressed and the deliberations will be found on pages 121 to 134 of Bulletin No. 50 of the Bulletins of Indian Industries and Labour, a copy of which is in the Library. Partly as a result of their deliberations, Local Governments were recently addressed on the subject of educational reconstruction by the Department of Education, Health and Lands.

**Mr. Lalchand Navalrai:** May I know whether in view of the fact that there are graduates unemployed who aspire for service under the Government of India, the Government are prepared to make some arrangements to see that these graduates who have passed examinations are employed and thereby the discontent of unemployment is removed?

**The Honourable Sir Frank Noyce:** I take it that the Government do employ the unemployed. How else can they enter Government service?

**Mr. S. Satyamurti:** Are the Government of India taking any steps, therefore, to relieve unemployment among the middle classes, or, to the best of their knowledge, have any Local Governments taken any steps positively to relieve middle class unemployment?

**The Honourable Sir Frank Noyce:** Sir, I can only suggest that my Honourable friend should study the Local Governments' records on the subject. It may be of interest to him to know that of the Governor's Provinces, Bengal, Madras, the Punjab, the United Provinces, Assam and Bombay have held enquiries into middle class unemployment and the Government of Bihar and Orissa are now about to hold such an enquiry. I think my Honourable friend is also probably aware that in the United Provinces an enquiry committee is at present sitting under the chairmanship of Sir Tej Bahadur Sapru. I am absolutely certain that, with Sir Tej Bahadur Sapru as Chairman, that committee is bound to produce a most useful report.

**Mr. S. Satyamurti:** Apart from enquiries and committees, will the Honourable Member state whether any single step has been taken either by the Government of India or any Local Governments to their knowledge to relieve middle class unemployment?

**The Honourable Sir Frank Noyce:** I cannot possibly say in reply to a supplementary question what Local Governments have done to implement the recommendations made by the various committees I have mentioned.

**Seth Govind Das:** Are Government aware that in the Central Provinces the Government are doing nothing in this matter?

**The Honourable Sir Frank Noyce:** I cannot believe that they are doing nothing. It is true that they have not held any enquiry as other Local Governments have done, but I am quite certain that this undoubtedly serious problem is engaging the attention of the Government of the Central Provinces.

**Mr. T. S. Avinashilingam Chettiar:** How long have they been dealing with this problem?

**The Honourable Sir Frank Noyce:** It will go on engaging the attention of the Local Governments until they are nearer a solution of a problem which I admit is serious.

**Mr. Mohan Lal Saksena:** Are Government aware that a young man recently committed suicide in Lucknow because of unemployment?

**Mr. T. S. Avinashilingam Chettiar:** Why one young man? There are scores of them.

**Mr. N. M. Joshi:** May I ask, what steps have Government taken to collect statistics regarding unemployment after their failure to get statistics in the last census?

**The Honourable Sir Frank Noyce:** There is another question down on the paper in regard to that point, but I can say at once that it is impossible to ascertain the number of unemployed at any time without a census of the most elaborate kind. It is questionable whether it would be possible to get reliable statistics by means of a census, owing to the difficulty of discriminating between voluntary and involuntary unemployment. We all know the problem is there, and I do not think that the collection of statistics would help towards its solution.



**Mr. N. M. Joshi:** May I ask whether the Government of India are aware that they have undertaken to supply figures relating to unemployment to the International Labour Office on account of having ratified the convention passed at the Washington Conference?

**The Honourable Sir Frank Noyce:** I think my Honourable friend had better put down a question on that subject

**Mr. S. Satyamurti:** Will Government consider the suggestion of conscripting all these educated unemployed and training them and engaging them in eradicating the colossal illiteracy in this country?

**The Honourable Sir Frank Noyce:** That, Sir, is a matter for Local Governments. I do not know whether you, Sir, will permit me to take a little more time than I might otherwise be allowed to take in replying to a supplementary question, but it may be of interest to the House to know what the conclusions of the Industries Conference of 1933 on this subject were. They held that:

"(1) The true remedy for unemployment amongst the middle classes, as indeed amongst other classes, is the rapid development of the resources of the country.

(2) In most provinces an undue proportion of the resources available is being devoted to purely literary education, particularly in the higher grades.

(3) An industrial bias from the earliest stages would be useful in changing the general outlook of the educated classes.

(4) All possible new careers for instance, in the Army, the Navy, Mercantile Marine, Civil Aviation, etc., should be opened up to Indian educated young men as rapidly as possible."

**Prof. N. G. Ranga:** Will Government consider the advisability of establishing a Central Employment Bureau to serve the needs of the middle class unemployed?

**The Honourable Sir Frank Noyce:** I think that is more a matter for the Local Governments than for the Government of India.

**Prof. N. G. Ranga:** In view of the fact that the Local Governments cannot establish a Central Employment Bureau.....

**Mr. President (The Honourable Sir Abdur Rahim):** A matter like this cannot perhaps be debated fully at question time.

**Mr. Mohan Lal Saksena:** May I know what steps Government have taken to solve the problem of unemployment among the educated youth in Delhi and other centrally administered areas?

**The Honourable Sir Frank Noyce:** There, again, I think my Honourable friend had better put down a question on the subject.

#### **FINES IMPOSED UPON THE CIVIL DISOBEDIENCE PRISONERS IN THE MADRAS PRESIDENCY.**

1075. **\*Prof. N. G. Ranga:** Will Government be pleased to state:

- (i) the number of cases in which fines were imposed in the Madras Presidency upon civil disobedience prisoners since 1932;
- (ii) the total amount of the fines realised until the civil disobedience campaign was stopped by Mahatma Gandhi;

- (iii) the amounts realised after that withdrawal of mass as well as individual civil-disobedience campaign;
- (iv) whether it is a fact that even now attempts are being made to realise the fines imposed during the civil disobedience campaign withdrawn so long ago;
- (v) if the answer to parts (iii) and (iv) be in the affirmative, whether Government are prepared to stop such proceedings and excuse the fines, thus far unrealised?

**The Honourable Sir Henry Craik:** (i) to (iii). I regret I have not this information and cannot undertake to impose on Local Governments the task of collecting it since the labour involved would be incommensurate with the results obtained.

(iv) and (v). The fines were imposed by the Courts under the law. It is open to Local Governments to remit them if they consider this desirable on the merits of each case in the light of local conditions. The Government of India see no reason to interfere with the discretion of the Local Government in this matter.

**Mr. T. S. Avinashilingam Chettiar:** With regard to clause (iii), have the Government of India any policy in this matter?

**The Honourable Sir Henry Craik:** Yes, Sir; the policy is to leave the matter to the discretion of the Local Governments who have the legal power.

**Prof. N. G. Ranga:** Is there any harm in the Government of India suggesting to the Provincial Governments that in view of the withdrawal of the Civil Disobedience Movement, the collection of the fines imposed during the second civil disobedience campaign might be remitted or excused?

**The Honourable Sir Henry Craik:** That seems to me to be asking me for an expression of opinion.

**Prof. N. G. Ranga:** Will it be impossible for the Government of India to make that suggestion to the Local Governments?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Next question.

#### CASE OF MR. AMIR HYDER KHAN, A STATE PRISONER IN THE COIMBATORE JAIL.

†1076. **\*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) what are the conveniences and comforts to which a State Prisoner is entitled, and whether he is entitled to have books and writing materials; if not, why not;
- (b) what kinds of books could safely be provided for them;
- (c) what are the orders of Government to the jail authorities to search the person and the cell of the State Prisoners;

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†For answer to this question see answer to question No. 1070.

- (d) how often such searches can be made by the jail servants under the rules;
- (e) whether it is a fact that State Prisoner Mr. Amir Hyder Khan who is now in Coimbatore Sub-jail is subjected to various indignities, such as frequent searches, abuses from the Superintendent, etc.; and
- (f) what action Government propose taking in the matter, and if not, why not?

**AMENDMENTS IN THE GOVERNMENT OF INDIA BILL SUGGESTED AT THE MEETING OF PRINCES AND MINISTERS OF INDIAN STATES.**

**1077. \*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether it is a fact that certain decisions have been arrived at at the meeting of Princes and Ministers of Indian States on the 25th February, 1935, at Bombay, suggesting certain amendments to the Government of India Bill;
- (b) whether these decisions have been communicated to the Viceroy and the Government of India;
- (c) what those decisions and recommendations are;
- (d) what action they propose to take thereon;
- (e) whether the opinion of the Legislative Assembly will be sought thereon; if not, why not; and
- (f) whether these decisions and recommendations will at least be placed on the table of the House?

**The Honourable Sir Nripendra Sircar:** (a) and (b). Yes.

(c) and (d). A White Paper containing the documents received from the Princes and the comments of His Majesty's Government thereon has already been published. In this connection the Honourable Member's attention is invited to the Press Communique issued by the Foreign and Political Department on the 18th March, 1935.

- (e) No. The matter is not one calling for a references to this House.
- (f) Does not arise.

**Mr. S. Satyamurti:** May I know the reasons why the Leader of the House thinks that this is not a matter calling for any expression of opinion by this House, in view of the fact that this Federation is a tripartite affair between British India, the British Government and the Princes? Why should not the Assembly have an opportunity of expressing its views?

**The Honourable Sir Nripendra Sircar:** I have answered that. So far as the negotiations between the Princes and the Secretary of State are concerned, the Government of India have no function in the matter at all.

**Mr. S. Satyamurti:** May I take it, therefore, that the Government of India have not been consulted at any stage of these negotiations?

**The Honourable Sir Nripendra Sircar:** I have no such information before me. I can answer that question on short notice if my Honourable friend will put down one.

**Mr. S. Satyamurti:** Arising out of the answer given by the Leader of the House that the Government of India have no function in these negotiations between the Princes and the British Government, I am asking for further elucidation whether, since these negotiations started, the Government of India have never been consulted by the Secretary of State.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member wanted a question to be put down.

**The Honourable Sir Nripendra Sircar:** I will answer it on short notice.

**Mr. S. Satyamurti:** Has the attention of the Honourable Member or of the Government of India been drawn to the statement made in the House of Commons by the Secretary of State that today, the legal advisers of the Indian Princes are negotiating with the legal advisers of the Crown in Great Britain over the various points they have raised in respect of this Federation?

**The Honourable Sir Nripendra Sircar:** I am not aware that the attention of the Government of India has been drawn to it officially, but I remember to have read something to that effect in the newspapers.

**Mr. S. Satyamurti:** Have the Government of India been officially told about it?

**The Honourable Sir Nripendra Sircar:** Not to my knowledge.

**Mr. S. Satyamurti:** Do the Government of India propose to take any action to represent the Indian point of view, at least the Government of India point of view, with regard to these very important negotiations affecting the future form of the Federation?

**The Honourable Sir Nripendra Sircar:** As I have said already, in these negotiations the Government of India have no function whatsoever.

**Mr. S. Satyamurti:** May I know why an opportunity will not be given to the Assembly to express its opinion? If the Government of India think they have no function in the matter, we think we have.

**The Honourable Sir Nripendra Sircar:** That is a matter of opinion. We think that the Government of India have no function in the matter and we see no necessity of placing it before this House for getting the opinion of the House on the matter.

**Mr. S. Satyamurti:** Has the Honourable the Leader of the House examined these various amendments suggested by the princes, and does he realise that, if some of these amendments are carried, this Federation will be at the mercy of any Indian Prince, and does he think the Indian people should have no voice in the matter?

**The Honourable Sir Nripendra Sircar:** I do not agree with my Honourable friend's view of the inference to be drawn from these negotiations.

**Mr. S. Satyamurti:** Has my Honourable friend examined those negotiations?

**The Honourable Sir Nripendra Sircar:** I have seen those negotiations so far as they appeared in the newspapers and other publications.

**Mr. S. Satyamurti:** Has he come to the conclusion that, whatever the result of the negotiations may be, British India is not at all concerned with it?

**The Honourable Sir Nripendra Sircar:** I have not come to the conclusion that British India is not concerned with the Federation.

**Mr. S. Satyamurti:** May I know then why the Leader of the House thinks that the Government of India have no part in the matter, in view of the fact that the Government of India will be changed out of recognition by this Federation?

**Mr. President (The Honourable Sir Abdur Rahim):** They said they were not consulted; at any rate they have no function in this matter.

**Mr. B. Das:** May I ask the Government of India why they did not publish the White Paper which was recently published in London giving the correspondence between the Princes and the Secretary of State and circulate it to the Members here?

**The Honourable Sir Nripendra Sircar:** It was published in the newspapers.

**Mr. B. Das:** Why did not Government publish it in the form of a book and circulate it?

**The Honourable Sir Nripendra Sircar:** Will my Honourable friend indicate how it would have been better if another republication had been issued here?

**Mr. B. Das:** Has it not been the practice of the Government of India to publish the White Paper and every other document connected with the new Constitution and circulate those to the Members of this House?

**The Honourable Sir Nripendra Sircar:** I am not aware that there has been any uniform practice, and I do not see any occasion, when the matter was before the public and everybody knew it, for printing it over again.

#### PAUCITY OF MUSLIMS IN THE CENTRAL STANDARD OFFICE, RAILWAY BOARD.

1078. **\*Maulvi Muhammad Shafi Daudi:** (a) Is it a fact that there is not a single Muslim in the clerical staff of the Central Standard Office, Railway Board?

(b) Is it also a fact that this office is going to be made permanent and as a consequence, additional staff will be required?

(c) If so, will Government please state what steps have been taken to recruit an adequate number of Muslims against the new appointments with a view to give them their due share?

**Mr. P. B. Rau:** (a) There is no Muslim in the clerical staff of the Central Standards Office, but nine out of 31 draftsmen and tracers are Muslims.

(b) Yes.

(c) I can assure my Honourable friend that the latest orders of the Government regarding communal representation will be followed in filling the new posts.

**Maulvi Muhammad Shafi Daudi:** I did not ask whether there was any Muslim in the draftsmen cadre: why did the Honourable Member give me that figure?

**Mr. P. B. Rau:** I gave that figure because it enables the House to have a better idea of the position in the Central Standards Office.

**Maulvi Muhammad Shafi Daudi:** Is it because the Department concerned sent him the figures in order to hide their sin in this matter?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order.

#### DAMAGE TO THE SUGAR-CANE CROP IN THE DELHI PROVINCE.

1079. **\*Seth Govind Das:** (a) Has the attention of Government been drawn to the news published in the *National Call*, dated February 14, 1985, under the heading "Village Sugar Crop Spoiled", in which the villagers in Delhi Province are reported to have sent in a complaint regarding the inattention on the part of the canal authorities, although they had paid the *abiana* in full?

(b) Will Government lay on the table a statement of figures showing the extent of damage to the sugar-cane crop and the extent to which the canal authorities are responsible for it?

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

(b) In any irrigated district complaints of this kind are not uncommon, and, if properly represented, are dealt with as a matter of course. The case referred to in the press report is not a case of general importance and I am not, therefore, prepared to lay on the table the statement for which the Honourable Member asks.

#### UNEMPLOYMENT PROBLEM IN INDIA.

1080. **\*Seth Govind Das:** Will Government please state whether they are adopting any steps to gauge the extent and measure of unemployment in various parts of the country? If so, what?

**The Honourable Sir Frank Noyce:** The matter is primarily one for the Local Governments. So far as I am aware none has conducted any elaborate statistical inquiry relating directly to unemployment, but statistics are published annually giving the average numbers employed in factories, in mines, on railways and in certain other branches of activity.

**Mr. Mohan Lal Saksena:** May I know what have the Government of India done for the Centrally administered areas?

**Mr. President** (The Honourable Sir Abdur Rahim): That question does not arise.

**Mr. Mohan Lal Saksena:** I submit that it arises from this question. The question is:

"Will Government please state whether they are adopting any steps to gauge the extent and measure of unemployment in various parts of the country?"

Therefore, the Government of India being interested in the administration of the Centrally administered areas, I am entitled to know what steps have been taken in those areas.

**The Honourable Sir Frank Noyce:** I do not agree that the question arises out of the original question; but I think the Honourable Member is confusing this question with the one I answered previously. This question merely asks whether the Government are adopting any steps to gauge the extent and measure of unemployment in various parts of the country. In any case, I have already answered the question. I have asked my Honourable friend to put down a question on the notice paper in regard to it.

**Mr. Mohan Lal Saksena:** I want to know whether the Government of India have adopted any steps for gauging the extent of unemployment in the Centrally administered areas.

**The Honourable Sir Frank Noyce:** And I have asked my Honourable friend to put down a question on the paper.

**Mr. Mohan Lal Saksena:** My submission is . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Member is not prepared to do it, he will not get an answer.

#### SILVER JUBILEE OF HIS MAJESTY THE KING EMPEROR.

1081. **\*Seth Govind Das:** (a) Will Government be pleased to state what special instructions, if any, have been issued to Local Governments, and through them to district and local officers, to secure India-wide celebration of the Silver Jubilee of His Majesty the King Emperor?

(b) Will Government be pleased to state what expenditure, if any, is proposed to be incurred in connection with the Silver Jubilee celebrations?

(c) Will Government be pleased to state if in the Delhi Province special leaflets have been circulated in the villages in connection with the Silver Jubilee?

(d) If the answer to part (c) be in the affirmative, will Government please state (i) the contents of those leaflets, (ii) the authority circulating these leaflets and (iii) the money spent on these leaflets?

**The Honourable Sir Henry Craik:** (a) The Honourable Member is presumably aware of the official statement which was made in the Press on the 31st July last announcing the wishes of His Majesty the King-Emperor in regard to the celebration of the Silver Jubilee. It was His Majesty's express desire that the celebration should be on a local basis, and that His Majesty's subjects should, wherever practicable, have the opportunity to

observe the occasion near their homes. It was also his wish that the celebration should be as simple as possible and that all undue expenditure should be avoided. In conformity with the wishes of His Majesty, the Government of India asked all Local Governments to arrange for celebrations at provincial and district headquarters and at such other centres in each district as appeared to them to be suitable. It was suggested that local and provincial Committees should be appointed to arrange the celebration and according to press reports all Local Governments have taken this step. The decision what form the celebration should take thus rests with these provincial and local committees but it was suggested to Local Governments that they might suitably be on the same lines as on other similar occasions in the past, *e.g.*, distribution of alms to the poor, entertainment of school children, illumination of public and private buildings, etc., etc. As the celebrations in England will start with a Thanksgiving Service on May 6th at St. Paul's Cathedral to be attended by Their Majesties the King and Queen, similar Thanksgiving Services will be held on that day in India in all churches, and the Government of India have no doubt that followers of other religions will recognise that this is a most appropriate way of inaugurating these celebrations and will hold similar religious services in their places of worship. May 6th has been declared to be a Public Holiday and the Local Governments will declare one other day within the period from 6th to 18th, during which the celebrations will be carried on in all parts of the Empire, to be a local holiday.

I may add that at Simla where His Excellency the Viceroy will be in residence at the time, there will be a religious service on the Ridge on May 6th, a Military Search Light Tattoo at Annandale on May 11th and a *Mela* arranged by the Government of the Punjab, as well as the other items arranged by a Local Government.

(b) The Government of India anticipate an expenditure of about two lakhs to cover their illuminations throughout India and the Military Tattoo. Local celebrations in the Provinces will be financed, as far as possible, from public subscriptions. Local Governments are, it is understood, devoting some funds to illuminations and other official functions but the Government of India have no information as to the amount of expenditure proposed.

(c) No.

(d) Does not arise.

**Seth Govind Das:** Do Government not think that it is all practically a waste of money when the whole country is suffering from such poverty?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair will not allow such questions.

**The Honourable Sir Henry Craik:** Certainly not.

**Mr. T. S. Avinashilingam Chettiar:** With reference to part (c), may I know from what item of the budget this item of Rs. 2 lakhs is proposed to be spent?

**The Honourable Sir James Grigg:** It is being submitted to the Standing Finance Committee on Friday.

**Mr. T. S. Avinashilingam Chettiar:** May I know whether any force is brought to bear upon local bodies to contribute to these funds?



**The Honourable Sir Henry Craik:** No.

**Dr. T. S. S. Rajan:** Are Government aware that *lumbardars* in the Punjab province are putting undue pressure upon the peasants to contribute to this fund?

**The Honourable Sir Henry Craik:** No. Government are not aware of that.

**MESSAGES OF LOYALTY IN CONNECTION WITH THE CELEBRATIONS OF THE SILVER JUBILEE.**

**1082. \*Seth Govind Das:** Will Government be pleased to state if in the villages of the Delhi Province attempts are being made by local officials, directly or indirectly, to obtain signatures of villagers on specially devised messages of loyalty in connection with the celebrations of the Silver Jubilee? If so, will Government please state:

- (a) what are its contents;
- (b) with what object these signatures are being obtained;
- (c) what expense is likely to be incurred to obtain these signatures; and
- (d) whether these signatures are being obtained in the Delhi Province or in other places?

**The Honourable Sir Henry Craik:** The reply to the first part of the question is in the negative. Parts (a), (b), (c) and (d) do not arise.

**FORMATION OF A MINISTRY OF AGRICULTURE AND COMMUNICATIONS.**

**1083. \*Seth Govind Das:** (a) Will Government please state if they have taken any steps towards the formation of a ministry of agriculture and communications to serve as a link between the producers and transport agencies?

(b) If the answer to part (a) be in the affirmative, will Government please state what action they propose to take in providing efficient machinery at the centre with a view to co-ordinate the activities of the Local Governments and evolve common policies?

**The Honourable Sir Frank Noyce:** (a) The Government of India have accepted the principle that there should be a redistribution of portfolios within His Excellency the Viceroy's Executive Council so as to bring all questions relating to transport and communications into one. As my Honourable colleague, the Finance Member, has already informed the House, it is hoped that it may be possible to put the new arrangements into operation before the end of the current calendar year. The question of adding agriculture and connected subjects to the portfolio of Communications has not been considered.

(b) The question does not arise in the form in which it is stated, but the Honourable Member is doubtless aware of the existence of the Imperial Council of Agricultural Research in the domain of agriculture; and his attention is drawn to the recent creation of a Transport Advisory Council in the domain of transport and communications, particulars regarding which were given in reply to question No. 106 asked by Professor N. G. Ranga on the 22nd February, 1935.

