

Wednesday, 11th March, 1936

THE
COUNCIL OF STATE DEBATES

VOLUME I, 1936

(15th February to 25th April, 1936)

ELEVENTH SESSION
OF THE
THIRD COUNCIL OF STATE, 1936



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COUNCIL OF STATE.

Wednesday, 11th March, 1936.

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

QUESTIONS AND ANSWERS.

ACTION TAKEN ON THE RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

51. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to lay on the table a statement showing what action they have so far taken on the recommendations of the Royal Commission on Agriculture presided over by the Marquess of Linlithgow ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I would invite the Honourable Member's attention to the reports on the progress made in carrying out the recommendations of the Royal Commission on Agriculture. Four such reports have so far been issued and are available in the Library of this House.

HOLDING OF ELECTIONS TO THE PROVINCIAL LEGISLATURES UNDER THE NEW CONSTITUTION.

52. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state when the elections to the Provincial Legislatures under the new Constitution are likely to be held ?

(b) Is there a general feeling that the holding of the elections of the Provincial Legislatures under the new Constitution should be accelerated ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : (a) and (b). It is not possible to state at present when the provincial elections under the new Constitution will be held. The Honourable Member may, however, rest assured that everything possible is being done to avoid unnecessary delay.

INSTRUMENT OF ACCESSION OF INDIAN STATES TO THE PROPOSED ALL-INDIA FEDERATION.

53. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to lay on the table specimen copies of the Instrument of Accession of the Indian States to the proposed All-India Federation, if details of such Instruments are framed ?

(b) Will they be pleased to state the probable date of the inauguration of the All-India Federation ?

(c) Is there a general feeling that the Federation should be inaugurated as early as possible ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : (a) The Instrument of Accession has not yet been finally drafted.

(b) It is impossible to make a forecast at this stage.

(c) The Government of India are aware that such an opinion is held in certain quarters.

AMOUNTS ALLOTTED TO PROVINCIAL GOVERNMENTS FOR RURAL UPLIFT.

54. THE HONOURABLE SIR PHIROZE SETHNA: With reference to the allotment of Rs. 100 lakhs provided for in the Budget for 1935-36 for economic improvement in rural areas, will Government be pleased to lay on the table a statement showing the amounts allotted to each of the Provincial Governments ?

THE HONOURABLE MR. A. J. RAISMAN: I would invite the Honourable Member's attention to the statement laid on the table of the House by the Honourable Mr. P. C. Tallents in reply to the Honourable Mr. V. V. Kalikar's question No. 42 on the 17th September, 1935.

THE HONOURABLE SIR PHIROZE SETHNA: Is any percentage out of the allotments made to the Provincial Governments earmarked for the benefit of the depressed classes ?

THE HONOURABLE MR. A. J. RAISMAN: Not so far as I am aware, Sir. But if the Honourable Member will read the statement which was then laid, he will be able to form his own conclusions as to how far these schemes of improvement, of which details are given, are likely to benefit the depressed classes.

THE HONOURABLE MR. V. C. VELLINGIRI GOUNDER: In view of the public feeling that non-officials are not included in the several schemes prepared by Government, will Government consider the feasibility of associating non-officials in these schemes ?

THE HONOURABLE MR. A. J. RAISMAN: I submit, Sir, that that does not arise directly out of this question, but I think the suggestion was made at the time of the budget last year and that a reply was given on that subject. The position is that these grants have been placed at the disposal of Local Governments and the proposals which the Local Governments have made have no doubt been made in response to general suggestions forthcoming in the province. I am not aware that Local Governments have made any special arrangements for consulting non-official opinion as to the actual administering of the grants.

THE HONOURABLE MR. V. C. VELLINGIRI GOUNDER: In view of the strong opinion expressed at the time of the discussion of the last budget in this Council and in the Assembly, will Government be pleased to give instructions to Local Governments to associate non-officials also ?

THE HONOURABLE THE PRESIDENT: That is a question asking Government to take action and I disallow it.

CREATION OF AN AGRICULTURAL CREDIT DEPARTMENT.

55. THE HONOURABLE SIR PHIROZE SETHNA: Will Government be pleased to state whether Mr. Darling's report on the creation of a special Agricultural Credit Department has been received and considered by them and, if so, what action they have decided to take thereon ?

THE HONOURABLE MR. A. J. RAISMAN : Mr. Darling was appointed on special duty to report on the co-operative and agricultural credit movements to the Reserve Bank in order to assist the Bank in the formation of the Agricultural Credit Department. His reports which are primarily intended for the consideration of the Board of the Reserve Bank are still being considered by the Bank which has asked the Government of India to obtain from Local Governments further information regarding co-operative banks and credit societies and other agencies engaged in the business of money-lending. The Bank propose to formulate their proposals for the creation of the Agricultural Credit Department when this further information is available. I would also draw the Honourable Member's attention to the remarks of the Reserve Bank on its Agricultural Credit Department in its annual report.

PRESENT STATE OF THE CO-OPERATIVE MOVEMENT.

56. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state whether they have received Mr. Darling's report on the present state of the co-operative movement ?

(b) If so, will they be pleased to lay it on the Council table, and

(c) Will Government be pleased to state what action they have taken thereon ?

THE HONOURABLE MR. A. J. RAISMAN : (a), (b) and (c). I would invite the attention of the Honourable Member to the reply just given to his question No. 55. As I have already stated the report is primarily intended for the consideration of the Board of the Reserve Bank, and Government are not in a position to make any statement regarding its publication until the Bank have formulated their proposals for the creation of the Agricultural Credit Department.

MANNER IN WHICH INDIAN COMMISSIONED OFFICERS WILL BE EMPLOYED ON EDUCATIONAL DUTIES.

57. THE HONOURABLE SIR PHIROZE SETHNA : With reference to the reply given on 11th February, 1935, by His Excellency the Commander-in-Chief to question No. 13, will Government be pleased to state whether they have considered the question of the manner in which Indian commissioned officers will be employed on educational duties and, if so, what decisions they have arrived at with regard to that question ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Government have decided to postpone further consideration of this matter until the officers concerned are better qualified by length of service to undertake the duties in question.

THE HONOURABLE SIR PHIROZE SETHNA : What is the length of service required ? How many years' service ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I cannot tell you exactly, but I should say roughly 11 or 12 years' service.

PROTECTION TO THE INDIAN SUGAR INDUSTRY AGAINST COMPETITION FROM JAPAN.

58. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state what steps, if any, they propose to take to further help the Indian sugar industry in successfully competing with Japanese sugar ?

THE HONOURABLE MR. T. A. STEWART : No action is called for as imports of sugar from Japan during recent years have constituted only about one to two per cent. of India's total sugar imports.

BOOKS BANNED IN INDIA DURING THE LAST TEN YEARS.

59. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to lay on the table a statement showing the names of the books, Vernacular or English, published in India or abroad, which they have within the last ten years banned under the Press Act or any other enactment ?

(b) Are Government aware that the late Mr. V. K. Chiplunkar's essay on *The Condition of our Country* (in Marathi) is regarded as a piece of classical Marathi literature ? and

(c) Have they considered the desirability of removing the ban against it ?

THE HONOURABLE MR. M. G. HALLETT : (a) I regret I am not prepared to lay a list of the books on the table, the compilation of which would involve much labour.

(b) and (c). No such publication has been proscribed so far as I am aware.

THE HONOURABLE SIR PHIROZE SETHNA : Do I understand the Honourable Member to say that the publication I have referred to in (b) is not banned ?

THE HONOURABLE MR. M. G. HALLETT : I could not trace it in the list of banned books. If it was banned, it was banned a long time ago. I could not find it anywhere. Probably it is not banned.

ACTION TAKEN ON THE RECOMMENDATIONS OF THE TAXATION ENQUIRY COMMITTEE.

60. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state what action they have taken up to date on the recommendations of the Taxation Enquiry Committee ?

THE HONOURABLE MR. A. J. RAISMAN : I quote from the Honourable the Finance Member's reply to Professor Ranga's starred question No. 49 on the 6th February, 1935, in the Legislative Assembly :

"The recommendations of the Indian Taxation Enquiry Committee related not only to central taxation but also to provincial and local taxation, which are primarily the concern of the Provincial Governments and local authorities. So far as they were concerned with the distribution of the different sources of revenue between central and provincial, their recommendations have since been superseded by those of the Joint Select Committee of Parliament. Several of the Committee's recommendations with regard to central taxation have however been accepted by the Government of India and effect has been given to them by the Legislature from time to time. I may mention the abolition of the export duty on tea and hides, the abolition of the cotton excise duty, the imposition of income-tax on the income derived by tea planters from manufacture, the regrading of the income-tax, and the lowering of the limit for super-tax to Rs. 30,000."

FINANCIAL RELATIONS BETWEEN THE PROVINCIAL GOVERNMENTS AND THE FEDERAL GOVERNMENT UNDER THE NEW CONSTITUTION.

61. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state what recommendations, if any, they have made to the Secretary of State for India, with a view to so adjust the financial relations between the Provincial Governments and the Federal Government under the new Constitution as to enable the former Governments to have sufficient funds to develop the nation-building departments ?

THE HONOURABLE MR. A. J. RAISMAN : The Government of India have made no recommendation to the Secretary of State. The matter is within the jurisdiction of the Financial Enquiry now being undertaken by Sir Otto Niemeyer.

PROCEDURE FOLLOWED IN TRANSFERRING INDIAN CIVIL SERVICE OFFICERS TO THE JUDICIAL BRANCH OF THE SERVICE.

62. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state whether there are any principles or rules laid down by themselves or the Provincial Governments or the Secretary of State for India, according to which members of the Indian Civil Service are, after a certain period of service, transferred to the Judicial Department or are such transfers made arbitrarily ?

(b) If there are any rules, will Government be pleased to lay them on the table ?

(c) If not, will they consider the desirability of formulating such principle or framing rules ?

THE HONOURABLE MR. M. G. HALLETT : (a), (b) and (c). The Honourable Member presumably refers to the allotment of Indian Civil Service officers to the judicial branch of the service. After a period of preliminary training officers are called upon to say whether they prefer to serve in the judicial or executive branch of the Service. Though the officers' preference is taken into account, Local Governments are not bound by that preference but allot to the judicial branch those officers who have shown an aptitude for that work. There are further orders to the effect that officers may be definitely selected for the judicial branch at any stage between five and eight years' service. Before they are permanently appointed to be District and Sessions Judges, they should undergo a period of training for 18 months in the posts of munsif and subordinate judge, or additional district judge, and thereafter, if the High Court so recommends, they may be granted study leave to the United Kingdom for the purpose of reading in barristers' chambers and passing the Bar examinations under such rules as may from time to time be prescribed by Government. Ordinarily, this leave will not be granted to any officer after the twelfth year of service.

THE HONOURABLE MR. HOSSAIN IMAM : Are the officers put in the judicial line reverted again to the executive line if they are found unsatisfactory by the High Court ?

THE HONOURABLE MR. M. G. HALLETT : Yes, Sir. It sometimes happens that an officer tried as a judge fails and he is put into the executive line, but not very often.

THE HONOURABLE SIR PHIROZE SETHNA : Is it a fact that more Indians are transferred to the judicial side than European civil servants ?

THE HONOURABLE MR. M. G. HALLETT : I think that is probably correct, the reason being that Indians have probably more aptitude for judicial work.

PAY OF FUTURE ENTRANTS TO THE INDIAN CIVIL SERVICE.

63. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state whether it is proposed to reduce the scale of salaries of future entrants to the Indian Civil Service ?

(b) If any change is under consideration, will Government state if the "overseas allowances" will remain at their present level ?

THE HONOURABLE MR. M. G. HALLETT : (a) As explained by me in this House in reply to question No. 79 on the 18th March, 1935, the Secretary of State decided to postpone further consideration of this question until after the passing of the Constitution Act. The question is now being further considered.

(b) The question being under consideration and discussion, I am unable to anticipate what the decision will be. The question of "overseas pay" will of course be considered.

PRINCIPLES OR RULES UNDER WHICH MEMBERS OF THE INDIAN CIVIL SERVICE ARE APPOINTED TO THE PROVINCIAL SECRETARIATS.

64. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state whether there are any principles or rules according to which members of the Indian Civil Service are appointed by the Provincial Governments as assistant secretaries, deputy secretaries or secretaries in the provincial secretariats ?

THE HONOURABLE MR. M. G. HALLETT : The posts of secretaries to Local Governments except in the Public Works and Marine Departments, are reserved for members of the Indian Civil Service under section 98 of the Government of India Act read with Schedule III thereof, Part 2 of Schedule VII-A and the note in Schedule IX-A of the Superior Civil Services Rules, a copy of which will be found in the Library of the House. The posts of deputy secretaries are not so reserved by Statute but for purposes of recruitment two posts in Madras, three in Bombay and two in Bengal have been included in the Indian Civil Service cadre of those provinces and are accordingly treated as reserved for members of the Indian Civil Service as laid down in Part 2 of Schedule VII-A read with Note 1 in Schedule VIII-A of the Superior Civil Services Rules. In other provinces these posts are not reserved for members of the Indian Civil Service but may be held by them at the discretion of the Local Governments. As regards the posts of assistant secretaries these are neither reserved for, nor borne on the cadre of, the Indian Civil Service and as far as the Government of India are aware have never been held by a member of that Service.

THE HONOURABLE MR. HOSSAIN IMAM : Has the Government listed any of the posts in the Secretariat to the Provincial Service men ?

THE HONOURABLE MR. M. G. HALLETT : The question refers to posts for the Provincial Service. Some of those have been given to members of services other than the Indian Civil Service, that is to say to members of the Provincial Services.

IMPROVEMENT OF THE HORSE-BREEDING INDUSTRY IN INDIA.

65. THE HONOURABLE SIR PHIROZE SETHNA : Will Government please state if, as a result of the debate on the Resolution moved in this House on 22nd August, 1934, any steps have been taken for the improvement of the horse-breeding industry in India? If so, what are they? If not, why not?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : As the Honourable Member is aware the subject is primarily the concern of Provincial Governments and a copy of the debate on the Honourable Member's Resolution in the Council of State on 23rd August, 1934 was forwarded to all of them. Action is being taken by race clubs, the number of races allotted to Indian-breds has been materially increased, an additional class for Indian-bred horses has been recognised by the Calcutta Turf Club and certain other facilities have been given which should be of assistance to owners of Indian-bred horses.

RACING STAKES GIVEN BY TURF CLUBS TO ARAB HORSES.

66. THE HONOURABLE SIR PHIROZE SETHNA : (a) Are nearly Rs. 12 lakhs given annually in racing stakes by Turf Clubs to Arab horses imported into India?

(b) Are only about Rs. 2½ lakhs similarly given specifically to Indian horses?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Up to date figures are not available.

SUBSIDIES GIVEN TO INDIAN HORSE-BREEDERS.

67. THE HONOURABLE SIR PHIROZE SETHNA : (a) Have Government been obliged to subsidise certain Indian horse-breeders by grants of land on horse-breeding conditions?

(b) Will Government be pleased to state the average cost of home-bred remounts drafted into the army?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) Grants of land which at the time was generally speaking unproductive, were made on horse breeding terms in the Lower Jhelum and Lower Bari Doab Canal Colonies when these colonies were founded.

(b) If the figure produced by dividing the normal overhead charges of the Army Remount Department by the number of remounts actually drafted into the army is taken as the average cost of an Indian-bred horse, it is Rs. 1,400. This is not, however, a fair average as it takes no account of the brood mares and other horses not purchased by the army which go respectively to meet the needs of breeders and to supply the ordinary economic requirements of the country.

ADOPTION OF THE METHODS OF THE GOVERNMENT STUD FARM, PYAWBWE, BURMA, FOR IMPROVING THE HORSE-BREEDING INDUSTRY IN INDIA.

68. THE HONOURABLE SIR PHIROZE SETHNA : Has the attention of Government been drawn to the methods of the Government Stud Farm at Pyawbwe, Burma, and will Government consider the advisability of adopting those methods, fully or with suitable modifications, towards improving the horse-breeding industry in India?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Government are aware of the methods used at the Burma Government's Stud Farm at Pyawbwe, but do not consider that what is perfectly suitable for providing the limited needs of Burma in the matter of small ponies is suitable to the requirements of the army in India.

CREATION OF A RESERVE OF HOME-BRED HORSES.

69. THE HONOURABLE SIR PHIROZE SETHNA: What steps have Government taken, or propose to take, for creating an adequate reserve of home-bred horses in India, to be available in time of emergency?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: I trust the Honourable Member will be satisfied with my assurance that adequate steps have been taken to ensure that the number of horses required on mobilisation will be available.

IMPORTATION OF ARAB HORSES INTO INDIA.

70. THE HONOURABLE SIR PHIROZE SETHNA: (a) Are nearly 600 Arab horses annually imported into India?

(b) Are about 3 per cent. of these imported horses found suitable or subsequently used for breeding in India?

(c) If 3 per cent. is incorrect, will Government state the correct percentage?

(d) If the answer to part (b) is in the affirmative, why is it that this number of Arab horses are permitted to be imported?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: (a) Yes, approximately.

(b), (c) and (d). Exact percentage is not known. There is no restriction on import.

THE HONOURABLE SIR PHIROZE SETHNA: Will the imports decrease if there are larger racing stakes for Indian horses?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: That is a matter of opinion. It is not asking for information.

PROVISION FOR INDIAN HORSES IN THE ECLIPSE STAKES.

71. THE HONOURABLE SIR PHIROZE SETHNA: Do the terms of the Eclipse Stakes make no provision for Indian horses while thoroughbred horses from any other part of the world can be entered?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: The answer is in the affirmative.

THE HONOURABLE SIR PHIROZE SETHNA: Will Government give reasons why Indian horses are excluded from this race?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: I really, Sir, must ask for notice. I do not know why Indian horses have been excluded.

RUNNING OF THE ECLIPSE STAKES IN BOMBAY.

72. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government state whether the race known as the Eclipse Stakes run in Bombay was started in 1924 and what is the average number of entries every year since its start ?

(b) Does this race offer Rs. 50,000 and Rs. 17,000 and Rs. 8,000 respectively to the second and third horses ?

(c) Was this race introduced for the improvement of horse-breeding in India ?

(d) Since this race was started in 1924 has it been won nine times in thirteen years by geldings ?

(e) In the last Eclipse race run on 8th February, 1936, out of 12 entries were as many as five geldings ?

(f) How many stallions and mares run in the Eclipse Stakes have subsequently been used for breeding purposes in India ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Information is being collected and will be supplied to the Honourable Member on its receipt.

RACING OF ARAB HORSES IN NORTHERN INDIA.

73. THE HONOURABLE SIR PHIROZE SETHNA : Will Government state whether the Calcutta Turf Club have recently issued instructions to the racing executives in Northern India to stop the racing of Arabs altogether in Northern India ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : The instructions referred to apply only to meetings held under Royal Calcutta Turf Club rules.

IMPORTATION OF ARAB AND AUSTRALIAN HORSES INTO INDIA.

74. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to give the number of

(i) Arab and (ii) Australian horses that were imported in India during the financial years 1933-34 and 1934-35 ?

(b) How many Arabs and how many Australians out of these imports were used for breeding purposes in India ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD :

	1933-34.	1934-35.
(a) (i) From Iraq	721	599
(ii) From Australia	2,525	2,927
(b) Information is not available.		

EMPIRE MARITIME POLICY.

75. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state if their attention has been drawn to the following observations in regard to the formation of an Empire Maritime Policy made

by Mr. Runciman as President of the Board of Trade in the House of Commons on the 3rd July, 1934 :

“ I need not add that in considering these problems it is essential to have the co-operation of the Dominions and India. We must bear in mind not only the position of tramp shipping, but the position in some of the great liner trades especially those between different parts of the Empire which are menaced by subsidised foreign competition. We are therefore informing the Dominions and India of the position as we see it and seeking their views as to the possible lines of action ”.

(b) If the answer to (a) be in the affirmative, will Government be pleased to state whether they received a despatch on the subject of the Empire Maritime Policy from Sir John Simon, the then His Majesty's Secretary of State for Foreign Affairs, in the last quarter of the year 1934 ?

(c) If the answer to (b) be in the affirmative, will Government be pleased to lay on the table a copy of the despatch together with a copy of the reply of the Government of India thereto, if any ?

(d) Will Government be pleased to state if they have consulted, or are prepared to consult, the commercial and particularly the shipping interests in regard to the subject-matter of the despatch mentioned above ?

THE HONOURABLE MR. T. A. STEWART : (a) Yes.

(b) In pursuance of that statement a communication was addressed to the Government of India by the Secretary of State for India.

(c) I regret I am not in a position to do so, as the communications are confidential.

(d) No.