**PROVISION OF MEDICAL AID IN THE RURAL AREAS.**

**1084. \*Seth Govind Das:** (a) Will Government please state what has been their policy for providing medical aid in the rural areas?

(b) Can Government state the number of free dispensaries in Delhi and the extent of relief provided to the villagers?

(c) Is it a fact that the doctors incharge of the dispensaries demand a fee from the villagers, thus making it impossible for the villagers to even take advantage of the meagre facility provided to them?

**Mr. G. S. Bajpai:** (a) Medical aid in the rural areas of Delhi Province has, for many years past, been provided by the District Board in the form of Charitable Dispensaries.

(b) There are five such dispensaries which provide, in addition to free diagnosis and medicines, a limited number of beds for urgent cases.

(c) Doctors in charge of these dispensaries are not allowed to charge fees from patients who attend the dispensary, and, if any instance in which a fee has been demanded is brought to the notice of the local administration, an enquiry will be made. These doctors are, however, permitted to charge a fee for attendance upon patients in their houses.

**Prof. N. G. Ranga:** Do Government propose to have any more dispensaries in the next year?

**Mr. G. S. Bajpai:** That is a question really of financial prosperity: when there is a little more money, we shall probably establish more dispensaries.

**Mr. Mohan Lal Saksena:** Are Government aware of the suggestion made by Mr. Darling that the medical officers should be required to tour in villages also, to attend on patients without charging them any fee?

**Mr. G. S. Bajpai:** No, Sir; I am not aware of any such suggestion.

**Mr. Mohan Lal Saksena:** Will the Honourable Member care to read the latest book by Mr. Darling entitled "Wisdom and Waste"?

**Mr. G. S. Bajpai:** When I have a little more leisure, I shall certainly familiarise myself with its contents.

**Prof. N. G. Ranga:** Will Government care to accept the suggestions made in that book?

(No reply.)

**PUNJAB MARTIAL LAW PRISONERS STILL IN JAIL.**

**1085. \*Seth Govind Das:** (a) Will Government be pleased to state the number of Punjab martial law prisoners, serving sentences in the various jails in India?

(b) Have Government considered the question of releasing any one of these convicts?

(c) Do Government propose to release Mahasha Ratto and Ch. Buggo in view of their long incarceration and their present state of weak and bad health?

(d) Are Government aware that the wife of Mahasha Ratto is financially in a bad way?

(e) Will Government be pleased to state whether they intend to help her financially?

**The Honourable Sir Henry Craik:** (a) Seven.

(b) The question of the release of these prisoners is considered periodically and each case will again be considered on dates which have already been fixed.

(c) I presume the prisoners referred to by the Honourable Member are Ch. Bagga Mal and Ch. Rattan Chand. The former was released on June 1, 1934. Government do not propose to release the latter at present, as his conduct in jail has been unsatisfactory.

(d) The answer is in the negative.

(e) Does not arise.

#### ACTION TO STAY THE DETERIORATION OF LITERACY.

1936. \***Seth Govind Das:** Will Government be pleased to state what action, if any, they propose to take to stay the deterioration of literacy as reported by Sir George Anderson in his report of 1932-33?

**Mr. G. S. Bajpai:** Education is very largely a provincial subject, but Provincial Governments are making strenuous efforts to remedy the defects referred to in the Report.

The Government of India hope that the advice of the Central Advisory Board will be of great value to Provincial Governments.

**Prof. N. G. Ranga:** What are the duties discharged by Sir George Anderson?

**Mr. G. S. Bajpai:** Sir George Anderson primarily concerns himself with the collection of statistics and data relating to Education throughout India which are published annually and also the Quinquennial Reports. He also advises the Government of India on such educational matters as are referred to them by Local Governments.

**Prof. N. G. Ranga:** Is he expected to convene from time to time conferences of Educational Advisers belonging to different provinces?

**Mr. G. S. Bajpai:** Well, Sir, it is in order to put these conferences on a regular basis that we are creating the Central Advisory Board of which, I think, Sir George Anderson will be the Chairman.

**Prof. N. G. Ranga:** Who will be represented on the Central Advisory Board, may I know?

**Mr. G. S. Bajpai:** I cannot say off-hand, but certainly all the provinces, and university and other important educational interests.

**PROMOTION OF HAND-WORK INDUSTRY AND SERICULTURE.**

1087. **\*Seth Govind Das:** Will Government state what action has been taken so far towards the promotion of the hand-work industry and sericulture, for which the Government of India allotted a special amount to be distributed among the various provinces, following the last Industry Conference at Simla?

**The Honourable Sir Frank Noyce:** By "hand-work industry" the Honourable Member presumably means handloom weaving industry. As far as this industry is concerned, the Government of India have recently approved the revised schemes submitted by the provinces and have already allocated grants to them amounting in the aggregate to Rs. 1,76,000 for the current financial year and Rs. 3,97,500 for the ensuing financial year. With regard to the sericultural industry, a meeting of the Imperial Sericultural Committee was held on the 25th of the last month. The Government of India have accepted the recommendations of the Committee and the grants for the year 1935-36 have just been allocated. They amount in the aggregate to Rs. 93,962.

**Prof. N. G. Ranga:** Has the Legislative Assembly been given an opportunity to discuss the manner in which the grants to handloom weavers ought to be spent?

**The Honourable Sir Frank Noyce:** I am afraid, Sir, I cannot state the position offhand, but I think,—I speak subject to correction,—that the proposal for the grant of this money was duly placed before the Standing Finance Committee. The exact method of its allocation was left to Government, and, as I have already stated in reply to questions on the floor of this House, that allocation was made in consultation with a conference of representatives of the Local Governments, and I am glad to say that a unanimous decision was arrived at which was duly implemented.

**Prof. N. G. Ranga:** Is it not a fact, Sir, that the schemes of Local Governments on which they had to spend these grants made by the Government of India are subject to the supervision and control of the Government of India?

**The Honourable Sir Frank Noyce:** Yes, it is proposed to review the progress made at the next meeting of the Industrial Conference.

**Prof. N. G. Ranga:** And, therefore, . . . .

**Mr. President (The Honourable Sir Abdur Rahim):** Next question, please.

**MISREPRESENTATION AGAINST INDIA IN THE FILM "INDIA SPEAKS".**

1088. **\*Seth Govind Das:** (a) Has the attention of Government been drawn to the press report wherein it has been stated that a film "India Speaks" by R. K. O. Radio makes wild statements about the civilization of India?

(b) What action do Government propose to take against such sort of misrepresentation against India?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair believes there is a short notice question on the same subject, notice of which has been given by Dr. Banerjea. Perhaps the Honourable Member in charge would like to answer both.

**The Honourable Sir Henry Craik**: Yes, Sir, I think it would perhaps suit the Honourable Members if I answered both together.

As regards No. 1088, the answer is as follows:

(a) Yes.

(b) The film is, I understand, being exhibited in America. The Secretary of State for India has been addressed in the matter with the suggestion that the necessary representation should be made in the proper quarters. I might add for the information of the House that the British Board of Censors refused to certify this film in June, 1933, for public exhibition in the United Kingdom and that it is unlikely that any Board of Censors in any other part of the British Empire will permit its exhibition.

**Mr. Lalchand Navalrai**: May I know, Sir, when the Honourable Member came to know of this film being exhibited in America for the first time?

**The Honourable Sir Henry Craik**: I think it would be more convenient if I answered the short notice question first.

**Mr. Lalchand Navalrai**: I have also put down a question on this subject, and, therefore, I ask this question.

**Mr. President** (The Honourable Sir Abdur Rahim): Short notice question. Dr. Banerjea.

### SHORT NOTICE QUESTION AND ANSWER.

#### FILM NAMED "BENGALI" EXHIBITED IN EUROPE.

**Dr. P. N. Banerjea**: (a) Has the attention of Government been drawn to a letter from Mr. Subhas Chandra Bose, published in the *Hindustan Times* of the 12th March, 1935, in the course of which he states that a film called "Bengali" is being exhibited in Europe?

(b) Are Government aware that this film follows closely the film "India Speaks" and that it is a part of a propaganda against Indian people?

(c) Are Government aware of the scandalous nature of this film, and if so, are they prepared to make an enquiry as to the brains which are directing the propaganda and the money which is financing it?

(d) Do Government propose to consider the desirability of making representations to the Governments of the countries concerned to stop this anti-Indian propaganda?

**The Honourable Sir Henry Craik**: I have no information regarding this film beyond what is stated in the press report to which the Honourable Member refers. The Secretary of State has, however, been addressed in the matter, as in the case of the film "India Speaks" to which reference was made in an earlier question today, with the suggestion that similar action may be taken if inquiry shows that the film is objectionable.

**Mr. Lalchand Navalrai:** May I know when the Government came to know of this film being exhibited in America, and when did they come to know of it for the first time here in India?

**The Honourable Sir Henry Craik:** Which film?

**Mr. Lalchand Navalrai:** "India Speaks".

**The Honourable Sir Henry Craik:** I cannot say the exact date, I think it was quite recently.

**Mr. Lalchand Navalrai:** Is it a fact that the papers in India wrote about it about three months ago, and I think the *Bombay Chronicle* wrote something about it. What steps did the Government of India take then?

**The Honourable Sir Henry Craik:** I don't remember the exact date, but I don't think I saw that in the *Bombay Chronicle*.

**Mr. Lalchand Navalrai:** May I know if the Honourable Member came to know of this film only when questions were put in this House or before that?

**The Honourable Sir Henry Craik:** No, Sir; I had seen some notices in the press before.

**Mr. Lalchand Navalrai:** How long ago was it?

**The Honourable Sir Henry Craik:** I can't remember exactly.

**Mr. F. E. James:** May I ask a supplementary question on this? Has the Government's attention been drawn to the malicious suggestion made in certain quarters that this film emanates either from British official sources or from British producers? Is the Honourable Member satisfied that there is no truth whatsoever in that suggestion?

**The Honourable Sir Henry Craik:** I have seen certain innuendos to that effect, but I should have thought that sufficient answer to any such suggestion was given by the fact that the Board of Censors refused to certify the film as fit for exhibition in the United Kingdom, and I understand that no Board of Censors in any other part of the British Empire will permit the exhibition of films which have been refused by the British Board of Censors.

**Dr. P. N. Banerjea:** What is the exact request made by the Government of India to the Secretary of State with regard to this film "Bengali"?

**The Honourable Sir Henry Craik:** We have asked the Secretary of State to address a representation to the Government of the United States pointing out that we in India so work the censorship as to avoid the exhibition of any film which is offensive to the susceptibilities of other countries, and asking that corresponding action should be taken by the Government of the United States.

**Dr. P. N. Banerjea:** That is with regard to "India Speaks"?

**The Honourable Sir Henry Craik:** That is with regard to both.

**Dr. P. N. Banerjee:** But the film "Bengali" has nothing to do with the Government of the United States, the reference in regard to "Bengali" must be made to the European Governments?

**The Honourable Sir Henry Craik:** Anyhow, a representation has been made to the Secretary of State.

**Dr. P. N. Banerjee:** To approach all the Governments concerned?

**Srijut N. C. Bardaloi:** Is it a fact that the said film was produced in India by a foreign company?

**The Honourable Sir Henry Craik:** No, Sir; I have said that that film was never produced in any part of the British Empire.

**Srijut N. C. Bardaloi:** Was it not produced in India?

**The Honourable Sir Henry Craik:** Made in India? On that point, I have no information.

**Mr. H. P. Mody:** What happens when a film is banned? Is it confiscated by the Government in the same manner as they confiscate objectionable literature?

**The Honourable Sir Henry Craik:** I must have notice of it; I am not familiar with the practice.

**Srijut N. C. Bardaloi:** Are not banned films in India exported out of this country?

**The Honourable Sir Henry Craik:** I do not think there is any censorship on films exported. Any film exhibited in India must be censored before exhibition, but, so far as I am aware, anybody can make a film in India and take it out.

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### MOTION FOR ADJOURNMENT.

#### RESERVATION OF THE HIGHLANDS OF KENYA FOR EUROPEANS.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. I have received a notice from Mr. Satyamurti that he proposes to ask  
 12 Noon. for leave of the House for making a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the critical position of Indian settlers in Kenya in respect of the proposed reservation of the Highlands for Europeans. I should like to know from the Honourable Member when this proposal was made.

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): This proposal was made by the Carter Commission some time last year; but after that there was a series of questions and answers in the House of Commons, on the 14th February, 1935, in which the point of the questioner

[Mr. S. Satyamurti.]

was that the Commission went beyond their terms of reference in reserving a larger area than was originally contemplated and in also recommending that that reservation should be made statutory by an Order in Council of His Majesty's Government. That report was received in the Library of this Assembly on the 18th March, 1935. On that very day, a short notice question was put by me which was answered by my Honourable friend, Mr. Bajpai, on the 25th of this month. In that answer, he *inter alia* stated:

"The Government of India approached His Majesty's Government with a request that an opportunity be afforded to them to make representations before an Order in Council was made. This request has been acceded to and detailed representations to safeguard Indian interests will shortly be made."

In answer to a supplementary question of mine, my Honourable friend stated that they hoped to despatch the same by the next air mail. My submission to you, Sir, is this that this is the earliest opportunity I could have taken, after the answer from the Government that His Majesty's Government, who originally stated that they would pass an Order in Council, had agreed to stay their hands, pending consideration of representations to be made by the Government of India. Therefore, I have come to ask your leave and the leave of the House to make this adjournment motion, in order to strengthen the hands of the Government in representing public opinion and their opinion in this matter. If I do not do so today, the Order in Council will be passed, before the House can have another opportunity of representing on this matter.

**Mr. President** (The Honourable Sir Abdur Rahim): What is the specific matter?

**Mr. S. Satyamurti**: The specific matter is this. The proposal to pass an Order in Council by His Majesty's Government reserving an area of about 16,000 square miles in the Highlands of Kenya for European settlers and making it a statutory segregation or reservation, and the statement of my Honourable friend, Mr. Bajpai, that His Majesty's Government have decided to stay their hands pending consideration of representations made by the Government.

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands): I should like to place a few facts for your consideration. In accordance with paragraph 44 of the Manual of Business and Procedure, one of the conditions of admissibility of an adjournment motion is that it must be restricted to a specific matter of recent occurrence. I submit that my Honourable friend has not shown what exactly is this specific matter of recent occurrence. The fact of reservation is not of recent occurrence; that goes back to 1906. The recommendation of the Carter Commission that the area known as the Highlands should be declared by an Order in Council to be reserved in certain ways—that, again, is not of recent occurrence. The report of the Carter Commission was published in May, 1934: so also was the declaration of the intention of His Majesty's Government to pass an Order in Council defining the boundary of the Highlands. The only thing that can be said to be of recent occurrence is the definition of privileged position which the Secretary of State for the Colonies gave in the House of Commons on the 14th February, 1935. But even with regard to



that, I should like to submit for your consideration that in its issue of the 10th March, 1935, the Special Correspondent of the *Leader* newspaper in London referred to these questions and answers, as also to the implication which I brought to the notice of the House the other day, namely, that that definition will have the effect of converting what is an administrative into a statutory restriction. I submit that even the fact of that intention being entertained by His Majesty's Government has been known in this country since the 10th March and that therefore the matter cannot be said to be a matter of recent occurrence.

**Mr. President** (The Honourable Sir Abdur Rahim): What about the short notice question and the answer to it?

**Mr. G. S. Bajpai**: In the answer to the short notice question, I stated nothing beyond this, that the Government of India are making representations to His Majesty's Government. The Government of India first asked the Secretary of State for India to represent to the Secretary of State for the Colonies on the 12th February that an opportunity should be given to the Government of India to make representations. That request of the Government of India has been acceded to. I think the fact that His Majesty's Government have agreed to receive representations from the Government of India is not by itself a matter which calls for an adjournment motion.

**Mr. President** (The Honourable Sir Abdur Rahim): I hold that the motion is in order. It will be taken up at 4 O'clock.

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#### ELECTION OF A MEMBER TO THE COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

**Mr. President** (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Dr. G. V. Deshmukh has been elected to represent the Assembly on the Council of the Indian Institute of Science, Bangalore. (Cheers.)

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#### DEMANDS FOR SUPPLEMENTARY GRANTS—*contd.*

#### LEGISLATIVE ASSEMBLY AND LEGISLATIVE ASSEMBLY DEPARTMENT—*Concl'd.*

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Supplementary Demands for Grants.

#### *Difference between a Supplementary Grant and an Excess Grant.*

**Mr. S. Satyamurti** (Madras City: Non-Muhammadian Urban): I do not propose to take more than a minute or two. I was just submitting to you and the House, in respect of this supplemental demand for the Assembly, that that was certainly an expenditure which the Government could have foreseen, and should have placed before this House. Both on this and other demands, I have raised a number of questions and I find no answer is forthcoming. I recognise that we have no power to compel the Government to answer the questions, but it seems to me. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair would like to know exactly what are the questions. Perhaps some Government Member will explain the procedure as regards supplemental demands if you specify the questions.

**Mr. S. Satyamurti:** My questions are these. What, according to the Honourable the Finance Member, is the difference between a supplementary grant and an excess grant? Are supplementary grants introduced only after expenditure has been incurred, or before expenditure has been incurred and when the need for it arises? Does the Honourable the Finance Member consider that supplementary grants should be introduced as early as possible when the Government come to realise the need for expenditure, beyond that voted by this House; and my next category of questions is this. Does the Honourable the Finance Member consider that supplementary grants may be used for the purpose of incurring expenditure, not this year, but the next year, in view of the definition of supplementary grants in Rule 50 of the Legislative Rules which says that supplementary demands for grants may be moved when the necessity for exceeding arises during the year or when expenditure on a new service, not contemplated at the time of the budget, is made compulsory? How does the Government construe the phrase 'new service' not contemplated at the time of the budget? Is it merely the case of a service which was in their minds for which they omitted to provide for any reasons which they considered proper at that time, or is it because of a new service which actually arises after the budget had been submitted and voted on by this House? Then, Sir, as regards increase of expenditure, according to May's Parliamentary Practice, the expenditure can be exceeded only under one or two well-defined categories of unforeseen circumstances,—either a sudden war or a rise in prices or a statutory obligation cast on the Government by an action of this House or something of that kind, which arises out of circumstances which were not and could not have been foreseen, at the time when the budget was presented.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member wants to know the procedure relating to supplementary demands and the circumstances in which the supplementary demands are made. . . .

**Mr. S. Satyamurti:** . . . and the distinction between excess and supplementary grants.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair would like to know whether the Honourable Member draws any distinction, so far as the scope of the discussion is concerned, between supplementary grants or excess grants?

**Mr. S. Satyamurti:** Most certainly. When a Government has incurred expenditure any reasonable Member of this House will bring to bear on it different considerations from those which he will bring to bear. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): What about scope of discussions? Questions of policy for instance.

**Mr. S. Satyamurti:** On that matter, I am in your hands.

**Mr. President** (The Honourable Sir Abdur Rahim): Is there any difference in that respect between supplementary grants and excess grants? I have looked up the Parliamentary procedure and I do not find that there is any distinction as regards the scope of discussions so far as supplementary grants and excess grants are concerned.

**Mr. S. Satyamurti:** I would respectfully draw your attention to the fact that there is a distinction both in our Rules and Standing Orders and in May's Parliamentary Practice. Rule 49 of the Legislative Rules refers to excess grants, that is to say, when money has been spent on any service for which the vote of the Assembly is necessary, during any financial year, in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Assembly by the Finance Member and shall be dealt with in the same way by the Assembly as if it were a demand for a grant, and Rule 50 provides:

"An estimate shall be presented to the Assembly for a supplementary or additional grant when the amount voted in the Budget of a grant is found to be insufficient for the purposes of the current year or a need arises during the current year for expenditure for which the vote of the Assembly is necessary upon some new service not contemplated in the budget for that year."

You will notice at once, comparing the one with the other that, whereas supplementary demands can be moved for new services, excess grants cannot be moved for new services.

**Mr. President** (The Honourable Sir Abdur Rahim): Apart from the designation, the Chair wants to know the substantial distinction the Honourable Member draws in the matter of scope of discussion.

**The Honourable Sir James Grigg** (Finance Member): May I explain? An excess grant relates to an excess which only emerges after the end of the financial year. A supplementary grant relates to an excess which emerges during the course of the financial year.

**Mr. S. Satyamurti:** I entirely differ.

**Mr. President** (The Honourable Sir Abdur Rahim): What the Chair wants to know is about the scope of the discussion.

**Mr. S. Satyamurti:** On the point made by the Finance Member.

**Mr. President** (The Honourable Sir Abdur Rahim): That is another matter. What is the distinction you suggest regarding the scope of the discussion.

**Mr. S. Satyamurti:** The scope of the discussion is this. In one case, the expenditure has already been incurred.

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): The point that the House would like to know, as I understand from your suggestion, is this—that when the grant is brought before the House what are our rights as to the discussion, namely, can we make a cut motion, can we really discuss the policy and so forth. That is what the House would like to know.

**Mr. S. Satyamurti:** So far as the actual words of the rule are concerned, I admit that the rules are the same in both, but, with your leave, I should like to comment on what the Honourable the Finance Member said, because he is the custodian of the rights of this House, so far as financial matters are concerned. Rule 49 says: "When money has been spent on any service for which the vote of the Assembly is necessary, during any financial year, in excess of the amount granted for that service", that is to say, the expenditure has to be incurred during the year. The only point that I should like to submit to you is this, that supplementary demands can cover new services, which excess grants cannot. So far as expenditure actually incurred is concerned, that is a different matter from an expenditure proposed to be incurred, and in May's Parliamentary Practice a distinction is drawn between supplementary grants and excess grants.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair knows the distinction. The Chair knows the circumstances in which one is called an excess grant and the other a supplementary estimate. The Chair simply wanted to know whether the Honourable Member can discuss questions of policy. What is the Honourable Member's suggestion on that?

**Mr. S. Satyamurti:** I submit that we can discuss questions of policy on both. That is my submission to the Chair, because the Chair can change its rulings.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair has given its ruling.

**Mr. S. Satyamurti:** But the Chair can change its ruling.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): What is the ruling of the Chair?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair has already ruled that no questions of policy can be discussed in connection with these demands.

**Sir Cowasji Jehangir:** On either the one or the other?

**Mr. President** (The Honourable Sir Abdur Rahim): Yes.

**Mr. S. Satyamurti:** In the case of the excess grants, unless we surcharge the officials with actually spending the money, the House can do nothing. The money has been spent and the only thing we can do is to say that we will make these gentlemen pay the money out of their pockets. In the case of the supplementary demand, that is for future expenditure. If we cut it down, the Government may either certify it, if they are so advised, or they may accept the vote of the House.

**Mr. President** (The Honourable Sir Abdur Rahim): The House is at liberty to reject any sort of grant.

**Mr. S. Satyamurti:** In the case of an expenditure already incurred, the scope becomes narrower, because the money has been spent, and it is a case of shutting the door after the steed has been stolen. In the case of the supplementary demands, we can reduce them.

**Mr. K. Sanjiva Row** (Government of India: Nominated Official): The first point raised by the Honourable Member is the difference between an excess grant and a supplementary grant. I shall try to explain the position so far as I am able to understand it. I shall deal with the excess grant first. As regards the excess grant, May's Parliamentary Practice says:

"The need for an excess grant arises when a department has carried expenditure upon a service beyond the amount granted to that service during the financial year, for which the grant was made."

This means that when, after the close of the year, it is found that there is an excess the question of presenting an "excess grant" arises. That an "excess grant" is to be presented only after the close of the financial year is also clear from the following quotation from May:

"Demands for excess grants, having been first brought before the committee of public accounts are presented to the committee of supply in the form of a single resolution which includes all the occasions for excess expenditure that have occurred in the branch of the public service to which the resolution applies."

The Committee on Public Accounts is "for the examination of the accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure". The Committee also scrutinises the causes which have led to any excesses over parliamentary grants. It is clear that the examination by the Public Accounts Committee of the excesses over sanctioned grants can only be after the year has closed—that is, when the accounts of the year are placed before the Committee.

**Mr. President** (The Honourable Sir Abdur Rahim): Is the Honourable Member referring to the procedure here?

**Mr. K. Sanjiva Row**: I am explaining the procedure in England, Sir. As, according to the quotation from May which I have read out just now, demands for "excess grants" can be presented only after they are brought before the Public Accounts Committee, it follows that demands for "excess grants" are in respect of excesses of a year which has already closed. I may also read out a passage from Parliamentary Grants by Durell which makes the position quite clear:

"A deficit on a civil vote or on the gross army and navy grants is met by either a supplementary estimate or an excess vote, according to the time at which it is discovered." "If a Department exceeds parliamentary provision and fails to take a supplementary estimate either from misapprehension or because it ascertains the fact of a deficit too late to do so, the only alternative is to obtain an excess vote in the following year"

*—not in the same financial year.*

This is exactly the procedure which we follow in the case of "excess grants"—that is, in the case of excesses which are discovered after the accounts of the year are closed, these excesses are first scrutinised by the Public Accounts Committee, and it is only after their recommendation that we come up to the House for "excess votes" at the time the Report of the Public Accounts Committee is taken up for consideration by this House.

**Mr. President** (The Honourable Sir Abdur Rahim): When does the Auditor-General come in?

**Mr. K. Sanjiva Row:** The Auditor General comments on the appropriation accounts which are examined by the Public Accounts Committee, and in the report of the Public Accounts Committee, that Committee make a recommendation to the Assembly to pass the excess votes and it is only then that we go up to the House with the excess votes. Now as regards the supplementary grants, this is what May says, Sir:

"A supplementary demand may be presented either :

(1) for a further grant to a service already sanctioned by Parliament in addition to the sum already demanded for the current financial year"—for the current financial year, be it noted—"or

(2) for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates."

I think it is quite clear from this that a demand presented to the Assembly before the close of the financial year for expenditure within that financial year is a "supplementary demand", whereas a demand presented to the Assembly for an excess which has already occurred during the previous financial year is an "excess grant."

**Mr. President** (The Honourable Sir Abdur Rahim): As regards the sanction of the Assembly, in the case of a supplementary demand, in what way is that sanction obtained?

**Mr. K. Sanjiva Row:** I am coming to that, Sir. The next point raised by Mr. Satyamurti is that a supplementary demand should be presented to the Assembly as soon as possible after the need for a supplementary demand is foreseen. This is indeed extremely difficult. The mere fact that certain extra expenditure, not provided for in the Budget, is being incurred does not necessarily mean that there will be a need for a supplementary grant. In most cases, such extra expenditure is met from unforeseen savings in the sums already voted by the Assembly. It may be, that in other cases, a portion can be met from the sums already voted by the Assembly and a supplementary grant may be required only for the balance. If, in such cases, supplementary grants are obtained from the Assembly for the full amounts, they will prove, at the end of the year, to be wholly or partially unnecessary. In spite of these difficulties, Sir, we have been, until 1932, obtaining supplementary grants during the Simla Session which is the earliest time in the financial year when we could obtain them. As a matter of fact, until that year, it has been our practice to obtain during the Simla Session all the supplementary grants which could be foreseen at the time. The result was, that owing to the difficulties mentioned by me already, some of the grants were, at the end of the year, found to be wholly or partially unnecessary. This question was considered by the Public Accounts Committee in 1932, and I may say here that it was at the instance of the Auditor-General that the question was considered by the Public Accounts Committee. We certainly had no intention of delaying coming up to the House till as late a date as possible. Sir, the Auditor-General in forwarding the appropriation accounts for 1930-31 said as follows:

"It will be observed on the other hand in paragraphs 24 to 25 of the Report that cases occurred in which Supplementary Demands were presented which subsequently proved to be unnecessary and I think it would be advantageous for the Public Accounts Committee to discuss once more with the Finance Department the possibility of improving procedure in such a way as to minimise such unnecessary grants of supply."

The Committee, after examination, accepted the following view of the Auditor-General.

"We are on the horns of a dilemma. If you incur expenditure without putting up for a supplementary grant, that is objectionable from one point of view of the Assembly. On the other hand, if you put up for a supplementary grant and get larger spending powers than you require, that is objectionable from another point of view, and I think myself in the end that the lesser evil consists in making departments not incur expenditure without appropriation except when it is absolutely necessary and urgent to do so, and in arranging to come up for your supplementary grants only when you have good reason to believe that extra money is necessary. I think in the end that is the lesser evil from the point of view of the Legislature,—that it should not be asked to vote money until it has been proved conclusively that additional money is required."

This view of the Auditor General was accepted by the Public Accounts Committee and was incorporated in their report as a definite recommendation.

**Sir Cowasji Jehangir:** In what year?

**Mr. K. Sanjiva Row:** In the Report of the Public Accounts Committee on the accounts of 1930-31,—that is, in 1932. It is in accordance with this recommendation that we gave up the practice of presenting demands for supplementary grants during the Simla Session, as, with only two or three months' actuals, it was impossible to foresee what, if any, savings would occur in the original grants voted by the Assembly. For example, take the supplementary demand now under discussion, *viz.*, Legislative Assembly. Mr. Satyamurti said that when we found that the Delhi Session of the Assembly in 1934 continued beyond the first of April, we should have known that there would be an excess, and that we should have presented a demand in the Simla Session of 1934. Sir, all that we knew at the time was that some expenditure which would have ceased in March, 1934, continued till about the third week of April, 1934. We could not possibly say at the time, by how much the grant, voted by the Assembly, would be exceeded because that amount would depend upon certain other considerations, for example, whether there will be a Session in November and, if so, how long it will last and also when the Budget Session will begin and when it will end. If we are to carry out the recommendation of the Public Accounts Committee we have to take into account these things before fixing the amount of the supplementary demand. As a matter of fact, this year, even in January when we prepared the supplementary demand, we found it difficult to fix the exact amount as we had to guess whether the Assembly would go on beyond the 31st of March. Exactly the same difficulties arise in the case of other supplementary demands, and, it is, therefore, in accordance with the recommendations of the Public Accounts Committee that we presented supplementary demands in March and not in July.

**Mr. President** (The Honourable Sir Abdur Rahim): As regards "new service", the Chair thinks it is obvious that Government must obtain the sanction of the Assembly.

**Mr. K. Sanjiva Row:** As regards "new service", I may explain that as soon as the need arises we try to go to the Assembly. For example, take the case of the transfer of the Agricultural Institute from Pusa. It was a new service and it was altogether a new demand and we knew for

[Mr. K. Sanjiva Row.]

certain that it could not be met from other demands, and, therefore, we presented the demand in respect of the Agricultural Institute in the Simla Session last year.

**Mr. President** (The Honourable Sir Abdur Rahim): What about broadcasting? The Chair is just giving as an example of one of the new items.

**Mr. K. Sanjiva Row**: That is a new service and we are asking for a supplementary grant only during this Session.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is asking for sanction by this grant.

**Mr. K. Sanjiva Row**: Yes, Sir. Then my Honourable friend, Mr. Satyamurti, said that the total amount of the supplementary demands was about 12 crores. I do not know where he got the figure from.

**Mr. President** (The Honourable Sir Abdur Rahim): He said the railway demands as well as the general demands.

**Mr. K. Sanjiva Row**: The total amount of the general supplementary demands is only 380 lakhs and the total amount of the railway demands is 82 lakhs, that is, 4 crores and 62 lakhs. Out of this, 314 lakhs are on account of the special items for which we had to submit a supplementary demand, and, excluding this amount, the general supplementary demand is for 66 lakhs. The total amount of the voted expenditure of the Government of India is 40 crores, and I think an excess of 66 lakhs in a sum of 40 crores, which comes to about 1½ per cent., cannot be said to be excessive. In the case of the railways, it comes only to 82 lakhs in about 100 crores; so it comes to less than 1 per cent. Then my Honourable friend, Mr. Satyamurti, asked the question whether we could present a supplementary demand in the current year for expenditure during the next year. The answer is certainly not. We can never do that. A supplementary demand is always presented for expenditure during the financial year in which the expenditure is being incurred and not for expenditure in the next financial year.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, the practice that we have been following during the last five years with regard to the excess grant and the supplementary grant is this. Take the budget of 1934-35. If about this expenditure any demand is made before the 31st March, 1935, it is a supplementary grant. If the demand is made after the 31st March, 1935, it becomes an excess grant and not a supplementary grant. That is the first difference. The second difference is that the supplementary demand filters through the Standing Finance Committee and the excess demand very often filters through the Public Accounts Committee. In one year only they demanded a supplementary grant for the last several years because of the objection raised by the Accountant General. The fact of the matter is that whenever there is a motion for an excess grant, there is always the idea of a vote of censure behind it because these things are always pointed out by the Public Accounts Committee and by the Auditor-General and they always insist on the permission being taken before the 31st March of that particular year. So, to avoid that, it should be brought in the shape of a supplementary grant and not as an excess grant, because an excess grant is really a sort of a vote of censure on the spending authority by the



Auditor-General and by the Public Accounts Committee. It is a kind of *post mortem* examination. As regards the new item which comes in the shape of a supplementary grant, it is always discussed first by the Standing Finance Committee. Take, for instance, the case of the Agricultural Institute, Pusa. The Standing Finance Committee, on its own recommendation, said that that matter ought to be discussed separately in the Legislative Assembly and it was discussed in the last Simla Session. So, whenever a new expenditure is to be incurred which, in the opinion of the Standing Finance Committee, involves a new principle, then the Standing Finance Committee of its own accord, recommends that that matter should be discussed separately by the Assembly and there should be a separate vote demanded so that the Assembly may have a full discussion on the policy and the principle of the new undertaking. This has been the practice so far; we may change it in the future. The practice so far has been that in the case of all these supplementary grants we have never raised the question of policy. We discuss these grants only from the point of view of economy and whether the amount should be sanctioned or not. In the case of the new expenditure, we pointed out very clearly that it should be discussed separately and then usually we allotted a day to discuss this particular question either in the shape of a Resolution or in some other way. The other point raised by my Honourable friend, Mr. Satyamurti, is that these supplementary grants should not be shoved in in the last week of the financial year. They could have been taken up in the month of January or February. But this year, the case was rather exceptional, because in the month of January there was no Standing Finance Committee till the Assembly actually met and then the Standing Finance Committee was elected. So, we should not take this year as an example; it is an exceptional year. But I certainly agree with the point raised by my Honourable friend, Mr. Satyamurti.

**Pandit Govind Ballabh Pant** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the difference between an excess grant and a supplementary grant is plain enough. The one is the result of a *post-mortem* examination as has been said and is ordinarily brought to notice by the Auditor-General in his report of the examination of the accounts for a completed year. So, in the case of an excess grant, the motion before the House is essentially of a formal character. The House has willy-nilly to accept it.

**The Honourable Sir James Grigg:** Or pass a motion of censure.

**Pandit Govind Ballabh Pant:** So far as the censure is concerned, it is something distinct from the approval of the grant by the House. This is certainly the result of some sort of oversight on the part of the Finance Department. But that is not the material part of it so far as the excess grant is concerned. The important characteristic of the excess grant with reference to the House is this that the House is practically powerless and cannot effectively reduce that amount which the Government places before the House for sanction, for the expenditure has already been incurred.

**Mr. President** (The Honourable Sir Abdur Rahim): But sanction had already been given to that scheme.

**Pandit Govind Ballabh Pant:** It is not necessarily so. It may be a new service altogether. Suppose the Government incur cost of a service that had never been brought before this House . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member was referring to an excess grant.

**Pandit Govind Ballabh Pant:** I am referring to an excess grant. Even in the case of an excess grant, it is just possible that the Government may incur expenditure for a service which had never been placed before this House for examination or consideration. Even in that case, the only remedy open to the Finance Department will be to place it before this House. But, as I said, it is more or less a formal affair and that is what distinguishes it from a supplementary grant. Now, what is the characteristic of a supplementary grant? Is it also of a purely formal character?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair finds they are all called supplementary demands for grants.

**Pandit Govind Ballabh Pant:** I am submitting that if the proposals for supplementary grants are brought before the House after the expenditure has already been incurred, there is nothing to distinguish supplementary grants from excess grants. The two then would stand for all practical purposes on a similar footing. The House will have, unless it chooses to cast the responsibility for the expenditure on the individuals concerned, to approve the amounts involved. But, the supplementary grant in fact stands on a different footing from an excess grant. A supplementary grant is exactly of the nature of the demands that are made in the course of the budget discussion at the start of the financial year. It should be from its very nature a demand which the House can consider on its merits, and either accept or reject not only in form but in substance also. But if the demand is brought before the House after the expenditure has already been incurred, what can the House do? It would then have to give its formal consent in the matter of supplementary grant in the same manner as it is expected to do in the case of an excess grant. Sir, the occasion for a supplementary grant may arise in three cases though one feature will be common to all. When the provision for a service in the budget is found insufficient for the needs of that service, then alone the occasion for a supplementary grant arises, and, it may be met in three ways. Firstly, it may be only a transfer from one sub-head to another under the same main head in the budget. And, that need again may arise in two ways. In one case, it may require only an administrative sanction to transfer the spare amount under one sub-head to another. In that case, the occasion for a supplementary grant does not arise at all. The Department concerned having the authority under the rules to make a transfer from one sub-head to another could sanction or refuse. The second case may arise when spare money is available under one head or sub-head, but cannot be transferred to another without the sanction of this House. In that case, the course open to the Finance Department is to move for a token sanction of one rupee for the transfer of that amount from one head of account to another. It is not necessary that they must always require extra and additional funds. They may have funds at their disposal yet those funds may not be appropriately and constitutionally used for a different purpose and the proper and appropriate course then is to seek approval by means of a token demand for a rupee for the transfer of that amount.

**Mr. K. Sanjiva Row:** May I interrupt my Honourable friend?

**Pandit Govind Ballabh Pant:** The Honourable Member will have his opportunity to say what he wishes to. Then, Sir, there may be a third case where money is not available at all for carrying on the service for which the funds have fallen short. In that case, obviously they have to seek the sanction of the House for fresh additional funds, and it does impose distinct responsibility on this House if it sanctions funds for which there was no provision in the budget itself. Now, Sir, if you were to approve of the practice of these supplementary demands being introduced in the House after the expenditure had been incurred, that would be very dangerous and very risky. The Government may go on spending money and then confront us with the expenditure and tell us that there is no option to us except to sanction. I submit there is no point in submitting a supplementary demand if it is not to be treated just in the same manner as an item in the budget, and I would stress that just as they cannot incur any expenditure which is not included in the budget, so they cannot incur any expenditure unless it has been sanctioned by the House in the form of a supplementary demand, in case the necessity for it actually arose after the budget had taken final shape in this House. So, I submit it is absolutely necessary for the Finance Department to place their proposals before this House for sanction before they actually incurred any expenditure in excess of the amount provided in the budget itself. In case of emergency when the House is not sitting, it is open to them to obtain a certificate from the Governor General in Council if they have to meet any expenditure outside the budget. But it would be highly improper and I submit repugnant to all elementary canons of finance to allow the Finance Department to spend money for which no sanction has been obtained from this House either in the budget itself or subsequently in the form of a supplementary demand. (Applause.)

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): May I suggest a compromise in regard to future procedure?

**Some Honourable Members:** No compromise, please.

**Dr. P. N. Banerjee:** Supplementary demands may be placed before this Assembly twice in the year, once in the month of August or September when only half the year is out, and then, again, if necessary, in the month of February when there is still one month of the year to be finished. If that is done, the Legislative Assembly will have the opportunity of considering the necessity for most of the supplementary demands in the month of August or September; and, in the case of small grants, where, by means of re-appropriation, the additional expenditure ought to be met, but ultimately the Government find that this cannot be met, supplementary demands may be placed before the Assembly in the month of February. If this procedure is adopted, the question whether the grants are really necessary or not may be discussed once in August or September and again in February—this time only in the case of very small grants. In any case, the supplementary demands, as has been suggested by Dr. Ziauddin Ahmad, should not be placed before the Assembly in the last week of March.

**Mr. T. S. Avinashilingam Chettiar** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, while I bow to your ruling that we cannot raise questions of policy in supplementary demands I should like to point out that in these supplementary grants are included such things which have not been submitted to us in the Standing Finance Committee, and I, therefore, submit . . . .

**The Honourable Sir James Grigg:** In so far as they are new services, I imagine your ruling, Sir, was not intended to apply to these.

**Mr. President** (The Honourable Sir Abdur Rahim): May's Parliamentary Practice, page 536, says:

"Debate on supplementary and excess grants is restricted to the particulars contained in the estimates on which those grants are sought, and to the application of the items which compose those grants; and the debate cannot touch the policy or the expenditure sanctioned, on other heads, by the estimate on which the original grant was obtained, except so far as such policy or expenditure is brought before the Committee by the items contained in the supplementary or excess estimates."

As regards the ruling which the Chair gave, the Chair wishes to make it perfectly clear that as regards the demands that refer to schemes which have already been sanctioned by this House, there can be no question at all of discussing any question of principle or policy. But as regards demands which come up with respect to a new service and for which previously no sanction has been obtained of this House, no doubt that rule has to be relaxed to a great extent (Hear, hear) (Applause), but the question of policy must be confined within the item on which the vote of the House is sought.

**Sir Cowasji Jehangir:** Sir, I understand that if there is a supplementary demand for a new service, the Finance Committee will not allow it to be brought before the House as a supplementary demand, but will insist upon its being brought before the House by way of a Resolution: the point in case is the demand for the removal of the Pusa Institute which was brought forward in the shape of a Resolution at the Simla Session.

**The Honourable Sir James Grigg:** The supplementary demand is itself a Resolution or a motion; it is always brought in that form.

**Sir Cowasji Jehangir:** Can you bring by way of a supplementay demand a demand for a grant for a new service?

**The Honourable Sir James Grigg:** Yes, Sir. That is the only way you can bring it.

**Dr. Ziauddin Ahmad:** In all these cases, the Finance Committee pointed out that an opportunity should be given to the House to discuss it.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair does not know which are the items for which the previous sanction of the Assembly has not been obtained. That can be made clear in the course of discussion of particular items.

There is an amendment standing in the name of Mr. Mohan Lal Saksena which the Chair holds out of order.

The question is:

"That a supplementary sum not exceeding Rs. 82,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Legislative Assembly and Legislative Assembly Department'."

The motion was adopted.

#### HOME DEPARTMENT.

**The Honourable Sir James Grigg:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 5,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Home Department'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 5,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Home Department'."

The motion was adopted.

#### LEGISLATIVE DEPARTMENT.

**The Honourable Sir James Grigg:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Legislative Department'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Legislative Department'."

**Mr. Ram Narayan Singh** (Chota Nagpur Division: Non-Muhammadan): Sir, I beg to oppose this demand. So far as I know, when a proposal is made in the House, it ought to be supported by some statement. We do not hear on this occasion what the Honourable Member has to say in support of the motion.

**Dr. Ziauddin Ahmad:** It is in the Finance Committee's report.

**Mr. Ram Narayan Singh:** In opposing this motion, Sir, I have to talk of things which to the fastidious man may appear to be small things, but I am of opinion, that those people who cannot attend to small things are not capable of attending to big things either. Sir, it was during the time of the late Mr. Patel that, after considerable struggle and endeavour, the Assembly Department was separated from the Legislative Department of Government, and after that it was thought that in the Assembly Department there was something like *Swaraj* and that the bureaucratic nature of the Department was gone. But, as soon as the Congress left the Assembly, we see the bureaucratic nature has again crept in. Sir, when we, the elected Members, have come here by summons or by invitation, we are in the position of guests. The members in charge of the Assembly Department should regard themselves as hosts and inquire into our needs and grievances.

**Sir Lancelot Graham** (Secretary: Legislative Department): Sir, I rise to a point of order. Is all this relevant? It seems to me that if the Honourable Member is talking of any Department at all, he is talking of the Legislative Assembly Department.

**Mr. President** (The Honourable Sir Abdur Rahim): The Legislative Assembly Department is quite separate from the Legislative Department. Perhaps the Honourable Member is not aware of it.

**Mr. Ram Narayan Singh**: I am aware of it.

**Mr. President** (The Honourable Sir Abdur Rahim): Then the Honourable Member must address himself to the Legislative Department.