RESERVATION OF THE INTER-IMPERIAL TRADE TO THE BRITISH FLAG.

76. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state whether they have received any despatch from the Board of Trade in England in connection with the Reservation of the Inter-Imperial Trade to the British Flag ?

(b) If the answer to (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said despatch together with a copy of the reply of the Government of India thereto, if any ?

(c) Will Government be pleased to state whether they have consulted or are prepared to consult, the commercial and shipping interests before forwarding their reply, if any, to the Board of Trade ?

THE HONOURABLE MR. T. A. STEWART : (a) No.

(b) and (c). Do not arise.

ARREST OF MR. M. K. BOSE.

77. THE HONOURABLE KUMAR NRIPENDRA NARAYAN SINHA : (a) Has the attention of Government been drawn to a report published in the *Amrita Bazar Patrika* on the 11th May (town edition) 1935, under the heading “ Mr. M. K. Bose arrested ” ? If so, was he arrested by the railway police for any offence committed against the railway ?

(b) Did the railway police make any enquiry before the arrest of Mr. M. K. Bose? If so, what was the report of the police? Do Government propose to lay on the table a copy of the police reports? If not, why not?

(c) Were Mr. M. K. Bose and his servant arrested on the 10th May, 1935 at the Howrah station platform? If so, under what section of the Railway Act or the railway laws were they arrested on the platform? Were Mr. M. K. Bose and his servant released on personal recognisance bonds? Was any case instituted against Mr. Bose and his servant after the arrest? If not, why not?

(d) Will Government be pleased to state whether any regret was expressed by the railway authorities for the arrest of Mr. Bose and his subsequent release without any case having been instituted against him? If not, why not?

(e) Was Mr. Bose accompanied by his daughters besides his servant? Did they travel from Hazaribagh to Howrah in a compartment which did not bear any sign to show that it was a ladies' compartment?

(f) Were Mr. Bose and his companions harassed at several stations throughout the night by the railway officers accompanied by the police, threatening arrest in case he and his companions did not shift to another compartment?

(g) Did some railway staff holding railway passes want the compartment occupied by Mr. Bose and his daughters for themselves? Was the refusal of Mr. Bose to give up the compartment to these railway pass-holders the reason why he and his daughters were harassed throughout the night and finally arrested? Do Government propose to enquire into the matter? If not, why not?

THE HONOURABLE SIR GUTHRIE RUSSELL: (a) The reply to the first part is in the affirmative: as regards the second part, I understand the arrest was made because it was believed that an offence had been committed.

(b) The railway police arrested Mr. Bose on the strength of information telegraphed from Burdwan station. The subsequent enquiry however disclosed that there had been a "mistake of fact". Government do not consider that any useful purpose will be served by placing on the table a copy of the police report.

(c) Mr. Bose and his servant were arrested under section 119 of the Indian Railways Act and were released on personal recognisance bonds. No case was instituted against him for the reason given in reply to part (b) of the question.

(d) I understand a full and ample apology was made to Mr. Bose and accepted by him.

(e) Yes.

(f) At Asansol and Burdwan stations Mr. Bose and his servant were asked by the railway staff to move into another compartment and were told that, in the event of non-compliance, they would render themselves liable to arrest.

(g) Government have no information. I am, however, ascertaining from the Agent, East Indian Railway, whether this was the case.

**DELAY IN DELIVERY OF LETTERS AT TIRUKALIKUNDRAM NEAR CHINGLEPUT,
MADRAS PRESIDENCY.**

78. THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTY : Will Government be pleased to state :

(a) Whether Tirukalikundram, near Chingleput on the South Indian Railway, is a famous place of pilgrimage in India and a health resort for the people of the Madras Presidency, which is growing in importance from day to day ?

(b) Whether letters from Madras are delivered late in the day at Tirukalikundram ?

(c) If the answer to (a) and (b) is in the affirmative, whether they will enquire into the reasons for the late delivery of letters ?

(d) Is there any telegraph office attached to the existing post office ?

THE HONOURABLE MR. A. G. CLOW : (a) Tirukalikundram is a place of pilgrimage but I am not aware of its growing importance as a health resort.

(b) and (c). A copy of the question will be forwarded to the Postmaster-General, Madras, within whose competence the matter lies, for such action as he considers necessary.

(d) No.

**AVERAGE NUMBER OF YOUNG STOCK HORSES PURCHASED BY GOVERNMENT
FOR THE ARMY.**

79. THE HONOURABLE SIR PHIROZE SETHNA : Will Government please state :

(a) What is the average number of young stock per annum in the areas subsidised and controlled by Government which is not purchased by Government for the army ?

(b) What is the average price obtained by the breeders for these Government rejections ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) An average of 3,350 young stock horses were produced annually during the last three years of which half were fillies and therefore not required by Government. An average of 1,059 were purchased by Government. The corresponding figures for mules were 781 and 538.

(b) Government have no information as the selling is done by individual breeders in the open market.

**COMMUNITIES FROM WHICH THE NORTH WESTERN RAILWAY RECRUITED
DURING APRIL TO DECEMBER, 1935.**

80. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state the communities to which the persons belonged who were recruited to the North Western Railway in each of posts advertised in the *Tribune* of Lahore in its issues of 16th April, 1935, 18th April, 1935, 19th June, 1935, 7th July, 1935, 18th July, 1935, 11th October, 1935 and 27th December, 1935 ?

THE HONOURABLE SIR GUTHRIE RUSSELL : I lay a statement on the table giving the required information.

Statements showing the results (community-wise) of the new recruitment made on the North Western Railway as a result of the advertisements published in the Tribune referred to in the question.

1	2	3	4 Results of the Selection Board.					5 Total recruited.
			Hindus.	Muslims.	Domiciled Europeans and Anglo-Indians.	Other minority communities.		
Reference to advertisement published in the Tribune.	Category of staff for which recruitment was to be made.	No of appointments advertised.				Sikhs.	Indian Christians.	Parsis.
1935.								
16th April	} Station master group students	85	22	52	1	9	1	
18th April		7	1	4	1	1	..	
19th June		10	2	6	1	1	..	
7th July	Apprentice permanent way inspectors.							
18th July	Station master group and commercial group students.	52	12	38	..	7	1	
11th October	Guards, class I, grade I.	19	..†	16	1	2	..	..
27th December	Station master group students	50	9	35‡	..	5	1	..

* Six men were recruited in excess of the posts advertised to meet wastage.

† Absence of any recruitment of majority community was due to reserving three additional posts for the Muslim community in excess of their 60 per cent. reservation towards making good short recruitment of this community in 1934.

‡ The recruitment of Muslims in excess of their 60 per cent. reservation is accounted for as follows :

To make good shortage of this community from recruitment in 1934, and
To make good wastage from recruitment in 1935, etc.

INSTRUCTIONS ISSUED TO THE NORTH WESTERN RAILWAY ON THE SUBJECT OF
MINORITY COMMUNITIES.

81. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Has the North Western Railway been ordered to carry forward the deficiencies of minority communities to make up their communal proportion as laid down by the Railway Board? If so, what are the detailed instructions on this subject?

THE HONOURABLE SIR GUTHRIE RUSSELL: The North Western Railway was instructed to take steps to see that the percentage fixed for Muslims under the orders of Government from July, 1934 was fully worked up to. Government are not prepared to lay detailed instructions issued in this connection on the table of the House as they are meant for departmental use only.

PERCENTAGES FIXED FOR VARIOUS COMMUNITIES ON STATE RAILWAYS.

82. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state what are the percentages fixed for the various communities for the recruitment of new entrants on each of the State Railways? Will such percentages apply even in those branches of railway services where one community preponderates over others? If so, why?

THE HONOURABLE SIR GUTHRIE RUSSELL: I would invite the Honourable Member's attention to the orders contained in Railway Board's letters No. E34CM113, dated 12th December, 1934 and No. E35CM120, dated 9th August, 1935 and paragraph 74 of the Report by the Railway Board on Indian Railways for 1934-35, Volume I, in which the position has been fully explained. Copies of all these documents are available in the Library.

REPRESENTATION OF VARIOUS COMMUNITIES ON THE NORTH WESTERN
RAILWAY.

83. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state whether the figures given in the annexed statement concerning numbers of loco. drivers, shunters and firemen community-wise on each of the divisions of the North Western Railway are correct? If so, how does Government intend to make up the due communal proportion in the future recruitment of each community in each division?

Statement of number of drivers, shunters and firemen employed on 1st April, 1931 by each community.

Division.	DRIVERS.							SHUNTERS.							FIREMEN.						
	Europeans.	Anglo-Indians.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Parsis.	Europeans.	Anglo-Indians.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Parsis.	Europeans.	Anglo-Indians.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Parsis.
Rawalpindi	19	8	18	114	5	...	1	8	5	11	117	8	...	...	4	7	58	444	14	1	...
Lahore	80	14	18	87	10	...	1	8	5	11	117	8	...	...	4	7	58	444	14	1	...
Delhi	82	15	42	86	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ferozepur.	8	4	16	81	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Multan	5	10	18	45	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Quetta	15	17	8	20	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Karachi	18	23	9	105	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total	117	91	114	501	28	2	10	19	30	140	505	26	8	2	48	72	608	1,801	117	25	1
Grand Total	863							729							2,673						

THE HONOURABLE SIR GUTHRIE RUSSELL: Government have no information as to whether the figures given by the Honourable Member are correct and they do not consider any useful purpose will be served by collecting the information. Orders regarding the representation of minority communities apply to the North Western Railway as a whole and not by divisions.

SURCHARGE ON RAILWAY FREIGHT ON COAL.

84. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state whether they intend to withdraw surcharge on railway freight on coal? If not, why not?

THE HONOURABLE SIR GUTHRIE RUSSELL: In view of the present financial position, Government regret they are unable to consider the withdrawal of the surcharge.

TRAVELLING TICKET COLLECTORS, NORTH WESTERN RAILWAY.

85. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state the reasons which led the North Western Railway to treat the travelling ticket collectors differentially in matters of scale of salaries and allowances as compared to other train running staff? Do Government intend to reconsider this decision at an early date?

THE HONOURABLE SIR GUTHRIE RUSSELL: Government have, during the last five years, already replied to more than 400 questions concerning travelling ticket inspectors, travelling ticket examiners and similar staff on the North Western and East Indian Railways in the other House giving detailed information covering almost every aspect of this subject and I would refer the Honourable Member to these replies.

Government have given the whole subject their very careful consideration and have granted the staff concerned the maxima concessions in pay, allowances and prospects that they consider justifiable. Government are not prepared to revise these orders and in the circumstances consider that no useful purpose will be served by providing further information on this subject.

PURCHASE OF THE BENGAL AND NORTH-WESTERN RAILWAY AND ROHILKUND AND KUMAON RAILWAY.

86. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state whether they have decided to purchase the Bengal and North-Western Railway and the Rohilkund and Kumaon Railway when their present terms of contract expire? If not, why not?

THE HONOURABLE SIR GUTHRIE RUSSELL: The matter is under consideration.

SAVINGS EFFECTED ON STATE RAILWAYS DUE TO THE DIVISIONAL SYSTEM.

87. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly state what savings in the cost of establishment have been effected in the annual expenditure on each of the State Railways, since the "divisional system" has been introduced?

THE HONOURABLE SIR GUTHRIE RUSSELL: I would invite the Honourable Member's attention to the Honourable Mr. J. C. B. Drake's

replies to question No. 9 of the Honourable Mr. Jagadish Chandra Banerjee and question No. 103 of the Honourable Member asked on the 20th September, 1932 and 23rd September, 1932, respectively in this House. This is the only information readily available with Government.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Has there been any change since ?

THE HONOURABLE SIR GUTHRIE RUSSELL : I cannot understand in what way.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : In the way of expenditure.

THE HONOURABLE SIR GUTHRIE RUSSELL : I really could not tell the Honourable Member that, off-hand.

RIGHT OF APPEAL OF EMPLOYEES OF STATE RAILWAYS TO THE PUBLIC SERVICE COMMISSION.

88. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state whether on State Railways whenever any enquiry is held against any officer or subordinate, the person aggrieved has a right of appeal or redress to the Public Service Commission ? If not, why not ?

THE HONOURABLE SIR GUTHRIE RUSSELL : Presumably the Honourable Member refers to State-managed Railways. If so, the reply is in the negative. Under the Public Service Commission (Functions) Rules, a copy of which is in the Library of the House, the Government of India consult the Commission regarding officers' appeals and cases involving disciplinary action against officers.

POOLING OF ENGINES ON STATE RAILWAYS.

89. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state whether the system of pooling locomotive engines on each of the State Railways resulted in economy and better punctuality and efficiency in running of passenger trains ?

THE HONOURABLE SIR GUTHRIE RUSSELL : Locomotive engines are not pooled with a view to improving punctuality and efficiency in the running of passenger trains. The success of the policy of pooling engines is to a large extent reflected in the few new engines purchased and the large number of engines broken up without renewal during recent years.

COST OF ANNUAL REPAIRS DUE TO THE POOLING OF ENGINES.

90. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly lay on the table of this House, a comparative statement showing the cost of annual repairs to locomotives running on the pool system ? What is the number of engines (locomotives) standing for want of repair as compared to the pre-pool period ?

THE HONOURABLE SIR GUTHRIE RUSSELL : No separate statistics relating to pooled and non-pooled engines are available. No increase in the annual cost of locomotive repairs or in the number of locomotives awaiting repairs has been apparent since the pooling system was introduced and extended.

GRANT OF FREE PASSES TO EMPLOYEES OF STATE RAILWAYS AND DEFINITION OF "FAMILY."

91. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state the definition of "family" as far as the grant of free passes is concerned to the employes of the State Railways? Does the family include the adopted son or daughter or adopted parents? If not, why not? Will Government kindly lay a copy of the relevant rules on the table of this House?

THE HONOURABLE SIR GUTHRIE RUSSELL : I am laying on the table relevant extracts from the Free Pass Rules of the five State-managed Railways from which the Honourable Member will observe that the term "family" is interpreted differently on the various railways. Except on the Burma Railways, adopted children are eligible for passes, but not adopted parents. A limitation in the number and category of dependent relatives is necessary in the public interest.

EXTRACTS FROM THE PASS RULES OF THE STATE-MANAGED RAILWAYS.

Extract paragraph 34 from the Burma Railways' Pass Rules.

34. The term 'family' includes the wife and legitimate children and step-children of an employee, provided they are residing with and are wholly dependent on him. Sons of 18 years of age, and married or widowed daughters or step-daughters will not be considered dependent. If the employee is a bachelor or widower, the term 'family' will include either a widowed mother, or a sister being a spinster, provided that she is residing with and is wholly dependent on him.

Extract from the Eastern Bengal Railway Pass Rules.

68. *Family.*—The term "family" includes wife, legitimate sons and step sons under 18 years, unmarried or widow daughters and step-daughters of any age, and married daughters under 18 years, of an officer residing with and wholly dependent on him. It may also include not more than two dependent relatives.

Note.—Passes will not be granted for more than one wife at a time.

69. *Dependent relatives.*—The term "dependent relative" includes mother, if a widow, sisters including step sisters, unmarried or widow and brothers including step-brothers under 18 years residing with and wholly dependent on the officer.

70. *Adopted children.*—Adopted children (sons and daughters) are not eligible for passes unless the employee has first obtained a court certificate to the effect that he has legally adopted such children. This certificate must be placed on the employee's personal file. Adopted children should always be shown and recorded on the pass as such.

Extract from paragraph 20 from the East Indian Railway's Free Pass Regulations.

20. The term 'dependent relative' only includes persons who are actual members of the employee's household and exclusively dependent on him for the means of subsistence. It will not include any male person of an age to earn his own living, nor the wife or children of such person. The limit of the age of a dependent male youth should be 18, except those who are attending school or university. It may include an adopted child.

Extract paragraph 26 from the Great Indian Peninsula Railway's Rules for the issue of Free Passes and Privilege Ticket Orders.

26. In the above rules the following definitions are to be understood unless there is anything stated to the contrary.

The term family includes :

- (a) (i) Wife or wives (not more than two).
 - (ii) Sons and step-sons under 18 years of age.
 - (iii) Unmarried and widowed daughters and step daughters of any age.
 - (iv) Married daughters and step daughters under 18 years of age provided they reside with and are wholly dependent on the employee.
 - (v) Sons and step-sons over 18 years of age on production of a certificate from the Principal of the school or college which they are attending.
- (b) The term 'dependent relative' shall not include any person who is not an actual member of the employee's household and entirely dependent on him for means of subsistence. It may include an adopted child.

Not more than two dependents should be included in any pass.

Dependent relatives include :

- (i) Father.—If he is unemployed and in such a condition as to be beyond work, and entirely dependent on his son/daughter for support and a permanent member of his/her household.
- (ii) Mother.—If she is a widow or her husband is unemployed and in such condition as to be beyond work, and entirely dependent on her son/daughter for support and a permanent member of his/her household.
- (iii) Sister.—If she is unmarried or a widow and entirely dependent on her brother/sister for support and a permanent member of his/her household.
- (iv) Brother.—If he is under 18 years of age, unemployed and entirely dependent on his brother/sister for support and a permanent member of his/her household.
- (v) Brother over 18 years of age on production of a certificate from the Principal of the school or college which he is attending.

EXTRACT PARAGRAPH 25 FROM THE NORTH WESTERN RAILWAY'S PASS RULES.

25. *Dependent relatives.*—(a) The term 'family' includes :-

- (i) wife ;
- (ii) legitimate and step-sons under 18 years ;
- (iii) unmarried daughters and unmarried step-daughters of any age ; and
- (iv) widowed daughters and widowed step-daughters of any age of an officer residing with and wholly dependent on him.

It may also include 'not more than two dependent relatives. The term 'dependent relatives' includes mother or step-mother, if a widow, sisters and step-sisters unmarried or widowed, and brothers and step-brothers under 18 years, residing with and wholly dependent on the officer.

(b) An employee may apply for passes for an adopted child (son or daughter) provided he has first obtained a court certificate, stamped with the seal of the court, to the effect that he has legally adopted the child.

SAVINGS EFFECTED IN THE ARMY DUE TO THE INTRODUCTION OF MOTOR TRANSPORT.

92. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state what yearly savings have been effected by the introduction of motor transport in various army units ? What corresponding reduction has been made in the number of transport animals and in the cost of the units concerned ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The collection of the detailed information asked for would involve considerable expenditure of time and would serve no useful purpose. Although the cost of *maintaining* certain mechanized units may be less than the cost of *maintaining* equivalent

non-mechanized units, there is probably no saving on the whole when the initial cost of mechanization is taken into account. Moreover the value of mechanization is not to be judged purely by the economies which may result from it, but also by the increased mobility and general efficiency for war that it produces.

SAVINGS EXPECTED DURING 1936 DUE TO THE CHEAP PRICE OF FOODSTUFFS.

93. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state what savings they expect this year from cheap prices of foodstuffs as compared to previous years? What are the prospects for next year in this connection?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : There is likely to be a slight increase in the cost of foodstuffs this year as compared with last, and for the purpose of the Defence Services Estimates for 1936-37 a small rise in cost has also been allowed for.

TIME OF ARRIVAL OF THE GRAND TRUNK EXPRESS AND DELAY IN THE DELIVERY OF LETTERS AT NEW DELHI.

94. THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTY : Will Government be pleased to state :

- (a) The time at which the Mail arrives at New Delhi from Madras?
- (b) Whether Government are aware that Madras tapals are delivered at certain important places in New Delhi as late as 1 P.M. or even later?
- (c) If the answer is in the affirmative, whether Government propose to issue instructions to the authorities concerned so that letters are delivered earlier than at present?

THE HONOURABLE MR. A. G. CLOW : (a) If the Grand Trunk Express arrives punctually, mails from Madras conveyed by it are timed to reach the New Delhi Post Office at 8-40 A.M.

(b) The position is that if the Express to which I have referred arrives punctually the mails can be sent out for delivery at 10 A.M. from the New Delhi Post Office, but if the train is running late the mails have to wait for the next delivery which is at 1 P.M.

(c) No. As I have explained, later delivery, when it occurs, is due to causes outside the control of the postal authorities, and short of making special arrangements for delivery which would be unjustified, further expedition can hardly be secured.

STANDING COMMITTEE FOR THE DEPARTMENT OF INDUSTRIES AND LABOUR.

THE HONOURABLE THE PRESIDENT : I have to inform the House that the Honourable Mr. P. N. Saprú has since withdrawn his candidature for election to the Standing Committee in the Department of Industries and Labour. As there now remain the following two candidates for the two vacancies, I declare them to be duly elected :

1. The Honourable Sir Ramunni Menon, and
2. The Honourable Mr. Jagadish Chandra Banerjee.

DURGAH KHWAJA SAHEB BILL.