**Mr. Ram Narayan Singh**: Is not the Legislative Department controlling the Legislative Assembly Department? (*Cries of "No, no".*)

**Mr. President** (The Honourable Sir Abdur Rahim): No, the Honourable Member is entirely under a misconception.

**Mr. Ram Narayan Singh**: Then, am I not entitled to refer to what is going on in the Assembly administration?

**Mr. President** (The Honourable Sir Abdur Rahim): Not under this head.

**Mr. Ram Narayan Singh**: Then, I postpone my remarks.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Legislative Department'."

The motion was adopted.

#### CENTRAL BOARD OF REVENUE.

**The Honourable Sir James Grigg**: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 6,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Central Board of Revenue'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 6,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Central Board of Revenue'."

The motion was adopted.

#### POLICE.

**The Honourable Sir James Grigg**: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Police'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Police'."

**Pandit Nilakantha Das** (Orissa Division: Non-Muhammadan): Sir, in the proceedings of the Finance Committee, I find on page 384 of No. IX and pages 223-24 of No. VII, that there was some suggestion about the employment of police in the Madras Harbour. We should like to know what has been done with regard to that.

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands): Sir, I am in a position to answer that question and satisfy my Honourable friend that the suggestion of the Committee has already been acted upon and the Government of Madras asked to employ a Sub-Inspector if they prefer it.

**Mr. T. S. Avinashilingam Chettiar**: I want to give a practical suggestion in this matter. I suggest that in the notes which are given at the bottom of the page, the whole of the recommendations of the Finance Committee may be given.

**The Honourable Sir James Grigg**: Surely the whole proceedings of the Committee are set out in a separate document.

**Mr. T. S. Avinashilingam Chettiar**: But they may also be given in the foot-notes, because it is only two or three lines.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Police'."

The motion was adopted.

#### SURVEY OF INDIA.

**The Honourable Sir James Grigg**: Sir, I move:

"That a supplementary sum not exceeding Rs. 36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Survey of India'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Survey of India'."

**Mr. Ghansham Singh Gupta** (Central Provinces. Hindi Divisions: Non-Muhammadan): Sir, in view of the ruling just given, I do not  
1 P.M. propose to move my motion; but I shall beg leave to ask for certain information with a view to which I have given in this motion. There are three circles of the Survey of India Department and the Central Provinces is in the Eastern Circle: there is one party, No. 5, in the Eastern Circle which has been working there for about twenty years—that is my information, I am speaking subject to correction, and I want to know

[Mr. Ghanshiam Singh Gupta.]

whether it is correct or not—and the whole of this party move to Shillong for six months in the year and the cost is very considerable. They not only take every man, but all the instruments and the whole of the records from the Central Provinces to Shillong and they get shifting expenses and probably Assam compensatory allowances also. Is there any utility in making this exodus, something like the Government of India exodus to Simla, of a Department which has been working there for full twenty years? I think the money could be saved. This is the information I want.

**Mr. G. S. Bajpai:** Sir, if I were induced to be technical, I might perhaps take the line that inasmuch as we are not asking for any money for compensatory allowances the point which my Honourable friend has raised is not in order. I can only tell him that the process of recessing has been in force for a period of years, for the simple reason that after the field work is finished during the winter these people have to move somewhere because they have no provincial headquarters and we found on examination that it is just as economical to allow them to move up to a hill station as to try and get accommodation all the year round perhaps at the headquarters of the Local Government. But this particular suggestion of my Honourable friend's namely, that these people should not move from the Central Provinces to Shillong does appear to me to be worthy of examination because I should personally have thought that Ooty would be nearer the Central Provinces if they wanted to recess in a hill station than Shilling; but I will look into it.

**Mr. M. S. Aney** (Berar Representative): Why not Pachmarhi?

**Mr. Ghanshiam Singh Gupta:** Why is a hill station necessary? Why not Raipur or Nagpur or some such station?

**Mr. M. S. Aney:** Why do you not suggest Pachmarhi?

**Mr. Ghanshiam Singh Gupta:** I do not want to suggest a hill station. Therefore, I will not suggest Pachmarhi: I will suggest Nagpur, or Raipur, or Chattisgarh (Laughter) . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has made his suggestion.

**Pandit Nilakantha Das:** Sir, I find from the records that the services of this Department are less and less requisitioned, and, therefore, the Finance Committee recommended that efforts should be made to accelerate retrenchment in this self-same grant. The House would like to know what is being done and if there is any plan for accelerating the retrenchment.

**Mr. G. S. Bajpai:** I think, Sir, my Honourable friend is referring to the suggestion of the Committee, not in regard to the Survey of India as a whole, but as regards the services of the Mathematical Instrument Office. I do not think much time has been given to us since the Committee considered this matter to come to a complete decision; but, as the House is aware, we have already taken up this matter with the Army Department and we have told them that, unless they are prepared to give us a guarantee that they would get a certain minimum amount of work done by us, we may have to close or greatly curtail this Mathematical Instrument Office.



**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Survey of India'."

The motion was adopted.

#### METEOROLOGY.

**The Honourable Sir James Grigg:** Sir, I move:

"That a supplementary sum not exceeding Rs. 1,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Meteorology'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 1,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Meteorology'."

The motion was adopted.

#### GEOLOGICAL SURVEY.

**The Honourable Sir James Grigg:** Sir, I move:

"That a supplementary sum not exceeding Rs. 3,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Geological Survey'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 3,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Geological Survey'."

The motion was adopted.

#### ARCHÆOLOGY.

**The Honourable Sir James Grigg:** Sir, I move:

"That a supplementary sum not exceeding Rs. 44,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Archæology'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 44,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Archæology'."

**Mr. O. N. Muthuranga Mudaliar** (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I have no wish to move my motion, provided you permit me to say a few words on a matter that I wish to refer to.

[Mr. C. N. Muthuranga Mudaliar.]

The office of the Superintendent of Archaeology, Southern Circle, is at present located at Kothagiri near Ooty. The circumstances under which the office was shifted from Madras to Kothagiri are as follows: Mr. Longhurst, sometimes Superintendent of Archaeology, was the owner of big tea and coffee estates in the Nilgiri Hills and he wanted to be as near to them as possible. Dr. Sir John Marshall, the then Director General of Archaeology, happened to be the brother-in-law of Mr. Longhurst, and through his kind offices Mr. Longhurst had the office shifted to Kothagiri. It is unnecessary to point out that the office of the Superintendent of Archaeology situated at a comparatively long and secluded distance cannot be of any help to a scholar who is interested in the subject. Foreign visitors to India take a good deal of interest in the Archaeological work of ours and they naturally find it difficult to go out of the way to a place like Kothagiri to visit the office. From the point of view of the Government, Kothagiri is certainly a place more expensive than Madras. Recently, the Government of Madras shifted the office of the Inspector General of Prisons from Ooty to Madras for purposes of reducing the unnecessary extra expenditure involved in the retention of the office at a distant and expensive place like Ooty. I wish to suggest that on that analogy, the office of the Superintendent of Archaeology, Southern Circle, should be shifted back to Madras. This transfer will be beneficial both to the Government and the public in that the former can have their expenditure retrenched and the latter have easier access to the office.

The office of the Government Epigraphist for India is also at present situated in Ooty. The purpose, for which the office is at present located at one of the corners of India near the vicinity of which not a single inscription could be formed, is not clear. The office can very well be either at Madras in which case it can be accommodated in the same place where the Assistant Superintendent for Epigraphy, Southern Circle, Madras, has his office, or at Delhi, which, from the point of view of all India, is centrally situated.

Archaeological monuments of South India consist mainly in Hindu and Buddhist remains. The present Superintendent for Archaeology, under whose charge these monuments are, is qualified not in Archaeology, but in Architecture only. So, I would impress on the Government the necessity for appointing only such people to the Southern Circle as are fully conversant with Hindu and Buddhist monuments. Sir, I have done.

**Mr. G. S. Bajpai:** Sir, I do not think that my Honourable friend was quite in order in talking about whom we should appoint to the Southern Circle, because that has nothing whatever to do with the proposal which is before us, but we had notice from the questions addressed by him of his desire that we should consider the question of locating the headquarters at Madras instead of at Kothagiri. We have taken up this question already with the Government of Madras, and my friend will be glad to hear that in consultation with the Government of Madras, we are exploring the possibility of finding of a suitable place at Madras for locating this office.

**Mr. S. Satyamurti:** Sir, my friend has referred to "points of order" twice. As I understood your ruling, Sir, it simply means this—that we cannot move what are called token cuts, but undoubtedly we can give any reason pertaining to the demand. So long as the remarks pertain to

the demand asked for, my friend has no right to object. I will refer to any grievance which concerns the Department, and if my friend will not answer our questions, we will refuse the demand.

**Mr. G. S. Rainai:** The demand is for the repair of buildings damaged by earthquake in Bihar and Orissa and the United Provinces.

**Mr. President** (The Honourable Sir Abdur Rahim): In that case, it is quite irrelevant.

**Pandit Nilakantha Das:** Sir, this demand is intended for repairing the monuments and buildings in Bihar and Orissa and the United Provinces. There was no earthquake in Orissa, but Orissa, as my friend knows, is famous for monumental buildings. So I may suggest to him in this connection that though these monuments have not been damaged by the recent earthquake, yet they have been damaged during the course of ages, and nobody has so far paid any attention to some of the most important of them. My friends might have heard the name of the Black Pagoda at Konark in Orissa—now covered with lichen. Money is going to be spent. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): No such grievances can be brought up now.

**Pandit Nilakantha Das:** I merely suggest, Sir, that some of the money which is going to be spent in Bihar and Orissa may be spent on the preservation of some of the old monuments in Orissa.

**Dr. Ziauddin Ahmad:** Sir, this is definitely a demand for carrying out repairs to buildings which have been damaged by earthquake. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Is the Honourable Member making some suggestion?

**Dr. Ziauddin Ahmad:** I am making a suggestion.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 44,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Archæology'."

The motion was adopted.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

#### EDUCATION.

**The Honourable Sir James Grigg:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Education'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Education'."

There is an amendment in the name of Mr. Ghanshiam Singh Gupta, which is out of order.

**Mr. Ghanshiam Singh Gupta**: I am not moving my motion, but I only wanted to compare notes whether my experience of the students that come out of the Rajkumar Colleges tallies with the experience of Honourable Members opposite. We have got a Rajkumar College at Raipur situated in Chhattisgarh. My experience is not so vast as the experience of Honourable Members occupying the Treasury Benches. My experience is very limited, but I have seen that students that come out of the Rajkumar Colleges know very well how to dress when they have to go out for tennis or how to change their dress when they have to go out for cricket. But very soon after, when they manage their affairs, it generally becomes necessary for the Court of Wards to assume charge. I only wanted to compare notes whether my experience tallies with that of the Government, and I wait for an answer.

**Mr. H. A. F. Metcalfe** (Foreign Secretary): Sir, I am afraid I have no experience of the students from the Rajkumar College, so that I am not in a position to give any information or to compare notes with my Honourable friend. In any case, I suggest that that is irrelevant to a small payment to be made to an assistant master at the Mayo College, Ajmer.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Education'."

The motion was adopted.

#### MEDICAL SERVICES.

**The Honourable Sir James Grigg**: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 6,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Medical Services'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 6,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Medical Services'."

The motion was adopted.

#### PUBLIC HEALTH.

**The Honourable Sir James Grigg**: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 4,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Public Health'."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 4,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Public Health'."

The motion was adopted.

# TRANSFER TO THE FUND FOR THE TRANSFER OF THE AGRICULTURAL RESEARCH INSTITUTE FROM PUSA TO DELHI.

**The Honourable Sir James Grigg:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 36,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 36,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1935, in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi'."

**Mr. S. Satyamurti:** This is another case—till now we had expenditure already incurred, for which they were moving supplementary grants. Now, it is a case of expenditure for next year. I expected some remarks from the Honourable the Finance Member to intimate to this House the scope of what this demand was. He talks of a "Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi". What is this fund? Where is it being instituted, and under what rules or standing orders? Is it, again, a block grant which is being made, to be spent, as and when the need arises, on expenditure connected with the transfer of the Research Institute from Pusa to Delhi? The reference is to page 23 of the speech of the Finance Member in introducing the budget proposals for 1935-36. I have got paragraph 33 which is referred to:

"After these special grants have been made there should remain a balance of Rs. 2,04 lakhs. A large part of this sum I propose to put aside for two schemes which it was provisionally decided to finance from capital. These are the civil aviation programme, which is expected to cost Rs. 93 lakhs and the transfer of the Pusa Institute to Delhi which will cost about Rs. 36 lakhs. ...and now that we have an accrued revenue surplus it seems to me sound policy to use part of it for these purposes and to avoid the creation of what might have become an awkward precedent."

I am not now on the merits of the question, I am only dealing with the procedural aspect of it. What is the actual supplemental demand which is being moved? It certainly is not for excess expenditure on any grant already made. I take it, it is common ground that this is a new service. If so, my submission to you is, a need must arise during the current year for expenditure for which the vote of the Assembly is necessary upon some new service not contemplated in the budget for that year. Does the need arise for expenditure this year of this sum; or is it a case of disposal of surplus for the next year? My submission to you is this, if it is the latter, the surplus ought to go into the opening balance of next year, and should come as one of the demands for the expenditure next year on this or any other purpose. I submit, to ask for a supplementary demand for the disposal of the surplus for expenditure in the future year is not consistent with the letter or at least the spirit of Legislative Rule 50.

**The Honourable Sir James Grigg:** It is a question merely of intercepting a surplus which would otherwise arise in this year, and, therefore, it is appropriate to deal with it by a supplementary demand this current year.

**Mr. S. Satyamurti:** When is it proposed to spend the amount?

**The Honourable Sir James Grigg:** That will be spent as and when the bills have to be paid for the building of the Institute. It will be taken to a suspense account for which separate records will be kept, and, although the money will be merged in the balances of the Government of India, the suspense account will be debited as and when the expenditure is incurred over the next year or so.

**Mr. President** (The Honourable Sir Abdur Rahim): Is the expenditure likely to be incurred this year?

**The Honourable Sir James Grigg:** Some expenditure has already been incurred, and a supplementary demand was taken earlier this year on the assumption that the expenditure would be charged to capital, I think, Rs. 7 lakhs. Now, we propose to alter the method of charge and charge it to the revenue surplus of this year. That means that 7 lakhs of rupees charged to capital will not now be needed. The expenditure will be charged to this fund.

**Mr. S. Satyamurti:** In view of the Honourable the Finance Member's statement, I submit that all this demand, except the expenditure which is actually to be incurred before the end of this financial year, is out of order. It is not a demand for any expenditure this year. It is a demand for being paid to a suspense account to be spent, as and when the need arises. I submit that it is not within the scope of Legislative Rule 50, defining the nature of supplementary demands.

**The Honourable Sir James Grigg:** On the same analogy, if there is anything in it, would apply to the expenditure which was incurred on the relief of the Bihar earthquake sufferers, and it would be equally out of order.

**Mr. S. Satyamurti:** That is irrelevant.

**The Honourable Sir James Grigg:** Also all payments paid to the Railway Depreciation Fund would be equally out of order.

**Dr. Ziauddin Ahmad:** I understand there are two distinct points. One is about the merits of the case, whether the Agricultural Research Institute should be transferred from Pusa to Delhi.

**Mr. S. Satyamurti:** I am not on that now. That is not the question.

**Dr. Ziauddin Ahmad:** As regards the other thing, I thought it was a kind of paper transaction. We sanctioned last year that 86 lakhs of rupees should be spent. The idea at that time was that part of it will be spent out of the capital fund and part out of other reserves. Again, on account of the saving which has been effected, I understand the

Finance Member has changed his mind and instead of borrowing the money, he would like to spend the entire amount from the saving of the current year. This is to my mind a paper transaction. No principle is involved in it and it is a right principle of accountancy. If I decide to spend a certain amount by borrowing and afterwards find that I have got enough money in my pocket which I have saved from somewhere else, then I can certainly change my mind. This is the principle which we have been following in a number of other cases. To my mind it is a paper transaction and it must come up for sanction.

**Mr. M. S. Aney:** The point which my Honourable friend has raised is this, whether this whole amount of 36 lakhs is going to be spent during this year or any part of it is going to be spent a year after. If the latter is the case, then it is not covered by Rule 50. That is the point of order to which Dr. Ziauddin has given no reply.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair takes it, it is really a point of accounting, and, in view of the practice that has been pointed out by the Finance Member, the Chair is not prepared to say that by putting this amount in the suspense account, he is infringing Rule 50. The Chair, therefore, holds that the point of order is not valid.

There are several motions with regard to this demand. One is in the name of Pandit Nilakantha Das that the demand be omitted. That will be a direct negative. Therefore, the Chair does not think that is in order. Then, Mr. Mohan Lal Saksena has a motion that the demand be reduced to Rs. 100.

**The Honourable Sir James Grigg:** Before the debate proceeds, may I ask for your guidance in one matter? This is not a new service. The only thing which is new is the alteration in the method of charge. Is the scope of the debate confined to the alteration of the method of charge?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair understands that so far as this demand is concerned, the scheme has already been sanctioned by this House, but it is open to the House when the demand is made to veto it.

**Mr. Mohan Lal Saksena** (Lucknow Division: Non-Muhammadan Rural): Since there is another motion in the name of Pandit Govind Ballabh Pant, I do not wish to move my motion.

**Pandit Govind Ballabh Pant:** Sir, I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 36,00,000 in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi' be reduced to one rupee."

Sir, it is a pity that the debate on the Finance Bill had to be suspended to make room for the supplementary estimates. It was particularly unfortunate that the discussion was switched off immediately after the very interesting, I would not say, provocative speech, of the Honourable the Finance Member. I will, however, restrict myself strictly to the four corners of the supplementary demand for the present but I do feel that it would have given me immense relief if I had an opportunity of having my say in respect of many of his remarks immediately after they had been uttered. It is a load on me that I have to wait for some days yet. However, I have to restrict myself, for the present, to the motion that I have just made.

[Pandit Govind Ballabh Pant.]

Sir, the Agricultural Institute was established about 30 years ago. It owed its inception to the munificence of an American gentleman, Mr. Phipps, who contributed £30,000 for scientific research which was utilised by the then Viceroy for founding this Agricultural Institute at Pusa.

**Mr. G. S. Bajpai:** I do not wish to interrupt my Honourable friend, the Deputy Leader of the Opposition, . . . .

**Pandit Govind Ballabh Pant:** Is that a point of order? Otherwise I am not going to give way.

**Mr. G. S. Bajpai:** It is a point of order. I want to know, Sir, whether, in view of the ruling which you gave this morning, as I understand it, namely, that the question of merits could, with your permission, be discussed if a new service were being proposed to the House, the question of the merits of the transfer of the Institute of Agricultural Research from Pusa to Delhi is not in order. That is the point which I wish to submit for your consideration.

**Mr. President** (The Honourable Sir Abdur Rahim): It is open to the House to reject this demand if it so chooses. If that be so, then the Chair takes it that any Honourable Member is in order in giving appropriate reasons for that rejection.

**Pandit Govind Ballabh Pant:** I think there is an amount of confusion in the minds of several Members of this House as to the exact import of your ruling. I interpret it as meaning that where a person wants to raise a discussion on a point which does not directly relate to the demand before the House he cannot be allowed the same amount of latitude in the consideration of supplementary demands as is available in the course of budget discussion. But so far as one chooses to make out a case for throwing out a demand, he can say anything from Timbuctoo to Cape Camorin as his reasons for throwing it out. So long as I base my case on pertinent facts they are perfectly relevant. I on my part do ask the House to throw out this demand because I do not want the transfer of the Research Institute from Pusa to Delhi. Let there be no misapprehension about it and I say that I am perfectly within my right in asking the House to revise its decision.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair hopes the Honourable Member will bear in mind that this question has been fully discussed.

**Pandit Govind Ballabh Pant:** I bear that in mind and therefore feel the necessity of advancing my arguments in greater detail in order to induce the House to revise its decision. I know that this House has already arrived at a decision—rather, to be more precise, previous Assembly had allowed the decision to go by default at the eleventh hour of the last day of its protracted life. Sir, I must confess that there is nothing new that I will be able to add to the illuminating discussion that was held on the floor of this House at Simla last year. Sir, as I was submitting, the Agricultural Research Institute was established at Pusa about



thirty years ago. It has rendered very useful services in the course of the last thirty years. Crores of rupees have been spent, I believe that a large number of original papers have been contributed to research journals in this country and outside by the staff of the Pusa Institute during the last thirty years. The Pusa Institute has made an abiding contribution towards the agricultural development of his country, at least in certain parts, during this long period. Its discoveries and research work in the matter of improved varieties of staple crops and other agricultural products have been really of great help, and we owe a genuine debt of gratitude to Pusa and to all that it has done. We have also to bear in mind that the Pusa Institute is a memorial to the generosity of a gentleman from America who went out of his way to make a handsome donation for this institute. I feel it would be an illustration of ingratitude on our part if we were now to remove this institute from Pusa. We will be in a way unfaithful to the memory of the donor who gave £30,000 for the establishment of this institute.

**Mr. M. S. Aney:** Was that a condition—that the institute should be at Pusa?

**Pandit Govind Ballabh Pant:** It was used for that purpose. I have not seen the correspondence—I was not in the confidence of the Viceroy then, as I am not now. (Laughter.) Sir, the fact remains that it commemorates and perpetuates the generosity of that gentleman. Sir, Pusa has secured a conspicuous place in the research world. It has found a permanent mention in such a respectable work of reference as the "Encyclopædia Britannica". I will just read out to the House what that book says about Pusa:

"The Institute, which owed its inception to Lord Curzon, has within the comparatively short period of its existence, done magnificent service to Indian agriculture by producing improved varieties of crops. In particular, it has achieved remarkable success by evolving strains of wheat which give a high yield, have powers of resistance to rust, are able to mature with less water than the generality of Indian wheats, and give good results under diverse conditions of soil and climate. The Pusa varieties are now grown on over one and a half million acres of the United Provinces, the Punjab and the North-West Frontier Province. The Institute has also produced a heavy-yielding variety of bearded wheat suitable for areas where the crop is liable to damage by birds. The Institute has introduced berseem, or Egyptian clover. It has been proved that a small irrigated area of poor land, in which berseem is followed by early maize, can provide a large herd with all the bulky green food it requires—a discovery of immense importance in a country depending so largely on cattle, where the pasture lands are for a large part of the year parched and bare.