THE HONOURABLE THE PRESIDENT : The House will now proceed to debate the Bill of Raja Ghazanfar Ali Khan which was postponed from the 26th February.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhamadan) : Mr. President, before we commence the discussion of this Bill, I should like to have a ruling on a constitutional point of order which arises in connection with this Bill. This Bill was introduced in the Simla session and we Members of the House did not know whether the sanction of the Governor General was obtained or not. It was only recently that I came to know that the previous sanction of the Governor General was not obtained and I would like to place before you, Mr. President, the relevant section of the Government of India Act, section 67 (2), which says that it shall not be lawful without the previous sanction of the Governor General to introduce at any meeting of either Chamber of the Indian Legislature any measure affecting the religion or religious rites and usages of any class of British subjects in India.

THE HONOURABLE THE PRESIDENT : Will you please let me know whether you made any inquiry whether the Governor General's sanction was obtained or not ?

THE HONOURABLE MR. HOSSAIN IMAM : Yes, I made an inquiry, Sir, on the 3rd or 4th. We found that the previous sanction had not been obtained. And it being a part of the Statute that previous sanction must be obtained, since a Standing Order in the Manual of Business, section 66, lays down that if any question arises whether a Bill is or is not a Bill which requires sanction under the Act it shall be referred to the Governor General and his decision on the question shall be final. I therefore ask you, Sir, to order that it was not competent for any one to decide the question of the requirement of the Governor General's sanction to a Bill, and, secondly, that the sanction not having been obtained it would be *ultra vires* for the Legislature to discuss this Bill. I therefore ask your ruling, Sir, and request the Honourable Member in charge of the obtained Bill to withdraw it in order to facilitate action.

THE HONOURABLE THE PRESIDENT : What has the Honourable mover got to say ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN (West Punjab : Muhammadan) : Sir, I am surprised that my Honourable friend Mr. Hossain Imam only recently learnt that the Bill requires the Governor General's sanction and that the same had not been obtained. I think, Sir, I owe it to the Honourable Members of this House as well as to those people who are interested in this Bill outside that I should describe briefly the history of the Bill. What happened was, Sir, that when I gave notice of the introduction of this Bill previous to the Simla session, I applied for the Governor General's sanction to be kindly obtained for the introduction of this Bill. To this letter, Sir, I received a reply from the Legislative Department that this Bill did not require the Governor General's sanction. That letter is No. F.-258/315-C. & G., dated—

THE HONOURABLE THE PRESIDENT : Will it in any way help you that you received a written reply from the Government of India ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Sir, I only want to assure the Honourable Members that as far as my duty was concerned I did apply for sanction, and I got a reply in writing from the Legislative Department that the sanction of the Governor General was not required. Well, Sir, this reply I have read very carefully. It does not say whether the matter was referred to the Governor General or not.

THE HONOURABLE THE PRESIDENT : But you will admit that the Governor General's sanction is necessary ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : But, Sir, this is another point which I submit requires your decision. It is stated that any Bill which concerns the religion or religious rites and usages of any class of British subjects in India requires the previous sanction of the Governor General in India. I submit, Sir, that this Bill does not come under that qualification because it merely concerns the management of the property which is in the possession of a religious institution. Therefore, strictly speaking, it does not come under that class. But assuming that this Bill comes under that class, I would like to know whether the Governor General's sanction was obtained or not ? If the matter was referred to the Governor General, Sir, and the Governor General decided that his sanction was not required, then I beg to submit that there is no point of order in what Mr. Hossain Imam has said because it is only the Governor General who can decide whether any particular Bill requires his sanction or not.

THE HONOURABLE THE PRESIDENT : You have to satisfy me that the papers were sent to the Governor General.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Sir, the letter I received says :

" I am directed to inform you "—now, Sir, it does not say by whom. It says " I am directed to inform you that the Bill in question does not require the previous sanction of the Governor General ".

Well, Sir, after this letter, I was naturally satisfied that the Bill did not require sanction. There is one point I would lay before you. The Honourable Mr. Hossain Imam ought to have raised this question at an earlier stage. The Bill after it was introduced at Simla was published in the Gazette of India and the procedure is that whenever the Governor General's sanction is obtained it is clearly noted that the Governor General's previous sanction has been obtained.

THE HONOURABLE THE PRESIDENT : Assuming that the Governor General's sanction was necessary, how does the delay in raising this plea affect the question ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Well, I personally submit, Sir, that it will not make a thing legal which is otherwise illegal merely because this point has been raised at a later stage ; and as far as my friend's suggestion, that I should withdraw the Bill, is concerned, I would only submit that, after all, Sir, you are the custodian of the rights of the Members of this House. I have made an honest attempt to introduce this Bill and conform to all the formalities of the law.

THE HONOURABLE THE PRESIDENT : I can see that so far as you are concerned it was no fault of yours. That is perfectly apparent to me. But at the same time, if the sanction is necessary, even if this Bill is passed, how will it be a valid measure ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : But, Sir, I must admit that if the sanction was necessary and was not obtained, even if this Bill is passed, this will be such a serious legal flaw that all my efforts would have been useless. Therefore, Sir, I leave the matter entirely in your hands to decide what the proper course would be for me to adopt in this connection.

THE HONOURABLE THE PRESIDENT : I had some notice that the Honourable Mr. Hossain Imam was going to raise this objection today and I have therefore given this matter my most careful consideration. The point taken by the Honourable Mr. Hossain Imam is that this Bill affects the religion of a class of British subjects in India and therefore requires the previous sanction of the Governor General, which it admittedly has not received. I am informed that the relevant facts are as follows. The Honourable mover in giving notice of the Bill requested that the previous sanction of the Governor General should be obtained if necessary. The Department of Government concerned was of opinion that sanction was not required, and having inferred from the language used by the Honourable mover that he had left the matter in their hands, concluded that no question arose within the meaning of sub-rule (3) of rule 19 of the Indian Legislative Rules. Consequently, the Department made no reference to the Governor General under that sub-rule but merely informed the Honourable mover that sanction was not required. The opinion of Government that sanction was not required was of course binding upon no one, for the effect of sub-rule (3) of rule 19 is to vest the decision of that question in the Governor General alone. If therefore the point raised by the Honourable Mr. Hossain Imam had been taken when the Honourable mover rose to move for leave to introduce the Bill on the 26th September last my course would have been clear. I would then have directed a reference to be made for the decision of the Governor General and would not have allowed the Honourable mover to move for leave to introduce until the Governor General's decision had been obtained. But the Honourable Mr. Hossain Imam's omission to take this objection in right time cannot affect my decision in any way. The Bill has now been introduced and we are now at the consideration stage and it appears to me that the stage at which a decision could have been obtained from the Governor General in accordance with sub-rule (3) of rule 19 has expired. If that sub-rule is read in its immediate context, that is to say with sub-rules (1) and (2) it is in my opinion quite clear that it operates only at the stage when the validity of a notice of intention to move for leave to introduce a Bill is in question. In my opinion, therefore, the Chair has no jurisdiction to stay proceedings on this Bill pending a reference to the Governor General of the question whether previous sanction was required and should have been obtained to its introduction. I would however invite the Honourable mover's attention to certain considerations which in my judgment are relevant to the course of action which it would be prudent for him to adopt. Sub-section (2) of section 67 of the Government of India Act provides that it shall not be lawful without the previous sanction of the Governor General to introduce at any meeting of either Chamber of the Indian Legislature any measure affecting *inter alia* the religion or religious rights and usages of a class of British subjects in India. If therefore this Bill affects the religion of a class of British subjects in India, the unlawfulness at which sub-section (2) of section 67 is aimed has already

been perpetrated, in that the measure has already been introduced without the necessary sanction. Further, since the sanction required is previous sanction to the introduction of the measure, no *ex post facto* grant of sanction would cure the unlawfulness. In other words, assuming the Bill to have required previous sanction, the only means of curing the failure to obtain the necessary sanction would be for no further proceedings to be taken upon this Bill and for the Honourable mover to introduce a fresh Bill with the necessary previous sanction. The Honourable mover would in my opinion be well advised to take this course. He will observe that, while in respect of provincial legislation it is enacted in the proviso to sub-section (3) of section 80A that an Act subsequently assented to by the Governor General shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor General, no corresponding provision is made in respect of central legislation, with the result that in the event of this Bill being passed by both Chambers and receiving the assent of the Governor General, it may well be that its validity would be subject to challenge in the courts on the ground of a necessary previous sanction not having been obtained. I cannot however dictate to the Honourable mover the course which he should adopt and my ruling on the point raised by the Honourable Mr. Hossain Imam must be that, unless the Honourable mover elects to adopt the course which I have suggested, the debate on the Motion before the House and all further proceedings on the Bill must take their normal course, but in that case, the Honourable Member should be prepared to take the necessary risks.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Sir, I am very grateful to you for the kind advice you have given me. As far as the point of order is concerned, you have ruled that the discussion will proceed but I personally consider that I will be well advised in accepting your advice and withdrawing the Bill. I would therefore ask your permission to withdraw the Bill, and I hope to send in a fresh one today and apply for the necessary sanction.

THE HONOURABLE THE PRESIDENT : I compliment you on the prudent course you have adopted.

The Bill was, by leave of the Council, withdrawn.

RESOLUTION *RE* INDIANISATION OF THE PUBLIC SERVICES PARTICULARLY WITH REFERENCE TO MUSLIM RECRUITMENT.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I rise to move :

“ That this Council recommends to the Governor General in Council to consider the question of Indianising the Public Services under the Government of India in relation to the questions of Muslim representation and reduction of pay of future entrants ”.

Sir, this Resolution is not mandatory. It is an innocuous thing. It is a method adopted by us to raise discussion on questions of public importance on which we wish to know the action taken by Government and to press our own grievances. My Resolution deals with the subject of Indianisation, particularly with reference to the recruitment of Muslims and the pay and emoluments of future entrants. Indianisation was once upon a time looked upon with disfavour by Government. Inefficiency and other impediments used to loom large on the horizon of Indianisation. „But times have changed and with that the policy of Government has also changed. It is now much more in line with public opinion, although its pace is slow. I readily concede that there has been a steady advance towards Indianisation. The only difference now between Government and ourselves is about the pace of Indianisation. We

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wish that it should be accelerated while Government are not yet ready to change the pace very much. Incidentally, I should like to warn Government that their policy of Indianisation is proving a dismal failure from two points of view. Firstly, Sir, Indianisation at the present moment is becoming more and more an area monopoly. There are services which are the preserve of the Madrasis; other services are in the clutches of the Bengalis, and there are yet other services which have become the monopoly of our Punjabi friends. Some unfortunate provinces like far-off Assam, my own unfortunate province of Bihar, the Central Provinces and the Frontier, although they form about one-third of the population of British India, do not get even one-thirtieth of the services under the Central Government. The enterprising portion of the population are always to the fore and when one man comes in, his entire family get a sort of preferential treatment, with the result that people of other provinces are totally excluded. In this exclusion there is no differentiation. Hindus and Muslims both fare badly, and we realise that after all there is something in provincialism. The Muslim is as anxious to get service for his Hindu provincial man as the Hindu is to get service for the Muslim from his own province. I welcome this attitude which I have sometimes found in Honourable Members of this House. What I am trying to do is, in addition to having a reservation for minorities, to get a conventional reservation for provinces also. My defence of this demand is that the very idea of Indianisation originated from the principle that the disbursement of Government should go to enrich the nationals of the country. The first principle of civics, as you know, Sir, is that the function of civilised governments is to make a better and more equitable redistribution of the material goods of the world. This fundamental principle is controverted if we allow certain classes or certain communities or certain areas to monopolise Government services. It is for this reason that I wish to bring to the notice of Government the lamentable position which we Biharis and Assamese, the Central Provinces *wallahs*, the Frontier men, and the Burmans occupy in the services under the Government of India. To me it is very sad, because at the present moment the Home Department is in charge of Mr. Hallett, who himself is a Bihar civilian and to whom all of us have looked for the redress of our grievances. It is not an exaggeration to say that he is one of the most popular officers that Bihar has yet produced. We are proud of him and we hope that he will do something substantial to remove our grievances. One method which the Government of India can adopt is to take in their central and other services men from the provincial secretariats, men who are already in service, and have passed their examinations or have undergone some test. They are quite competent, tried hands, and they would be quite able to discharge the duties in the Government of India offices. You could adopt the system of asking Provincial Governments to send contingents of such men off and on. I do not say it should be adopted for the purpose of filling all vacancies, but in order to remove the anomaly of the meagre representation of certain provinces, you may ask the local secretariats to send you a Hindu or Muslim, as you require, to fill the places in the Government of India. It is only a question of will, Sir. If there is the will the Government can find many ways of doing this. It is not my policy to criticise only. I always like to give them some suggestions, and although I do not dogmatise I leave them free to do what they like so long as there is the intention to remove our grievances.

Now, Sir, I come to the main part of my Resolution about Muslim representation. Much has been said by Government Members and by the public,

that Government has done this, that, or the other, for Muslims. But my complaint is that whatever may have been done is not yet apparent. What is apparent is that there are many defects and many loopholes of escape in the way of giving effect to the Resolution of the Government of India. It is freely stated that Muslim boys are deficient ; they do not come up to the mark ; they have to be nominated. All these charges are thrown at our door. No doubt they are partial or half-truths. But the reason is not to be found in the inefficiency of the boys. It is to be found in causes outside their control. It is a well known fact that a vast majority of examiners in India belong to non-Muslim communities, and I have to admit with shame that, as there are black sheep everywhere, so in the body of examiners too there are people who are approachable and who can be influenced. I do not say they are all like that, but there are black sheep everywhere and some of them are like this. Secondly, there is a certain amount of communal prejudice also responsible for the failure of Muslim boys to get good marks. To experienced examiners there are any amount of indications in the answers to show the nationality or religion of the examinee, and sometimes inborn prejudice plays a part in withholding due marks from Muslim boys.

THE HONOURABLE THE PRESIDENT : Do you suggest that examiners do that intentionally ?

THE HONOURABLE MR. HOSSAIN IMAM : Well, sometimes there is unintentional injury also, Sir.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Are the names of the examinees written on the papers ?

THE HONOURABLE MR. HOSSAIN IMAM : No, Sir. But that is a thing you can find out from the answers. For instance, in a history paper the trend of the answers will tell you what community a boy belongs to and an examiner can take a partial attitude if he wants to. This is particularly the case in competitive examinations when boys have grown out of the school stage and formed opinions on subjects. But apart from all this, is an academic qualification the one guiding principle for success and for suitability in the services ? I would suggest to the Government to make an inquiry as to how many governors and executive councillors from the Indian Civil Service were those who stood first in their examinations. It does not necessarily follow that those who stand first make the best officers. In many cases you will find that those who have not done well in examinations have made good. There are in public life many instances of men without academic qualifications, who are proved leaders of thought and who have attained great success in business. The trouble with us is that we make every means an end in itself. Competitive examinations were adopted as a system in order to get over the difficulty of favouritism, the fear that without such a system certain classes and communities would be favoured. It was just a *via media* to avoid that possibility. They have served their purpose, but they have also shown their defects. It is for this reason that I say that undue weightage should not be given to the results of competitive examinations alone. Other factors should also be taken into consideration.

THE HONOURABLE THE PRESIDENT : By the examiners ?

THE HONOURABLE MR. HOSSAIN IMAM : By the appointing authorities. For instance, they have themselves admitted the deficiencies of the

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examination system by having also the *viva voce* test, which is nothing more than a system of taking notes and giving marks on principles other than mere literary ability. And you know that in the Government of India examinations an appreciable portion of the marks is given to the *viva voce* examination. I have said this just to point out the difficulties which existed in the old days, but now since the reservation circular was issued, some of the departments have adopted a different method. When it is the turn of Muslims to compete and come in, stiffer tests are put to Muslims than would ordinarily be the case for the others. We have come across cases in which Muhammadan boys were subjected to much stricter tests than was the case for the other communities; sometimes there was no examination for other communities, while for Muslims there was a severe test.

I would like to refer to the wide and numerous loopholes which Mr. Hallett's circular has left for evasions of the intention of the Government. These loopholes are so big that evasions have become the rule rather than the exception. The first loophole is that technical services are not subject to reservation. That as a principle may be quite sound; in effect it becomes a measure of evasion. Sometimes posts which are not in reality technical are declared technical and no reservations are made. There are two remedies for this. One is that we should make a rule that Muslim boys should be taken in as probationers.

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THE HONOURABLE THE PRESIDENT : I am very sorry you are discussing such an important Resolution on communal lines.

THE HONOURABLE MR. HOSSAIN IMAM : The question in itself is not communal, but rather national. Everyone who lives in India, whatever be his religion, whatever be his country of origin, is entitled to a due share of the services in the Government, because we all contribute to the central revenues and as such we are entitled to get disbursements from Government.

Sir, in the beginning I concentrated on the area question. Now I am dealing with the second aspect of the question of the religious monopolies. I was referring to the question of technical services. One method is that Muslim boys may be taken as probationers at very nominal rates. I do not wish that they should get any pay except just to meet their daily expenses so that when they are trained they may get a position. The second method is that technical and non-technical posts should be taken together and on the composite whole a proportion should be fixed for recruitment, taking into account the technical posts. If you have 10 vacancies out of which six are technical and four non-technical, the Muslim quota should be fixed for the two services taken together and not only for the four posts which are non-technical, on a composite basis. The second difficulty that I find in the circular is that reservation has been made in *initial appointments*. This was done in order to guard against Muslims claiming their quota in promotions. There is a show of sense and justice in the Government's consideration that there should be no communal tinge in promotions. The best men should get the best jobs, but what I wish to bring to the notice of the Government is that what might have been a perfectly legitimate thing, has been reduced to a means of evading their due share to Muslims. The proportion of men who used to be promoted is steadily rising. Five or six years ago it was not the rule to find more than 20 per cent. of the posts filled by promotion. Now there are departments in which 50 per cent. of the posts are filled by promotion. I therefore suggest that reservation should be in the total recruitment and after deducting the number of men who

have got promotions the quota should be fixed in initial recruitment. For instance, if there are 100 posts and 50 men are taken by promotion and 50 are taken by initial recruitment, according to the present rules the Muslim is entitled only to 12 places, although he may not have secured a single seat by promotion. We wish that the Muslim quota should be fixed at 25 and if 10 men come by promotion that number should be deducted from the initial recruitment and only 15 men appointed. I do not want any injustice done to the sister communities, but I do demand that there should be justice to Mussalmans.

Then, Sir, there was a very good question raised by my Honourable Leader, when we were discussing the Railway Budget, about the quota of the minorities where they happen to be in a hopelessly small number. His demand was that special consideration should be shown to the minorities where they are very meagrely represented. I endorse that remark of my Leader and I would commend it to the attention of the Government. Sir, the injustice to Muslims has been so glaring, their grievances are so just that I do hope that the Government will see the justice of our demand and take some practical steps to ameliorate our condition.

I now come to the question of pay and emoluments for future entrants. The House will remember that in the Simla session of 1931 I moved a Resolution on this subject, where I gave a great deal of facts about the excessive nature of the pay of the Government of India officials. I do not wish to weary the House with those details, but it will suffice to say that even under the present new scales the pay in India is the highest in the world in its ratio to the *per capita* income of the population. In no country does the pay of the higher officials bear such a high ratio to the *per capita* income as is the case here. Sir, it is a well known fact that in India every man, woman or child is an indirect taxpayer. It is also admitted that 80 per cent. of the population of India which is directly dependent on agriculture now get half the income which it used to get before 1929. The price of agricultural produce has so fallen that we do not get more than 50 per cent. of the income which we had before 1929.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Thanks to the exchange ratio.

THE HONOURABLE MR. HOSSAIN IMAM : As my Honourable Leader says, a great deal of this is due to the 1s. 6d. exchange. I am not here considering the causes ; I am simply stating facts. The income-tax return also shows that our business community is no where near the prosperity which we had in 1929.

Then we all know that the introduction of reforms in the provinces is going to cost a lot of money to the provinces and necessarily some reduction in the heads of income of the Government of India. Because nothing comes out of nothing. We will have to give certain heads of income to the provinces in order that they may balance their budget. Then we must not lose sight of the fact that Burma is going to be separated, that there is going to be a further reduction in our income of about Rs. 3½ crores due to the separation of Burma. All these facts point to one thing alone. That is, that we must reduce our administration cost if we are to give any relief to the taxpayers, if we are not to burden them with further and further taxation. The only remedy is to reduce this state of things. I beg to submit, Sir, that when the revised scales of pay were first adopted the Government did not realise the full nature of the depression and its effect on the finances of the Government of India. If they had realised, Sir, they would not have left the pay as high as they have done. The

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reductions have been paltry and nominal in the beginning and right at the top you find that there is practically no reduction. I refer to the emoluments of the Secretary of State's services. The policy of Indianisation, Sir, should be given a new lease of life. Indianisation up till now has been adopted with a view to change the avenue of expenditure, that our money should go to Indians and not to foreigners, but now we wish that the Government should adopt the method of Indianisation because *it would mean a cheaper form of government than the former government*, and in this connection, Sir, I have to state that I do not blame the Government alone but our public men as well. Our public men have not realised that Indianisation to be effective, to be a real success, must mean a cheaper and a better kind of service. Our men do not require that amount of money which Europeans used to require. (*An Honourable Member: "Why not?"*) Because they are working in their own country and they have a different standard of living. The difficulty is that everyone in India is affected by the inferiority complex. We think that a difference in pay means inferiority. (*An Honourable Member: "Certainly"*.) It does not. It means that we are proud of our country and we are prepared to serve it on less pay than those who have no place in the country. The result of our past policy is that we have created a sort of brown bureaucracy who have no sympathy with the people, who breathe European air and who think like Europeans. I am ashamed of such of my countrymen. I want our men to be proud of being Indians and to have the idea of service in their lives. Only very recently, when our former Commander-in-Chief adopted a new scale of pay for cadets of the Indian Army, there was a hue and cry and everybody was saying that it was an injustice that Indian boys should be given less pay, and it was left to an Englishman to tell us (and we ought to be ashamed of it) that Indians are drawing the same pay as Englishmen draw in their own country, with their higher standard of living, with their higher cost of living. A European officer in England is content to get a certain scale of pay, but it is not sufficient for Indians in India.

Incidentally, Sir, I should like to say that it is a bit hard that promotions of men from one grade to another is still being made on the old scales of pay. While you are getting new men for the same post why should you promote men who have no claim on the higher services? There should be one of the two rules. Either there should be restriction of promotion to 20 or 25 per cent. as in the provincial services, or there should be a rule that promoted men will draw the new scales of pay.

THE HONOURABLE THE PRESIDENT: Would that not be a breach of faith?

THE HONOURABLE MR. HOSSAIN IMAM: No, Sir, because we do not give any guarantee to any service man that he will be promoted to a higher grade. We may promote him or not promote him; he has no lien on the higher service. I am not referring to the graded system of service. But when you raise a man from the third class to the second, and from the second to the first, from superintendents to assistant secretaries, and so on, it is there, Sir, that I say that either of these methods should be adopted. Either there should be a reduction in the number of promotions or the promotions should be on the new scales of pay. Sir, the Government of India with all their defects are far more sympathetic to our demands than the Secretary of State could possibly be. It is for this reason, Sir, that I have confined my Resolution to the services of the Governor General. I have neither dealt in my speech nor have I made my

Resolution effective for the Secretary of State's services. Because there I know that the Government of India is as powerless in certain respects as we ourselves. We all sail in the same boat and I do hope that they will do something substantial and something effective to reduce our cost and to give us due representation.

Sir, I move.

THE HONOURABLE MR. M. G. HALLETT (Home Secretary): Sir, my Honourable friend Mr. Hossain Imam has brought a very moderate Resolution before this House. He asks the Governor General merely to consider certain questions. Sir, when questions are put before us, I do not think we can be accused of refusing to give due consideration to any suggestions that are made. Possibly in some cases, when the suggestions are rather absurd, my consideration may not take very long. In other cases, when suggestions of some value are made but which present difficulties, then my consideration may be rather prolonged and it may take some time before the final decision is reached. However, I think the Honourable Member is fully aware that there is no reluctance on the part of the Governor General in Council or on the part of the Home Department to refuse to consider any suggestions which are made to them about these questions which are referred to in this Resolution.

His Resolution, when I first saw it, seemed to me a little vague and I could not quite tell what he was driving at. But he was good enough to tell me a day or two ago the points that he was going to raise. The Resolution has reference only to the services under the Governor General in Council and not to services like the Indian Civil Service and the Indian Police under the Secretary of State. The first question he raised was Indianisation. I do not quite understand why that question has been raised, because all these services are already entirely Indianised. But his real object was not to introduce Indianisation, but what I may call provincialisation. He spoke for the backward tracts—the minor provinces, such as Bihar and Assam—and he contended that Madras, Bengal, Punjab and other provinces got a larger share of appointments. Well, Sir, we have always held that India is really one country, that there should be a spirit of nationalism in India and that in regard to appointments there should be open and free competition between all the parts of the country. The Honourable Member apparently wishes to have percentages fixed for the provinces just as we have fixed percentages for the minority communities, and in particular the Muslim community. This view we have always opposed. The same claim is often put forward in provinces. I have seen it myself. In a province you have a district which is possibly neglected or considers that it is neglected. For historical or other reasons, it has not such a good system of schools or colleges available for its boys, and as a result that district gets few of the central appointments under the Local Government. It is possibly the same thing in regard to the central appointments. Speaking again from my own knowledge of Bihar, as long as Bihar was tacked on to Bengal, it certainly suffered. The Bengali got many more appointments under the then Government of Bengal than the Bihari. But the reason for that was that the educational facilities of Bihar were not so good as those of Bengal. Ever since the Government of Bihar was started, improvements have been made in the educational facilities and the result has been that the boys of Bihar are now quite able to hold their own with the Bengali. I see no reason why, if they are enterprising, boys from Bihar or Assam should not come up and compete successfully at the competitive examinations which are now held for entrants into the various services under the control of the Governor General in Council. So, speaking for myself,

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I am not in favour of introducing a spirit of provincialism which I think is in conflict with the real spirit of Indian nationalism. Anybody should be eligible for service whether he comes from the North-West Frontier Province or from Madras, whether he comes from Assam or from Sind and I have no doubt that from these backward provinces boys will come forward who will be equally suitable for these appointments.

That brings me on to the further point that the Honourable Member raised about the examinations—that the form of examination was not entirely suitable in some cases and that it might well happen that a boy who passed first in the examination was not likely to make as good an officer as a boy who was lower down in the list. That, I am quite prepared to admit. We frequently see cases of that—that a boy with purely academic or literary qualifications does not make an entirely good officer. But, as the Honourable Member himself observed, we try to counteract that by the system of *viva voce* examination which takes into account the boy's record, points other than purely book learning, and his general character and capacity. Speaking for myself, again, I should like to see the marks for *viva voce* increased in all examinations provided proper *viva voce* examinations can be held. But in the examinations to some services the number of candidates is so large that the practical difficulties of holding a *viva voce* examination are very great. These, I think, were his main arguments with regard to "Indianisation," which as I have said in his case really meant "provincialisation." He then went on to the question of Muslim representation and to the effect which was being given to the orders contained in the Resolution of the Government of India of July, 1934. He contended that there were still loopholes and that these loopholes enabled designing people to defeat the object of that Resolution. I will read to him from one of the orders that have been issued which will show the way in which we are dealing with these questions and doing our best to stop loopholes. This was a case of the Audit and Accounts Department. That Department is, I admit, largely manned by Hindus, mainly, I think, because they have got a better head for figures than most Muhammadans have, and therefore are most suitable for that department. But we are trying our best to get Muhammadans in up to the percentages which we have fixed. It is a matter in which the Auditor General himself takes a very keen personal interest and he is taking all steps to see that all the loopholes, if they exist, are blocked up. It is on his strong recommendation that we agreed to make special regulations for that department. What we said in dealing with the matter is this :

"The Governor General in Council is satisfied that special difficulties exist in applying the policy of communal recruitment to the Audit and Accounts Department. The difficulties are that members of the minority communities and especially Muslims, have not in the past served in the Audit and Accounts Department in appreciable numbers, that they do not at present apply readily for employment in this department and that those who do enter the department are apt to find the work uncongenial and to seek a transfer to some other department early in their service. In view of these special difficulties which do not exist in the central departments generally, the Governor General in Council is pleased to confirm the orders passed by the Auditor General as regards communal recruitment in the Audit and Accounts Department."

That shows, I think, that we are paying considerable attention to these loopholes and doing our best to fill them up. We have practically completed the work of issuing instructions as to how these percentages ought to be applied to the various departments under the Central Government especially the outlying circles. There is only some small department in which the detailed figures have not yet been worked out. Then, after the 1st of April, we shall be getting returns showing how this scheme is working. When we

have got these returns we shall be in a better position to see whether, as the Honourable Member suggests, there are loopholes or not. He further suggested that the object of the Resolution was being defeated by increasing the number of appointments that were being made by promotion. Whether that is a fact or not, I do not know. I do not think myself that is very likely to happen, but I will bear the point in mind and will see if anybody is trying to defeat the object of the Resolution by making a larger percentage of appointments by promotion, compared to what the practice was before. Whether we could fix a quota for recruitment based on the number of appointments made by promotion as well as by direct recruitment is rather a more doubtful matter, and I am not prepared to say definitely whether that suggestion can be accepted or not. However, it is a point which I undertake to consider.

A further suggestion made by the Honourable Member was that in services where minorities are at present very inadequately represented, special measures should be taken to procure representation in increasing numbers. That, as far as I can see, would mean going away from our percentages. That, certainly, I am not prepared to do. We fixed these percentages with great care and we are applying them with great care and to make exception in particular cases would inevitably give rise to considerable difficulties and disputes.

Finally, he got on to the question of the emoluments of Government servants. He contended that the Indian Government servant should be lower paid. I was wondering whether he would go as far as to advocate the Congress doctrine that nobody was worth more than Rs. 500 a month, or possibly less. He did not, I was glad to see, go as far as that. His contention was that the financial position of India was extremely bad. Not being a financier, I cannot say much about that. But I listened with very great interest to my friend the Finance Secretary's speech the other day and it seemed to me there were rays of hope in that speech and that we can look forward to the future in a spirit of optimism. The pay of all services under the Government of India was very carefully considered in the year 1932-33 at a time when the financial position of the Government of India was a great deal worse than it is now, and I think there is no doubt that in considering the question at that time the Government did take into account what the financial position was. But that is not the only point to take into account. We have to consider what an officer's market value is, what the expense of his training and education has been, especially in the case of technical posts. In other words, you have to give your servants a wage worthy of their capacity. Whether we can make any further reduction for new entrants is I think extremely doubtful. The whole matter has been very carefully considered, and the rates are not in my opinion unduly large as compared with the remuneration which people get in private employment. When we have new governments in the saddle they no doubt will be able to deal with this question, and it would be far more suitable for Provincial Governments of the future or the Federal Government of the future to tackle this question than for us to make a new revision after we have completed one only two years ago. I think the Honourable Member also said some posts at the top of the services had been omitted, but I cannot find that that is the case. The revision referred not only to the general posts in the service but in most cases to the posts at the top. In the case of some technical posts no final decision has been made, because each case has to be considered on its merits and with reference to the individual whom it may be necessary to employ.

Those I think are the main points which he raised ; when I get a printed copy of his speech I will see whether there are any points which I have omitted to mention, but I can assure him that if I find there is anything in

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his suggestions I will give them full consideration ; if I think there is nothing in them I will give them summary consideration and dismiss them. But they will have consideration and I trust on that assurance he will withdraw the Resolution.

THE HONOURABLE MR. HOSSAIN IMAM : Mr. President, I was rather disappointed by the reply of the Honourable Home Secretary in regard to my aspect of Indianisation, which he preferred to call provincialisation. I am still unconvinced, and believe a time will come when provincialism, as he calls it, will be the rule of the day. However both of us have to wait for public opinion to be educated on that question.

I am really grateful to the Honourable Home Secretary for the assurance which he has given here about Muslim representation. I would request him that the returns he get should include the two items I have raised about the Muslim quotas in the different services for which he has fixed no percentages, as well as the quota of Muslims coming through promotions. If he gets figures for these two items I feel sure that he will be convinced that our case is based upon justice and that we have made out a case for the revision of those items.

He also referred to the question of emoluments and he suspected that I am an advocate of the Congress system. I would like to remind him that even in 1931 I stated, and I state it again, that *I am an unashamed admirer of the British Government administration of its home affairs.* The scales of pay and emoluments in England in relation to the *per capita* income of Englishmen are the best and most adaptable method for the Government of India. If the ratio of the English pay to the average English income were adopted in India and the pay here bore the same ratio to the *per capita* Indian income, we would be more than satisfied. That is all that we wish the Government to do and that will not be very different indeed from the Congress scale, if you work it out.

Then I forgot to say in my opening speech that Muslims in the officers' rank of the army are faring very badly. Although we do not want that there should be any fixed quota, at least His Excellency the Commander-in-Chief can exercise his power of nomination to make good the communal deficiencies which appear in the admissions to the Military Academy at Dehra Dun. Even among the cadets from the army the representation of Muslims is very deficient. I would make a special request to the Commander-in-Chief to bear this in mind when he next exercises his option to nominate.

In view of the assurance given by the Honourable Home Secretary, I ask the leave of the House to withdraw the Resolution.

The Resolution was, by leave of the Council, withdrawn.

RESOLUTION *RE* JOINT STANDING COMMITTEE ON INDIAN DEFENCE.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I rise to move the following Resolution :

"This Council recommends to the Governor General in Council that he may be pleased to constitute a Joint Standing Committee on which both Houses of the Indian Legislature should be adequately represented through elected representatives for the purpose of consultation and advice on problems connected with the defence of India."

Sir, I am not in this Resolution raising any big question of policy. I am not raising any question of the transfer of Defence or of 'Indianisation'. It is a very moderate Resolution and I shall endeavour to put it as moderately as I can. Perhaps you will allow me, in order to explain my Resolution to explain the present constitutional position in regard to Defence. The constitutional position today is that the Legislature does not vote defence supplies. We can discuss questions relating to army expenditure only with the previous assent of the Governor General. The army budget is open to discussion but it is not votable. The Executive in charge of the army is absolutely irresponsible. Now, Sir, what will be the position hereafter? The declared policy of the British Government in India is that defence to an increasing extent shall be the concern of the Indian people and not the British people alone. Now, if effect is going to be given to this policy, then something should be done in the direction of increasing the association of Indians and Indian Legislatures with defence administration. The Indian Statutory Commission in their report, volume II, page 176, made the suggestion which I have put forward for acceptance by this House. They had made certain recommendations in regard to the reconstitution of the Central Government and after explaining what those recommendations were, they go on to say :

"The Central Legislature as now constituted could not vote supplies for the army appropriations of revenue for this purpose, in accordance with the arrangement we have assumed, would be authorised by certificate of the Governor General. But we should like to see the constitution of some Committee on Army Affairs on which the Central Legislature, and in time we hope the Indian States also, would have representatives for the purpose of discussing and keeping in touch with military questions".

Therefore, Sir, I have the authority of the Statutory Commission in my favour ; the recommendation that I am asking this House to accept is one which has the support of the Simon Commission behind it. If Defence is to be transferred some day, then it is quite clear that our endeavour should be to have a well-informed public opinion in regard to defence affairs. We must have in the Legislatures a more instructed opinion in regard to army, navy and air force questions. His Excellency no doubt thinks that our criticism is at times one-sided and academic. The reason for our criticism at times being one-sided and academic is that we have no experience of defence affairs and we are given no opportunity of having experience in defence affairs, and if we are not given opportunities of acquiring experience of defence administration, then you cannot reasonably blame us for insufficient knowledge of defence questions. Sir, my Resolution relates to the interim period between now and the new Constitution, though the position under the new Constitution so far as Defence is concerned will not be better ; it will in some respects be worse, because today we have three Indian Members of the Executive Council who are responsible with other European colleagues for the whole administration of India, but under the new Constitution Defence will be a reserved subject solely under the charge of the Governor General. Sir, there is nothing very extreme about this demand. We have Standing Committees attached to other Departments of the Government—Emigration, Finance, Department of Industries and Labour—

THE HONOURABLE MR. MAHMOOD SUHRAWARDY (West Bengal : Muhammadan) : And Roads.

THE HONOURABLE MR. P. N. SAPRU : And Roads. I believe my Honourable friend Mr. Suhrawardy is a member of the Roads Committee and therefore he remembers the Roads Committee all right.

I think, Sir, these committees prove at times helpful to the departments concerned. Why should this Defence Committee also not prove helpful to

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the Department of Defence? Questions often arise as to whether troops should be sent or should not be sent to some part where it is necessary for troops to be sent. If you have got a Standing Committee, then you can easily keep in touch with legislative opinion, because legislative opinion will be reflected on this committee. I do not want to stress this point very much, but certain assurances were given by His Excellency the late Commander-in-Chief, Sir Philip Chetwode, when the Indian Navy Bill was under discussion and when there was an Adjournment Motion in this House in regard to the despatch of troops to Abyssinia. The opinion of the Joint Committee would be valuable in regard to questions of recruitment, in regard to the pace of Indianisation and the experiment of Indianisation which is being carried on, in regard to the Indian Military Academy, in which we are all interested, and in regard to the stores purchase policy of the army and finally in regard to questions regarding defence expenditure. Now, Sir, the position is that we do not vote supplies. Supplies do not come to us for voting.

THE HONOURABLE THE PRESIDENT : But the Resolution is so widely worded as to include any subject relating to Defence.

THE HONOURABLE MR. P. N. SAPRU : I will just invite the attention of the House to the Resolution. It is not so widely worded as the Resolution in the other House.

THE HONOURABLE THE PRESIDENT : We have nothing to do with the other House.

THE HONOURABLE MR. P. N. SAPRU : We want a Standing Committee on which both Houses should be adequately represented through elected representatives for the purpose of consultation and advice on problems connected with the defence of India.

THE HONOURABLE THE PRESIDENT : The problems may include anything.

THE HONOURABLE MR. P. N. SAPRU : I have not said all problems. I only mean specific problems connected with the defence of India.

THE HONOURABLE THE PRESIDENT : It would be difficult to draw the line of demarcation.

THE HONOURABLE MR. P. N. SAPRU : I do not say that my Resolution is ideally worded. I am indicating what I imagine or what I think ought to be the functions of this committee which would serve as a liaison between the Legislature and the Defence executive. The committee would have these duties : Firstly, it would have the duty of advising on questions referred to it by the Department of Defence. Secondly, it will have the duty of considering the army budget and commenting on the army budget, that is, on the big questions of policy raised by the army budget. I do not want the army budget put to the vote of the Legislature ; that is not my suggestion, but certainly there will be more instructed criticism of the army budget if the army budget comes to us with comments from a committee which would be a reflection of the Legislature. Thirdly, I would also give the committee the right of raising discussion on any question themselves and asking for papers ;

I would also give the right to His Excellency the Commander-in-Chief to refuse or to disallow any such discussion and it would be open to the Defence Member to decide whether any papers which the committee wants placed before them should or should not be placed before them. Sir, if the committee wants any papers to be placed before them and the Defence Member thinks that they cannot consistently with safety be placed before them, then it would be open to him to say that those papers are of a confidential nature and they cannot be disclosed without prejudice to public safety.

(At this stage the Honourable the President vacated the Chair which was taken by the Honourable Sir Phiroze Sethna.)

It is said that there is no such committee in any other part of the world. The answer to that line of argument is that in no other country have you an executive which is answerable not to the Legislature of the country itself but to the electorate and Legislature of a country situated 6,000 miles away from India. Besides, Sir, the statement that there are no committees attached to departments in other countries is not wholly true. Now, we know, for example, in the United States of America and in France the committee system has been developed and committees there exercise vast influence, particularly the Committee on Foreign Relations in the United States; it exercises vast influence over foreign policy. Of course it is said that these committees impair the responsibility of the executive. Well, Sir, with the safeguards which I have enumerated, there is no danger that this committee would impair the responsibility of the executive; the responsibility of the executive is not going to be affected by my Resolution at all or by the constitution which I am providing for this committee. The responsibility for decision would rest with His Excellency the Commander-in-Chief and the Executive Council. This committee would only be an advisory committee, a committee for purposes of consultation and advice on specific matters referred to it from time to time by His Excellency in his discretion. I feel, Sir, that such a committee would not encroach upon the proper authority of the Commander-in-Chief. It would be really a sort of help to him. Sir, our feeling at times is that the Army Department is wholly out of touch with public opinion. You cannot reasonably blame us for entertaining that feeling because the Army Department is regarded as a department which we must not touch. Well, if we have some Members of ours on the Army Committee we will be more in touch with the Army Department and army questions will be discussed in this House in a less prejudiced atmosphere than at present. Sir, we want an instructed public opinion on army and foreign affairs questions and if we have a committee of this kind it will be possible for us to have that instructed public opinion. It will then become possible for us to have men who have acquired some knowledge of army questions. Sir, it is said, what will after all these men who will be appointed by the Legislature contribute to defence administration? Sir, Parliamentary Government is government of the amateur and the expert, both. Under a parliamentary system of government both the amateur and the expert contribute and I would say in all humility that we amateurs, if we are allowed to serve on an Army Committee, would have something to contribute and that contribution would make army administration more in touch with public opinion in this country. Sir, there is no reason really why this experiment should not be tried. If you find after some time that the experiment is not successful you can scrap the experiment. But do make a beginning. And finally I should like to say that we have at all events the support of the Statutory Commission behind us; the demand that is embodied in this Resolution is not of a revolutionary character, is not of a very extreme character; it is a demand of a very moderate character. We

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are not asking you to transfer Defence though we may think that Defence should be transferred. We are not asking you to Indianise the army immediately, though we think that the pace of army Indianisation can be accelerated. What we are asking you to do is to set up some committee which would keep in touch with you and which would enable an instructed public opinion to grow up in this country, which would provide material for future Defence Ministers in this country. That is really, Sir, the object of this Resolution and I would ask the support of all sections of the House including the non-official European group. Sir, I have read with great admiration the speech of Sir Leslie Hudson in another place and I hope, Sir, that the European Members of our House too will give support to this very moderate Resolution of mine.