Further, valuable results have been obtained by selective breeding of cattle, e.g., by doubling the milk yield of a pure herd in ten years.

In order to improve both the quality and quantity of the sugar production, a sugar bureau has been established which gives advice to cultivators, manufacturers, etc. The institute studies soil improvement and the use of phosphates found in India."

Sir, Pusa is also a household word in the remotest villages in this country. The villagers are familiar with the Pusa wheat, with its various numbers; and, wherever you go in the interior of, at least, the United Provinces, you find people familiar with the name of Pusa. Sir, Pusa possesses a rich and appropriate soil and can produce a large variety of agricultural crops than Delhi and many other places. There have been experiments at Pusa not only in the matter of wheat, not only in the matter of cotton, not only in the matter of tobacco, but also in the matter of

[Pandit Govind Ballabh Pant.]

paddy and other things. Sir, Pusa has a rainfall of about forty inches as compared with fifteen inches of Delhi. Pusa has a mild, gentle climate throughout the year, as compared with the sharp conflicts and abrupt fluctuations that we notice in Delhi and are its characteristics in the matter of climate as in so many others. So, Sir, Pusa is intrinsically and on its merits in every way a better and more suitable place for a research institute than Delhi, and Pusa has also the virtue of being free from storms, and the dust and turmoil of political controversy (Hear, hear), and the fortuitous gaze of the dazzling eyes of the Government of India. So Pusa can conduce more towards the dispassionate study of scientific subjects than Delhi. From whichever point of view one might look at it, Pusa is on 'intrinsic merits a more congenial place for the purpose for which the Agricultural Research Institute was founded than Delhi can claim to be. Sir, Pusa has vindicated during its career of the last thirty or thirty-five years its choice for the purpose for which the institute was founded; it has notable achievements to its credit and through the assiduous labours of the gentlemen associated with the Pusa Institute, the agriculturist has derived substantial benefits. Sir, the proposal for the transfer of the Pusa Institute to Delhi has been made on the grounds that some of the buildings at Pusa have been damaged by the recent earthquake, and Pusa is not as centrally situated as Delhi. I believe Mr. Bajpai will agree with me that those are the only two reasons for which the Government press for the transfer of the institute from Pusa. I had thought, Sir, that in the matter of locomotion, there was a considerable progress made since the year 1903 when the Central Research Institute was established at Pusa. At that time people were more handicapped than they are today, but those in charge of the Department in the Government of India seem to think that, with the progress of aircraft and wireless, the need of locating the institute at a physically central place in India had increased! Yet I do not know what they mean, for I find Mr. Bajpai actually said, in answer to one question last year, that the Pusa Institute was devoted only to matters of fundamental research as distinguished from field research, and consequently it was not necessary to establish it at a central place.

The House will please note that it is not necessary, even according to Mr. Bajpai, to have this institute shifted to a centrally-situated locality in the country. Then, Sir, what is the reason? Why is this transfer being advocated? Bihar had the calamity of suffering from the disaster of earthquake. Is the Government adding to that disaster by taking away from Bihar what it possessed formerly? Is that just? Is that a sympathetic treatment? When Bihar deserves every possible sympathy and every possible relief, is it the time when they should give it a stone when it is asking for and undoubtedly deserves a piece of bread? It is, I submit, most inequitable and atrocious to put forward a proposal of this character at a time like this on the ground that Bihar has been the victim of earthquake. Then, Sir, is it the proper time when we can be a party to the reckless waste of an enormous sum of no less than 36 lakhs of rupees? I ask the Honourable Members of this House whether they would be faithfully discharging their responsibility to the tax-payer who can ill-afford to spare even a rupee if they encourage such extravagance on the part of the capricious Government of India? I submit it would be unpardonable. What I am submitting is not solely my personal

view. Sir, the Government of India have been making too much of a theatrical pose these days in proclaiming their regard for the press in India. I find that so far as the question of the transfer of the Pusa Institute—I should not say Pusa Institute, because that is the endeavour on the part of the Government, let me say the Agricultural Institute—to Delhi is concerned, it has been opposed by almost every paper in this country, be it edited by an Indian or a European. I will read out a few extracts for the information of the House. Firstly, I refer to the *Statesman* which had the honour of being placed along with the foundation-stone so that it may be preserved for ever and in perpetuity for the edification of the Members of the Government of India. It says:

"Those of us who know our India would not regard such disabilities in too serious a light about Pusa being inaccessible. They may sound rather tragic to people accustomed to the accessibility of all concerns of England but in this country such difficulties of access can be taken almost as a matter of course not only in getting to Pusa but in getting to many other parts."

Sir, I will also read out what other papers say. The *Times of India* remarked:

"In these days, when it is so difficult to get even the smallest sum for beneficial State activities, it is right and proper that an estimated outlay of 36 lakhs of rupees for the transfer of this Institute should be very critically regarded. Estimates of cost when they are put up by those who support a scheme naturally tend to be conservative. It is an open question whether the sum of Rs. 36 lakhs would be the end of expenditure on the transfer suggested."

It ends its leading article in this way:

"The proper way to judge the plan is solely in relation to the great financial stringency of the moment and the inability of Government to finance many a measure of social importance, let alone reduce the crushing burden of taxation their first duty. It would be interesting to have more details as to how the Rs. 36 lakhs estimate of the cost of the transfer has been compiled, and whether it has been proved that the capital outlay will be recouped in a reasonable time by savings effected through removal from Pusa. There would be a case for the transfer if that were demonstrated beyond a doubt, but unless and until it can be the Assembly should turn down the plan."

Then, Sir, the *Federated India, Madras*, says:

"India will condemn with one voice the monstrous proposal to spend 40 lakhs of rupees on the erection of an Agricultural Research Institute at Delhi to take the place of the Institute that has been located all along at Pusa. When the estimated expenditure is 40 lakhs, we may expect the final expenditure to close at a few annas less than 50 lakhs. The question that has to be faced is whether when the agriculturist is in need of practical relief in so many directions, money should be wasted on research in this lavish and light-hearted manner."

Then, Sir, I will quote the *Statesman* again:

"After the lakhs or crores that have been expended on Pusa during the last decade, and just when the past 30 years of experiments are now bearing fruit, all this public money and all this valuable work shall not be wiped out at a minute's notice, without giving each Province time to ponder and realise what their action means. For Pusa is now at a state when each year they are producing new kinds of wheat, barley, oats, paddy, linseeds, pulses of all varieties, jute, hybrids of hemp sugar cane and many types of tobacco, all of which are definite benefits to the agriculturist."

[Pandit Govind Ballabh Pant.]

Sir, I will not read other extracts. I read only recently an article in the *Leader* of Allahabad very vigorously opposing the idea of the transfer of the institute from Pusa to Delhi. I know that Mr. Bajpai has a soft corner for the *Leader*, and I also know that the *Leader* of the House has a great respect for the *Leader* as he quoted the other day some extracts from an article contributed to the *Leader* by the son of the editor of the *Leader*. In these circumstances, I hope the opinion of the *Leader* will weigh with the Government. Sir, I do not see any reason why this transfer should be made. And, what is, after all, the policy of the Government of India? Is there a single Central Institute, with which they are concerned, situated in Delhi? What are they going to do in the matter of the Bacteriological Institute at Muktesar? It is in an inaccessible place, and I challenge if a single Member on the other side has been there?

**The Honourable Sir Frank Noyce** (Member for Industries and Labour): Yes, Sir, I have been there.

**Pandit Govind Ballabh Pant:** I am glad to know that. Sir Frank Noyce, then, is an enterprising adventurer, and, as he is connected with the Department of Labour and Industries, we can expect much from him. Anyway, the fact remains that Muktesar is a place where many Members of this House have never been and with the name of which very few in this House are familiar. Then, what are you going to do in the matter of the Dairy Institute at Bangalore? Will it also be transferred to Delhi, because it is not centrally situated? What are you going to do in the matter of the Forest Institute at Dehra Dun? Is that also to be transferred to Delhi because Dehra Dun is situated in the United Provinces? There are many other such institutes and the tale would be too long to mention on this occasion. Then, we are told that they want this transfer not because there is any physical necessity but to establish cultural contacts. I wonder if in Delhi there is too much of this cultural and aesthetic contact. Only if the Honourable Member concerned were to visit some day our residences he would have some idea of the taste of his department. I am not supposed to be a fastidious man. A plain man as I am, I feel the strain of living in that building and also feel that it is culturally obnoxious. But that is by the way. Now, where are these cultural contacts? Are they to be found in the colleges affiliated to or constituting the Delhi University? Are there other research institutes dealing with that branch of scientific research? Is any agricultural research work being done anywhere in the neighbourhood of Delhi? What does all this sham and hypocrisy mean? Delhi is so far altogether devoid of any atmosphere or medium for scientific research, study or contact. The local University has only recently come into existence and I wish it all success. But we have to accept the fact that it is just in the initial stage and no more than a small infant. Why do you want to throw it into a shade by lodging by its side such an advanced rival institution at the very start. Instead of advancing the cause of the University, you will really be embarrassing it at the very outset. I, therefore, submit that, from whichever point of view you may look at it, it will mean a tremendous waste of public money. Then, I object on principle to this policy of the Government of India transferring from revenue surplus money for the purpose of transferring this institute which they had originally intended to finance from

capital account. Why should they do so? It is unfair to the tax-payer. (Hear, hear.) When we have surplus money, we are entitled to ask and to press for a reduction in the burdens and in the taxes. We are entitled to press for the reduction of the price of the postcard. We have this surplus of 86 lakhs and we are entitled to urge that the salt duty or the income-tax rate should be reduced. It is just to deprive us of that opportunity that the Honourable the Finance Member wants to appropriate these sums for other purposes for which provision had already been made. So, I repeat that, on financial grounds, on cultural grounds as well as on the ground of progress and development of the institute itself which has been steadily growing at Pusa for the last thirty years and doing very good work, it is absolutely necessary that the institute should be retained where it is, and in view of the fact that Bihar needs every relief and every assistance; I feel that it would be heartless, it would be cruel on the part of this House to effect this transfer at such a critical juncture. (Hear, hear.) (Applause.)

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That the demand for a supplementary grant of a sum not exceeding Rs. 36,00,000 in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi' be reduced to one rupee."

The next motion is in the name of Mr. Ghanshiam Singh Gupta and he wants to raise the question of neglect of rice on this motion.

**Mr. Ghanshiam Singh Gupta**: I would support the motion moved by Pandit Govind Ballabh Pant.

**Mr. President** (The Honourable Sir Abdur Rahim): Does the Honourable Member want to move his motion?

**Mr. Ghanshiam Singh Gupta**: I do not wish to move my motion\*, but I wish to speak on the motion of Pandit Pant.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must take his turn in the debate.

There is another motion in the name of Pandit Nilakantha Das.

**Pandit Nilakantha Das**: I do not wish to move my amendment.†

**Maulvi Muhammad Shafi Daudi** (Tirhut Division: Muhammadan): Sir, I rise to support the motion moved by my Honourable friend, Mr. Govind Ballabh Pant, on very important grounds. He has got his own reasons for standing up against the motion for transfer of this Institute, and I have got my own reasons.

\*"That the demand for a supplementary grant of a sum not exceeding 36 lakhs of rupees in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi' be reduced to Rs. 100."

†"That the demand for a supplementary grant of a sum not exceeding 36 lakhs of rupees in respect of 'Transfer to the Fund for the Transfer of the Agricultural Research Institute from Pusa to Delhi' be reduced by Rs. 100."

[Maulvi Muhammad Shafi Daudi.]

The first reason that I would like to advance is that since I heard of the transfer of the Institute from Pusa to Delhi, I am assured that students of research had no place whatsoever to do their work. The whole research work has been dislocated. The work which was going on so smoothly at Pusa and which could have gone on in spite of the disaster which was caused by the earthquake has been hopelessly dislocated and no substitute has been found up till now in place of that great institution at Pusa.

The second ground is that the lands which the Government have acquired for the purpose of erecting the buildings to substitute the work at Pusa have been seen by all of us here and we have found them to be absolutely unfit for the work for which they have been chosen. Now, the other day we were taken to that part of the country about ten miles from this place and we found that it was on a desert sandy land on all sides with no prospect whatsoever of ever growing into importance as Pusa did. The very appearance of the locality showed that the selection was the worst possible.

Now, the third ground that I would give is this: that the Pusa Institute was said to be inaccessible, because it was at some distance from a central place called Muzaffarpur. But what of Delhi? We find the same drawback here. If one would like to go to the newly selected site in Delhi, he has to travel ten miles before one could reach that place. I submit, Sir, that Muzaffarpur is not the place which could be called inaccessible. It is a place, where the planters had once upon a time their good days. When the planting community was in affluence, at every ten miles of the country we found factories established by planters for growing indigo, and at present we find sugarcane grown in abundance. It appears that those who were responsible for the selection of the site at Pusa in 1904 were the wisest men who had no other consideration before them except the interest of the agriculturists and nothing else. I have read the documents of that time which convinced me absolutely that the selection was made simply for the reason that it was the best part of India where a Research Institute of this kind could be located and it justified its selection, because during all these 32 years that the research had been going on at Pusa, no trouble whatsoever was found by the students who were engaged in research or by the scientists who had to do research work there. All went on well and quite smoothly. It was only the officials who had no time to go to Pusa that raised all these objections. The directors of some of the departments who could not take the trouble of motoring a few miles from the railway station would find it a little difficult.

**Major Nawab Ahmad Nawaz Khan** (Nominated Non-Official): Has the Honourable Member read Dr. Keane's report?

**Maulvi Muhammad Shafi Daudi:** All the reports that have been made against Pusa go to show nothing else except that it is some miles distant from the railway station and that it is on the Bengal and North Western Railway. I do not know if the place being on the Bengal and North Western Railway is a curse; if so, the Government could remedy it at once. That railway, after all, has a lot of capital, and it can certainly improve the train service and it can easily run a mail train to Muzaffarpur and from

thence we could motor to Pusa just as we are obliged to motor from Delhi to this newly selected site ten miles off. What I find is that the new place that has been selected for the location of this institute is absolutely rotten as compared with the Pusa institute at Pusa. The damage done by the earthquake had been very slight as compared to the damage done to other buildings in the Division. We were told at that time that the damage was very heavy. I have made it a point to inspect the land myself and see whether the damage could be repaired by spending a few lakhs over it. From the statement given by Government on this question we learn that about 20 lakhs was spent over the buildings from the very inception up to 1934—only 20 lakhs. and, with these 20 lakhs, we had a huge building in that locality and an area of about 1,650 acres of land all round full of green and full of fertility. You cannot have anything like that here near Delhi with these 36 lakhs which Government are demanding at the present moment. I am sure that an equally good site in this part of the country can be had for not less than a crore or more. We find that 7 lakhs were granted last September and we are again asked to grant 36 lakhs now. I do not know how many 86 lakhs we will have to grant in future if we allow this thing to go on. It is true, of course, that they once got this House to pass the demand for transfer at the eleventh hour when people were very tired and did not want to devote their attention to it. I know that that was a very tactful moment that my Honourable friend, Mr. Bajpai, selected for putting the demand before the House. Provincial jealousies were also very much awakened, and it was said that the transfer from Pusa to Delhi is a question of provincial considerations. The Punjab Members were asked to support it, because it was coming to the Punjab and the United Provinces Members were to support it, because it was nearer to the United Provinces. I would ask my Honourable friends from the Punjab and the United Provinces to consider the question dispassionately and find out for themselves without colouring their mind by any provincial considerations whether the Institute had done satisfactory work at Pusa or not during the 32 years of its existence in that locality, whether there have been any complaints whatsoever on behalf of the students and on behalf of the scientists who were doing research work there, whether they had any complaint about the land or the climate or the water of the place. There was nothing of the kind. Simply on the statements and reports of these few highly placed officials who feel it troublesome to go to Muzaffarpur and thence by motor to Pusa, that this transfer is going to take place. I submit to this House most earnestly that this is a very good opportunity that has come to us. Now the buildings have not been started, only the site has been selected, and that I am told at Rs. 10 an acre. It is a very cheap site because no one would like to have anything to do with that site. Therefore even Rs. 10 per acre is enough for those people. We have seen the site now. On the last occasion, there was a difference of opinion as to whether the site selected is more suited to agricultural research than Pusa, and my friend, Mr. Gaya Prasad Singh, made a very elaborate speech on that occasion which I need not repeat. He showed that the site which was then in contemplation was not worth having. Now we have seen for ourselves what it is. Nothing has yet been done there and no money has been spent on the site. We can therefore very well throw out the demand and ask Government to reconsider the position and at least for once they should on this occasion show consideration to the feelings of Members of this House. I submit,

[Maulvi Muhammad Shafi Daudi.]

Sir, that those who are interested in pure agricultural questions would find it absolutely detrimental to transfer the Institute from Pusa to Delhi. Those who have got the interests of the agriculturists at heart would find it quite satisfactory to leave it at Pusa so that the work of research may be done in a quiet place where no politics will mingle with it and where, if any political calamity happens in Delhi, the research work may go on unhampered. I want that research work should not be mixed up with politics. Agriculture is a thing which should be looked at from its own standpoint and not from any other consideration. I would therefore very earnestly appeal to my Honourable friends here not to say that the question has been once considered; there was no consideration given to this subject at that moment. This is the time when we have an ample opportunity and we have Honourable Members here who appreciate the difficulties of the agriculturists, and therefore it is high time for us to consider this question. We should throw out this demand and let Government reconsider the position; we can advance a few lakhs to repair the houses at Pusa and carry on research work there as they were doing, instead of wasting the money of the taxpayers on a new project in this way.

Now, Sir, there is one more point that I want to urge before this House. We have seen in what dire necessity the agriculturists are; depression has brought them to the verge of ruin. Do these agriculturists feel the transfer of this Institute from Pusa to Delhi as being to their advantage? Has any representation been made by any Association dealing in agriculture to transfer the Institute from Pusa to Delhi? Has any public body ever passed any resolution that the transfer of the Institute from Pusa to Delhi would be more advantageous to them? Nothing whatsoever. It is simply the official view that wants the transfer of the Institute to Delhi. I submit that institutions of this nature should not be transferred simply because officials make a demand of that kind. If the people who are affected by it have any grievance against Pusa it should certainly be transferred by all means at once. But the people, the public, the organisations and non-official bodies have never made this demand. And it has also been pointed out by my Honourable friend, Pandit Govind Ballabh Pant, that all the papers in the United Provinces, Bihar, Calcutta and Madras, had unanimously demanded that it should be retained there and a few lakhs spent over it so that the research work may go on as smoothly as before. But still this huge expenditure of 36 lakhs and much more than 36 lakhs will have to be made if this scheme is allowed. I would, therefore, ask the House to support the motion of my friend, Pandit Govind Ballabh Pant.

**Mr. Ghanshlam Singh Gupta:** Sir, I support the motion of my Honourable friend, Pandit Govind Ballabh Pant. Almost all that could be said has been said as to what Pusa stood for. I am just going to add one word and I am saying what Pusa did not stand for and has just commenced to stand for. Rice is the principal food crop of India, and, after almost criminal neglect of rice by the Institute at Pusa, it has just commenced to experiment upon it. It is an experiment on the isolation of



paddy; and out of about 44,000 lbs. of seed distribution it has just commenced to distribute 126 lbs. It has just commenced to tackle rice. I say, after almost a criminal neglect of rice which is the principal crop of India, when it has just commenced to tackle rice, it is very cruel for us, the rice cultivators, that the Institute should be shifted from Pusa to Delhi. We have some chance that rice might have some attention at Pusa because rice can be grown there. (Interruption.) I shall stop now, as I received a Party Whip to do so.

**Dr. Ziauddin Ahmad:** Sir, I do not remember any subject which we have discussed more often, during the last twelve months, than this question of Pusa. It came four times before the Standing Finance Committee and we had to examine a large number of witnesses. We sent for agricultural experts, we sent for all kinds of experts and we had interviews with them. A large amount of literature and a number of memoranda were placed before us and they were examined very closely by the members of the Standing Finance Committee; and, later on, we had a series of questions in the Assembly followed by a full dress debate lasting for two days. I have before me the debate on Pusa on the occasion when my friend, the Honourable Sir James Grigg, moved:

"That a supplementary sum not exceeding Rs. 7 lakhs be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Expenses in Connection with Capital Outlay on Schemes of Agricultural Improvement and Research'."

On that motion we discussed in detail the whole thing from every point of view. Fortunately or unfortunately, Pusa did not happen to be in my constituency: it is not in the district of Gorakhpur: it is in the district of my Honourable friend, Maulvi Muhammad Shafi Daudi. Had Pusa been in Gorakhpur or Basti, then my position would have been very difficult—it would have been a case of my constituency on the one side and my conscience on the other. I heard the speech of my distinguished friend, Pandit Govind Ballabh Pant; and every point he brought forward today was discussed and made before the Assembly during the debate on the 30th and 31st August, 1934. But there is one point which is entirely new, that no one quoted from the Encyclopædia Britannica which my friend quoted from today. This quotation from the Encyclopædia Britannica reminded me of a story which happened at Cambridge: there was a very distinguished Professor, Professor Myer, who happened to know everything possible under the sun. Whenever the students went to him they would talk on all topics and the Professor would be ready to explain everything to them. The students thought that they should introduce a topic which the Professor may not know. They consulted the Encyclopædia. They jumped on a certain article on Chinese song and they said on this particular subject Professor Myer would not know anything; and then a group of them approached the Professor and asked him about the Chinese song. He immediately said: "My friends, you have perhaps seen an article in the Encyclopædia Britannica: that article on Chinese song was written by me. Unfortunately, the whole thing has now changed and I have now changed my mind, and the new theory is such and such." . . . .