With these words, Sir, I move the Resolution.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, I have very great pleasure in supporting the Resolution so ably moved by my Honourable friend Mr. Sapru. Mr. Sapru has got some apprehension that the Resolution may not be supported but, Sir, after the promise that was given by Sir Philip Chetwode in his speech at Simla when we discussed my Honourable friend Mr. Mehrotra's Adjournment Motion I have little doubt that there would be any opposition from any quarter. I want to submit, Sir, briefly that it is in the interests of the Government that they should accept this Resolution. We public men, particularly on this side of the House, always put forward pleas for Indianisation of the army, for retrenchment in military expenditure, for increasing the number of cadets to the Military Academy, and various other pleas. The stereotyped answer that is always given to us in this connection is that we do not recognise the responsibility of the officers who manage the army in India, we do not take into consideration their difficulties, and we make proposals which they do not think it feasible to bring into practise. Sir, my conviction is that if the committee proposed by my Honourable friend is appointed and if the army authorities take us into their confidence and take our consultation as well as give us a practical initiation into army matters, much of the criticism may be sobered. So, from that point of view, Sir, I submit that the Government should think twice before opposing this Resolution.

Sir, my Honourable friend has put the Resolution in very moderate terms and he has told us just now that it is not his desire by moving this Resolution that the army budget should be changed and should be regarded as a votable item. I submit, Sir, we on our part desire that the army budget should be a votable item. It is a general rule, Sir, that he who pays the piper should call the tune. But my Honourable friend has not asked that question in this Resolution. He has given up that point. I am not willing to give up that point. So far as this Resolution is concerned, I submit that the Department should place before the committee the army budget, should explain their difficulty as to why they are not able to make the necessary retrenchment desired by the popular representatives and then they will be able to get the support for certain measures of theirs which we nowadays cannot give and do not give because we are kept in the dark. Moreover, if they take us into their confidence, they will enlighten us on army matters which are of primary consideration for us in view of the fact that the defence of India is going to be an increasing concern of India. My Honourable friend says that under Parliamentary procedure, amateurs and experts contribute something. I submit that if this Committee is appointed,

the amateurs of today will turn into experts of tomorrow. There should therefore be absolutely no difficulty in accepting this Resolution. I may cite an example. The Cantonments Bill was referred to a Select Committee in the Lower House. I understand that the Army Department did not come off worse. They got some of their proposals supported by the Select Committee, and they assented to others. In every other Department of Government there is a Standing Committee, and I submit that in the interests of Government as well as of the country, such a committee should be appointed where army officers and representatives of the people will confer on important matters and the representatives of the people will come to know what the Army Department are doing. I therefore heartily support the Resolution of the Honourable Mr. Sapru.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to support the Resolution which has been so ably moved by my Honourable friend Mr. Sapru. The time has now come when Indians ought also to be taken into confidence as far as the defence of India is concerned, and I think the formation of this committee will be very helpful. The public is under the impression that in matters of defence Indian opinion, or even the opinion of the duly elected representatives of the people in the Central Legislature, is generally ignored. Therefore I wish that Government accept this Resolution in order to prove that they have confidence in the representatives of the people. The other day, when speaking on the Resolution of the Honourable Mr. Mehrotra, I asked His Excellency the Commander-in-Chief to let this House know what were the reasons, what were the circumstances and what were the conditions of their inter-relations with bordering foreign countries which led to the doubling of defence expenditure. His Excellency the Commander-in-Chief wanted notice of that question. I did put in a question, as was suggested by His Excellency the Commander-in-Chief, but under the rules, the question was disallowed by the President on the ground that it was an abuse of the right of questioning and was more a matter for general budget discussion or a Resolution. Sir, I am not questioning the ruling of the President, but I request His Excellency to give that information now as he had sufficient notice and as he was not present on the day of the Budget debate. Sir, when Government have appointed standing committees for other departments, it is only reasonable that a Defence Committee should be constituted as well. I do not say that all subjects, whether technical or non-technical, ought to be put before this committee. To start with, let His Excellency the Commander-in-Chief refer only those matters for the advice of the committee which he considers fit or on which other Members want to seek information. As this Resolution is a very modest one, I beg of His Excellency the Commander-in-Chief and through him the Government to accept this Resolution and to constitute the desired committee.

***THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan) :** Sir, I rise to support this very moderate demand put forward by my Honourable friend Mr. Sapru. The matter is not a new one. It has been agitating the minds of Indians for some time past. There are various declarations by Government on this subject as well as speeches from Honourable Members in the two Houses. It was a great disappointment to us that after a good beginning the matter should have ended as it did in the other place. The main reason for a demand by Indians for a committee of this kind is not a distrust of the British authority but a desire to supplement the information available to the Military Department. To their technical point of view we

* Not corrected by the Honourable Member.

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wish to supply the practical point of view. It will be a sort of supplemental committee. It will in no way usurp the functions of the Army Department or make the Legislature as such responsible for military expenditure. The fear of the Government seems to be that if non-officials are attached to the Army Department, they will start demanding more and more, with the result that ultimately the Government may have to give something substantial. This I regard as a sort of manifestation of inferiority complex. There is no danger of Indians getting rights beyond what are given statutorily. Our rights and interests not being those of a Sovereign Legislature, are always subject to the over-riding constitutional issues and the limits of the Statute. You have safeguarded your position quite fully under the new Constitution. Even under the present Constitution, the army is a close preserve. But if you associate Indians, you will, without giving anything substantial, be just making a gesture to non-official India that everything is not rotten in the State of Denmark, that the Army Department has nothing to hide, that the army in India is really maintained for the service of Indians. If Government are not working up to that standard, if they are really afraid that there are sinister motives behind this apparently innocent measure of maintaining the army, then they have every reason to be afraid that this will expose the hollowness of their statements. But I am not prepared to say that that is a fact. I would rather believe good of the Army Department than believe evil of it, unless I am forced to do the latter. I for one would prefer that all sides in India, official, non-official, military or laymen, should shoulder the responsibility jointly and it should be recognised that for all practical purposes we are working for the same end. It is with this view that I appeal to His Excellency the Commander-in-Chief to be more considerate and to make a gesture to Indians that he is willing to associate Indians with military policy and is not afraid of discussion with Indians.

Sir, I support the Resolution.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN (West Punjab : Muhammadan) : Sir, I rise to support the Resolution moved by my Honourable friend Mr. Sapru. As a matter of fact the attitude of the Army Department in relation to this question appears to me very mysterious. This question was raised originally, as all Honourable Members know, during the Simla session, both in the Council of State and in the other House, and in the replies given by the Army Secretary he dropped a hint that the Government would consider the suggestion which appeared to them to be a reasonable one. Then later, when the matter was raised in the other House, the Army Secretary said that they were not prepared to accept this Resolution on the ground that it went much further than the undertaking given by the Government. Sir, with your permission, I will quote one line from his speech. He said that what they did promise to do was to consider the more limited proposal and that that promise has been very carefully kept. Naturally one would like to know what that particular promise was and what the Army Secretary meant by saying that it had been very solemnly kept. Now, assuming that the wording of the Resolution moved in the other House as well as the Resolution moved here today is not to the satisfaction of the Army Department, the best course would be for His Excellency the Commander-in-Chief to get up and say that they are prepared to appoint a committee whose functions will be confined to certain particular subjects, instead of saying every time that we have not brought forward any concrete proposal and that the Government do not think they would be well advised in agreeing to a committee which would try to go into

all matters concerning defence. It would be best for them to tell us what exactly they want. This question originally started when troops were sent to Abyssinia and in reply to a question asked in the Indian Legislature the reply was given that because the Legislature was not in session the matter could not be referred to it. So the proposal was made that when the Legislature was not in session there should be a standing committee, the members of which can be easily assembled and consulted. Suppose the Commander-in-Chief were to get up and say, "We are prepared to appoint such a committee, whose functions will be more or less confined to being consulted when the Legislature is not in session in regard to sending troops out of the country". Then I am sure the Honourable mover of this Resolution would feel no reluctance in withdrawing it and we should all feel grateful that the Army Department have responded to this popular demand at least to some extent. Instead of that the Army Department neither oppose this Resolution nor accept it, which only shows that there is some other authority whom they want to consult before making such an announcement. The question has been under their consideration for the last five months. Left to themselves they are sure to arrive at some decision. If they consider that their final decision must be subject to the approval of some other quarters, then they should make their position clear and I think we will wait until a decision has been arrived at. I personally think it is in the interests of the Army Department itself that they should have such a standing committee, because naturally when troops are being sent out of India it will be difficult for the Army Chief to get up and make a speech on the floor of this House giving all the detailed reasons why such a necessity had arisen. On the other hand, if they have a representative committee of half a dozen members from both Houses whom they can take into their confidence and to whom they can explain all the steps, I am sure, instead of the Army Department fighting their own battle on the floor of this House, it will be those representatives of the people, the members of the committee, who will get up and defend the policy adopted by the Army Department. Therefore I would earnestly appeal to His Excellency the Commander-in-Chief to consider this question in a broad-minded spirit and not to be afraid of what this committee may later on turn out to be. He should ignore the speeches made by different Members. Some Members would naturally like to get the whole of the army budget votable. We all know that is impossible and absurd under the present constitution. Similarly others would like to give their opinions in regard to the manner of the giving of contracts by the Supply department. We know that that is not possible and that we must leave it in the hands of the army people. But there are other reasonable people who would be satisfied if they are just consulted on matters of broad policy, and I can assure His Excellency that the number of such Members is much larger than of the other kind. At the same time he would be making army subjects more popular with the educated classes in this country if he could accept what I may call the subject-matter of this Resolution.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, I am very glad of the opportunity given me by this Resolution to speak on a subject which is important, and which in the future may become still more important. Honourable Members have not forgotten an undertaking given last year by my predecessor. He said that Government would consider whether it might not be possible to appoint a committee which could be consulted when the Legislature was not in session before Indian troops were sent overseas. That proposal has been given very careful consideration, and the practical reasons why Government cannot accept it have been fully explained in another place. I do not wish to take up the time of the House by repeating those reasons here ;

[His Excellency the Commander-in-Chief.]

nor do I think I need go once more over ground that has been traversed elsewhere, and explain again, what I think must be obvious to all thoughtful and responsible persons, namely, the difficulties that would arise from this proposal under the new Constitution. It will be enough if I remind Honourable Members that those difficulties would be involved if an advisory committee of any sort were in existence, to represent the Legislature, *as a whole*, at a time when the Federal Government of the future represented a majority of that Legislature.

Further, Sir, even if I were to recapitulate those difficulties, I think Honourable Members opposite might rejoin, with some show of reason, that that is not the point. The fact that there will be difficulties under the new Constitution they might say, is no reason for burking the question now. Let us have a committee to advise on defence matters until the new Constitution *does* come into force. That, I take it, is the intention of the present Resolution, and I note that the scope of the Resolution is not quite so wide as that which was moved in another place. It does not ask for a committee to advise on *all* defence matters, but only, I presume, on such matters as Government may wish to put before it.

Now, Sir, that is an intention which at first sight appears reasonable. By such a committee, it has been argued, Members of the two Houses of the Legislature would be brought into touch with those responsible for defence policy, and each would learn to appreciate the point of view of the other. The representatives of the electorate would come to realise that expenditure which they had thought indefensible was really inevitable; and the military authorities would be able to adjust to national susceptibilities the technical means they have to adopt for the defence of the country.

But on a closer examination, I doubt whether this is really a sound argument. Honourable Members say that they wish to learn something of defence matters. Their ignorance, they say, is a matter of grave concern to the country. I am inclined to agree. But I ask Honourable Members whether, if they admit ignorance, they can legitimately claim to advise. In other words, are they to teach others before they have begun to learn themselves? Common sense recoils from such a proposition. It is surely for Honourable Members *first* to set to work to learn, and *then* to claim that they are in a position to advise.

I know the argument is that this ignorance is no fault of the elected representatives of the people, that they only make the present proposal in order to dispel their ignorance, and, in short, that only by trying to teach can a beginning be made of learning. But very seriously I would ask Honourable Members opposite to consider whether this is true? Is it really *our* fault that they are ignorant of defence matters?

HONOURABLE MEMBERS: Yes.

THE HONOURABLE MR. P. N. SAPRU: Absolutely, certainly.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Will you let me go on?

THE HONOURABLE THE CHAIRMAN (the Honourable Sir Phiroze Sethna): Please let His Excellency continue.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Have we not done a great deal in the last few years to give them information on every subject

connected with defence (*Honourable Members* : " No, no "), and can they truthfully and sincerely say that they have made the most of the opportunities we have given them ? (*Honourable Members* : " Yes " .)

Let me give you one instance. Two years ago was published the report of what is known as the Capitation Tribunal. There was at once a complaint, both in the Legislature and in the Press, that certain connected papers had not been made public. My predecessor at once offered Members of the Legislature an opportunity to study the documents in question—

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : On our agitating for it.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF—and informed them that arrangements would be made to place these documents at their disposal on certain dates. A room was set aside in Army Headquarters, copies of the documents were made available, and an officer was deputed to give any information that might be necessary to guide Members through the labyrinth of these papers. Sir, after all these preparations had been made, only two Honourable Members took advantage of that invitation to come and study the documents. (One other has since done so.)

That is only one instance. Now as regards committees ; there have been many in which Members of the Legislature have been associated with the military authorities. There has been the Shea Committee, the Skeen Committee, and the Indian Military College Committee ; the Legislature was represented on the Retrenchment Committee, from whom we concealed nothing, and there is the Military Accounts Committee on which the Legislature is also represented year by year. We have published a special pamphlet, entitled *Some Facts and Figures about Indian Defence*, which gives full information on all matters which attract political interest in connection with the navy, army, and air force. Every year now we issue a summary of important events, which is intended to give information and to stimulate interest in defence problems. We have also been trying to establish closer relations with the Press, with the idea of giving greater publicity to defence problems, and in the hope that defence problems would receive more enlightened comment.

This is what we have done on our side. And what is the result ? There have been in the past a few individual Members of the Legislature who have made use of the opportunities we have given them, and have really taken the trouble to study and to learn. But these few are honourable and welcome exceptions.

For the most part I am afraid that Honourable Members are still content to regard defence as a closed book ; and while they are ready enough to criticise, they have shown very little disposition to base their criticisms on any thoughtful study of the subject. And I can assure them, as one who has spent the whole of his career in the army, that the subject is not one that can be mastered in a day. It does require long and careful study, and that means a lot of real hard work. This being so, are we not wise to think twice before agreeing to a committee, which would certainly not bring to bear any great knowledge of the subjects under discussion, and which might—I do not say it would, but it certainly might—be used simply as a further vehicle for uninformed criticism.

Apart from all this, I must make it quite clear that the responsibility for the administration of the armed forces in this country—as indeed in any other country in the world—is a responsibility that rests upon the Executive, and

[His Excellency the Commander-in-Chief.]

not upon the Legislature. There can be no question, therefore, of our ever placing ourselves in a position in which the Executive Government would automatically be called upon to consult a Standing Committee of the Legislature before taking such action as it may consider necessary in the public interest. It must, in fact, remain for the Executive alone—and without challenge—to decide whether consultation with the Legislature in any particular case is either necessary or feasible.

Having said so much, I can only conclude by saying that, while Government cannot accept this Resolution, I and my officers will continue to give information and help of every kind to those who really wish to learn more about Defence.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: That help is not being extended to me.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: We shall also continue to appoint *ad hoc* committees containing Members of the Legislature whenever we consider that their advice on any particular matter would be of material assistance as indeed it has been in the past.

Sir, with these words, I oppose the Resolution.

THE HONOURABLE THE CHAIRMAN (the Honourable Sir Phiroze Sethna): I should like to know if there are other speakers?

(Some Honourable Members stood up.)

Then I think this is a convenient hour to adjourn.

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

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE THE PRESIDENT: The debate will now be resumed on the Honourable Mr. Sapru's Resolution.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay: Non-Muhammadan): Mr. President, I did not have any intention of speaking on the Resolution of my friend the Honourable Mr. Sapru, but the speech made by His Excellency the Commander-in-Chief has, I am afraid, caused great irritation on this side of the House. Honourable Members did not approve of its tone and temper, and it is therefore that I feel it a duty to say a few words in reply to what fell from His Excellency because, as the House may be aware, I have for years past taken considerable interest in this particular question. I will therefore proceed straightway to refer to the remarks which fell from His Excellency. In the first place, he admitted that he regarded this Resolution as not so wide as compared to the one moved in another place. He called it reasonable and yet he said that he had great doubts if the arguments employed were sound. His Excellency proceeded to observe that the mover and others admitted their ignorance of military subjects and he wondered how after that we were prepared to advise and he said common sense recoiled from such a proposition. It is true we may be ignorant at present but it is in order to qualify ourselves to offer effective criticism that we have asked for this modest committee which will enable us to understand more than we do at present

You cannot expect a man to learn to swim unless you send him into the water, and His Excellency refuses us this privilege. He says we ought to set to work to learn in regard to questions of military defence before criticising. That is exactly what we want to do and through these committees. We do not want to be "armchair critics" in regard to military matters, as we were once called in this House a year or two ago, and it is to avoid that charge that we want to get knowledge on the subject which we hope with the help of Government to attain through committee work.

His Excellency proceeded to say that although opportunity was offered to us to see the Capitation Committee's Report it was availed of by only two Members before now and one during the last few days. Sir, if more Members did not go or apply to study these papers it is because they learned from the two who had already been there that several restrictions were imposed which they were not prepared to agree to and for that good reason others did not go or more Members would certainly have applied and His Excellency would not have had cause to criticise as he has done.

His Excellency then went on to say that the Army Department had appointed several committees and he proceeded to name them. I may say that I was a member of what is known as the Skeen Committee. And he further said that at these committees they had concealed nothing. I cannot allow that statement to go unchallenged. In the Defence Sub-Committee of the first Round Table Conference it was pointed out, not by us who did not know anything about it, but by two former Members of the Viceroy's Council—no other than the late Sir Muhammad Shafi and Sir Tej Bahadur Sapru—that when they were serving on the Viceroy's Council, the then Commander-in-Chief, Lord Rawlinson, was asked to submit a report and advise within what length of time the whole Indian Army could be Indianised. The late Lord Rawlinson gave, I think, 42 years as the period within which it could be so Indianised. The members of Lord Reading's Cabinet were not satisfied and they asked Lord Rawlinson to reconsider the matter and the period of 42 years was reduced by him, I think, to 21 or 28 years. I forget the exact number. That fact was positively concealed from every committee which sat before the first Round Table Conference. I know that some explanation was given last year by Sir Philip Chetwode as to why this information was not revealed but that explanation did not go down with me as a member of the Defence Sub-Committee or as a member of the Sandhurst Committee, nor with the general public.

His Excellency next told us that pamphlets are now being issued annually. We do read these pamphlets and I hope they will be issued in larger numbers so that we may get to know more about the army. His Excellency said that these two or three Members who went to see the Capitation Report were honourable and welcome exceptions. They would be the rule rather than exceptions if only the military authorities were more considerate. I would like to say that there are Members in the Legislature and outside who would care to take a very keen interest in the military affairs of the country if only they are afforded the chance. There is Sir Sivaswamy Aiyar in particular who has written books on the subject. There are others as well and there are even today Members in both the Houses who could be trusted to give valuable advice if the recommendation in the Resolution for the appointment of committees were agreed to.