**Pandit Govind Ballabh Pant:** That is how Professors behave. (Laughter.)

**Dr. Ziauddin Ahmad:** Wait and see. If my Honourable friend would examine the whole thing more closely, he will find that the article might perhaps have been written by some member in the Secretariat here. Coming to the subject itself, this is a topic on which I have been thinking, not recently, not from the time when the earthquake happened, but, since 1917, when I was a member of the Calcutta University Commission. I said in August, 1984, my own views, and I pointed out at that time—which I repeat today—that Pusa was selected merely by accident: it was not selected as a result of any agricultural or scientific inquiry. Two circumstances happened and fortunately or unfortunately they happened simultaneously. A certain gentleman, as was pointed out also by my friend, Mr. Govind Ballabh Pant, gave 30 thousands sterling for research work; at the same time a military ground at Pusa was given up by the military authorities and they did not know what to do with this land; and they said, "Here is this place and here is this money for this purpose. Let us put the two together". These are the facts.

**Maulvi Muhammad Shafi Daudi:** No, no.

**Dr. Ziauddin Ahmad:** I just ask whether any inquiry was made about the land in Pusa . . . . .

**Maulvi Muhammad Shafi Daudi:** A Committee was appointed to select the soil, and the Committee selected the place: you will find it from the Government record.

**Dr. Ziauddin Ahmad:** This was pointed out on the floor of the House even by the Government Member at that time, and it was not challenged. This land was selected because it was ready and available and because the money was there. Now, of course, on account of continuous labour it has been transformed: but by these means you can transform even a wilderness or a forest into a garden. There is nothing in the ground itself: it was really on account of concentrated work that this place has been changed into what it is now. My point is—and I have emphasised it before and emphasise it now—that research work should be located at a place which should be easily accessible to scientific workers in other field of investigation. This is really very important. We have now passed from the time of Diogenes who always wanted to live in a tub and to avoid human life and culture. The kind of research which can be performed in a tub has now passed away: we have now come to a stage when people would like to meet and exchange ideas; and they would like to stimulate each other in research work. (Interruption.) Research work nowadays is carried out with mutual co-operation and that can only be done if scientific people can come in contact with each other. Pusa is in my Honourable friend's constituency; but I can tell him from my own experience that I tried for two years to see the place, at a time when I was travelling at Government expense and getting an allowance of Rs. 30 per diem; but, in spite of that fact, I could not spare one week which was necessary to visit this particular place. I am merely giving my own experience that this is a place which is exceedingly difficult to approach. This is not merely my own personal view, but I have come across a number of scientists who would have very much liked to visit Pusa and see with their own eyes the results of the experimental work carried on there so that there may be an interchange of opinion, but they could not visit Pusa, as it is situated in an out of the way place.

**Pandit Govind Ballabh Pant:** Is there any railway station at Pusa?

**Dr. Ziauddin Ahmad:** I am speaking of the year 1917. At that time, a visit to Pusa would have taken a week.

**Maulvi Muhammad Shafi Daudi:** Railways have been there since 1880.

**Dr. Ziauddin Ahmad:** Railway communications to the place were very bad.

**Pandit Govind Ballabh Pant:** That is how my Honourable friend is generally misinformed.

**Dr. Ziauddin Ahmad:** I am speaking of my experience in 1917, and at that time Pusa was not easily accessible from Calcutta. Therefore, I think that the Research Institute at Pusa ought to be located at a place like Delhi which is easily accessible to scientists and to all classes of people. Here, in Delhi, there are numerous occasions when University Professors meet together, Delhi is a place where agricultural research workers meet together, and where we generally hold innumerable meetings and conferences of people from all parts of India, and, therefore, if this Institute is located in Delhi, it will be possible for reputed scientific workers and others interested in research work to visit the place easily. Therefore, I say, if Honourable Members desire that our Research Institute may be well-known, if its work is to be properly advertised among the scientists, not only of India, but of the world, the Institute must be located near a central place like Delhi. If you keep it in an out of the way place like Pusa, it will not be easily accessible to many scientists and research workers.

**An Honourable Member:** What about Calcutta.

**Dr. Ziauddin Ahmad:** My friend asks why not Calcutta, if you want to give up Pusa. Then, there will be a tug-of-war between all the provinces. My friends from Bengal will want the Institute to be located in Bengal, my friend from Karachi will want it to be located in Sind.

**An Honourable Member:** Bombay?

**Dr. Ziauddin Ahmad:** Yes, my Bombay friends will want it in Bombay and thus, there will be provincial jealousies created. I think that this Institute should be located at a place where the Government of India is located, because it is really the centre of the whole of India. The very fact that there are demands made by Honourable Members that this Institute should be located in one's own province shows that they do not want it to be kept in Pusa, and so I think there cannot be any better place than Delhi where this Institute can be suitably and conveniently established.

Then, Sir, much has been said about the climate and soil of the place. I would very much like, that the experiment should be tried not on ideal grounds, but on grounds which are very much similar to those which we find in different parts of India. If you choose a particularly good soil for carrying on your experiments, the results may be valuable, but they will not be of practical value to places where the conditions of

[Dr. Ziauddin Ahmad.]

soil may be different. Therefore, I say, that we should do these experiments not on very ideal grounds. The climate and soil of Delhi are such as may be considered to be typical so far as Upper India is concerned . . . .

**An Honourable Member:** We question that.

**Dr. Ziauddin Ahmad:** . . . . and, therefore, I say that Delhi would be an ideal place for the location of this Institute. Of course, if there had been no earthquake, and if there had been no question of spending money, probably I would not have made the suggestion to transfer this Institute from Pusa to Delhi, but on account of dislocation of work due to earthquake I thought that this was a most suitable time to consider the question of the transfer of this Institute . . . .

**An Honourable Member:** There are many other things which have been damaged and which require attention, and would you care to transfer them?

(There were other interruptions at this stage.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member had better go on. He need not mind the interruptions.

**Dr. Ziauddin Ahmad:** I love interruptions, because I can go on better, I don't mind the interruptions.

**Pandit Govind Ballabh Pant:** You have nothing better to love! You love interruptions.

**An Honourable Member** (From the European Group): But think of us.

**Dr. Ziauddin Ahmad:** Sir, the point I should like to emphasise in the end is this. In all our debates, there should be some kind of finality. This is a matter which we have discussed very minutely in the Standing Finance Committee, this is a question which we debated for two days at the Simla Session, on a motion moved by the Finance Member in connection with the Supplementary Grant, and that was a new grant on which we had a two days' debate, and it was decided very definitely by the vote of the Assembly that this grant should be sanctioned. The present demand does not really relate to a question of policy. It really means that on account of the surplus, in the budget of the current year, a sum of 36 lakhs is to be set apart for this purpose. I think on account of the vote of the Assembly in the Simla Session we are committed to the establishment of this Institute. The only point before us is whether, out of the saving in the current year, this sum of Rs. 36 lakhs should be set apart for the establishment of this Institute or an equal amount provided in the budget for the year 1935-36. I thought it was a very simple proposition. There is a saving in the General Budget that we set apart . . .

**An Honourable Member:** On a point of information, Sir. Which does my friend consider would be preferable—the cost of repairs or the cost of transfer?

**Dr. Ziauddin Ahmad:** We have already settled this point. As I said Sir, we have already discussed the question in very great detail, and this Assembly sanctioned in principle that the Pusa Institute should be transferred to Delhi. Therefore, the question before us is not really the transfer of Pusa, but whether the savings of the present year ought to be devoted for the transfer of the Institute. If we begin to discuss *de novo*, at each stage, on each demand, the principles of every step taken by Government, I am afraid there will no finality. With these words, Sir, I support the decision of the Assembly about the transfer of Pusa should be adhered to, as there is no need or occasion for the revision of that decision, no new points having been brought before the House.

**Some Honourable Members:** The question may now be put.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair will accept the closure as soon as the Government Member has spoken.

**Mr. M. S. Aney:** Sir, I have no sympathy for Delhi, nor have I any antipathy for Pusa. I only want some information from the Honourable Member on one or two points. Before deciding on the question of transfer of the Institute from Pusa to Delhi, I should like to know whether the Government of India consulted the various departments of Agriculture in different provinces. I think their opinions must be of considerable importance in this matter . . . .

**An Honourable Member:** The opinion of the public.

**Mr. M. S. Aney:** It is a research work, and, therefore, institutions, whether governmental or non-official, which are carrying on the research work in this direction, are entitled to be consulted and their opinions ought to be duly respected by us.

**An Honourable Member:** They have been consulted.

**Mr. M. S. Aney:** They might have been consulted, but I want to know from the Honourable Member as to what were the opinions given by them and the provincial departments of Agriculture. On knowing that, I shall make up my mind as to how I shall vote.

**Mr. G. S. Bajpai:** I would like to remind those Honourable Members who were Members of the old House that last August, I dealt with this question of the merits of the transfer at very great length; I dealt with that in a speech which extended over 35 minutes. Now, at 4 o'clock today, I have to stop automatically, because the adjournment motion comes on, and, therefore, I am contending against time. Even so, I shall endeavour to give as much information as I can today, and if I do not finish today, I hope I shall have an opportunity of going on tomorrow.

**Mr. President** (The Honourable Sir Abdur Rahim): Yes.

**Mr. G. S. Bajpai:** Let me begin first by dealing with the speech of the Honourable the Deputy Leader of the Opposition, Pandit Govind Ballabh Pant. He made, as is characteristic of him, a very powerful speech. He also, if I may say so, made a skilful, elusive speech. He

[Mr. G. S. Bajpai.]

turned the passions or the feelings of the House, shall I say, not so much on to the merits of the question as to whether the Institute should be transferred, but he said: Here is poor, desolate, hard hit Bihar and Orissa: It is overtaken by earthquake and the Government of India decide to exploit the misery of hard hit Bihar in order to advantage Delhi. I think my Honourable friend will admit that that is more a dialectical point than a statement of the truth, for the simple fact is that anybody who reads the speech of the Finance Member last year and the speech of the Finance Member this year will appreciate and recognise that the one thing that the Government of India did promptly and without a moment's hesitation was to come to the help of the Government of Bihar and Orissa to overcome a trouble which every one deeply deplores, and the fact that this year we are considering the transfer of 1.87 crores from the surplus to the assistance of Bihar and Orissa should, in my opinion, completely and definitely repel the suggestion that what the Government of India have done is to take an unfair advantage of the misfortunes of Bihar and Orissa. I hope that that will disprove that there is any sinister idea behind the decision to transfer the Institute from Pusa to the neighbourhood of Delhi. The second point which I should like to deal with before I come on to the main argument is one which my Honourable friend made as regards desecration, shall we say, of the memory of the late Mr. Phipps whose generosity brought about the foundation of this Institute at Pusa. Now, one thing which I should like the House to remember is that the late Mr. Phipps gave £30,000 for the establishment of an institute of agricultural research. As far as I know, he had never visited Pusa; he certainly had no particular fondness for Pusa in preference to any other place in India, and I am not aware of any provision either in the terms of the gift or of a codicil to his will that he desired that the institute of agricultural research should be raised in Pusa and retained there. I submit that the question of desecration would arise if the Government of India had decided to abolish the Institute of Agricultural Research. They have done nothing of the kind.

**Maulvi Muhammad Shafi Dandi:** You are exhuming his soul from Pusa!

**Mr. G. S. Bajpai:** If his soul is being perturbed in any way. I hope that he, being, at any rate, possessed of rational faculties, even in the next world, will be assuaged by the arguments that I am advancing now. (Laughter.) The point I was making was that what would be an act of sacrilege to the memory of this generous man would be the abolition of the Institute. But that is not what is contemplated. We are carrying on the Institute. As a matter of fact, I contend that we are transferring it to a place where it will fulfil the functions for which it was created, much more satisfactorily than it was fulfilling them in the place it was before. (An Honourable Member: "Question.") The Honourable Member is entitled to his opinion.

Now, there is another point that I should like to make: My Honourable friend, Pandit Govind Ballabh Pant, very rightly laid great stress upon the value of scientific opinion in determining where an institute of research should be located, by implication I mean, if not directly, because he said: Here are the scientists who have done extraordinarily good work in Pusa;

why should not this Institute be allowed to continue in Pusa? I infer from that that if scientists both inside and outside this country hold the view that it would be of greater advantage to agricultural research to locate the institute elsewhere than in Pusa, then my Honourable friend will alter his opinion and agree with me. Now, I am not at the present moment going to quote the opinion of a single agricultural expert in India, and I tell you why. Because it will be said that these agricultural experts are in the pay of the Government of India and they will simply repeat their master's voice; if the Government of India have decided that the Institute shall be not at Pusa but at Delhi, they will say, the Institute shall be at Delhi and not in Pusa. Let me express the opinion of an outsider, Dr. Keane, a man of great distinction, a member of the finest agricultural institute in the Empire, the Institute at Rothamstead. He was for a time at Pusa, and, therefore, knew both the advantages and the disadvantages of the place. This opinion was expressed by him spontaneously without any invitation from the Government of India at all, and it was expressed by him more than a year after he had left this country in order to return to his post at Rothamstead.

**Mr. A. K. Fuzlul Haq** (Bakergunj cum Faridpur: Muhammadan Rural): But does he know the financial stringency in this country?

**Mr. G. S. Bajpai:** My Honourable friend will, I hope, discriminate between two shades of an argument. I am not dealing with finance here at all.

**An Honourable Member:** Hear, hear.

**Mr. G. S. Bajpai:** I did not say I will never deal with finance: I say, I am not dealing with finance at the present moment. I am dealing with the question of the merits as to where this Institute would best serve the purpose for which it has been founded. What did Dr. Keane say?

**Prof. N. G. Ranga** (Guntur cum Nellore: Non-Muhammadan Rural). When did he say?

**Mr. G. S. Bajpai:** Last year, in the month of June. Dr. Keane said, "We think the Government are wise in deciding to bring this Institute from Pusa to Delhi", and, further, when the decision had been taken and he learnt that steps were in progress for transferring the Institute from Pusa to Delhi, he confirmed that expression of opinion. I think my Chief, the Honourable Sir Fazl-i-Husain, had a communication on that subject from him only the other day. Therefore, you have the expression of an opinion by an eminent scientist who is outside this controversy, no longer associated with Government, independent as it were both in his judgment and in his outlook, and yet not incompetent or uninformed, because he was actually in India and served at this Institute.

**An Honourable Member:** Why was Pusa chosen before?

**Mr. G. S. Bajpai:** My Honourable friend there asks, why was Pusa chosen before? I was coming to that, because my Honourable friend, Mr. Shafi Daudi, had made a great point of that in the speech which he made. The position is exactly as my Honourable friend, Dr. Ziauddin Ahmad,

[Mr. G. S. Bajpai.]

stated. Pusa was chosen, because, at the time, there was an abandoned estate which had been previously used for the purpose of horse breeding. That abandoned estate was available. No expenditure on the acquisition of land would be required, and so they said; "Let us go and put this Institute at Pusa". There is another point which Honourable Members ought to take note of, namely, that at the time the provincial departments of Agriculture were either non-existent or extremely feeble, and there were no reflections, cogitations and consultations, as was suggested. There was the Inspector General of Agriculture who looked at the matter like this. He said, the Government of India is located at Calcutta; Pusa is not very far from Calcutta; we shall have the thing under our supervision, there is land readily available, let us go and locate the Institute at that place . . .

(It being Four of the Clock.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech tomorrow.

### MOTION FOR ADJOURNMENT.

#### RESERVATION OF THE HIGHLANDS OF KENYA FOR EUROPEANS.

**Mr. S. Satyamurti:** Sir, it is a far cry from Pusa to Kenya, but, whether we are at Pusa or in Kenya, we meet Mr. Bajpai.  
 4 P.M. (Laughter.) Sir, I beg to move that the House do now adjourn.

**Mr. M. S. Aney** (Berar Representative): What for?

**Mr. S. Satyamurti:** The matter which I seek to bring to the notice of this House is the critical position of Indian settlers in Kenya in respect of the proposed reservation of the highlands for the Europeans. This is not a Party issue, Mr. President. There are two issues in the public life of this country, namely, the Indianization of the army, and the position of Indians overseas, in which all parties, including the Liberals, the Moslem League and others, have always taken a practically unanimous view, and I hope, Sir, today we shall have the support of the non-official European Group in this House, because this is a matter which concerns the honour and the self-respect of India as a whole. The position of the Congress, Sir, is that so far as Indians overseas are concerned, they cannot come by their own, until India is mistress of her own destinies. Meantime, we shall do our best, with the co-operation of other Parties, to see to it that their rights are vindicated. The history of this question is given more or less accurately in a memorandum published by Parliament in which it is stated:

"The history of the position of Indians in Kenya up to the end of the late war may be summarised briefly. There have been Indian merchants established along the East African Coast for a long time and with the opening up of Uganda and Kenya, and particularly with the development of British administration in those countries during the last 38 years, Indian traders have penetrated into the interior. Many Indian artisans and labourers employed on the construction of the Uganda Railway remained to engage in commerce, and, at the beginning of the present century, the number of Indians in Kenya was greatly increased by the arrival of artisans, clerks and small traders."



My position is that, in the making of Modern Kenya, Indians have played a large and distinguished part, and, therefore, deserve to be treated as honoured citizens of that country. Moreover, this question of the reservation of highlands is a very important one, because thereabouts will be the centre of Government of the future East Africa, and it is not right that Indians should be excluded from that area. This trouble began in 1908 when Lord Elgin, as Secretary of State for the Colonies, decided to reserve, for the purposes of administrative convenience, lands in the highlands to Europeans; but then the Indian community was assured that there would be no legislation passed against them in the matter of land tenure. Indians accepted that on the understanding that this order referred only to the first transfer of Crown lands, and that second transfers and sales would be open to Indians. In 1915, an Act was passed by which the Governor-General was given the right of veto in all sales or transfers of land in the highlands, and, I must say, that at that time the Government of India protested and protested very strongly, but as usual, that protest was of no avail.

Now, Sir, the position today is that, as far as original transfers of Crown lands are concerned in the highlands, all the entire land belongs to the Europeans; but what the Europeans wanted was that they should prevent all further purchases by or transfers to Indians. The second fact is that the Indians are not likely to take up much of agricultural land in the highland portion, but the Indians cannot get land even for any other purposes there. In 1920, the Government of India addressed a long despatch to the British Government in which they say and say very strongly:

"We would point out that this (reservation) goes far beyond Lord Elgin's decision and is incompatible with his own pronouncement that it is not consonant with the views of His Majesty's Government to impose no legal restrictions on any particular section of the community in regard to the acquisition of land."

Then, Sir, they add:

"We submit that it is not easy to reconcile the land policy of the East African Government with Lord Milner's assurance that it has been the avowed principle, and it is the definite intention of the British authorities to mete out even-handed justice between the different races inhabiting those territories."

Then, Sir, we come to the last paragraph in which they say:

"The Government of India cannot and will not disclaim responsibility for the welfare of the Indians who are settled in East Africa."

I bring that to the notice of the House this afternoon. Then, we have the Parliamentary Paper, to which I have referred, in which Parliament, for the first time, laid down this. Tracing the history of this question, they say:

"His Majesty's Government have decided that the existing practice must be maintained as regards both initial grants and transfers."

That was specifically stated, and they added:

"It has not been possible to meet the wishes of the Government of India whose views have received the fullest consideration from His Majesty's Government at the instance of the Secretary of State for India."

[Mr. S. Sabyasanti.]

That was the position, and after the publication of the White Paper, there was a debate in the Council of State, in which Sir B. N. Sarma, then Member in charge of this portfolio, stated certain facts. He said that some of the best lands is included in this 11,859 square miles and he added that this decision was only a temporary decision and the Government of India hoped that it would not become a permanent decision, and he said that he would take steps to see that it did not become a permanent decision. After that, a Commission called the Carter Commission was appointed with a specific term of reference in these words. I am referring to the sixth term of reference. They were asked to define the area generally known as the highlands, within which persons of European descent ought to have a privileged position, in accordance with the White Paper of 1923, but they went beyond this term of reference. Attempts have been made in the House of Commons to elicit how they were authorised to go beyond the terms of reference and the Secretary of State admitted that he stated in answer to a question from the Chairman that, the phrase 'privileged position' means securing the rights of Europeans in regard to the two points, on which I seek the support of this House today,—first the extent of this area which has been considerably added to from the 11,000 odd square miles, which the Honourable Sir B. N. Sarma mentioned in his speech, to 16,000 odd square miles, and, secondly, and more important than this, that His Majesty's Government should, and they have practically made up their minds to, issue in the form of an Order in Council, almost more immutable than a parliamentary statute, this reservation of the highlands for Europeans. The gravamen of the charge against the British Government is that they have agreed to reserve this land by statute and they have also agreed to extend the area of the land. The position, as I see it, Mr. President, is this that what has been more or less an administrative arrangement, which, although it has gone on in spite of the Government of India, may yet be capable of adjustment when India becomes stronger and more and more powerful in international councils, is now sought to be made into an Order in Council, which really precludes all possibility of future adjustment on terms of mutual advantage.

Secondly, we believe that this idea of reserving a very large area of a very desirable part of a colony, to the making of which Indian labourers and Indian merchants contributed a lot, is unjust to the Indians. Sir, I am not bringing forward this motion directly as a censure on the Government, for the simple reason, that, as far as I have read the papers, the Government of India have consistently supported the claims of Indian settlers in Kenya (Hear, hear), but because time and again they have been overruled—overruled in practically all matters concerning Indians in South Africa, Indians in East Africa and elsewhere, and I believe, Sir, that I am right in asking the Government sincerely and honestly to vote with me on this motion. (Laughter.) That is the only way in which the Government of India can show to the world how strong, how earnest, how sincere is the feeling of all India in this matter. Sir, let us recall how well Mr. Jinnah put it in that picturesque language of his when he said: "we cannot get hold of the Secretary of State: you are the only gentlemen whom we can get hold of; we shall really talk to the Secretary of State through you"; and we want the Government of India to communicate to His Majesty's Government that this perpetual attempt on the part of the

European settlers in Kenya and their friends in London to reduce Indians in all self-governing colonies and also in Crown colonies to the position of helots is one which we Indians cannot approve of.

Sir, I want to address just one more argument and conclude. In the case of the self-governing Dominions like South Africa, Canada and Australia, the argument has been advanced by the British Government: "What can we do? After all, they are self-governing Dominions. They have a right to control their own emigration and immigration. They can make their own laws. By all means, make your own laws". Those were the conclusions arrived at at the Imperial Conference. Very well. I shall have no quarrel with them. We shall deal with them as equals now or hereafter. But, so far as the Crown colonies are concerned, like Kenya, for the Government of which His Majesty's Government is, in the ultimate resort, fully responsible, I think no other argument is available to His Majesty's Government excepting the argument that, because India is weak, we will not fight India's cause, and will always allow the Colonial Office to have its own way. It seems to me, Mr. President, that the justice of the case is obvious. No man can accept the position that a particular land of about sixteen thousand square miles of very desirable residential qualifications should be reserved for one community alone for all time, and that Indians should not have any part or lot in that territory, and we, therefore, want that the sense of this House and of this country as represented in this House should be communicated to His Majesty's Government, that we do not want this reservation to be made by an Order in Council, that we do not like the extension of the area, and that we want freedom to negotiate and assert the equal and just rights of Indians in Kenya. With these words, Sir, I move that the House do now adjourn. (Applause.)

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands): Mr. President, I venture to intervene early in the debate, because I feel that, in view of the long history, and the complicated history of this subject, Honourable Members may like to be put in possession, in the brief time available to me, of the background. Sir, my Honourable friend, Mr. Satyamurti, ended upon a note which I am sure has the sympathy and the response of every section of this House (Hear, hear), namely, that, in those territories for the administration of which His Majesty's Government themselves are responsible, there shall be no discrimination against Indians but there shall be absolute equality. If I may remind the House, Sir, this was the language which the Government of India used in the Despatch which they addressed to the Secretary of State on this very Kenya question in 1920. They said: "We are unable to agree that the Indian claim to acquire agricultural land anywhere in the colony is neither just nor reasonable. We do not consider that this proposal"—the proposal was the reservation by way of compensation of land in low-

[Mr. G. S. Bajpai.]

lying areas of Kenya—"is compensation for the exclusion of Indians from the uplands. We hold most strongly that there is no justification for the extension of Lord Elgin's decision so as to prohibit the transfer of land to Indians, which, in our view, is incompatible with his own pronouncement"—the pronouncement of Lord Milner that, in territories administered by His Majesty's Government, it shall be the policy of His Majesty's Government to wield even-handed justice. That was the language which he used. I would like further to remind the House that when the White Paper of 1923 was published and His Majesty's Government announced their decision that both in regard to fresh alienations and to transfers of land, the existing practice would be retained, the Government of India made it abundantly clear that they reserved to themselves the right to re-open this question whenever opportunity offered itself. When the Hilton-Young Commission was out and sat in East Africa in 1927, these desiderata were repeated. It will therefore be clear to the House that, in so far as the position of the Government of India is concerned, throughout these years of controversy it has in no way altered. It remains what it was in 1920, namely, that there shall be no racial discrimination against Indians in East Africa; and, to the extent that His Majesty's Government had decided in 1923 to overrule that contention of theirs, the decision was accepted only under protest. Now, Sir, I would like to come to the change—and I think this is really what the House will be most interested in—in the position that would arise if the recommendations of the Carter Commission were actually incorporated in an Order in Council by His Majesty's Government. My Honourable friend, Mr. Satyamurti, referred to one point, namely, the extension of the area where this restrictive policy prevails at the present moment. Undoubtedly, that is objectionable, but there are two further points which I think ought to be clearly explained to the House. The other day, Sir, answering a short notice question in the House, I read out the reply of the Secretary of State for the Colonies to a question asked in the House of Commons on the 14th February. The question was as to what exactly were the implications of the words "privileged position" as regards these highlands. The reply of the Secretary of State for the Colonies was that the words "privileged position" implied, *inter alia*, that none but a European shall acquire or occupy land in the highlands. Now, Sir, our view is that that definition, if it be incorporated in the terms of an Order in Council, will go beyond the existing position. In other words, not only would it prejudice the position that we have all along taken, namely, that at a suitable opportunity we would like the existing position to be relaxed, but it would make the existing position even worse. And I would like, Sir, in support of this, to quote the interpretation which His Majesty's Government themselves gave in the White Paper of 1923. They said:

"We claim that the existing restrictions meant no legal discrimination against Indians for it would be possible for the Executive Government to grant land in the Highlands to an Asiatic or to approve of the transfer of land from a European to an Asiatic without any alteration in the existing law."

The position, if the restrictions which the Secretary of State for the Colonies outlined the other day were incorporated in an Order in Council, would be that what is now a restriction imposed by administrative practice

would become a statutory restriction. That, Sir, in our opinion, is much the most vital objection or point of objection that we have got to take with His Majesty's Government. There is a third point which perhaps by reason, as I said, of the complexity of the question and the voluminous nature of this document escaped the piercing eye of my Honourable friend, Mr. Satya-murti. That point is that in a certain area in the Highlands, where these restrictions prevail, prior to 1906 land was alienated to Indians without any restrictive condition or covenants. The recommendation which the Carter Commission make is that if hereafter this land be transferred by an Indian to a European, then the restrictive covenant will apply and the European will not be at liberty to alienate it to an Indian. There you have the three objections which we have to the implications of what the report says and what the Secretary of State for the Colonies says. First, the extension of the area, second, the conversion of what is an administrative restriction into a statutory restriction and, third, the removal of an existing privilege and the substitution for it of a racial discrimination. Those are the three points which are under our attention. We had examined the report, and because we felt that these difficulties had to be faced, we asked His Majesty's Government not to make an Order in Council until this question had been fully represented by us. As I announced to Honourable Members the other day, His Majesty's Government have agreed that such representations be made and that no Order in Council shall be issued until those representations have been made. I have within the time at my disposal sought to indicate the points upon which representations will be made. I have also informed the House that the Secretary of State for the Colonies and His Majesty's Government have given us a pledge that they will make no change in the existing position until those representations have been made. Now, Sir, I do not really know that in this particular matter there is any difference between the Honourable Members opposite and ourselves. If I may say so, I had a slight grievance against my Honourable friend's otherwise admirable statement of the position. He prefaced his remarks by saying that on this matter all Parties—the Liberals, the Nationalists and the rest—are agreed. I wish he had also added that not only all Parties, but the Government of India are also agreed. (Hear, hear.) Because, if there are any matters on which there has been complete unanimity, this is one of those matters.

**An Honourable Member:** What about fiscal autonomy?

**Mr. G. S. Bajpai:** I am not talking about fiscal autonomy at the present moment. It has its own place important though it may be. The position, then, is that there is identity of outlook; there is unanimity of objective and there is determination on all sides that we should forward and put this case before His Majesty's Government. My Honourable friends may ask: What will be the result? None can predict the result. But, Sir, this House considers the work of its own executive, the attitude of its own executive and the line that that executive takes in response to public opinion. I submit that by the account that I have given of what we have done and what we propose to do, I have established to the satisfaction of every fair-minded man that in this matter the executive, that is to say, the Government of India, deserve not the censure of the House, but their whole-hearted support and approval. (Applause.)

**Mr. M. A. Jinnah (Bombay City: Muhammadan Urban):** Sir, I had very little dreamt when I was speaking here yesterday on a similar motion that my words will have that magic effect upon the Government of India. Sir,

[Mr. M. A. Jinnah.]

I congratulate the Honourable Member who spoke on behalf of the Government of India. The question is not whether the Government of India can successfully fight our battle. It is also not the question whether we can successfully fight our battle. The constitutional position in this House is this that when we want to raise a question of definite, specific character and of great public importance, it is initiated definitely not in the inimical sense towards the Government but for the purpose of finding out the real position and the real situation and the attitude of the Government or the actions of the Government. If the House is satisfied that our Government has done what is right or that they have done their level best, surely it will be positively unreasonable that the House should proceed further and pass the vote of censure on the Government. Now, Sir, on this question—and it is, of course, a very rare question and I do not want the Government to run away from this fact—we are able to speak, as we did, whole-heartedly and not censure the Government. Therefore, speaking for myself, in view of what the Government have done and in view of the position which they have taken up from the very start and stoutly maintained that position. Although the Honourable Member speaking on behalf of the Government did not say so, I will even give the credit to the Government of India that they have held the hand of the Secretary of State for the Colonies in not passing the Order in Council till their representation reaches him which would have, of course, by now become a statute and law of Kenya. Therefore, speaking for myself, as I said yesterday, I am always loth to unnecessarily pass votes of censure on the Government and on this occasion certainly I shall not be justified. But before I sit down, may I point out to the Government that when the reply was given—perhaps the Honourable Member is already aware of it, but I would like his attention to be drawn to it—the Secretary of State for the Colonies was heckled by the Members in Parliament on this very question. I have got a report from a newspaper which is called the *Weekly Edition*, and its correspondent sends this report which is dated London, the 15th February. Major Milner asked the Secretary of State for the Colonies:

"Has the Colonial Secretary asked or does he intend to ask for the comments of the Government of India on the text of the proposed Order in Council defining native reserves in European Highlands in Kenya?"

Sir Philip Cunliffe-Lister replied:

"I shall of course be prepared to consider any representations which may be received from the Government of India, but (*I want the Government of India to mark this 'but'*) I think it will to point out that the effect of the proposed Order in Council so far as the White Highlands are concerned will be merely to confirm what has been an administrative practice for the past quarter of a century. This practice was formerly re-confirmed by His Majesty's Government in the White Paper in 1923 and has not been challenged by any successive Government."

Of course, there he was referring to the British Government not our Government. I want the Honourable Member therefore to bear in mind that it is not only for the successive Governments of Great Britain only to challenge but I think ours is a greater right to challenge and we have challenged it from the very inception. The result of this law—if the Order in Council is passed—would be this.

First, what was originally supported, or rather maintained was on the ground of administrative convenience, from that we have now come to the stage when not only an area which was kept on the plea of administrative

convenience, that area is enlarged to a very great extent and now it is not on the ground of administrative convenience but on the ground that it is going to be the white island, that is a special reserve for white people. That is one. If that law is passed then it follows that the restriction which did not find a place in the way of any Indian acquiring before this law comes into operation, that is to say any Indian could have acquired any property in that highland, but the moment this law comes into operation no Indian could acquire any land within that area—that is a restriction which does not exist at the present moment. Not only that, but those Indians who happen to possess lands within this enlarged area, if those lands are sold once to a European, then that European cannot alienate or transfer those lands to an Indian any more. So far really it seems that the words of that great man, Mr. Bonar Law, are thrown to the winds, namely, even handed justice. Sir, it is far from being even handed justice, it is downright injustice (Hear, hear), and I am glad that on this occasion at any rate the Government of India have risen to the occasion and I wish them god-speed in their fight, and I hope they will win. (Applause.)

**Mr. F. E. James** (Madras: European): Sir, it is indeed a happy circumstance that finds all sections of the House of one mind on this subject. (Hear, hear.) I should like to make it perfectly clear from the outset that we, in this small and somewhat insignificant Group in this part of the House, join whole-heartedly in the remarks made by my Honourable friend, Mr. Satyamurti, and also in congratulating the Honourable Mr. Bajpai on his exposition of the actual steps taken by the Government of India. We have on previous occasions—I claim from the days when my Honourable friend, Sir Darcy Lindsay, was the Leader of this Group—identified ourselves whole-heartedly with those in this country who have been working for the establishment of justice for the Indian communities overseas. Whether men and women of our own race are concerned or not, we shall continue, in so far as it lies in our power, to join our Indian brethren (Hear, hear) in this campaign for the establishment of justice. Having said that, I would like to say straightaway that I trust that this motion will not be pressed to a division. I understand the desire of my Honourable friends is to have some vote which will place on record their position. But I would ask them, whether, in fact, the establishment of any vote in this House on this issue is going to alter the circumstances at all. The person we are really anxious to get at is the Secretary of State for the Colonies and through him the British Government. We cannot, in fairness censure the Government of India. Those of us who are on the Standing Committee on Emigration, at our last meeting, had the pleasure of placing on record our warm appreciation of the magnificent fight which the Honourable Member in charge of that Department, Sir Fazl-i-Husain, has put up (Applause), during the time of his office, for the cause of Indians overseas, and it would be a most unhappy thing if on this, his first appearance in this House during this Session, this House were to record a vote which would ordinarily be recognised as a censure vote upon the Government of India. Therefore, I trust that my Honourable friend, the Mover of this motion, will not persist in that policy. Sir, we feel in regard to this matter that the proposal to turn, what is somewhat euphoniously called “an action of administrative convenience”, into a discrimination embodied in statute is not only detrimental to the interests of India, but it is injurious to Indian inhabitants overseas not only in Kenya but elsewhere. If my voice could go from

[Mr. F. E. James.]

here in any way with any power or any authority or any persuasion to those in authority in the United Kingdom, I would ask them to pause before they do anything which will establish a position by Order in Council, that is to say, by a prerogative of His Majesty the King in this his Jubilee year, a position which will undoubtedly be resented, not only by Indians in Kenya but by Indians throughout the length and breadth of this land. (Hear, hear.) I trust, Sir, that the Government of India, in the great effort which they are making, will be supported by every section of this House and every community in this country and that they will be successful in achieving what we all desire and, in preventing, what I believe will be not only an act of injustice but an act of great "un-statesmanship" on the part of His Majesty's Government. (Hear, hear.) (Applause.)

**Mr. B. Das** (Orissa Division: Non-Muhammadian): Sir, this is one of those rare occasions when we find,—if I am correct, this is the fourth occasion—when we find that the Government of India and the Opposition are agreed on the subject matter that is under discussion and it is rather surprising that on all these four occasions, it happens to be a subject that is handled by the Department of Education, Health and Lands and that Department finds itself in complete agreement with the people of India in their unanimous demand over the overseas question. Sir, I am glad that my Honourable friend, Mr. James, gave us his partial support, though not his full support, I do not feel he gave his whole-hearted support, but he gave his partial support . . . . .

**An Honourable Member:** No, he gave his full support.

**Mr. B. Das:** No, in my interpretation it is not full support.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Dutta).]

I am glad that I have at least got the sympathy of my Honourable friend, Mr. James. We had it on another occasion when we discussed on the floor of the House the evidence of the Secretary of State for India given before the Joint Parliamentary Committee where the people of the Colonies and the Dominions were given further amount of status in India over which we condemned the attitude of the Secretary of State and my Honourable friend, Sir Fazl-i-Husain, joined his full strength with us to condemn that attitude of mind of the British Government. But, Sir, what is the genesis of this question? What I find in this matter is that however united we may stand on the floor of this House the Government of India are impotent, as Sir Cowasji Jehangir put it yesterday. The Government of India, however, united they may be in their protest with the Indian people, cannot impress the Secretary of State and the Secretary of State who happens to represent the Indian interests in the British Cabinet in no way carries weight with the Colonial Secretary. So the colonising policy of the British people goes on merrily and the Indians who go to the colonies, whether it is South Africa or East Africa or Kenya or Tanganyika, and contribute to its economic development are slowly pushed out.



My Honourable friend, Mr. Bajpai, grew eloquent over this question: I admire his eloquence and also his sincerity, but I think his voice did not contain the note of sadness which I expected there, because he must be burning with the sense of injured feeling over the kick that the Government of India received over the Zanzibar question. If the Colonial Secretary can kick the Government of India in curtailing the rights of Indians in Zanzibar, how can we expect, by expressing pious hopes on the floor of this House, that the united voice of the Government of India and the people of India will carry any weight with the Colonial Secretary over this Kenya Highland question? Sir, the whole trouble I locate in another direction. In this new Constitution that is contained in the White Paper and the Joint Parliamentary Committee Report, Indians are not given freedom over their overseas problems or over their foreign policy. The Secretary of State still remains the master and he is to negotiate on behalf of the Government of India and on behalf of even so able an advocate as my Honourable friend, Sir Fazl-i-Hussain, with the Colonial Secretary. And however much my Honourable friend, Sir Fazl-i-Hussain, may agree with us he cannot make the Secretary of State move in the matter. The Secretary of State in this matter tacitly agrees to what the Colonial Secretary says. Sir, my Honourable friend, Mr. James, wished that in the King's Silver Jubilee year Indians all over the Empire would be happy or some such thing he said. Sir, I do not expect any such thing. In India we are not happy. Indians in South Africa are not happy; Indians in Zanzibar are today condemned to live from hand to mouth and their trade is destroyed by those Ordinances that were recently passed and over which the protests of the Government of India have gone fruitless. So I think, in a month or two, the Secretary for the Colonies will further tighten the control over the rights of Indians in Kenya and Tanganyika and their freedom will be further restricted. So what I urge on the Government of India is to test how long Indians will be pariahs in these colonies of the Empire. Sir, people talk of our rights and status, people talk of India's position in the League of Nations. What is the use of our claiming a position in the League of Nations when, throughout the Dominions and Colonies, we are treated as pariahs? The Government of India may be sympathetic, but they are as helpless as we are in this matter to advance the status and the rights of Indians in these Colonies. So when my Honourable friend, Sir Fazl-i-Hussain rises to speak, I do hope he will tell us what he himself feels in the matter, whether he sees any light ahead or whether the Indians in Kenya and Tanganyika will have the same fate as the Zanzibar Indians. With these few remarks, I support the motion.

**Sir Lancelot Graham:** Sir, the question may now be put.

**Mr. Muhammad Ashtar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, it is really a matter of very great satisfaction to all Members of this House that at least once, though it may not be in the beginning of the Session, the Government of India have seen their way to compromise and go hand in hand with the Indian public. It is not only a matter of felicitation to us, but it augurs well, not for the Government of India alone, but also for the country. Sir, we have known it always that united we stand and divided we fall; and today the Government of India can very well see that whenever they are prepared to extend their hand of unity to the Opposition, the Opposition will not fail to extend its

[Mr. Muhammad Azhar Ali.]

own hand. Our object in moving this motion today, as Mr. Satyamurti pointed out, is not to censure the Government of India, but to strengthen their hands in putting our case before the Government at home, although it is already a very strong case. In every paper like the White Paper and the Joint Parliamentary Committee Report, we find that there is always mentioned the question of partnership with Indians. Every Englishman says and all the papers in England also say that they want partnership with India. But there can be no partnership with India unless and until the rights of Indians overseas, the rights of Indians in this country, the rights of Indians everywhere in the world, are recognised by the British Government and the Government at Home, and they also take care that our rights are protected everywhere wherever we are in the world.

Sir, yesterday, my Honourable friend, Mr. Jinnah, said that we find that this Government is not our Government. I am glad to see that today we find this Government to be our Government. Some friends say that it may be that tomorrow the Government of India will change. Sir, if the Government of India will change, we also will change, and if one Party can break the peace of this House the other Party will also be prepared to do it. The rights of Indians in Kenya have been the subject of discussion for a long time not only in this House but outside it. I remember reading in the papers once that about three lakhs of pounds were invested by these Indians in the hospitals of Kenya but still Indian ladies are not admitted into those hospitals. Whereas every kind of arrangement is made for European women in these hospitals, it is not so for Indian ladies. It is things like this that Indians resent, that protection and assistance is given to Europeans only whereas the money is invested by Indians as well. I do not think it is necessary for me to say more, but again to thank the Government at least or extending the hand of friendship even for once to this side. I support the motion.

**Seth Govind Das** (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I rise to support the motion moved by my Honourable friend, Mr. Satyamurti. There is no doubt in the fact that racial discrimination is being made in this respect. There are both highlands and lowlands in Kenya and Indians are being kept away from the highlands. In the beginning it was an administrative question, but now in spite of our prolonged wish, in spite of our unanimous opinion in this country, including that of the Government, an Order in Council is being proclaimed, by which Indians would be kept away from the highlands permanently, and they will not be allowed to buy those lands from others as second-hand or even third-hand property. Now, I shall read in this connection what an eminent English paper has said, I mean the *Manchester Guardian*. In its issue of the 11th February, 1935, it said:

"When the long and comprehensive report of the Morris Carter Commission on Land in Kenya was published last May it was rightly praised for the evidence it gave of the care with which the claims of the various tribes had been considered. But one feature of the report caused dismay to many acquainted with Kenya's problems. The Commissioners were requested in their published terms of reference to 'define the area generally known as the Highlands within which persons of European descent are to have a privileged position.' They did so. Their report contains a map of the recommended area which includes an addition of 6,355 square miles to the 10,345 already in the possession of Europeans. Moreover, paragraph 1979 of their report recommends that 'the boundaries of the European Highlands should be safeguarded by Order in Council so that the European community may have the same measure of security in regard to land as we have recommended for the natives'."

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

"It seems superficially a harmless proposal. In fact, it is a highly unwise departure. At present land in the Highlands can be transferred to others than Europeans, though only with the consent of the Governor. In future, if the Order in Council is passed, the greatly extended Highland area will be a close European preserve. The Commission would seem here to have exceeded its terms of reference. It was asked to define the Highlands, not to hand them over to Europeans for all time. But, as is pointed out by a correspondent whose letter we print today, it proceeded upon the advice, unknown to Parliament at the time, of the Colonial Secretary. Sir Philip Cunliffe-Lister has admitted that, in reply to an inquiry from Sir Morris Carter for a definition of the 'privileged position' of Europeans in the Highlands alluded to in the Commission's terms of reference, he declared that :

'no person other than a European shall be entitled to acquire by grant or transfer agricultural land in such area or to occupy land therein.'

Kenya contains a non-native population of some 39,000 Indians, 16,000 Europeans, and 12,000 Arabs. The proposal without Parliamentary discussion permanently to exclude the Indian population from acquiring land in the Highlands is not likely to pass unnoticed in Delhi."

Sir, this is what the *Manchester Guardian* has said. We are not censuring Government by moving this adjournment motion, but, in fact, we want to strengthen their hands, to advocate our cause to the Secretary of State. The Government of India always act as subordinates to the Secretary of State. They never even press our views before him, but this is one point in which they have been pressing and advocating our views. By passing this adjournment motion, we shall be strengthening their hands, and in that way we are not, in fact, censuring the Government of India. We, in this country, are not independent—we are considered as slaves in this country of ours; and we occupy the same position overseas, and no respect is being given to an Indian outside the country also. Under these circumstances, I hope that the House will carry this adjournment motion. In fact, Government Members also ought to vote for this motion, because we are making it clear that we are not censuring them and that we are only trying to strengthen their hands. With these very few remarks, I support the adjournment motion moved by my Honourable friend, Mr. Satyamurti.