His Excellency went on to say that Defence was a closed book to the public implying that we do not care for it. Whose fault is it if it is a closed book? I say it is the fault of Government themselves and more particularly of the

[Sir Phiroze Sethna.]

military authorities. They choose to make it a closed book. They do want us to know as little as possible about army matters. The Resolution does not suggest that you should disclose what you reasonably cannot. What has been proposed is a very modest Resolution and I do not see why His Excellency the Commander-in-Chief should have replied to it in the offensive manner he has done. He said Government will think twice before they agreed to a committee of this kind. That simply means that Government do not desire to move in the matter. And the reason advanced is that it would be "a further vehicle for uninformed criticism". I repeat, Sir, that if our criticism is uninformed, if we are "armchair critics", the fault lies entirely with the authorities.

His Excellency concluded his speech by saying that the responsibility lay with the Executive alone.

"There can be no question of our ever placing ourselves in a position (mark the word 'ever') in which the Executive Government would automatically be called upon to consult a Standing Committee of the Legislature before taking such action as it may consider necessary in the public interest".

Sir, he then went on to say that it is for the Executive to decide whether consultation with the Legislature in any particular case is necessary or feasible. I will remind the House that the Honourable mover made it clear that we do not want you to disclose what you cannot in the public interest. Surely, Sir, there are other committees appointed in connection with other departments which have rendered very valuable assistance to Government, and as acknowledged by Government themselves. Why should there not be such a committee appointed in connection with the army department, particularly after the recommendation made to that effect in the Statutory Commission Report, which was read out by the Honourable Mr. Sapru? Government ask us to co-operate with them and here is an instance of the manner in which the Army Department chooses to co-operate with us?

In spite of the moderate demand we have made, the reply of His Excellency the Commander-in-Chief is not only unconvincing but most unsatisfactory and it has rightly caused very great irritation on this side of the House. Sir, have not Indians proved their worth in all the different lines in which they have been taken up by Government? I remember the time when the first Indian Member of the Viceroy's Council was appointed. Even his late Majesty King Edward VII was opposed very strongly to this change and yet what do we find today? May I ask His Excellency the Commander-in-Chief if Government are dissatisfied or have cause to complain of the way in which these Honourable Members have discharged their duties? May I mention one Department in particular—the Education, Health and Lands Department over which the Honourable Leader of this House presides and in which by far the great majority of the officers are Indians—is that Department not managed as well as any other Department of Government?

I have no doubt, Sir, that if such a committee is appointed, Government will get very valuable assistance from it. In one of his speeches, the late Commander-in-Chief, Field Marshal Sir Philip Chetwode, told us that it was a matter of very great regret to him that he could not get suitable boys to go to the Military Academy at Dehra Dun, and he wanted to know whose fault it was. I would submit that if a question like that were put before a committee such as the Honourable Mr. Sapru has asked for, the present Commander-in-Chief will be informed by the committee of the real reasons for such deficiency and how to remedy it. How is it that in the sister services you can get men

without difficulty and you cannot in the military line? Vice-Admiral Sir Humphrey Walwyn, who was in India till lately, and who has only recently been appointed Governor of Newfoundland, was entertained at a public luncheon by the Royal Empire and other Societies a few weeks ago in London. In his speech, Sir Humphrey Walwyn referring to the Indian Navy, said :

" I should like to devote two minutes to the little Indian Navy which I set out to make and of which I am very proud. When I went out in 1928 I found things in a state of stagnation; there was nothing doing, and I found them with their tails right down on the carpet. It was my job to get them up * * * I was a new broom. I went straight to the Punjab and got some Punjabi Mussalmans, magnificent, first-class fellows, but men who had never seen the "dark water", the sea. I got them down, and with the loyalty of the officers and men got the show going again, started training schools, gunnery and engineering, and very soon they had their tails up and things took shape in a wonderful way. * * * The women of India came forward wonderfully; they pushed the boys in. If I wanted sixty boys in a half year, I got a thousand, all first class, with the standard qualifications. Some of these Indians were over here at the recent Naval Review and made tremendous friends of the Royal Navy".

All I can say is that if a committee like the one recommended is consulted on such points, it would be able to suggest ways and means which would give the Commander-in-Chief not 60 a year but 600 boys a year and more who would make efficient officers. It is co-operation between Government and ourselves that we want. I know Government of late have been trying to co-operate in other directions more than they did before, but I am very sorry that His Excellency the Commander-in-Chief, so far as his department is concerned has held out no hopes of co-operation whatever. His speech simply means that the day is very distant, or not at all, when Indians may expect to look after their own defence.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan): Sir, I also had no intention of speaking on this Resolution but for the most provocative speech of His Excellency the Commander-in-Chief. Honourable Members of this House will remember that I moved an Adjournment Motion on the 17th September, 1935, when troops were sent to Abyssinia, and in moving that Motion, I particularly requested the then Commander-in-Chief to appoint a Committee on Defence. He was pleased to give an assurance in the following terms :

" I am quite certain the Government will consider that sort of request with every desire to meet your wishes and the wishes of political India, provided that you put up an absolutely agreed proposal, concurred in by all parties in India".

Sir, we held discussions with the Members of the other House and it was agreed at Simla that in the next session such a Resolution should be moved in both Houses. As a result of those discussions, a Resolution has already been moved in the other House and my Honourable friend Mr. Sapru has brought this Resolution here. We all thought that if Government wanted this kind of Resolution, it should be moved in both Houses. But the Commander-in-Chief now says that he is dead against such a committee as he considers it useless. I do not know what value His Excellency the Commander-in-Chief attaches to the pronouncements of his predecessors. We, on this side of the House, were always under the impression that solemn promises given on the floor of this House will be carried out by their successors. But we find that the case is just the opposite.

Sir, during the course of his speech, His Excellency the Commander-in-Chief was pleased to say that we knew nothing so far as the question of Defence is concerned. We admit that. We do not know much, but whose is the

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

fault? What training have they given us during the course of about two centuries of rule in India? The fault lies with the military authorities and not with us. When we express our desire to learn anything, our request is refused and all doors are shut against us. This policy is being closely observed.

Then, Sir, His Excellency the Commander-in-Chief was pleased to refer to the appointment of committees. Government appointed three or four committees, the Shea Committee, the Skeen Committee and others. But what have they done with their recommendations? They have not carried them out. The Shea Committee consisted of military experts and it was in the fitness of things that Government should have given due consideration to their recommendations. That Committee recommended that the Indianisation of the army was a practical proposition within 30 years. Another Committee, which also consisted predominantly of military experts—I mean the Skeen Committee—made a proposal to which my Honourable friend Sir Phiroze Sethna has just referred, but their recommendations also were not given any consideration.

Sir, on the 26th of February, when I moved my Resolution, I quoted several sentences from the biography of the then Commander-in-Chief, Lord Rawlinson, in which he definitely accepted that the time has come when the army should be Indianised. But whenever we bring such a question before the House, they turn a deaf ear to us. It is said that we know nothing of Defence, and that our advice will be worthless, but have they given due consideration to the advice of their own experts? We all know, Sir, that 25 per cent. of the revenues of India are being spent on military expenditure and is it not right and proper that we should make such a modest request as the one which my friend Mr. Sapru has made in his Resolution that an advisory committee should be appointed and that Government may be pleased to consult it on whatever questions they like? We do not say that all questions should be placed before that committee. I think there can be no more moderate proposal than that my friend has made, but I find that His Excellency is not prepared to agree to it in spite of the fact that his predecessor had given a definite assurance on the floor of this House.

Sir, with these words, I support the Resolution.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN (North-West Frontier Province: Nominated Non-Official): Sir, I had no idea of participating in the discussion of this Resolution, but the Leader of the Opposition, Rai Bahadur Lala Ram Saran Das, asked me to make my position clear on the subject. Well, Sir, I have great regard for the Leader of the Opposition. He is a great friend of mine, but I must say that unfortunately I cannot see eye to eye with him on this Resolution. Sir, there were before the war three well known organisations in the world, the Management of the Standard Oil Company of America, the Catholic Church and the German Army. They were supposed to be the best organised institutions in the world. And I would say that, though the German and Austrian peoples belonged to the same national stock, they were organised differently, and that is why the results were so different. Austria was a very great country under the Dual Monarchy, but in her military policy she was always tied to the Aulic Council, which means in German the Council of the Elders. This Council used to dictate the policy to the Austrians 300 or 400 miles away, and it was this interference which was the cause of Austria's downfall. Well, Sir, if I remember aright, it was the interference of the Aulic Council and it

was the apathy of General Mack the Austrian General in not acting on his own initiative that caused the disaster of Ulm and of Austerlitz. The interference of the politician in military matters is not a very healthy sign. The army must always be an institution under strict discipline. If I remember aright in the great Franco-German War of 1870, as all students of history will know, the three main figures were Count von Moltke, Prince Bismarck and Count von Roon. Well, Sir, Bismarck was more or less responsible for making the German Empire, but I must tell my friends that when the Franco-German War was going on Bismarck used to go and wait on Count von Moltke, and if Moltke did not ask him for a cigar Bismarck used to give out to his papers that the position was not very favourable; but when Moltke asked for a cigar, Bismarck used to give out that the war was progressing favourably. Therefore my friends will see that even a man in the position of Prince Bismarck did not want to interfere in military matters. He left the conduct of the war entirely to Count von Moltke who had charge of the German army and the German offensive. In other matters the politician can interfere. If a mistake is made it can be rectified; but in military matters a mistake cannot be rectified. In the military we have a saying, "Order, Counter Order and Disorder". Once an order has been given and it goes unfavourably, nobody can retrieve it. In regard to civilian interference I may quote Blucher also. When Napoleon was being surrounded, Blucher was asked at a banquet as being the senior Marshal present to move the toast of the army. His toast was, "May the pen of the diplomats not spoil what we soldiers have rightly earned by our swords". Sir, the interference of diplomats, politicians and statesmen in military affairs is not a very healthy sign. I would be the first to ask for extended privileges for the Members of this House in regard to any other department. In the case of the army it is much better for one man to control and direct it. Of course if there is anything radically wrong in such administration the Members of this House are not stopped from bringing Resolutions or asking for information. But I do not know what useful purpose such a committee as this could serve. His Excellency the Commander-in-Chief said in his speech that all the papers that such a committee could be privileged to see are even now available to any Member of the Council.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I must inform the Honourable Member that the German motto is "Might is right", while the British motto is "Right is might".

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN: I am not talking of anybody's motto. I am talking of military matters in general. It is not a healthy sign for politicians to interfere. The other day a section of the Japanese army mutinied and killed several statesmen and cabinet ministers. It is not a healthy sign for an army to get mixed up in politics. The army has got to be ruled and kept in very strict discipline. If the army becomes the football of the politicians I do not know what you gentlemen will do with that army. It should not be the football of politicians. I do not know what further information His Excellency the Commander-in-Chief is asked to furnish. His Excellency has said on the floor of this House that whatever material he would be prepared to lay before this proposed committee he is prepared to hand over that information to any Member of this House.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: My question was not answered.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : I do not know what question the Leader of the Opposition is referring to, but if he were to put the question to me in a loud voice, then to the best of my knowledge of the army I will give him a reply. I notice that he is always saying that he has put a question which was left unanswered.

Sir, my advice to the Members of this House in regard to this Resolution is to be cautious in regard to interfering in military matters. They can go headlong into the affairs of other departments.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Except the Frontier Province!

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : If you like come along and interfere in that province my dear friend! I can tell you your interference will be of no use in that Frontier. That Frontier knows you very well. Those were the people who were invading India again and again from the time of Mahmud of Ghazni down to 1526. We know you pretty well, my friend. If you remove the British Government today you will find the case is much worse than it was at the time of Mahmud of Ghazni. Today you have not got a rifle; you can talk; you have not got anything to fight against the Frontier man. The Frontier man will always hold the upper hand, whatever might happen. He is a stronger man, better constituted; his climate is more healthy. He is prepared to put up with much harder work than your goodself, Raja Sahib! It is no use talking about the Frontier. I am talking in general and that is my candid opinion. An expert like the Raja Sahib might poke his nose into anything and put his finger in every pie—jack-of-all-trade and master-of none. I am not talking in that spirit.

THE HONOURABLE MR. HOSSAIN IMAM : Is it parliamentary for a Member to talk of another Honourable Member poking his nose into everything?

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : What has the Frontier got to do with this Resolution? Now, I want the Honourable gentleman wearing a Turkish cap to tell me what has this Resolution got to do with the Frontier? In reply, they will hear from me the necessary criticism to their heart's content. (Applause.)

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern: Non-Muhammadan) : Sir, I am greatly disappointed at the speech which His Excellency the Commander-in-Chief has thought fit to deliver on this Resolution. It is a pity that what may be regarded as His Excellency's first speech in regard to the military policy of India should have been, if I may say so without using any unparliamentary expression, so reactionary. His Excellency thinks that when we confess our ignorance of military affairs we are incapable of offering any advice to the Army Department. His Excellency is subordinate to the Secretary of State for India, who is responsible to the British Parliament. May I ask, Sir, whether the British Parliamentarians do not on occasions criticise and comment on the army affairs of Great Britain, or whether the British Parliament consists of military experts alone? If the British Parliament which consists of the representatives of the people of Great Britain can criticise the defence policy of Great Britain, why cannot

we, the representatives of the people of India in this Legislature, do the same ? Then, Sir, His Excellency has said that the Executive cannot share its responsibility in regard to the defence of the country with the Members of the Legislature. But who in this Resolution has asked that the proposed committee should be made responsible for the defence of the country ? All that the Resolution recommends is the appointment of a committee for the purpose of consultation and advice on problems connected with the defence of India. So that the proposed committee would only be an advisory body. I am afraid the way in which His Excellency the Commander-in-Chief has spoken today only shows that he is going to pursue the proverbial mailed fist and iron heel policy in regard to army matters and that the army affairs will continue to be the close preserve of the Government and the Military Department. I am sorry that His Excellency's speech is bound to create a feeling of resentment in the country.

THE HONOURABLE MR. P. N. SAPRU : Sir, I greatly regret that His Excellency should have delivered a speech which is bound to cause resentment not only in this House but in the country outside also. If you will permit me to say so, Sir, it was a die-hardish speech and if that is going to be the spirit in which His Excellency is going to approach his task, then we cannot be hopeful of the future under His Excellency's administration. His Excellency says that we on this side of the House confess that we are ignorant and yet we want to be advisers. What right have we to be advisers ? What advice can we usefully offer when we ourselves say that we are ignorant ? Now, Sir, I do not know really that we are so very ignorant about defence or foreign affairs. In my own way I think I take a fairly intelligent interest in foreign policy and it is foreign policy which determines military policy and I say that it is a great assumption that the expert only knows foreign policy and military policy. Sir, by what right are Parliamentarians in England free to criticise military administration ? You have at the head of the India Office a statesman, not a soldier, and His Excellency is subordinate to that statesman and he takes his orders from that statesman. If England can produce statesmen, India can also produce statesmen. If British politicians can show that they can understand military questions, then we despised Indian politicians can also show that we can understand military questions and defence problems and foreign questions. I said that under a parliamentary system you have a combination of the expert and the amateur ; that is the merit of parliamentary government. Sir, we have a soldier at the head of our affairs and that is our misfortune, because a soldier can never take the broad view of a statesman. If His Excellency was a statesman he would not have made the speech which he has made this afternoon. Sir, why should we be disqualified from taking an intelligent interest in military affairs ? It is because of colour ? Is it because of our dependent position ? The Resolution that I have moved is a very moderate one. I do not want this committee to bother itself about technical details. It is not for me to advise you how you should organise your campaigns. That is not my task, but there are certain broad questions of policy, of army expenditure, of stores purchase policy, of despatching troops from India to foreign countries where they may be needed ; these are broad questions of policy and on these questions of policy surely the Indian politician can form an intelligent opinion and he has as much right to offer an opinion as any other politician.

Sir, His Excellency says : " We have given you so many opportunities of acquainting yourselves with defence administration but you never have availed yourselves of those opportunities. Look at the Capitation Tribunal Report. You have never gone to my office or to wherever that Report is lodged and read.

[Mr. P. N. Saprū.]

to read that Report". Well, Sir, there are certain conditions attached to the reading of that Report; we cannot utilise the material which is there in the Report in our public speeches, and some of us feel a little diffident under those conditions in going and perusing those very confidential documents which are probably kept sealed. But, Sir, have we not offered on occasions intelligent criticisms of military policy? We said, Sir, that military expenditure was high. Now you have reduced military expenditure from Rs. 55 crores to Rs. 45 crores. Well, Sir, does it show that our criticism is so very unintelligent? You thought that you could never reduce military expenditure. But actually, though this expenditure does not represent, according to you, a permanent low level of military expenditure, you have reduced military expenditure.

Then, Sir, what has been our experience so far as these *ad hoc* committees are concerned? You have appointed so many committees—the Shea Committee, the Skeen Committee, and the Rawlinson Committee. I do not know all their names. Our experience is that even when the report of a committee is unanimous, you will not give effect to the report of that committee if the report happens to be of a progressive character. My Honourable friend Sir Phiroze Sethna was a very distinguished member of the Skeen Committee. What has been the fate of that report? You are trying an experiment that is a mere eye-wash. There is no reality about this so-called experiment of the Indianisation of the army.

Then, Sir, he asks what will be the function of this committee? He says it will impair the responsibility of the Executive. Well, Sir, who has asked that this committee should be responsible for defence affairs? I never suggested in my speech that this committee should share the responsibility of the Executive. This was going to be a consultative and advisory committee with limited functions and I was very careful in my speech to define what the functions and the constitution of this committee should be. His Excellency, of course, replied to some imaginary speech, because the manuscript was there and because he could not reply to my point. He was replying to something which he thought I might say.

Then, Sir, we are told in season and out of season that we never keep ourselves in touch with military affairs. Well, Sir, on the day when the Budget was being discussed, when we were offering criticisms on the army expenditure, His Excellency was not even present to listen to our criticisms or to reply to them. The question that we have repeatedly asked in this House is: Why is there this growth of military expenditure in this country? Before the war it stood at about Rs. 28 crores. Now the expenditure has gone up to Rs. 45 crores. Why has there been this increase? His Excellency is a great administrator, a great soldier, and he knows all about the army—we know nothing about the army—but His Excellency has never been able to give us an answer to this question in this House. We would like to have an answer from His Excellency even at this stage. Why? We certainly as politicians are entitled to ask this question. It is the taxpayer's money which is being spent on the army. Is it a very unreasonable request on our part that we should be told how and why it is that this army expenditure has gone up? If there was a standing committee it would have gone into this matter intelligently, we could have had a report from that committee for our guidance and we could have formed some notion about this matter. This is the sort of work which I visualise for this committee.

Then, Sir, changes have been effected in army organisation without reference to the Legislature and I venture to say that if we had a normal parliamentary system in this country you could not have effected these changes

without reference to the Legislature. You have lowered the status of the Dehra Dun men. You have worsened the prospects of the Viceroy's commissioned officers and yet all these changes were effected without reference to the Legislature and without any consultation with any standing committee of the Legislature.

Then he says : " But why are you so ignorant and why can not you take a more intelligent interest in Indian affairs ?" Well, Sir, I would ask His Excellency just one question. Could any Indian be admitted into the army before 1918 ? Who was it that prevented Indians from joining the army before 1918 ? It is not for the British Government to say that we have no real knowledge of military affairs. After having kept us ignorant you turn round and accuse us of ignorance. Well, it is not playing the game. It may be anything but it is not playing the game. Sir, I would emphasise that so far as my main speech is concerned it remains unanswered. My points have not been replied to. I quoted the high authority of the Indian Statutory Commission in my favour. No reference was made by His Excellency in his speech to the quotation from the Indian Statutory Commission. Then, Sir, I stated that I wanted this committee for only certain limited and specific purposes. I said that I did not want it to be a technical committee. I do not want this committee to advise on technical matters. I wanted certain matters to be referred to it from time to time by His Excellency and I would also have given this committee the right of initiative, subject of course to the over-riding powers of His Excellency. But though these were the functions which I had visualised for this committee, so far as His Excellency is concerned he never cared to reply to these points.

Sir, I pointed out that we had standing committees attached to certain departments of the administration here. We have standing committees attached to railways. Now the railways are a very technical department but I have never heard my Honourable friend Sir Guthrie Russell say : " Oh, it is a commercial and technical department and you people know nothing about it and therefore you must not be associated with me in an advisory committee." Then, there is the Department of Industries and Labour, over which our esteemed friend Sir Frank Noyce presides ; and we have never heard him say : " Oh, it is a very technical department and these questions of Labour and Capital are very complicated and there are so many interests involved, and really you will not be in a good enough position to advise me." There is the Emigration Committee over which our respected colleague Sir Jagdish Prasad presides, and occasionally the Emigration Committee is of some assistance to him. If you ask him what his experience of the Emigration Committee was, he would say that that Emigration Committee was occasionally of some assistance to him because it enabled him to keep in touch with public opinion in this country. But the case is different with the army. The army is here for some purpose. We need not specify this purpose. We know this purpose, and it must remain a sealed book to us. If we say : " Please associate us in some capacity or other with the army", then you answer : " Oh well, we cannot really do so because we shall be divulging some secrets and you Indian politicians are a very dangerous lot : we do not know what you may do if we associate you with army administration." Well, Sir, we are human beings. If you distrust us, if you think that we will not play the game, that we will not be loyal to you, then how do you expect us ordinary human beings to be responsive to you ? On the other hand, if you say that you have a desire to co-operate with us, then you will have a gesture from our side also. You will find that we shall not be lacking in co-operation if there is co-operation on your side. But the fact of the matter is that so far as the army is concerned, it does not

[Mr. P. N. Sapru.]

believe in co-operation with the Indian politician. It looks upon him as an untouchable. It looks upon him as a pariah. Just as Dr. Ambedkar and others are leading a revolt against the caste Hindus who have looked upon these depressed classes as pariahs, we should also be in a sort of revolt against the Army Department.

These are all the observations I have to make. I must finally say that I am very much disappointed with the tone, temper, and character of His Excellency's speech and therefore I consider it my duty to press this Resolution to a division.

THE HONOURABLE THE PRESIDENT (addressing His Excellency the Commander-in-Chief): You are entitled to give a reply if you so desire.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: I have got nothing more to say, Sir.

THE HONOURABLE THE PRESIDENT: Resolution moved:

"This Council recommends to the Governor General in Council that he may be pleased to constitute a Joint Standing Committee on which both Houses of the Indian Legislature should be adequately represented through elected representatives for the purpose of consultation and advice on problems connected with the defence of India".

• The Question is:

"That that Resolution be adopted."

The Council divided:

AYES—19.

Banerjee, The Honourable Mr. Jagadish Chandra.
Barua, The Honourable Srijut Heramba Prosad.
Buta Singh, The Honourable Sardar.
Ghazanfar Ali Khan, The Honourable Raja.
Gounder, The Honourable Mr. V. C. Vellingiri.
Hossain Imam, The Honourable Mr.
Jagdish Prasad, The Honourable Rai Bahadur Lala.
Kalikar, The Honourable Mr. V. V.
Kidwai, The Honourable Shaikh Mushir Hossain.
Maung Aye, The Honourable Captain.

Mehrotra, The Honourable Rai Bahadur Lala Mathura Prasad.
Mitha, The Honourable Sir Suleman Cassim Haji.
Muhammad Hussain, The Honourable Khan Bahadur Mian Ali Baksh.
Naidu, The Honourable Mr. Y. Ranganayakalu.
Padshah Sahib Bahadur, The Honourable Saiyed Mohamed.
Ram Saran Das, The Honourable Rai Bahadur Lala.
Sapru, The Honourable Mr. P. N.
Sethna, The Honourable Sir Phiroze.
Sinha, The Honourable Kumar Nripendra Narayan.

NOES—27.

Akbar Khan, The Honourable Lieutenant-Colonel Nawab Sir Mahomed.
Akram Husain Bahadur, The Honourable Prince Afsar-ul-Mulk Mirza Muhammad.
Campbell, The Honourable Sir George.
Charanjit Singh, The Honourable Raja.
Chetty, The Honourable Diwan Bahadur G. Narayanaswami.
Choksy, The Honourable Khan Bahadur Dr. Sir Nasarvanji.
Clow, The Honourable Mr. A. G.
Commander-in-Chief, His Excellency the.
Devadoss, The Honourable Sir David.
Ghosal, The Honourable Sir Josna.
Glancy, The Honourable Sir Bertrand.
Hafeez, The Honourable Khan Bahadur Syed Abdul.

Haidar, The Honourable Khan Bahadur Shams-ud-Din.
Hallett The Honourable Mr. M. G.
Ishrat Husain, The Honourable Saiyid-Jagdish Prasad, The Honourable Kunwar Sir.
Johnson, The Honourable Mr. J. N. G.
Maqbul Husain, The Honourable Khan Bahadur Shaikh.
McIntyre, The Honourable Mr. W. T.
Menon, The Honourable Diwan Bahadur Sir Ramunni.
Noon, The Honourable Nawab Malik Sir Mohammad Hayat Khan.
Raisman, The Honourable Mr. A. J.
Ray of Dinajpur, The Honourable Maharaja Jagadish Nath.
Russell, The Honourable Sir Guthrie.
Stewart, The Honourable Mr. T. A.
Thomas, The Honourable Mr. E. F.
Williams, The Honourable Mr. A. deC.

The Motion was negatived.

RESOLUTION *RE* LEADING OF INDIAN DELEGATIONS BY INDIANS.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : Sir, I beg to move :

"That this Council recommends to the Governor General in Council that all Indian delegations to conferences including military and naval held outside India should be led by an Indian".

As Honourable Members are aware, such a Resolution has been repeatedly moved on the floor of this House. In 1922, my Honourable friend Sir Phiroze Sethna was the first to bring forward this type of Resolution before the House. Later on, it was repeated in 1924, 1926, 1927, 1928 and 1929, and lastly in 1934 by my Honourable friend Rai Bahadur Lala Jagdish Prasad. Sir, several times sympathetic assurances were given by the Government, and in 1926 the Resolution was not opposed and it was adopted by the House. The bringing in of a Resolution more than half a dozen times has had some effect. We know that the delegations to the League of Nations Assembly at Geneva in 1929, 1930, 1931, 1932 and 1933 were led by an Indian. Our object is that all delegations sent out of India to attend international conferences should be led by an Indian. It is not intended that there should be no non-Indian on such delegations. On the contrary, if there are any non-Indian experts they must be sent as members of the delegation or in the capacity of advisers. Our only demand is that such delegations to international conferences should be led by Indians. Therefore no racial discrimination is implied in my Resolution. It is based on the self-respect of India. The delegations of all other countries are led by their own nationals and that is what we demand. I shall quote one or two sentences from what some delegates to these international conferences have said. Lala Lajpat Rai described his experience in this connection; He said :

"I also made it a point to meet the representatives of the capitalists who were at the Conference (i.e., the International Labour Conference) and all of them put me the question : 'Why can't you Indians come and tell us what you feel on these questions relating to India ?'".

That is what he said in one of his speeches. Later on he says :

"You would often be told there, as I have been by others, we do not want to hear Englishmen. We know their views ; we know what they are likely to say ; we want to know what you have to say".

That is what the representatives of other nations said to Lala Lajpat Rai. Then, Sir, I may quote from what Sir Purshottamdas Thakurdas said in connection with the same Conference when he went as a delegate. He said :

"One question which I had to answer at least half a dozen times to nationals from Germany, from France, America, Sweden, Norway, was : 'How is it that we do not see Indians oftener at these International Conferences but only Englishmen or Britishers ? Can Indians really speak in English as you do, and if they can why is it that your Government sends Europeans ?'".

So, Sir, this also creates a misunderstanding amongst the representatives of other nations and they put these pertinent questions as to why India of all the countries is not led by its own nationals? Therefore I have demanded in this Resolution that for the sake of its own self-respect India should be led at all International Conferences by an Indian. We do not question the sending of non-Indians as delegates or as expert advisers. What do we actually

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

find ? In 1933 at the World Economic Conference, two out of the five delegates representing India were Indians and the leader was a non-Indian. Sir Purshotamdas Thakurdas and Mr. Rangaswami Iyengar, the two Indian delegates, had to refuse to serve on this delegation on this account only. Then, Sir, we had the Disarmament Conference and a Special Session of the League. On both occasions India was represented by the then Secretary of State, Sir Samuel Hoare. Later on, we had an Imperial Forestry Conference which met at South Africa. To that Conference also the Indian delegation was led by a non-Indian, and it was said that a qualified Indian or one having expert knowledge of forests was not available. Even though such a man was not available, the delegation ought to have been led by an Indian and he should have been provided with expert advisers or members. Then there was the Naval Conference held very recently at the end of 1935. India was represented by Mr. Butler, the Under Secretary of State for India. So, Sir, we see that the only effect of the Resolutions which we have moved in regard to this matter is that the delegations to the League of Nations are led by Indians but at most of the International Conferences the delegations are led by non-Indians. There is one great danger of non-Indians leading our delegations to International gatherings which is exemplified in the speech of Mr. Butler at the Naval Conference. They sometimes talk about problems on which Indians hold a contrary opinion. For instance, Mr. Butler was pleased to say that since the London Naval Conference India had received a great constitutional advance and that her navy also had received an advance in status. Sir, it was not proper for Mr. Butler as leader of this delegation to refer to those questions in such terms. We all know that the so-called reforms have not been accepted by Indians who are not satisfied with them. But by Mr. Butler's speaking in that strain at the Conference other nations may have formed an idea that a great constitutional advance has been made in India and that Indians are wholly satisfied. Sir, we therefore do not want such delegations to be led by non-Indians. It would be better for India not to be represented at all rather than be misrepresented. For these reasons, Sir, I have moved this Resolution.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Education, Health and Lands Member) : Sir, as my Honourable friend the mover of the Resolution has pointed out, this Resolution—

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : On a point of order, Sir. Is there a quorum in the House ?

(As there was no quorum the Honourable the President directed the Secretary to ring the bell and a quorum was obtained.)

THE HONOURABLE THE PRESIDENT (to the Honourable Kunwar Sir Jagdish Prasad) : Will you please proceed ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Sir, as the mover of the Resolution has pointed out, a Resolution more or less in similar terms has now been moved for a number of years and my Honourable friend has proceeded to state that he hopes that by the process of repetition to impress upon the Government the point that Indians expect, that Indian self-respect expects, that when delegations are sent out abroad the leader should be an Indian. I think the House will recognise that the position has very considerably changed since 1922. I think it is in the recollection of Honourable

Members that since 1929 the leader of the delegation to the Assembly of the League of Nations has always been a distinguished Indian. I may also inform the House that the leader of the delegation to the International Labour Conference at Geneva has always been a very distinguished Indian. For many years Sir Atul Chatterjee was the leader and recently the High Commissioner for India has led the delegation. The Ottawa Conference delegation, as Honourable Members know, was led by Sir Atul Chatterjee. I think I would be right in stating that in regard to delegations and conferences which are of a general nature the practice has been more and more followed of having Indians, a large number of Indians, among the delegation and where possible to have an Indian as leader. But apart from these general conferences and delegations, in a number of technical conferences Indians have been either the sole delegates or the leaders of delegations. I will quote a few instances in order to convince the House that there is really no bar, nor is it the desire of the Government of India to exclude Indians who can be suitably sent out as delegates or leaders of delegations to these conferences. The International Conference on Emigration and Immigration, the General Assembly of the International Institute of Agriculture, the International Ornithological Conference, the International Conference for the formation of an International Relief Mission, the Conference of Agricultural Statisticians, the Air Mail Conference, the International Commission for Air Navigation, and so on, in all these Conferences either the sole delegate or the leader of the delegation was an Indian. But the difficulty which I feel in accepting my Honourable friend's Resolution is that it recommends that in regard to *all* conferences the leader should be an Indian. As Honourable Members know, many of these conferences are of a highly technical character. Looking through the list I found a good many of these technical conferences and I would only quote the names of two or three in order to convince the House that in the present circumstances of India—I am only taking the present circumstances—it would not have been possible to have sent an Indian as leader of the delegation. For instance, there was a Conference on Oceanography, Marine Hydrography and Continental Hydrology. I would ask the House what is the use of sending an Indian as leader of a delegation if we are not sure that he would be able to put forward properly the views of the Indian Government or that he would be able to make a useful contribution to the discussions of the Conference. Similarly there have been International Conferences on Buoyage and the lighting of coasts and the International Lighthouse Conference. In these matters I think it will be generally agreed that it is desirable to send the most competent man. I think it would be doing a great disservice to our countrymen and to the reputation of India if we were to send people who were entirely unfamiliar with the subject which was being discussed at the Conference; it would be only damaging our reputation. A point that was mentioned by my Honourable friend was that if a non-Indian was the leader of a delegation, there was a danger that the view he might express might or might not be in harmony with the feelings and sentiments of a section of non-official opinion in India. I think my Honourable friend recognises—and I hope the House will recognise—that the delegation which is sent is a delegation to represent the views of the Government of India. In every country the executive makes the selection and the views that are expressed are the views of the Government for the time being. It would be impossible for any Government to choose a delegation which would be free to express views which may not be in harmony with the views of the Government of the time. I think that on that point whatever views are expressed by the delegation are the views of the Government of India. Even if an Indian were the head of a delegation, he would be bound as long as he is the representative of the Government of India to

[Sir Jagdish Prasad.]

voice the opinion, to emphasise the points, which the Government of India wish him to emphasise. Therefore the mere fact that a delegation is led by a European does not in any way mean that because he happens to be a European he would not therefore be able to voice the opinion of the Government of India. I quite recognise that there is this feeling, that if there is a suitable Indian, that if he is able to make a valuable contribution in an International Conference, he should be sent and I think that has been the general policy of the Government of India. But I hope the House will recognise, as I have already pointed out by giving a few instances, that there are a large number of technical conferences for which, in the present circumstances of India, it is not possible to select an Indian. I am sure that, as time goes on, as more and more Indians fill responsible positions in these technical branches, that the number of Indians who are sent out as delegates will increase but we in this House must for the moment take things as they are. It would be doing no service to ourselves or to the cause of India by sending incompetent and ignorant delegates to technical conferences.

I hope, in view of what I have said, my Honourable friend will not press his Resolution to a division.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: Sir, the Leader of the House has made a very sympathetic speech. Only on one point I do not agree with him and that is that if the leader of a delegation has to express the opinion of the Government of India, as he has said and rightly said, it matters little whether the delegation is led by an Indian or a non-Indian. I think the time has come when you can find very able men who can be trusted by the Government and who can faithfully express the views that the Government of India wants to express, and therefore there cannot be much difficulty on that account. The difficulty is only on very technical matters as the Leader of the House has pointed out but in view of his sympathetic reply I beg leave of the House to withdraw my Resolution.

The Resolution was, by leave of the Council, withdrawn.

RESOLUTION *RE* SLAUGHTER OF MILCH CATTLE.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) :
Sir, the Resolution that stands in my name runs as follows :

“That this Council recommends to the Governor General in Council that immediate steps be taken to stop the indiscriminate slaughter of milch cattle in India”.

Sir, similar Resolutions were discussed in this House, I think in 1921-22, then in 1927 and again in 1929. Unfortunately in some of the debates I notice some of my friends have introduced extraneous material and the discussions took a different turn altogether. Well, Sir, my motive in moving this Resolution is purely and simply to see that the people of India and especially the infant population of India get purer and cheaper milk and the cultivating population of India get good draught animals. Sir, India is mainly an agricultural country. India also is a conservative country. So unless India becomes machine-minded we cannot expect to replace draught animals by machinery for cultivating the soil of India.

Sir, the rate of infant mortality in India is appallingly high as compared with that of other countries in the world. I have got figures, Sir, but I do not

want to take up the time of the House as I know an important Bill is coming up for discussion soon and therefore, Sir, I will try my best to be as brief as possible in discussing this problem. Sir, I may say for the information of the House that cheap and unadulterated milk is practically unavailable in big cities like Bombay and Calcutta and, as you know, Sir, even in Nagpur. In cities like Bombay and Calcutta we hardly get even four seers of milk for the rupee. Sir, it is admitted that milk is necessary for all, not only for infants but even for invalids and convalescents. I have before me authoritative statements made by medical officers of Government in the various provinces wherein they clearly state that if this slaughter is stopped the people will get pure and cheap milk for consumption. Sir, the medical officer from the United Provinces stated that if Government could adopt measures to increase the supply of milk in big cities, that would do more good for controlling infant mortality than the health week propaganda or any other propaganda that is being carried on either by the Government or by local bodies. Even the Agricultural Commission recognised the importance of taking some measures in this direction. Then, Sir, if some administrative measures are taken in this direction, I submit that India is likely to be self-sufficient in the matter of supplying milk and milk products to the people of India. Sir, I am not one of those who think that Government have not taken any steps in this direction. I know that the Agricultural Department of various provinces are trying to some extent to improve the breed of cattle but the measures adopted up till now have not been successful to the extent to which I desire to emphasise. I therefore suggest some measures for the sympathetic consideration of Government so that if this indiscriminate slaughter is stopped, we will get cheap and pure milk as well as other milk products like ghee and butter for our daily consumption, which is very necessary in the interests of the health of India. This will also increase to a very large extent the production of good cattle which is quite essential for the agriculture of India. I would like to suggest, Sir, that the *phooka* system should be abolished. This is a very abominable system, brought into practice by some *gowalas*, who sterilise cows after a lactation period and after the cow or she-buffaloe is dry. Unfortunately, those cattle are sold and slaughtered. I have evidence to show that the cattle that are slaughtered are between three and nine years of age, and that is the period when the milch cattle can give good milk. Then, Sir, in big cities—that is also my experience—when cows and she-buffaloes are brought to the city, they are purchased by these *gowalas*, and after the lactation period is over, they are sold because there are no facilities for taking them back to those parts of the country where grazing facilities are available. In this connection, Sir, the question of railway freight comes in. If the railway freight in this connection is reduced, that will greatly help to stop the selling of cows for slaughter. I understand that in some municipalities, there is an inspector who examines milch cattle to see whether the cattle are healthy or not before being slaughtered. If instructions are issued that the inspector should make it a point not to allow cattle which are capable of giving milk to be slaughtered, that will also to some extent help to solve the problem. Lastly, Sir, the paucity of grazing land is one of the considerations which has come in the way of the poor cultivators keeping a large number of milch cattle. So far as my province is concerned, I know from personal experience that the rules and regulations are very hard, and if that had not been the case, the milch cattle would have been kept in very good condition and we would not have been forced to pay such a high price for the milk we get. If the Government of India could see their way to issue instructions to deal sympathetically in these matters, that would also, in my humble opinion, solve the problem. As I have said in the beginning of my speech, my only object in bringing forward this Resolution

[Mr. V. V. Kalikar.]

is to solve this difficulty of not getting pure milk and pure bred cattle for agriculture in India. I therefore expect support from all parts of the House, and I hope Government will accept my Resolution.

Sir, I move.

THE HONOURABLE KHAN BAHADUR DR. SIR NASARVANJIC OKSY : (Bombay : Nominated Non-Official) : Sir, I have full sympathy with the Resolution moved by my Honourable friend Mr. Kalikar. The question is divisible into two parts, the supply of milk and the slaughter of animals. There can be no dispute with regard to the urgency of milk supply both for the urban and village population. They are, however, greatly handicapped for want of suitable lands for pasture, and thus in some cases when the animals get dry they are slaughtered for their hides. In other places conditions prevail that are certainly barbarous and render the animal unfertile. These too are slaughtered. The question is how far Government can interfere in the matter. So far as the species of cattle are concerned, I believe that the Imperial Council of Agricultural Research is devoting every possible attention to improving the breed. On the other hand there exist so many humanitarian, cow protection, and such like societies that can help to eradicate this evil practice. If these institutions were to broadcast the grave disadvantages resulting to India from it—both to the agricultural and non-agricultural population—much good is likely to result. Neither legislation nor administrative measures will be of any avail. It is only by example and precept combined with broadcasting, that useful information can be supplied. I would ask my Honourable friend therefore to modify his Resolution to the extent that “the Governor General in Council may—”

THE HONOURABLE THE PRESIDENT : Order, order. I am not going to permit any amendment now.

THE HONOURABLE KHAN BAHADUR DR. SIR NASARVANJI CHOKSY : Very well, Sir.

Under these conditions, Sir, it is impossible, as I said, for legislative measures to do anything. Much depends upon the local organisations and local philanthropic institutions to put a stop to such indiscriminate slaughter.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to support the Resolution and I hope that the observations that we make will not be ignored just as His Excellency the Commander-in-Chief did by choosing to treat our debates with contempt.

Sir, some time back as far as agricultural cattle are concerned, there was *shamlat-deh* in my province. Now, Sir, the time has come when for reasons best known to the Government those *shamlat-dehs* all over the province have almost in every case been distributed to the sundry owners of villages and that has brought about the sad result of reducing the quality of milch cattle. I wish that the Government of India should reconsider that policy and restore the *shamlat-deh* lands in every village, and if at present they consider that impossible, then they should allot pasture areas all over the province to enable the milk-giving capacity of cattle to be maintained. Sir, the mere fact that the price of milk is going up shows that there is a dearth of milch cattle already.

I am not dealing with the Resolution from a religious point of view. If we were to bring in the religious view of course every Hindu would say that no cow should ever be slaughtered. But looking at it purely from the economic point of view, I say that notwithstanding all the efforts made in this connection by Government the basic cause of the difficulty has not been tackled, because the sundry village owners have been deprived of their pasture lands in their *shamlat-deh* lands being divided among the owners. In India milk is a principal part of our diet, and for the health and well-being of the people it is essential that milch cattle should be protected and well fed.