**Mr. Sami Vencatachalam Chetty** (Madras: Indian Commerce): Sir, while I do not wish to underestimate the value of co-operation and support which the Government on such rare occasions is affording to the point of view that is well canvassed by Indian public opinion, I am afraid I cannot resist the feeling that after all these are all merely empty words and they do not bring in any desirable result. The struggle of the Indians overseas is a long one and has been as protracted as the struggle for Swaraj by the Indians in their own country. I was not surprised at the support of my Honourable friend, Mr. James, not only on his own behalf but also on behalf of the Europeans sitting with him, because I say that they saw that the Government was of that view. But the whole question is, are we to end these representations by merely verbal protests or have we got any power either to persuade the Secretary of State for India or the Secretary for the Colonies to enable the Indians overseas to enjoy equal privileges and opportunities with the other nationals of that country? As regards that, I am afraid there has been no answer in the very able and sympathetic exposition of the case of the Government in this matter.

[Mr. Sami Vencatachellam Chetty.]

Unless one feels certain that we can, notwithstanding the verbal protest, by other means, by means of retaliation or by means of anything else, afford the same kind of treatment to their people in our country, unless we are able to persuade the Colonial Government like that, there does not seem to be any hope of getting most of the great grievances and disabilities, which the Indians suffer, redressed. I would rather like the Government to tell us whether we have the power or not. We shall be prepared to go to any length with the Government of India in the matter of persuading the Secretary of State to take a very strong attitude in this matter and see whether the Secretary of State for the Colonies can ask the Colonial Government to agree to the legitimate, reasonable and just demand of Indians overseas. In this attempt I should expect the European Members to give us their whole-hearted and unstinted support. Much lies in the attitude they adopt, not only in this Chamber, but also either in private correspondence or in representations to the authorities at home. The value of the words of the Europeans here will certainly have far greater effect than even the Government of India in this matter. Because they must be generous enough to feel that though they are in such a small minority here, yet they are able to enjoy such privileges and such responsibilities in this country that they should be grieved that their brethren in other parts of the Empire should deny the privileges which they themselves enjoy at the hands of the people of this country. Well, Sir, if, when a change of Constitution takes place, the rights and privileges of Europeans and other Englishmen could be safeguarded in this country by means of conventions, by statutory rules and other things, would it be unreasonable for us to expect that the same kind of thing should be done by Englishmen in the Colonies so far as our people in the Colonies are concerned? Therefore, unless the Government of India give us an assurance that they will do all in their power, not only by means of strongly worded protests but also by every means which they have in their power, we can get no satisfaction in this matter; nor do we think that the Colonials will be so unreasonable as to turn down our representations. I join in the statement made by several Members of this House that this adjournment motion does not mean a censure on the Government, but it is intended to strengthen the hands of the Government, and I hope that Government will take this in the same spirit in which it is offered, and will do all that lies in their power to support the claims of Indians in Kenya.

**Mr. D. K. Lahiri Chaudhuri** (Bengal: Landholders): Sir, I consider

it a great privilege to get this opportunity to express my views.

5 P. M. on this important question. I am glad that my friend, Mr. Satyamurti, tabled this adjournment motion, because it is really a matter which is of the vital importance affecting the self-respect of our countrymen abroad. Sir, I belong to a party which is supposed to be the Independent Party, and my view should be really independent in this matter, and, as my Leader rightly expressed, this is the only question on which there has been complete unanimity of opinion in this House. I also congratulate my friend, the Mover, on the able and eloquent manner in which he put forward his arguments which has enabled him to secure the support of every side of this House. I am also glad that the Government have given an undertaking to the effect that they will

go as far as they possibly can and do all that lies in their power. At the same time, I must also express satisfaction at the speech by my friend, Mr. James, who spoke not only for himself, but for his Party also, and that shows that they wholeheartedly support our case. I, therefore, suggest, Sir, that the unanimous decision of this House should be forwarded to the Secretary of State for the Colonies requesting him to consider this matter very seriously. Sir, there is a certain section in this House which believes that all recommendations we make here are merely of an advisory character and are not binding, but this recommendation should be regarded with the greatest seriousness it deserves, because, unless and until Indian interests overseas are sufficiently safeguarded, we in this country can never remain satisfied. Sir, this is a solemn occasion, because all our friends outside the House will be watching with keen interest the result of our debate, and it will give universal satisfaction if it is known outside that there is complete unanimity on this important question affecting the interests of our countrymen abroad. Sir, in my career in the Legislature this is the first occasion on which I find complete agreement between the Government and Honourable Members of this House belonging to all sections. I heartily congratulate the Honourable Sir Fazl-i-Hussain on the bold stand he has taken in this matter. Sir, I wholeheartedly support this motion.

**Maulana Shaukat Ali** (Cities of the United Provinces: Muhammadan Urban): Sir, this Session is now about to close in a few days, and I was feeling despondent that the peace maker was getting nothing but kicks from this side and that side. (Laughter.) Today, when an hour ago, speaker after speaker was speaking about Pusa, I was wondering whether we were going to have another new quarrel. Hindu-Muslim quarrels were there, there were provincial jealousies present and to this was added another quarrel between wheat and rice. So I was getting very despondent, but when this adjournment motion came, I heard the speeches with very great pleasure. My friend, Mr. Satyamurti, spoke with great restraint. There was not very strong language anywhere in his speech. I also heard my friend, Mr. Bajpai, cooing like a loving dove reciprocating all the sweet advances made by Mr. Satyamurti. Sir, there is an old saying in Persian:

*"Kahba chun, Peer shawq peha kund dallali."*

"When the bad woman becomes old, she accepts the profession of procurers."

That is why I am a peace maker. This is the spirit in which I like that all our affairs should be settled in India. There is no lack of talent, there is no lack of public speaking, there is no lack of people with temper,—there are many people in this House who, like me and the Finance Member, have short temper (Laughter), and if we all speak with a glass of cold water in front of us, the atmosphere will be much nicer.

**An Honourable Member:** Not with a glass of water, but with a glass of Sharbat.

**Maulana Shaukat Ali:** I have no objection to Sharbat. I rather like it. I have travelled a good deal in Kenya and Tanganyika and Portuguese East Africa, and I did over a couple of thousand miles by motor. I saw thousands and thousands of miles of beautiful country both in the Highlands and in the Lowlands lying fallow, and, waiting, for human

[Maulana Shaukat Ali.]

energy, human intelligence and human enterprise to develop. In all that tract in that beautiful land, I also saw that the population was very scarce, and, as the people were primitive and backward, all the peoples, whether in Europe or Asia or elsewhere, white, brown, blue or of any other complexion combined together and made a serious effort to develop the land and kept it as a trust for the people over there, there ought to be no dearth of land for at least a hundred years or so. But if human selfishness goes to such an extent that we should want every bit of land to ourselves, then you can eat my food, you can eat all your neighbour's lunch and dinner, but there is bound to be some day cholera and you will have to throw out all including your own reserve food strength. Though we may go on grabbing other people's land, the time will come one day when we may be obliged to give all back. I had been a rebel, and the *Hindustan Times* always says that, whenever Maulana Shaukat Ali gets up, he always brings in the fact that he has been rebel and an outlaw. I want to remind the *Hindustan Times* and everybody in this House that so long as there is life, and peace efforts give no results, there is a likelihood of my being a rebel and an outlaw against all. Today I am flattering everybody for peace and I am going on bended knees for peace, but, some day, there is a chance of my being an outlaw again. When an outlaw makes up his mind to fight, then everybody likes to go and make friends with him. I do believe, the time has come when we ought to make friends with each other, and I am glad that the House has made a beginning today and I hope that it will continue it for another week or ten days and that this good spirit will last. If so, it will make me very very happy. I will go back to my constituency and the country and tell them that though I did not succeed in the beginning, but later all realised that peace was better than war and there was a friendly atmosphere. There is no part of the world which I have seen which is better populated and better cultivated than Zanzibar. In Zanzibar, you will not find an inch of land which is uncultivated, but as for Kenya and Tanganyika, thousands and thousands of miles are lying fallow. One night, when I was going in my motor car from Tabaru to Wawanza it got stuck up in mud owing to rain and I had to wait the whole night and half a day, that is about 36 hours, before I could get the help of anybody or get an axe to cut down a tree to get some wood. Humanity should not be selfish, we should meet as brothers and divide the good things of life among all of us, and then our lives would be better, our families would be happier, and deaths from heart failures and other diseases would be few and far between. The House has made a good beginning in the matter of peace, and I hope that it will last. There is an Urdu couplet in which the lover says:

*"Gale lityay hain woh bijli ke dar sai  
Elahi yeh ghata do din to barsay."*

"My sweetheart has embraced me through fear of lightning and thunder.  
May God this cloud-burst may last two days."

I hope this peace will last for at least two days. I pray that peace may come into India and make our lives happier, that we may become younger again and enjoy life better, and let us not go into divisions, but let us congratulate ourselves on the beginning we have made, and let us go back and have a happy time.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain** (Member for Education, Health and Lands): Sir, I am most grateful to Mr. Satyamurti for his adjournment motion. It has afforded me an opportunity to come to this House, in the first place, to congratulate the new House, and in the second place, to make a few observations on the floor of this House before I leave my present appointment in the Government of India. So, my present speech is one of welcome to the new Members of the House.

**Mr. M. S. Aney:** And a farewell.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** . . . and a farewell speech so far as I am myself concerned.

Five years ago, when I took up this appointment, I had set an ideal to myself. I said to myself that the question of Indians overseas is an extraordinarily difficult one no doubt, but at the same time, a most interesting one, and it shall be my business to act in a manner which would be in accord with the Indian opinion, and at all events, Indian opinion as expressed in the Central Legislature. I knew that there was possibly some difficulty, as there were occasions when the view that was taken by a Government Member was misunderstood by public leaders, and there were times when the views taken by public leaders were not fully appreciated by the Member in charge. I made it my business to see that I was in contact with all the Indian leaders who took keen interest in the matter of Indians overseas. I was, I am in a position to say, most fortunate in that respect, as I had the privilege of being instructed as well as supported by the Leader of the Congress who is probably the best informed Indian on all questions concerning Indians in South Africa. I had his guidance as well as his support in the matter of the Indian delegation which I had the privilege of taking to South Africa in 1931. An *ex-President* of the Congress, I had the privilege of having as one of the members of the delegation. I had also the privilege of having direct touch with experts in the matter of Indians overseas like the Right Honourable Srinivasa Sastri. I had the privilege of being in direct touch with the great Indian Peoples' Association in Bombay which has done a great deal of good work in this matter. I was equally fortunate with the Indian press. The Indian nationalist press has invariably taken a strong line in this connection and given us their full support. Foremost among those papers is the *Hindu* from Madras, whose well-informed criticism and very well-conceived leaders on many questions have been of great help to us. I was in the fortunate position of feeling that what I was doing, had the Indian support behind it, and further that I was not in any way departing from the Indian views on the various subjects that came up from time to time for decision and with which I had to deal. Thus, I was able in a few cases to achieve very minor successes. These successes really are very minor and dwindle into insignificance when one thinks of the numerous failures that one has come against. There is nothing to be proud of in the line of achievement. The utmost one could say is that I have not lost very much ground. It would be wrong on my part to say that during my term any great advance has been made, because none has been made. It would be equally wrong if I were to say that I had any difficulty in doing my best with the British Government in the matter of my colleagues or the Viceroy. They have invariably supported every effort made to improve the conditions of Indians overseas. We have acted like one team and the

[Sir Fazl-i-Husain.]

Viceroy has been the strongest of us in these matters. (Applause.) I have, Sir, to pay my tribute of gratitude to all the Indian leaders, including the leaders of the Congress for the support they have given. But for their support, I do not think I would have had much heart even to put up such a hopeless struggle. We must remember that the struggle is more or less a hopeless one. We must not run away with the idea that we are united and there is no difficulty in the way of our achieving our desire. Nothing of the kind. There is a conflict of interest. We must not forget that India is a part of Asia. We must not forget that Asia is not Europe. Again we must not forget that even Asiatics, who are not in our position do not have a look in, in places which are worth going to. So Indians must remember their two-fold disability, firstly they are Asiatics. Secondly, they are situated as they are. Remembering these two disabilities, there is nothing that an Indian Member of Government or for the matter of that an European Member of Government would not be prepared to do that any one of you would like to do. Therefore, Sir, it is a matter of gratification to me to see, on the eve of my retirement, that on this point, not only there is a tacit understanding that the policy of the Government of India is the Indian policy, but there has been, through the good offices of Mr. Satyamurti, an opportunity for a public declaration, on the floor of this House, to that effect. I trust that this significant fact will have some value. It may add a little more strength to the representation which will issue from the Government of India. Let us hope it will, but if it does not by any chance, the struggle cannot be given up. It has to be fought. It has to be continued. (Applause.) It will never do to lose heart. Nobody, who believes in the future, can afford to lose heart. We believe that there is a future. If we begin to believe that there is no future, there would be no fun in my standing here or your sitting there. I trust that in a matter which is so dear to our hearts we should realise that unless we are in course of time able to create a certain amount of sympathy in the minds of Britishers in Britain and possibly a few in the Dominions and in the Colonies, the difficult task of persuading people in authority to take even a fairly just view of Indian claims is very remote indeed. When I mention the matter of the support that the Viceroy gives to our representation, I ought also to have mentioned that much as we may disagree with the Secretary of State in many matters, in matters relating to Indians overseas, he has invariably assured us that he has done his very best with his colleague, the Colonial Secretary, in pressing our representations on him. However, we must be just to others, if we want others to be just to us. The Secretary of State for the Colonies is not so much responsible to us as he is to his own constituents, the British Parliament. If there were responsible government here, the Member of the Government sitting here would think more of you sitting there than of people elsewhere.

**Mr. M. A. Jinnah:** That is what we want.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** Even when you do get it, the question of Indians overseas is not settled.

**Mr. S. Satyamurti:** We must go to war on that.



**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** You will require many Hitlers and many Mussolinis before you could even talk of war like that. So, that is rather remote, I am afraid.

**An Honourable Member:** We have not got one yet.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** You had better try to develop some by and by. That seems to be your only chance. To come back to my point, I was saying what is really wanted is a certain amount of honourable propaganda enlisting the sympathies of people in Britain and elsewhere to take up the Indian case for a sympathetic hearing. Mr. Satyamurti shakes his head.

**Mr. S. Satyamurti:** Nothing doing.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I am prepared to join issue with him. Britain is a very funny place.

**An Honourable Member:** Very.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** There may be people who are dead against you, but you will always find some people who are with you.

**Mr. S. Satyamurti:** Cranks.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I assure you that a crank is not a man to be despised. Many great things can be achieved through cranks. I have never despised cranks, and I have always solicited the co-operation even of cranks. From small beginnings, you can achieve a successful organisation but that has got to be done. Anyhow that is my humble view and I would be the last person to profess to dictate the soundness of that view to people who have much more experience, sitting opposite than myself. However, that is a view which I have always entertained and I have thought it a great misfortune that one little Congress organisation, that existed in London for certain reasons, had to be closed down. It may be found necessary to revive it. Those who are in authority will decide that point. In conclusion, I wish to thank every part of the House for the appreciation they have expressed of the Government policy, and inasmuch as my name has been associated with it, I very sincerely tender my gratitude to everybody. (Applause.)

**Mr. S. Satyamurti:** Mr. President, the presence of the Honourable Member for Education, Health and Lands in this House, for the first time after we entered it, has been significant, not only because of the physical addition to the Treasury Bench, but also because of a new atmosphere which he seems to have brought with him. We have been sitting here for the last nine weeks, and, during the whole of that time, we have had nothing but jibes, sneers, and any amount of contempt thrown on our devoted heads, for all our labours on behalf of our countrymen. It is, therefore, some solace to our lacerated souls that there is at least one Member of the Treasury Bench who can appreciate our point of view and, whether he agrees with us or not, can recognise that we are patriotic

[Mr. S. Satyamurti.]

and are anxious to serve our country according to our humble lights, and it is a matter for regret to me that the first speech of his should also be the last speech in this House, but I hope, Sir, his example will not be lost on his colleagues and they will profit by a lesson which he has taught us that a soft word turneth away wrath.

Coming to the subject, I agree with the Honourable Member in his diagnosis of the situation. It was somewhat cynical but profoundly true. He has not won any new ground, but he claims that he has not lost any, and he believes that, simply because we are united, we are not going to gain our objective immediately. So far, he and I are at one, but he added a statement that, by enlisting the sympathy of Britishers, shall I say British cranks and others, we will get this matter settled right. Sir, we have no such illusions. We believe that the right of Indians in Kenya, in South Africa, and in other countries will be settled satisfactorily, only when we are free, and only when those European settlers know that, if they treat our fellow countrymen unjustly, we will go to war with them. (Hear, hear.) Sir, that is the way in which other nations have won their freedom and status. (Hear, hear.)

I want to know, if only half a dozen Britishers had been ill-treated, as so many of our own countrymen are today ill-treated, whether this very country—Great Britain—would not have gone to war, and India would not have been compelled to take part in that war also? Therefore, that is the position in which other countries place themselves, when their own nationals are ill-treated. Sir, as my Honourable friend, the Panditji, reminds me, practically all the British wars have been waged ever since "Jenkins's ears", war down to the present day in order to vindicate stray British missionaries and traders: and, if India were free as Britain today is, India would be able to tell those Colonies that they dare not treat our Indian fellow-countrymen as they are treating them now. My Honourable friend paid a tribute to his colleagues, to the Viceroy and to the Secretary of State. I am not in the confidence of the Government of India, and I have no desire to question the truth of his statement; but it seems to me somewhat peculiar that, with this combination of His Majesty's Secretary of State for India, His Excellency the Viceroy and the Government of India, nothing has been achieved! (Hear, hear.) Sir, what is this co-operation worth? Are we children? Are we to be told that, "we are all united; the result is nothing; therefore, please be satisfied"? It seems to me, Sir, that if this Government means business, if the Secretary of State means business, they ought to have been able to achieve some result.

Then the Honourable Member went on and told us the position of the Secretary of State for Colonies, who is responsible to the British Parliament. Well, that is exactly why we want this country to be free and self-governing! That is why we do not want the Constitution which is now embodied in the Government of India Bill. (Hear, hear.) Coming, Sir, to my Honourable friend, Mr. Bajpai, between whom and myself my Honourable friend, the Maulana, saw signs of love-making, I merely want to thank him for the addition he made to the points I made, namely, that with regard to a small portion of this territory, lands are in the possession of Indians today, but, when they pass to Europeans, they can never pass back to Indians. I thank him for it. The position is really very bad.

Now, Sir, so far as this House is concerned, it is a curious position. If today we can all get rid of the idea in our minds that this adjournment is a censure on the Government of India, I expect every Honourable Member, including the Honourable Member in charge of the portfolio, to vote for this motion, but, by some reasoning, it is understood to be a vote of censure. I said, in my very first speech, that I do not intend this to be a vote of censure, but somehow there is a tradition that, if this motion is carried, it will amount to a vote of censure. Therefore, I am in this position that, while everybody wants to vote for this motion, everybody supports this motion with his arguments, and everybody, except the Party to which I have the honour to belong, does not want the motion to be pressed to a division lest he be compelled to vote against his own judgment . . . .

**Mr. M. A. Jinnah:** May I point out, Sir, that we are not supporting the motion, but we are supporting the subject-matter of the motion.

**Mr. S. Satyamurti:** I know, but there is no other way of bringing up the subject-matter.

**Mr. M. A. Jinnah:** We have got it. We have brought it up. It *has* been discussed.

**Mr. S. Satyamurti:** The subject-matter is one which commands everybody's support, but because of a formal defect, unfortunately in this being a motion for adjournment, some Honourable Members feel, they cannot vote for it. Personally, being a fighter, I should like to vote for this motion. It seems to me a good enough way to "impress" the Secretary of State and the British Government with the strength of feeling in this country and in this House, but I hope, Sir, and I beg of my Honourable friends, the Honourable Member in charge and the Secretary of the Department concerned, to convey to the Secretary of State not "impressions", not mere "conclusions", not mere soft phrases, but that the subject-matter of this motion commands the unanimous approval of the House. (Loud and Prolonged Cheers.) From there not being a vote recorded, it must not be misunderstood as if there is any lack of strong feeling in this matter on the part of a single individual in this House. (Hear, hear.)

One last word, Sir, and I have done. I am also grateful to the other Parties in this House who have expressed their profound agreement with the desire of Indians to assert the rights of their fellow-countrymen in Kenya; and, Sir, in order to make sure that this motion is not allowed to be voted on, thereby creating a difficult or delicate situation for our friends in this House and elsewhere, I would beg leave of you and of this Honourable House to withdraw this motion for the present. Let me, however, tell the Government that we, on this side of the House and in fact on every side of the House, feel very strongly. I wish god-speed to the Government in this matter. I have, of course, no hope of success any more than has my Honourable friend, Sir Fazl-i-Husain. But, if just a ray of light penetrates the dark chambers of Downing Street, and they do the right thing, we shall be grateful; but, if not, let me assure the Government here and in England, that we shall later on, take every opportunity of bringing up the subject again and again, and make it an issue in the forefront of our political life, until we see that our fellow-Indians' rights are safeguarded, and respected and protected in all the Colonies and

[Mr. S. Satyamurti.]

Dominions. Our Indian fellow-countrymen abroad may rest assured of our deep sympathy and concern in this matter, and I hope the Government will represent our views correctly and sincerely. I would now ask your leave, Sir, to withdraw this motion. (Loud and Prolonged Applause.)

**Mr. President** (The Honourable Sir Abdur Rahim): Has the Honourable Member the leave of the House to withdraw his motion?

(*Voices*: "Yes, yes.")

The motion was, by leave of the Assembly, withdrawn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 28th March, 1935.