With these remarks, Sir, I support the Resolution and I hope the Honourable Leader of the House will not evade dealing with the criticisms and observations that various speakers have made in regard to this matter.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Education, Health and Lands Member) : Sir, I congratulate the mover of the Resolution on the moderation and succinctness with which he has pressed his point. I can also assure my Honourable friend the Leader of the Opposition that his remarks will be given due weight, and I hope by the time I have finished that I shall be able to convince him that the Government have been paying close attention to this problem. The mover of the Resolution said that milk was a very important part in the diet of the people of this country and that in cities specially it was extremely difficult to get a pure supply at a reasonable price. I quite agree with these propositions. Where I differ from him is in the remedy which he proposes. His contention is that, if by legislation we were to make it penal to slaughter milch cattle, then automatically the milk supply would increase and prices would come down. If my Honourable friend were to pause for a moment and consider why it is that these *gowalas* should sell for slaughter the cattle which they have purchased for milk, what is it that induces them to do so, he will agree that there must be some economic force, some economic reason which induces them to do so, in many cases very much against their religious instincts. Well, Sir, we have been going into this problem and we find that so far as census figures are concerned—I do not propose to trouble the House with details—the number of cattle has been increasing, that so far as numbers are concerned there is no cause for anxiety. If we compare the number of cattle with the acreage of cultivated land, or the number of cattle in relation to the population, we find that India compares very favourably with many settled and old countries. The problem in India is really not more cattle but better cattle. That I understand is the opinion of the experts who have been examining this question. In cities I understand the reason why, after the period of lactation is over, milch cattle are slaughtered is that they are fed in such a way and are kept confined in such a manner that it is not possible for them to be used afterwards for breeding purposes. The methods of keeping them, the way that they are fed, are such that after the period of lactation is over, it is not a paying proposition to send them back to the breeding areas. It was suggested by my Honourable friend that if the railway freights were reduced it would be possible to send back these cattle to the breeding areas from which they were imported. We have examined this question and we find that really this would not be a paying proposition and that some other methods should be employed. What are these methods? It is the opinion of experts that it is desirable, especially in regard to the milk supply of big cities, that the dairies should be outside the city areas, that further their feeding should be on more scientific lines. If this is done then this problem—which I quite recognise in some places is a serious problem—of the destruction

[Sir Jagdish Prasad.]

of milch cattle would be nearer solution. I understand that in Bombay something in this direction is being done. Areas have been taken up where cattle, especially she-buffaloes, are kept and the milk supply is organised. I think that with improvement in transport facilities the organisation of milk supplies should be assured. Moreover, the Government of India have organised a marketing survey and we hope to have a report by July, when we shall know the present methods of milk supply to cities and then we shall be in a position to judge as to how far it is possible to improve the milk supply of cities.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : May I ask whether the Government of India have directed Provincial Governments, wherever they have established new colonies, they ought to reserve land for pasturage, at least near to the towns they have proposed to form ?

THE HONOURABLE KUNWAR SIE JAGDISH PRASAD : My Honourable friend may rest assured that I shall take up the point about pasturage before I finish if he will just allow me to continue. I shall not omit to take notice of that point.

I was saying, Sir, that we have organised a marketing survey which will give us information as to the present system of the milk supply of cities. The Government of India have further taken up the question of animal nutrition. We hope soon to have an institute at Izatnagar in the Bareilly district which will study the problem of the scientific way of feeding cattle. We are also going—if the Legislature votes the funds—into the question of the processing and handling of milk, so that it may be possible to transport milk to a distance. We are going into these questions and apart from that so far as the responsibilities of the Central Government are concerned—and I must again remind Honourable Members, they are very often apt to forget it, that the main responsibility now that Agriculture is a transferred subject, is a provincial transferred subject, the main responsibility for these matters rests with the Local Governments concerned. The Government of India can only undertake research and higher education. They can only advise the provinces and get them together to exchange ideas. Therefore as far as we are concerned, we have not neglected either of these duties. We maintain four cattle farms, at Wellington, Bangalore, Karnal and at Pusa, which has now been transferred to Delhi. We maintain these cattle herds. We have in the Imperial Council of Agricultural Research a cattle section which tries to discuss these problems, and a very important problem apart from nutrition is the prevention and cure of disease. We all know that you might be able to rear a very valuable herd, but it might be destroyed by disease. Honourable Members no doubt know that at Muktsar very valuable work is being done and there is a branch at Izatnagar in regard to the prevention and cure of such diseases as rinderpest.

I now come to the question of pasture. Honourable Members know that land revenue is a provincial subject. The question whether pasture land should or should not form part of the village community is a matter really for the Provincial Governments to consider with reference to the village rights of the people.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIE MAHOMED AKBAR KHAN (North-West Frontier Province : Nominated Non-Official) : With your permission, Sir, may I interrupt the Honourable Member ? Pasture

land is common land for the villagers. Why cannot the Government of India pay land revenue on that ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I really cannot answer this question off-hand as to why the Government of India cannot pay the land revenue. It is not only a question of the Government of India ; it is a question of the rights of the landlord. I do not know what the position is in the Frontier Province, but—

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED-AKBAR KHAN : It is common property.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : It is a question of village rights. I am not in a position to say anything. This is a matter in which the Government of India could not lay down instructions from here and say : " In the village of my friend Rai Bahadur Lala Ram Saran Das or the village of the Nawab Sahib of Hoti so many acres shall be regarded as pasture land ". I am sure that if such an order were to issue from here there would be great resentment.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : *Shamlat-deh* is the common land jointly owned by all the people in the village.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : If it is jointly owned by all the villagers, I do not understand how joint possession has disappeared : it must have been by the consent of the joint owners. I conclude that the joint owners of that land have agreed among themselves that it is a more profitable proposition to bring it under cultivation. I presume so. If the joint owners have amongst themselves come to an agreement that there shall be no longer the same area under joint possession for pasturage that is a matter that you can deal with in your Provincial Council.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : The policy of the various Governments has resulted in that.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : It is impossible for me here to defend the policy of nine or ten Local Governments on a side issue. I am not familiar with the facts and here I must again come back to the Resolution.

The Resolution says that in order to increase the milk supply the slaughter of cattle should be prohibited. If the Resolution had been that in order to increase the number of milch cattle instructions should be issued in regard to *shamlat-deh* in the Punjab, I should have been in a better position probably to meet the points of my friends.

THE HONOURABLE THE PRESIDENT : In that case I would not have permitted the Resolution.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I have had to deal with the point that the remedy is to prevent the slaughter of cattle. There is no question of *shamlet-deh*. The practice no doubt varies from province to province. In some villages there is probably no *shamlet-deh*.

THE HONOURABLE NAWAB MALIK SIR MOHAMMAD HAYAT KHAN NOON (Punjab : Nominated Non-Official) : There is very little difference between *shamlat-deh* and proprietary land ; in the *shamlat-deh* case all the villagers have joint holding. In the other case there are only certain individuals who own land. Government has no more right on the common land than on the proprietary fields. They pay land revenue on the proprietary land ; on *shamlat-deh* they pay either in the form of a grazing fee or a fixed amount. Government has no superior rights or claim on *shamlat-deh* than on the proprietary lands.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I am very glad to have this information ; I listened to it with much interest. If I may remind Honourable Members, it does not carry us much further in regard to the Resolution which has been moved by my Honourable friend.

I will now summarise my arguments. I see that Sir Phiroze Sethna is getting rather anxious about his Bill ! I will now summarise what I have said. I want to remind Honourable Members that the primary responsibility for this rests with Provincial Governments, that so far as the Government of India are concerned they are doing what they can within their financial resources to improve the breed of cattle, by keeping cattle farms, by investigations into the prevention of disease, by investigations into the problems of animal nutrition. We have already appointed officers to survey the whole question of milk supply to cities, we are satisfied that this being an economic question, the mere penalising of the slaughter of cattle will not solve it. It is essential that some other methods should be found in order to make it worth the while of the people not to slaughter these cattle but to keep them for breeding purposes. We are fully alive to the fact that in India milk is an important article of diet and I can assure my Honourable friend that we shall do our best to improve the breed of cattle and to see what we can do in order to ensure a purer and better supply of milk to the cities.

4-15 P.M.

I hope, in view of what I have said, my Honourable friend will not press his Resolution to a division.

THE HONOURABLE MR. V. V. KALIKAR : Sir, the reply that the Leader of the House has given to my Resolution, though it does not convince me on many other points, at least it has convinced me to that extent that Government is not ignoring this important question and that they are waiting for the report of their experts. So far as the question of the responsibility of Provincial Governments is concerned, I may bring to the notice of my Honourable friend that Forests in my province is not a transferred subject, nor Land Revenue policy.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : But it will soon be.

THE HONOURABLE MR. V. V. KALIKAR : I am not speaking about the future reforms but of the present conditions. So what I think is that the Government of India has got the power of control over the reserved departments of other provinces and by consultation with the provinces they can lay down a policy for the guidance of the provinces in matters which are reserved and not transferred. However, Sir, as my Honourable friend Sir Phiroze Sethna is getting anxious, I will cut short my remarks and submit that the promise held out by my Honourable friend, though it does not satisfy me

completely, still I hope in a few days when he receives the report and after he considers it carefully, he will find some way (the Government of India can always find ways and means) to ensure a pure and cheap supply of milk and therefore I submit, Sir, that I do not want to press this Resolution to a division. I therefore beg the leave of the House to withdraw the Resolution.

The Resolution was, by leave of the House, withdrawn.

RESOLUTION *RE* PAY OF IMPERIAL SERVICES.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal : Non-Muhammadan) : Sir, my Resolution is as follows :

“ This Council recommends to the Governor General in Council to convey to His Majesty's Government the opinion of this House that immediate measures are required for the purpose of curtailing the pay of the Imperial Services before the reformed constitution is brought into force ”.

Sir, I know that in moving this Resolution I am going to knock against the hard rock of all the Imperial Services, *viz.*, the Indian Civil Service, Indian Police Service, Indian Medical Service and all other Indian services which are mostly the close preserve of recruits from British universities. I also know that the question of the reduction of pay of the Imperial Services is sacred ground, not to be traversed by Indians, whether officials or non-officials. Yet, Sir, I venture to tread the forbidden ground on the eve of the coming constitutional reforms. The bitter experience of India in bribing her services, just on the eve of the 1919 reforms, is still fresh in our minds. The most tempting terms given, on the eve of the 1919 reforms, to the members of those heaven-born services, to retire early, if they were unwilling to serve under Indian ministers, is still causing a drain on the Indian revenues by way of pensions, etc., due to such early retirement. The Leeloot and the overseas pay sanctioned by way of further bribes to the European element of the service is still making a big hole in the chest of the Indian exchequer. It is no wonder then, Sir, that India is apprehensive of further bribes which may be sanctioned by the Secretary of State for such services, as further constitutional reforms are being introduced in the near future. My apprehensions, Sir, are being increased by the silence on the part of the Government of India and the Secretary of State on the subject of the reductions of pay and allowances of those services, when even on economic grounds, the existing fat salaries are untenable. The cost of living has considerably gone down as will appear from the index figures of the last few years. In 1910 the average index number of prices of all articles was 120 and in 1915 it rose to 150. During the period of 1915 to 1920 the index number rose from 150 to 280. It was during this period that the Lee concessions were granted owing to increase in the cost of living. But from 1920 to 1922 it came down from 280 to 215. Then again it rose from 215 to 226 during the years 1922 to 1925. From 1925 to 1930 it dropped from 226 to 145 and in 1931 it came down to 127 which is below the pre-war level. Even the latest numbers that are available for 1932, 1933 and 1934, show a further decline to 126, 121 and 119, respectively. Taking into consideration all these factors there is no denying the fact that the cost of living in India has come down gradually to an abnormally low figure. On this very ground of the reduced cost of living the pay of all the services under the control of the Government of India, and the provinces have been considerably reduced. In some cases the reductions in pay and allowances of such officers have been brought down to the pre-war level. May I therefore ask the Government of India as to why the pay and allowances of the Imperial Services under the

[Mr. Jagadish Chandra Banerjee.]

control of the Secretary of State should not be curtailed considerably for future recruits? With what justification are the Government of India and the Secretary of State keeping silent on this important question at a time when the whole of India is holding their breath to find out ways and means to meet the increased cost of the administration under the coming Reforms? Sir, as usual the Government of India is trying to curtail their expenses by reducing the scales of pay even of the menials and inferior servants, but they are blind on the question of the reduction of pay of the Imperial Services. It is a wonder, Sir, that the question of pay, leave, pensions and other rights of civil servants, consisting of these services, have been kept even out of reach of the Governor General, not to speak of the Federal Ministers or Provincial Governments. Here, Sir, I read section 247 (a) which reads as follows :

“ The conditions of service of all persons appointed to a civil service or a civil post by the Secretary of State shall

(a) As respects pay, leave and pensions and general rights in regard to medical attendance be such as may be prescribed by rules to be made by the Secretary of State ”.

The rules regarding pay, leave, allowances and pensions are to be framed by the Secretary of State alone. The Government of India who are expected to pay have not even been given any *locus standii* to advise the Whitehall bureaucrats on this important question. When India has got to pay for those services, she must have the right to fix their pay. When India is to pay the piper, she should have the right to call the tune. It is preposterous that the whole question of pay, etc., is to be decided in London by the Secretary of State to suit boys of British universities —

THE HONOURABLE THE PRESIDENT : Do not Indians attend the British universities ?

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : They do.

THE HONOURABLE THE PRESIDENT : Then why do you make such invidious observations ?

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : They give more preference and facilities to boys of British universities than to Indians.

THE HONOURABLE THE PRESIDENT : Why make an invidious remark ?

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : We are already hearing, from time to time, that boys from British universities are unwilling to come to India as civil servants under the coming constitution. These cryptic messages received from the United Kingdom, from time to time, are the precursor of further increases in the overseas pay and the Lee concessions. Sir, it is high time that the unparalleled top-heavy administration in India is considerably reduced. Here I would like to make some comparisons of the pay fixed for certain posts reserved for Indian Civil Service officers and the pay drawn by even Ministers of the Cabinets of the United Kingdom and other Dominions like that of Canada, which is enjoying independent status within the British Empire. The fabulous pay drawn by officers of the Indian Civil Service, the Indian Police Service and the Indian Medical Service, are without any parallel in the whole world. I know that comparisons are odious but in considering the question of the pay of these callous, self-elated, all-knowing bureaucrats, nothing is odious. They are as it were odium and abuse

proof. They are here only to milch India to the best of their ability and power. They are sent out more for retaining British supremacy in India and to rule India rather than to serve it. They are sent out by the Secretary of State for enriching their motherland by shipping gold out of India. They care more for the safety of their pensions than anything else. As such they do not care a pin whether India is unable to pay so highly to the civil servants recruited by the Secretary of State. In England the pay of Cabinet Ministers range from £5,000 to £2,000 a year. In terms of rupees it ranges from Rs. 65,000 to Rs. 26,000 a year. In Canada the pay of Cabinet Ministers range from \$15,000 to \$10,000. In terms of rupees it comes to about Rs. 35,000 to Rs. 25,000 a year, respectively. In India, Sir, the pay of the Executive Councillors come to about Rs. 80,000 a year. Even the Financial Secretary in the United Kingdom, who is a Minister, receives a salary of £2,000 a year which means about Rs. 2,000 a month whereas the Secretaries of the Government of India receive Rs. 4,000 a month each and even the Deputy Secretaries receive more pay than the said Minister of the United Kingdom. It is no use alluring us by surplus budgets with a view to adduce cogent reasons for the increase in the number of the cadre of Imperial Services and not to reduce the pay and allowances of officers belonging to such services. In discussing this question I may inform the House that the Wheeler Committee at present enquiring into the re-organisation of the Secretariats will probably be guided by the Llewellyn Smith Committee Report which was relegated to the dust and silence of the upper shelves of the Secretariat record rooms. I will not be surprised if the Wheeler Committee recommends an increase in the number of posts in the Secretariats being reserved for Indian Civil Service officers. Already we find the number of Indian Civil Service under secretaries, deputy secretaries and joint secretaries are being increased. Even in the Department in charge of the Honourable the Finance Member, the custodian of the Indian Exchequer, an additional under secretary has been recruited for working as the Private Secretary to the Honourable the Finance Member. Probably this appointment is being tried as a feeler and I will not be surprised if I find in the course of another year that all the Executive Councillors are being tagged with junior Indian Civil Service officers as their private secretaries. It is already in the air that the posts of assistant secretaries now being held by Indians are going to be changed into posts of under secretaries which will mean some increase in the number of posts for Indian Civil Service officers. For all these reasons I think I will not be wrong if I say that the Government of India, in collusion with the Secretary of State, is trying to evade the question of the reduction of pay of the Imperial Services and the reduction of posts reserved for men to be recruited by the Secretary of State. I would therefore suggest that a committee consisting of officials and non-officials be formed by the Government of India to suggest the reductions in pay and allowances of the Imperial Services and forward the same to the Secretary of State so that he may at least know officially as to the depth of feelings of Indians on this question. We non-officials are always accused of criticising the actions of Government without throwing out constructive suggestions. Here, Sir, I am suggesting to Government to form a committee and to forward the views of that committee to the Secretary of State. I know that the Secretary of State is not bound to consider the views of such a committee. But yet, Sir, I believe that it will have some effect on the minds of the British statesmen in London, who will be compelled seriously to consider the question of the reduction in the number of men in the Imperial Services as well as the question of the reduction in pay and allowances of the officers belonging to those services.

Sir, with these few words, I move my Resolution.

THE HONOURABLE THE PRESIDENT : The Honourable Mr. Hallett.

THE HONOURABLE MR. M. G. HALLETT (Home Secretary) : Sir, I would prefer to reply on the next day, if the debate is going to be adjourned to the next day. I do not know if any other Honourable Member wishes to speak on this Resolution.

THE HONOURABLE THE PRESIDENT : As no other Honourable Member has risen, I take it that nobody wants to speak.

THE HONOURABLE MR. M. G. HALLETT : In that case, I take it in the first place, that the Honourable Member was referring only to the pay of new entrants and that he did not want to cut my pay! (Laughter.) He was dealing with the pay of new entrants. There was a similar discussion about two years ago in this Council on a Resolution moved by the same Honourable Member and on that occasion I undertook to convey the views of the Council to the Secretary of State. That was done. Honourable Members have been informed, in reply to questions, both in this House, and in the other House by the Honourable the Home Member, that the matter is still under the consideration of the Secretary of State, and I am quite prepared again to forward the Honourable Member's speech to the Secretary of State for his information. The Secretary of State does pay considerable attention to Indian opinion on this matter, and that is one of the reasons for the delay that has occurred in getting the whole question decided. If the Honourable Member is satisfied with that assurance, I do not think I need delay the House any longer. I am prepared to send his speech and the opinion of this House to the Secretary of State.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab Non-Muhammadan) : May I ask one question? Three years have now passed since a Resolution of a similar nature was moved in this Council. Will it take the Secretary of State a century to decide this matter? The matter ought to have decided within a reasonable period.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Sir, whatever has been said by the Government did not convince me about their *bona fides*. The present bureaucrats, whether brown or white, are experts in camouflage and diplomacy. They are very good adepts in the art of side-tracking the main issues by their platitudes and protestations. However, I know that the question entirely rests with the Secretary of State. But certainly the Governor General in Council can represent to His Majesty's Government in England that public feeling is very strong on this point and that something must be done immediately to reduce the pay and allowances of future recruits to those services.

THE HONOURABLE THE PRESIDENT : Order, order. I am not going to allow you to make a second speech. You will only reply to the arguments set out by Mr. Hallett.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Whatever has been said in reply to my Resolution, I am still unconvinced but as the Honourable Mr. Hallett promises to send the debate to the Secretary of State for his consideration, with that assurance I beg leave of the House to withdraw my Resolution.

(The Honourable Mr. Hossain Imam rose in his place.)

THE HONOURABLE THE PRESIDENT : You are not entitled to speak at this stage.

The Resolution was, by leave of the Council, withdrawn.

PARSI MARRIAGE AND DIVORCE BILL.

THE HONOURABLE THE PRESIDENT (to the Honourable Sir Phiroze Sethna) : I would ask you only to read your Motion today and you can proceed to debate it on the next non-official day. I give you this chance that you may not lose priority.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muham-
madan) : Thank you, Sir.

I beg to move :

"That the Bill to amend the law relating to marriage and divorce among Parsis, as reported by the Joint Committee, be taken into consideration".

The Council then adjourned till Eleven of the Clock on Friday, the 13th March, 1936.